

ORDINANCE NO 2425

AN ORDINANCE OF THE CITY OF REDMOND, WASHINGTON, ADOPTING FINDINGS, AMENDING THE DEFINITIONS OF CONSTRUCTION SIGN AND BANNERS AND ADDING NEW DEFINITIONS FOR COMPLEX, COMMERCIAL SIGN, AND FLAG TO THE DEFINITIONS FOUND IN RCDG 20A 20 020, 20A 20 030 AND 20A 20 060, AMENDING RCDG 20D 160 10-060 REGARDING TEMPORARY SIGNS IN ORDER TO MODIFY THE REQUIREMENTS FOR CONSTRUCTION SIGNS AND TEMPORARY USE SIGNS AND TO PROVIDE FOR SIGNS NOT OTHERWISE REGULATED, AMENDING RCDG 20D 160-10-090 TO DELETE CERTAIN OBSOLETE PROVISIONS, REPEALING RCDG 20D 160 10-110 PROVIDING FOR THE AMORTIZATION OF SANDWICH BOARD SIGNS, PROVIDING FOR SEVERABILITY AND ESTABLISHING AN EFFECTIVE DATE

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WHEREAS, as the result of the U S District Court and Ninth Circuit Court rulings in *Ballen v City of Redmond*, the City has previously amended its sign regulations in order to ensure content neutrality in the regulation of temporary signs, and

WHEREAS, the City's experience with the amended regulations has led the Planning Department to recommend minor modifications in the regulations in order to provide for better enforceability, and

WHEREAS, the Planning Commission held a public hearing on the recommended changes and, after considering all public testimony and other information received, recommended that certain amendments to the existing regulations be adopted, and

WHEREAS, the City Council has considered the Planning Commission's recommendations and has determined to adopt those amendments set forth in this ordinance           NOW, THEREFORE, THE CITY COUNCIL OF THE CITY OF REDMOND, WASHINGTON, DOES ORDAIN AS FOLLOWS

Section 1           Classification   Sections 1, 2, 7, and 8 of this ordinance are non-code   Sections 3, 4, and 5, are of a general and permanent nature and shall become a part of the code

Section 2           Findings   The Redmond City Council hereby makes the following findings in support of the amendments adopted by this ordinance

- 1    On September 15, 2006, the Ninth Circuit Court of Appeals issued its decision in *Ballen v City of Redmond*. The Ninth Circuit upheld a decision of the U S District Court for the Western District of Washington invalidating the City of Redmond's regulations governing portable signs. The Ninth Circuit held that the City's content-based regulations were impermissible restrictions on commercial speech. Specifically, the Ninth Circuit held that a reasonable fit did not exist between the restrictions imposed by the regulations and the City's aesthetic and safety goals because the regulations favored real estate signs, temporary window signs and signs on kiosks over other commercial advertising.
- 2    Prior to the Ninth Circuit's decision, the City amended its sign regulations in order to provide for content neutrality between commercial, real estate, and construction signs. These regulations remain in effect today.

- 3 Based on the City's experience with enforcement of the regulations and based upon the rulings made by the Ninth Circuit, the City's code enforcement staff and Planning Director have recommended certain changes to the sign code
- 4 The City's code enforcement staff has recommended the addition of new definitions for complex, commercial sign, and flag, and has recommended amending the definitions of banners and construction signs in order to assist in enforcement of the portable sign code and to provide support for the varying treatment of certain signs. The Council agrees that these definitional changes will assist in enforcement and are consistent with the changes provided by, and the intent of, this ordinance
- 5 The City has, through the enactment of the City's Downtown Plan, eliminated the City Center (CC) zoning district and created the Downtown Design (DT) zoning district. Further, when the City adopted the Overlake Neighborhood Plan and the Bear Creek Neighborhood Plan, the City created the Overlake Design District (ODD), the Overlake Business and Advanced Technology (OBAT) district, the Gateway Design District (GDD), and the Bear Creek Design District (BCDD). The Code should be amended to change the references in the portable sign regulations accordingly
- 6 The City's current portable sign regulations divide residential zoning districts into two groups for purposes of determining the number of signs that are allowed. The first group, in which three portable commercial or real estate signs are allowed, currently includes the RA-5, R-1, R-2, R-3, R-4, R-5, R-6, R-8, and R-12 zoning districts. The second group, in which one portable commercial or real estate sign is allowed, currently includes the R-18, R-20, and R-30 zoning districts. The Planning Department has recommended that the R-12 zoning district be moved from the first group to the second group because R-12 zoning districts typically share the characteristics of the R-18, R-20, and R-30 districts that led the Council to reduce the

amount of allowed signage in the higher density group higher speeds and more busy intersections The Council agrees and finds that vehicular and pedestrian safety and community aesthetics in the R-12 zone would be increased by the reduction in visual clutter in that zone

- 7 The Ninth Circuit approved of the City's content-based distinction between construction signs and other temporary commercial signs The Ninth Circuit agreed with the City that treating construction signs more favorably than other commercial signs is justified because such signs further the City's pedestrian and vehicular safety goals by providing notice to the public that construction activity is occurring on a site and that caution is warranted The City's code enforcement staff and Planning Director have therefore recommended three code changes (a) a change to the definition of construction sign, (b) a change to the size requirements for such signs in order to allow such signs to have two 32 square foot sign faces, and (c) a change to the times during which such signs may be displayed
- 8 The proposed change to the definition of construction sign recognizes that the purpose of such signs is to notify the public of the fact that construction activity is taking place on the site This change furthers the City's pedestrian and vehicle safety goal by ensuring that such notice is provided
- 9 The proposed increase in the size of the construction sign to allow 32 square feet per sign face also furthers the City's pedestrian and vehicle safety goal by making such signs more visible to the public However, it is appropriate to limit the zoning districts and circumstances in which the increased size is allowed as a means of balancing the positive contribution of larger signs to vehicle and pedestrian safety against the negative impact of larger signs on aesthetics In the commercial zoning districts in which the larger construction signs would be allowed, the Council judges that the interest in pedestrian and vehicle safety

provided by the larger signs outweighs the aesthetic detriment, given the amount of other signage in the area. In the residential zoning districts, allowing two 32 square foot sign faces for subdivisions outweighs the aesthetic detriment given the size of properties involved in most subdivisions. In other residential settings, the aesthetic detriment of enlarging the signs is greater and the signs should remain smaller.

- 10 Allowing construction signs to be displayed at all times between issuance of construction permits and issuance of a certificate of occupancy also furthers the City's pedestrian and vehicle safety goals. The limit in the current code section to the display of the signs during the hours in which construction noise is permitted does not recognize that construction sites may remain dangerous and require public notice even during hours when actual construction activity is not occurring.
- 11 In addition to the changes recommended by code enforcement staff, the City Council has determined that construction signs should be allowed on fencing surrounding a construction site. Most construction sites use perimeter fencing to keep members of the public from accessing the site. While signage on fencing ordinarily constitutes an aesthetic blight and a potential traffic hazard, the Council finds that keeping the public safe by having more visible construction signage outweighs the aesthetic harm and potential traffic hazards.
- 12 Code enforcement staff has reported finding commercial, real estate, and construction signs for sites located outside the city limits at great distances from the signs. The code enforcement staff and the Planning Director have therefore recommended amending the sign regulations to require that all signs within the City must relate to a business, property, or construction site within the City. The Council judges that the aesthetic detriment and impact on vehicular and pedestrian safety from such signs

outweighs the need for such signage to be located within the city limits when ample alternative areas for signage are located closer to the business, property, or construction site to which the signs relate

- 13 The City's sign regulations are based on zoning districts and the Council has carefully balanced the uses within each district, the traffic characteristics in each district, and the aesthetics in each district in order to arrive at an allowed number and size of signs. When signs relating to a business, property, or construction site lying outside the City limits are placed within these zoning districts, the balance achieved by the City's regulations is upset and the purpose behind using zoning districts as the basis for regulation is thwarted. The proposed change to require the business, property or construction site to which a sign relates to be located within the city limits will further the traffic safety and aesthetic goals that were the basis for the district-by-district approach.
- 14 Banner signs are an aesthetic detriment regardless of zoning district. The code enforcement staff and Planning Director have recommended that such signs be clearly prohibited and the Council concurs. Prohibiting banner signs is prohibiting a medium, not a message, and the City has authority to enact a content-neutral ban on a particular form of signage.
- 15 The other changes proposed by code enforcement staff and the Planning Director for Section 20D 160 10-060 are housekeeping or minor matters. The tie-down requirement for signs associated with temporary uses has not been enforced and the code enforcement staff has recommended its deletion. Staff and the Director have also recommended the catch-all provision of proposed Subsection 20D 160-10-060(6) be included in the event that a sign does not fall into any of the specific categories regulated. By providing that any such sign meet the commercial sign requirements, the City will ensure that any safety and aesthetic impacts are minimized, as

the commercial sign category is as strictly regulated as any of the categories Proposed new Subsection 20D 160 10-060(7) is simply a clarification of the relationship between the permitted temporary signs and prohibited signs section The deletion of current Subsection 20D 160 090(6), which requires that all signs in the right-of-way be approved by the Public Works Director is no longer necessary or practical given the Ninth Circuit's ruling in *Ballen* and the fact that the City has now adopted detailed regulations for such signs

- 16 Section 20D.160.10-090 prohibits the display of banners, festoon flags, poster, pennants, ribbons, streamers, strings of lights, chasing strobe or scintillating lights, flares, balloons, bubble machines and similar devices. Although these signs and devices are clearly detrimental to the City's interests in aesthetics and safety when they are visible from locations off the site on which they are located, the City's interests are not impacted where these signs and devices are not so visible. Section 20D.160.10-090 should be modified to allow such signs and devices when internal to a single development and not visible off-site.

- 17 Finally, Section 20D 160 10-110 provides that sandwich board signs in existence on June 26, 1997 were required to be brought into compliance with the City's regulations within six months from that date The date for compliance has long since passed and all temporary signs are now regulated in an entirely different manner Section 20D 160 10-110 is irrelevant to the current regulatory scheme and should be repealed

Section 3 Amended and new definitions The definitions of "banner" in RCDG 20A 20 020 and the definition of "construction sign" in RCDG 20A 20 30 are hereby amended to read as follows, new definitions of "complex" and "commercial signs"

are hereby added to RCDG 20A 20 030 to read as follows, and a new definition of "flag" is hereby added to RCDG 20A 20 060 to read as follows

**Banner [S].**

A temporary sign[S] made of cloth, fabric, paper, non-rigid plastic or similar types of material[+], designed to be displayed between two or more supports and/or affixed to a building or other structure or held by two or more persons. [N]National flags[,] and flags of political subdivisions [AND SYMBOLIC FLAGS OF AN INSTITUTION OR BUSINESS] are excluded

**Complex.**

A building or group of buildings on one or more parcels managed by a single entity or property management.

**Commercial Sign.**

A sign containing expression related to the economic interests of the advertiser and its audience or a sign proposing a commercial transaction.

**Construction Sign.**

A sign on the site of a construction project that identifies the project, its character, or its purpose, [~~AND THE ARCHITECTS, PLANNERS, CONTRACTORS, OR OTHER INDIVIDUALS OR FIRMS INVOLVED~~] and that serves to promote pedestrian and vehicular safety by notifying the public that construction is taking place on the site.

**Flag.**

A piece of cloth or bunting often attached to a staff, with distinctive colors, patterns, or symbolic devices used as a national or state symbol.

Section 4      Amendment of Section      RCDG 20D 160 10-060,

Permitted Temporary Signs, is amended to read as follows

20D.160.10-060 Permitted Temporary Portable Signs.

(A) Temporary portable signs, exempt from RCDG 20D 160 10-050 unless otherwise provided, are permitted in any zoning district subject to the following requirements

(1) Temporary Portable Commercial, Real Estate and Construction Signs Temporary [PORTABLE] signs advertising construction project sites, and temporary portable signs advertising business locations, and the sale or lease of commercial or residential premises are permitted only as follows

(a) Number The number of temporary portable commercial, real estate, and construction signs allowed shall be as follows, provided, that nothing herein shall be construed as authorizing the display of signs otherwise prohibited under applicable provisions of this code, including but not limited to home occupation signs

(1) For any business, or real estate unit [~~OR CONSTRUCTION SITE~~] located in the UR, [CC] [DOWNTOWN] DT, NC, GC, OV, ODD, OBAT, GDD, BCDD, BP, MP, or I zoning districts, no more than one temporary portable commercial[?] or real estate [~~OR CONSTRUCTION~~] sign shall be allowed for each business location[?] [~~CONSTRUCTION PROJECT SITE~~] or real estate

unit offered for sale or lease, provided, that a maximum of one portable sign shall be allowed for any multi-unit complex notwithstanding the number of rental or dwelling units therein currently available for sale or lease

(11) For any business[~~7~~] or real estate unit [~~OR CONSTRUCTION SITE~~] located in the RA-5, R-1, R-2, R-3, R-4, R-5, R-6, R-8, [~~R-12~~] or RIN zoning districts, no more than three temporary portable commercial[~~7~~] or real estate [~~OR CONSTRUCTION PORTABLE~~] signs shall be allowed for each business location[~~, CONSTRUCTION PROJECT SITE~~] or real estate unit offered for sale or lease

(111) For any business[~~7~~] or real estate unit [~~, OR CONSTRUCTION SITE~~] located in the R-12, R-18, R-20, or R-30 zoning districts, no more than one temporary portable commercial[~~,~~] or real estate [~~, OR CONSTRUCTION PORTABLE~~] sign shall be allowed for each business location[~~, CONSTRUCTION PROJECT SITE,~~] or real estate unit offered for sale or lease, provided, that a maximum of one temporary portable sign shall be allowed for any multi-unit residential apartment or condominium complex

notwithstanding the number of rental or dwelling units therein currently available for sale or lease

(1v) For any construction site located in any zoning district within the City limits, no more than two (2) temporary construction signs shall be allowed for each construction project site.

(b) Size

(1) Commercial[,] and real estate ~~[AND CONSTRUCTION]~~ temporary portable signs shall not exceed six square feet per sign face, and no such sign shall contain more than two sign faces Commercial[,]  
and real estate[, ~~AND CONSTRUCTION]~~ temporary portable signs shall not exceed six feet in height, measured from the pre-existing ground level to the top of the sign

(ii) Temporary construction signs in the UR, DT, NC, GC, OV, ODD, OBAT, GDD, BCDD, BP, MP, I, R-12, R-18, R-20, and R-30 zoning districts shall not exceed thirty-two square feet per sign face, shall not contain more than two sign faces, and shall not exceed ten feet in height when measured from pre-existing ground level to the top of the sign.

(iii) Temporary construction signs located in the R-1 through R-8 zoning districts

when associated with a subdivision shall not exceed thirty-two square feet per sign face, shall not contain more than two sign faces, and shall not exceed ten feet in height when measured from pre-existing ground level to the top of the sign.

(iv) Temporary construction signs located in the R-1 through R-8 zoning districts when not associated with a subdivision shall not exceed six square feet per sign face, shall not contain more than two sign faces, and shall not exceed six feet in height when measured from pre-existing ground level to the top of the sign.

(c) Location No temporary portable commercial, real estate or construction [~~PORTABLE~~] sign shall be located within vehicle lanes, bikeways, trails, sidewalks or median strips No temporary portable commercial, real estate or construction [~~PORTABLE~~] sign shall block driveways or be affixed to utility poles, [~~FENCES,~~] trees or traffic signs Construction temporary signs may be affixed to fencing on a construction site, but no commercial or real estate temporary portable sign shall be affixed to a fence. No temporary portable commercial, real estate,

or construction [~~PORTABLE~~] sign shall be strung between trees

(i) Temporary portable commercial, real property, and construction signs may be displayed only if the business, real property, or construction site to which they relate is located within Redmond City limits.

(d) Festoons prohibited The use of balloons, festoon[] flags, pennants, lights or any other attached display on a commercial, real estate or construction temporary portable sign is prohibited

(e) Animation prohibited No commercial, real estate or construction temporary portable sign shall be displayed while being rotated, waved, or otherwise in motion

(f) Duration Commercial temporary portable signs may be displayed only during the hours when the commercial establishment to which they relate is open for business Real estate temporary portable signs may be displayed only during the hours when the real estate to which they relate is the subject of an open house or when a complex manager is available to show the unit Temporary [~~C~~] construction [~~PORTABLE~~] signs may be displayed only during the [~~HOURS IN WHICH~~

~~CONSTRUCTION ACTIVITY IS PERMITTED ON THE PREMISES~~  
~~UNDER RCDG 20D 100 10 050]~~ period between issuance of  
construction permits and issuance of a certificate of  
occupancy or final inspection approval for the  
construction

(g) Nonconforming Signs-Amortization.

All temporary portable signs which are legally  
nonconforming as of the effective date of this  
subsection (g) shall be removed or brought into  
compliance not later than June 30, 2009. A legally  
non-conforming sign shall immediately lose its legal  
nonconforming status and shall be brought into  
compliance with current regulations whenever:

(i) The sign is replaced with  
another sign; or

(ii) A change in copy, placard, or  
structure occurs; or

(iii) The sign requires  
repairs beyond normal maintenance; or

(v) The sign is expanded or  
moved.

Normal maintenance such as cleaning, painting or  
repair of broken placards, without any change in copy,

is allowed so long as the repairs do not modify the sign structure.

(2) Major Land Use Action Notice Where required by RCDG Title 20F public notice signs which describe proposed major land use actions and public hearing dates are permitted The sign or signs shall comply with the standards contained in RCDG Title 20F

(3) Political Signs

(a) On-Premises Signs On-premises political signs located at the headquarters of a political party, candidate for public elective office, or a public issue decided by ballot are permitted All on-premises political signs shall comply with the dimensional and locational requirements of the sign district in which located

(b) Off-Premises Signs

(1) Location Permits for political signs are not required Political signs may not be placed on private property without the permission of the property owner In parking strips and public rights-of-way where the placement of a political sign may be fairly attributed to a[N] neighboring property owner, permission of that owner must first be obtained prior to placement Political

signs may not be located so as to impede driver vision or represent an obstruction or hazard to vehicular or pedestrian traffic. On public property not part of the public right-of-way, relevant City departments may designate an area or areas for the placement of political signs in order to ensure that placement will not interfere with the intended use of that land.

(11) Size/Spacing Political

signs shall not exceed six square feet in size. No political sign may exceed six feet in height, measured from the pre-existing ground level to the top of the sign.

(111) Removal of Election

Signs. Off-premises political signs shall be removed within seven days of the date of the election to which the sign pertains. Failure to remove political signs within the time limit provided shall constitute a violation of this code and shall be punishable as such. In the event that City personnel are required to remove signs from public rights-of-way after expiration of the time limit for removal, all costs associated with such removal shall be the responsibility of the candidate or campaign organization for whom the sign was posted and shall be

collected in addition to any other penalty applicable to failure to remove the sign

(iv) Public Works Projects The Public Works Department may remove signs from public rights-of-way in order to conduct periodic maintenance activities Signs removed for this purpose may be picked up at the City's Maintenance and Operations Center and returned to their prior location if still within the removal deadline The Public Works Department may permanently remove political signs from public rights-of-way for the purpose of carrying out major public works projects Political signs removed for this purpose will be held and made available for pick up at the City's Maintenance and Operations Center until 14 days following the next occurring election

(v) Removal of Signs in Disrepair The Public Works Department may remove any sign which is in a state of disrepair from the public right-of-way or public property at any time For purposes of this subsection, a sign is in a state of disrepair if it is ripped, torn, broken, faded, obliterated, obscured, dilapidated, blown down,



(b) No more than one on-premises sign and one off-premises sign shall be permitted per temporary use, except by virtue of having been in consistent operation prior to the existence of this chapter, and due to the fact numerous individual operators participate in the operation, the open air crafts and farmer's market, commonly known as the Saturday Market, shall be allowed two on-premises signs in addition to one off-premises sign

(c) No sign shall exceed six square feet per sign face

(d) Maximum sign height shall be six feet measured from the pre-existing ground level to the top of the sign

(e) Signs shall not be portable readerboard types, electrical or neon Only indirect lighting is allowed

(f) Sandwich board or "A" board signs may be used in compliance with this subsection, Temporary Uses and Secondary Uses of Schools, Churches, or Community Buildings, provided they are used only during the days the temporary or secondary use occurs and are removed after the use ceases for each day

~~{(C) SIGNS SHALL BE SECURED WITH AN APPROVED TIE DOWN}~~

~~{(H) SIGNS SHALL BE APPROVED BY THE PLANNING DIRECTOR BEFORE THEY ARE USED IF A TEMPORARY USE PERMIT IS REQUIRED, THIS REVIEW SHALL TAKE PLACE AS PART OF THE TEMPORARY USE APPLICATION DECISION }~~

(7) Any temporary sign not otherwise provided for under subsections (1) through (6) above shall meet the requirements for commercial signs set forth in subsection (1).

(8) This section shall not be construed as permitting any sign otherwise prohibited by RCDG 20D.160.10-090.

Section 5      Amendment of Section      RCDG 20D 160 10-090, Prohibited Signs, is hereby amended to read as follows

**20D.160.10-090 Prohibited Signs.**

The following signs are prohibited

(1) Animated Signs No sign shall be animated, revolve or rotate either mechanically or by illumination except the movement of the hands of a clock, digital changers and barber poles

~~{(2) OFF PREMISES SIGNS OFF PREMISES SIGNS ARE NOT PERMITTED WITHIN THE CITY OF REDMOND UNLESS EXCEPTIONS ARE SPECIFICALLY MADE ELSEWHERE IN THIS SECTION INCLUDED WITHIN THIS PROHIBITION ARE BILLBOARDS, POSTER BOARDS, AND OTHER ADVERTISING FOR PRODUCTS OR BUSINESSES NOT LOCATED ON THE SITE OF THE BUSINESS OR PLACE OF SALE }~~

(3) Temporary Portable Signs Temporary [P]portable signs not meeting the requirements of RCDG 20D 160 10-060 are prohibited This prohibition includes, but is not limited to, portable readerboards, signs on trailers, banners and sandwich boards

(4) Signs on Utility Poles Signs on utility, street light and traffic control standards or poles are prohibited, except for those of the utility or government

(5) Signs Not Meeting the Requirements of This Section or That are Legal Nonconformances The following signs are unlawful and prohibited signs that do not comply with the conditions of their permits, signs erected, altered or relocated without a permit and not in compliance with this section, signs which were lawful under prior sign codes, but which

have been altered or relocated so that the sign is not in compliance with this section, and signs that identify and advertise activities, products, businesses, or services which have been discontinued, terminated or closed for more than 60 days on the premises upon which the signs are located

~~[(6) SIGNS WITHIN RIGHTS OF WAY SIGNS WITHIN PUBLIC RIGHTS OF WAY MAY BE PERMITTED UPON APPROVAL BY THE DIRECTOR OF PUBLIC WORKS ]~~

(7) Streamers, ~~[AND]~~ Pennants, and Banners Displays of banners, festoon[S] flags, posters, pennants, ribbons, streamers, strings of lights, chasing strobe or scintillating lights, flares, balloons, bubble machines and similar devices are prohibited when the same are visible from any off-site location, including but not limited to, any public right -of-way. Where such signs or devices are not visible from off-site, this prohibition does not apply. For purposes of this subsection, a single, integrated development that does not contain or cross public rights-of-way is considered a single site even where the development spans more than one contiguous parcel. ~~[, EXCEPT ON A LIMITED BASIS AS SEASONAL OR FESTIVAL DECORATIONS OR FOR GRAND OPENINGS OR~~

~~ANNIVERSARIES OF ESTABLISHMENTS]~~ This section shall not prohibit the use of banners in a parade.

(8) Traffic-Like Signs Signs which by reason of their size, location, movement, content, coloring or manner of illumination may be confused with a traffic control sign, signal, or device, or the light of an emergency vehicle, or which obstruct the visibility of any traffic or street sign or signal are prohibited

(9) Obscene Signs Signs which bear or contain statements, words or pictures which are obscene under the prevailing statutes or U S Supreme Court decisional law are prohibited

Section 6 Repeal of Section RCDG 20D 160 10-110,  
Amortization of Sandwich Board Signs, is hereby repealed

~~{20D 160 10 110 AMORTIZATION OF SANDWICH BOARD SIGNS~~

~~(1) ANY SANDWICH BOARD SIGN WHICH WAS LEGALLY ESTABLISHED AND IN USE DURING THE WEEK OF JUNE 26, 1997, MAY CONTINUE TO BE USED FOR SIX MONTHS FROM JUNE 26, 1997, PROVIDED THAT THE SANDWICH BOARD SIGN IS IN COMPLIANCE WITH ALL REGULATIONS IN EFFECT WHEN THE SIGN WAS LEGALLY ESTABLISHED~~

~~(2) AFTER THE AMORTIZATION PERIOD IN SUBSECTION (1), AMORTIZATION OF SANDWICH BOARD SIGNS, HAS ENDED, SANDWICH BOARD SIGNS LEGALLY ESTABLISHED OR USED BEFORE JUNE 26, 1997, SHALL BE PROHIBITED USES AND STRUCTURES AND THEIR USE SHALL CEASE~~

~~(3) OTHER THAN AS PROVIDED IN SUBSECTION (1), AMORTIZATION OF SANDWICH BOARD SIGNS, SANDWICH BOARD SIGNS SHALL NOT BE LEGAL NONCONFORMING USES OR STRUCTURES~~

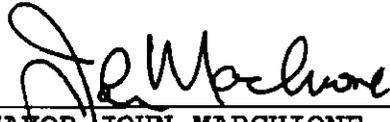
~~(4) SANDWICH BOARD SIGNS SHALL BE DEFINED AS SIGNS USED FOR ADVERTISING AND CONSTRUCTED OF TWO BOARDS OR OTHER FLAT SURFACES HINGED OR OTHERWISE CONNECTED AT ONE END}~~

Section 7      Severability      If any section, sentence, clause or phrase of this ordinance or any code section adopted or amended hereby should be held to be invalid or unconstitutional by a court of competent jurisdiction, such invalidity or unconstitutionality shall not affect the validity of any other section, sentence, clause or phrase of this ordinance or the adopted or amended code section

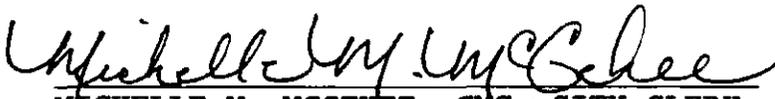
Section 8      Effective Date      This ordinance shall take effect and be in full force five days after its passage and publication of a summary as provided by law

ADOPTED by the Redmond City Council this 6<sup>th</sup> day of  
January, 2009

CITY OF REDMOND

  
MAYOR JOHN MARCHIONE

ATTEST

  
MICHELLE M MCGEHEE, CMC, CITY CLERK

(SEAL)

APPROVED AS TO FORM  
OFFICE OF THE CITY ATTORNEY

BY 

FILED WITH THE CITY CLERK	December 22, 2008
PASSED BY THE CITY COUNCIL	January 6, 2009
SIGNED BY THE MAYOR	January 6, 2009
PUBLISHED	January 12, 2009
EFFECTIVE DATE	January 12, 2009
ORDINANCE NO <u>2425</u>	