

RENO NEWSPAPERS INC

Publishers of

RENO GAZETTE-JOURNAL

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- Washoe County  
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- PO Box 11130
- Reno, NV 89510

STATE OF NEVADA  
COUNTY OF WASHOE

ss Tana Ciccotti

Being first duly sworn, deposes and says:  
That as the legal clerk of the RENO  
GAZETTE-JOURNAL, a daily newspaper  
published in Reno, Washoe County,  
State of Nevada, that the notice:

Ordinance 1152

has published in each regular and entire  
issue of said newspaper on the following  
dates to wit:

March 15, 22, 2002

Signed

*Tana Ciccotti*

Subscribed and sworn to before me this

MAR 27 2002

*Susan V. Dummara*

Notary Public



Customer Account #	349008
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**PROHIBITION**

**NOTICE OF ADOPTION  
WASHOE COUNTY  
ORDINANCE NO. 1152**

NOTICE IS HEREBY GIVEN THAT: Bill No.1328, Ordinance No. 1152, entitled

AN ORDINANCE AMENDING PROVISIONS RELATING TO WASHOE COUNTY CODE CHAPTER 110, ARTICLE 502, OFF-PREMISE SIGNS, BY AMENDING THE DEFINITIONS SECTION TO CONFORM TO CHANGES ENACTED BY THE 2001 NEVADA STATE LEGISLATURE, TO ELIMINATE DISCREPANCIES BETWEEN DEFINITIONS OCCURRING IN THE ON-PREMISE SIGN REGULATIONS AND THIS ARTICLE AND TO ADD A DEFINITION OF COMMUNITY DEVELOPMENT DIRECTOR; TO ELIMINATE REFERENCES TO SPECIFIC TYPES OF SIGNS FOR REPAIR AND MAINTENANCE; TO ADD REFERENCES TO THE DEPARTMENT OF BUILDING AND SAFETY; TO ELIMINATE THE REQUIREMENT FOR A SPECIAL USE PERMIT FOR AN OFF-PREMISE SIGN; TO ADD ADDITIONAL AESTHETIC REQUIREMENTS; TO ADD A PROHIBITION OF NEW SIGNS UNTIL ALL NONCONFORMING SIGNS HAVE BEEN REMOVED; TO ELIMINATE SPECIFIED EXEMPT SIGNS; TO ELIMINATE SPECIFIED PROHIBITED SIGNS; TO REQUIRE A PUBLIC HEARING PRIOR TO THE POSSIBLE REMOVAL OF A SIGN BECAUSE OF DEVELOPMENT; TO ELIMINATE THE APPEALS PROCEDURE; TO ADD SPECIFIC TIME PERIODS FOR THE ISSUANCE OF A BUILDING PERMIT FOR AN OFF-PREMISE SIGN; TO ELIMINATE REFERENCES TO INFORMATION THAT IN THE OPINION OF THE PERMITTING AUTHORITY CAN BE REQUIRED; TO ELIMINATE PROVISIONS REGARDING LIMITATION ON SIGNS AND FEE REQUIREMENTS; TO ADD A PROVISION PERMITTING THE SUBSTITUTION OF NON-COMMERCIAL MESSAGES FOR COMMERCIAL MESSAGES, AND OTHER MATTERS PROPERLY RELATING THERETO.

was adopted on Tuesday, March 12, 2002 by Commissioners Pete Sferrazza, Joanne Bond, Jim Galloway, Jim Shaw and Ted Short. This ordinance shall be in full force and effect from and after Friday, March 22, 2002.

Typewritten copies of the ordinance are available for inspection by all interested persons at the office of the County Clerk, 75 Court Street, Reno, Nevada.

AMY HARVEY,  
Washoe County Clerk  
No.991 Mar.15,22, 2002

MAR 29 2002

SUMMARY: Amends Washoe County Code by amending definitions that are related to the regulation of off premise signs, deleting definitions of exempt and prohibited signs, removing the requirement for a special use permit, prohibiting new signs until all nonconforming signs are removed, defining application requirements, adding provisions for a public hearing before directing the possible removal of a sign because of development, adding a substitution clause, and other matters properly relating thereto.

BILL NO. 1328

ORDINANCE NO. 11521

AN ORDINANCE AMENDING PROVISIONS RELATING TO WASHOE COUNTY CODE CHAPTER 110, ARTICLE 502, OFF PREMISE SIGNS, BY AMENDING THE DEFINITIONS SECTION TO CONFORM TO CHANGES ENACTED BY THE 2001 NEVADA STATE LEGISLATURE, TO ELIMINATE DISCREPANCIES BETWEEN DEFINITIONS OCCURRING IN THE ON-PREMISE SIGN REGULATIONS AND THIS ARTICLE AND TO ADD A DEFINITION OF COMMUNITY DEVELOPMENT DIRECTOR; TO ELIMINATE REFERENCES TO SPECIFIC TYPES OF SIGNS FOR REPAIR AND MAINTENANCE; TO ADD REFERENCES TO THE DEPARTMENT OF BUILDING AND SAFETY; TO ELIMINATE THE REQUIREMENT FOR A SPECIAL USE PERMIT FOR AN OFF-PREMISE SIGN; TO ADD ADDITIONAL AESTHETIC REQUIREMENTS; TO ADD A PROHIBITION OF NEW SIGNS UNTIL ALL NONCONFORMING SIGNS HAVE BEEN REMOVED; TO ELIMINATE SPECIFIED EXEMPT SIGNS; TO ELIMINATE SPECIFIED PROHIBITED SIGNS; TO REQUIRE A PUBLIC HEARING PRIOR TO THE POSSIBLE REMOVAL OF A SIGN BECAUSE OF DEVELOPMENT; TO ELIMINATE THE APPEALS PROCEDURE; TO ADD SPECIFIC TIME PERIODS FOR THE ISSUANCE OF A BUILDING PERMIT FOR AN OFF-PREMISE SIGN; TO ELIMINATE REFERENCES TO INFORMATION THAT IN THE OPINION OF THE PERMITTING AUTHORITY CAN BE REQUIRED; TO ELIMINATE PROVISIONS REGARDING LIMITATION ON SIGNS AND FEE REQUIREMENTS; TO ADD A PROVISION PERMITTING THE SUBSTITUTION OF NONCOMMERCIAL MESSAGES FOR COMMERCIAL MESSAGES, AND OTHER MATTERS PROPERLY RELATING THERETO.

THE BOARD OF COUNTY COMMISSIONERS OF THE COUNTY OF WASHOE DO ORDAIN:

SECTION 1.

Article 502, "Off Premise Signs" of Chapter 110 of the Washoe County Code is hereby amended as set forth in Exhibit A which is attached and incorporated by reference.

Proposed on the 12th day of February, 2002.

Proposed by Commissioner Galloway

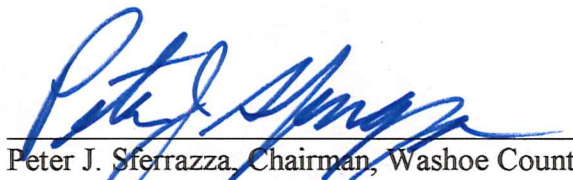
Passed on the 12th day of March, 2002.

Vote:

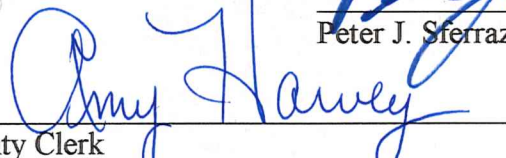
Ayes: Commissioners Sferrazza, Shaw, Galloway, Bond & Short

Nays:

Absent:

  
Peter J. Sferrazza, Chairman, Washoe County Commission

ATTEST:

  
County Clerk

This ordinance shall be in force and effect from and after the 22nd day of March, 2002

# Article 502

## OFF-PREMISE SIGN REGULATIONS

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[This Article amended in its entirety by Ord. 889, provisions eff. 11/29/93; Ord. 1019, provisions eff. 6/5/98.]

### Sections:

110.502.00	Purpose
110.502.05	Definitions
110.502.10	General Standards
110.502.15	Permits: General Requirements
110.502.20	Permit Issuance and Standards for New Signs
110.502.25	Bringing a Nonconforming Sign into Conformance
110.502.30	Continued Use of Nonconforming Signs
110.502.35	Termination of Right to Use Nonconforming Sign
110.502.40	Total Number of Off-Premise Signs Permitted in Unincorporated Portion of Washoe County
110.502.45	Community Development Director's Powers; Right of Entry
110.502.50	Building Permit Issuance and Conditions
110.502.55	Sign Inspection and Responsibilities
110.502.60	Violations
110.502.65	Substitution Clause

**Section 110.502.00 Purpose.** The purpose of this article, Article 502, Off-Premise Sign Regulations, is to establish a comprehensive system for the regulation of the commercial use of off-premise signs.

It is intended that these regulations:

- (a) Impose reasonable standards on the number, size, height and location of off-premise signs and facilitate the removal or replacement of nonconforming signs in order to:
  - (1) Prevent and relieve needless distraction and clutter resulting from excessive and confusing sign displays;
  - (2) Safeguard and enhance property values; and
  - (3) Promote the public safety and general welfare.
- (b) Promote the location of off-premise signs in appropriate locations for the purposes of advertising the region's economy to visitors to the area and providing useful public service messages to residents of the County.
- (c) Provide one of the tools essential to the preservation and enhancement of the environment, thereby protecting an important aspect of the economy of the County which is instrumental in attracting those who come to live, visit, vacation and trade while providing appropriate

opportunities to local and national advertisers and public service organizations to present their message.

- (d) Eliminate hazards to pedestrians and motorists brought about by distracting signs.
- (e) Improve, enhance and preserve the appearance and other aesthetic qualities of the County while providing the opportunity to businesses and public service organizations to provide their message to visitors and residents.

**Section 110.502.05 Definitions.** As used in Sections 110.502.00 through 110.502.75, unless the context otherwise requires, the words and terms defined in this article have the meanings ascribed to them in each section.

**Abandoned Sign.** "Abandoned sign" means a sign which does not display a currently valid advertising message or has not been maintained in accordance with the provisions of this article for a period in excess of ninety (90) days following legal notice to the owner of the property and the owner of the advertising display. This definition shall also include any sign structure which no longer supports the sign for which it was designed .

**Advertising Display.** "Advertising display" means any arrangement of material or symbols erected, constructed, carved, painted, shaped or otherwise created for the purpose of advertising or promoting the interests of any person or other entity, located in view of the general public and visible from a public street. Advertising display includes signs, billboards, posters, graphic advertising messages, advertising copy, accessory signs and similar displays, the purpose of which is to sell entertainment, goods or services.

**Area of a Sign.** "Area of a sign" means the sum total of the geometric areas of the display surfaces which make up the total sign or advertising display. Necessary supports or uprights are excluded.

**Building Official.** "Building official" means the county building official of Washoe County and his/her duly authorized deputies.

**Community Development Director.** "Community Development Director" means the person appointed as the chief executive officer of the Washoe County Community Development Department and his/her duly authorized agents.

**Copy.** "Copy" means that portion of a sign or advertising display that is made up of language, letters, numbers or symbols that state a message.

**Cut-out.** "Cut-out" means that portion of a sign that is attached to a sign, but which is outside the rectangular or square frame of the sign.

**Display Surface.** "Display surface" means the area made available by the sign structure for the purpose of displaying the advertising message or display.

**Elevated Roadway Structure.** "Elevated roadway structure" means a traffic-carrying structure elevated over other streets, structures, railroad tracks or a natural physical feature.

**Erect.** "Erect" means to arrange, build, construct, attach, hang, paint, place, suspend, affix or otherwise establish an advertising display.

Height of Sign. "Height of sign" means the vertical distance measured from the adjacent street grade or upper surface of the nearest curb of a street or highway other than an elevated roadway, to the highest point of a sign or advertising display.

Illuminated Advertising Display. "Illuminated advertising display" means display illumination derived entirely from an external artificial source arranged so that no direct rays of light project into residences or streets.

Nonconforming Outdoor Advertising Structure. "Nonconforming outdoor advertising structure" means an outdoor advertising structure which is constructed or erected in conformance with all applicable local ordinances codes in effect on the date a building permit is issued for the outdoor advertising structure and which does not conform subsequently because of a change to the local ordinances or codes. The term does not include an outdoor advertising structure that is authorized by a special use permit, conditional use permit, variance, waiver, condition of zoning or other approval for the use of land if, when the special use permit, conditional use permit, variance, waiver, condition of zoning or other approval for the use of land was first approved, the special use permit, conditional use permit, variance, waiver, condition of zoning or other approval for the use of land was limited by a specific conditions which allowed or required the governing body of the city or county to conduct a review of the structure.

Off-Premise Sign or Outdoor Advertising Structure. "Off-premise sign or outdoor advertising structure" means any sign, display, billboard or other device that is designed, intended or used to advertise or inform readers about services or goods produced or sold on property other than the property upon which the sign, display, billboard or other device is erected.

Permanent Sign. "Permanent sign" means any sign, permanently affixed at the site, which, from the nature and effect of its proposed composition, construction, message to be carried or its proposed placement, is intended for continuous display for a period of time greater than sixty (60) calendar days.

Premises. "Premises" means a parcel of property.

Reconstruction. "Reconstruction" means the replacement of frame and support material of an existing sign with different material (e.g. replacement of wood material with metal material) and/or the changing of the support structure of an existing sign from one type of support system to a different support system (e.g. replacement of a lattice support with a monopole).

Repair. "Repair" means the replacement of frame and support material of an existing sign with the same material with no change in the support system of the existing sign.

Roof Sign. "Roof sign" means any sign located on the roof of a building and either supported by the roof or by an independent structural frame. A sign which is attached flat against the wall of a penthouse or other similar roof structure or architectural blade is not a roof sign.  
Routine Maintenance. "Routine maintenance" means normal repair and upkeep of the structural integrity and appearance of a nonconforming outdoor advertising structure. The term does not include an increase in the size or height of the structure or any addition or enhancement to the structure that increases the visual effect of the structure or increases the impact of the use of the land in the area around the structure.

Sign. "Sign" means any arrangement of material or symbols erected, constructed, carved, painted, shaped or otherwise created for the purpose of advertising or promoting the interests of any person, persons, firm, corporation or other entity by conveying an advertising message or attracting the attention of the public and which is located in view of the general public and visible from a traveled way. Sign includes advertising displays, billboards, posters, graphic advertising

messages, advertising copy and similar displays, all parts of such device, including its structure and supports and also includes balloons, banners, pennants, flags, lights, reflectors, reflected lights, streamers or other devices which are used to attract the attention of the public, whether or not they convey a specific advertising message.

Wall Sign. "Wall sign means a sign painted on, attached to, or erected against the face or wall of a building with the face of the sign in a parallel plan with that of the building face or wall.**Section 110.502.10 General Standards.**

- (a) Display Surface. Where an advertising display consists of individual letters, symbols or other such components, and where such components are without an integrated background definition or are not within a single circumscribed frame area, it shall be deemed circumscribed by a line frame and shall not exceed the square-foot limitation imposed by this article or by a retention permit or a special use permit issued pursuant to this article.
- (b) Maintenance, Repair and Appearance. All advertising displays and advertising structures shall be maintained in a proper state of repair and preservation. Structures shall consist of minimum guy wire and iron or other structural elements necessary to conform to code. Display surfaces shall be neatly painted or posted.

**Section 110.502.15 Permits: General Requirements.**

- (a) Building Permit Required. Except as otherwise provided in Section 110.502.20, it is unlawful for any person to erect, enlarge, alter (except for normal maintenance or repair) or relocate within the County any advertising display or advertising structure without having obtained a building permit from the building official.
- (b) Additional Information Required. An application for a building permit shall include in addition to any information required for the building permit application:
  - (1) Name, address and telephone number of the owner of the property, and a statement signed by the owner or authorized representative permitting the advertising display or advertising structure;
  - (2) Name, address and telephone number of the applicant (owner of the advertising display or structure);
  - (3) Name, address, telephone number and license number of the licensed contractor;
  - (4) A plot plan indicating the location of the building, structure, lot or parcel of property to which or upon which the advertising display is to be erected, including data showing building and property frontages; and
  - (5) Two (2) copies of a plan showing:
    - (i) The position of the advertising display or structure in relation to adjacent structures or buildings;
    - (ii) The design size and type of materials to be used;

- (iii) The size and location of all on-premise signs within fifty (50) feet of either side of the proposed off-premise sign; and
  - (iv) The location of stakes identifying boundaries of the proposed sign.
- (c) Structural Engineering. The Building and Safety Department may require structural engineering plans to ensure compliance with the Washoe County Building Code.
- (d) Business License. Owners or applicants who are in the business of constructing advertising structures or leasing such structures for advertising purposes shall provide evidence that they have a valid business license from the licensing authority of the County.

**Section 110.502.20 Permit Issuance and Standards for New Signs.**

- (i) Standards for New Signs. Each of the following standards must be complied with as part of the approved plans for an approved building permit.
- (a) Size and Height of Off-Premise Sign; Number of Faces. An off-premise sign shall not exceed the following height and size requirements, or the number of faces:
- (1) An off-premise sign shall not exceed thirty-five (35) feet in height above the grade of the road to which it is oriented and may not exceed fifty (50) feet in height above the foundation grade of the sign.
  - (2) An off-premise sign shall not exceed six hundred seventy-two (672) square feet in size, except as provided in this section.
  - (3) Each face of an off-premise sign may have a cut-out attached to the face of the sign, the size of the cut-out may not exceed ten (10) percent of the rectangular or square face of the sign to which it is attached.
  - (4) An off-premise sign may not contain more than two (2) sides on which a message is attached and one (1) side may not be angled from the other side by more than twenty (20) degrees as measured from the back of the structure supporting the side.
  - (5) An off-premise sign may not be stacked upon another off-premise or on-premise sign.
- (b) Spacing Requirements. An off-premise sign shall conform to the following spacing standards:
- (1) Spacing Between Off-Premise Signs. The distance between off-premise signs shall conform to the following:  
  
An off-premise sign shall not be closer than one thousand (1,000) feet to another conforming or nonconforming off-premise sign located on the same side of the road, street or highway.

An off-premise sign shall not be closer than one thousand (1,000) feet to another conforming or nonconforming off-premise sign located on an intersecting street and when the signs are on the same side of the street where the intersection of the two (2) streets occurs.

For the purposes of measuring the distance between off-premise signs, the measurement shall be parallel to the streets on which the signs are located.

No more than two (2) off-premise signs may exist at the intersection of streets and the signs shall be located diagonally opposite each other at the intersection of streets.

- (2) Spacing Between Off-Premise and On-Premise Signs. An off-premise sign shall not be closer than fifty (50) feet to an existing free-standing sign regulated by Sections 110.504.40 through 110.504.70.
- (3) Spacing from Residential Regulatory Zones. An off-premise sign shall not be closer than five hundred (500) feet to an established residential regulatory zoning that is Rural, Suburban or Urban or a regulatory zone which is General Rural Residential (GRR) or General Rural (GR).
- (4) Spacing from Streams and Drainages; Truckee River. An off-premise sign shall conform to the following spacing requirements from streams, drainages and the Truckee River:

An off-premise sign shall not be located within any stream or drainage channel where the sign or advertising display might be deluged and swept under any structure or against any supports of any road, street or highway structure.

An off-premise sign shall not be located within three hundred (300) feet of the centerline of the Truckee River or within three hundred (300) feet of the outer boundary of any area designated as Truckee River Greenbelt or open space adjacent to the Truckee River.

- (5) Spacing from Public, Semi-Public Buildings and Spaces. An off-premise sign shall not be located at any location which fronts on any street within two hundred (200) feet of any property which is used for a public park, public school, church, courthouse, building used for County services, or public museum which fronts on the same street.
- (c) Location Requirements. An off-premise sign shall conform to the following location requirements:
- (1) Permitted Roadway Segments. An off-premise sign shall only be located adjacent to and be visible from the following roads and portions of roads:



Gerlach-Nixon Highway (SR 447);

Longley Lane;

McCarran Boulevard, except for the segment between Interstate 80 west of Reno and South Virginia Street;

Sullivan Lane;

That portion of West Fourth Street (SR 647) east of the intersection with Intersection 80;

That portion of U.S. 395 and Interstate 580 located south of the intersection with Red Rock Road and north of the northern most intersection of U.S. 395/Interstate 580 and South Virginia Street located at Nevada Department of Transportation structure I1799 at mile post IR 580 - WA 21.64;

That portion of North Virginia Street located south of the intersection with Stead Boulevard and that portion of South Virginia Street north of the intersection with the Mt. Rose Highway (SR 431);

That portion of Interstate 80 from mile post IR 080 - WA-1.9E to IR 080 - WA-2.6W; and

That portion of Interstate 80 from the intersection with Mae Anne Drive to the Lyon County line.

- (2) Permitted Regulatory Zones. An off-premise sign shall only be located in the following regulatory zones: General Commercial (GC), Tourist Commercial (TC) and Industrial (I) as established pursuant to this article.
- (d) Aesthetic Requirements. An off-premise sign shall conform to the following aesthetic standards:
- (1) Lighting of the sign shall be low-level and indirect, no strobe lighting or lighting that would impair the vision of a driver shall be permitted;
  - (2) Earth-tone colors shall be used to paint the support(s) of the structure and the frame around the sign;
  - (3) The minimum number of supports shall be used to provide support of the sign frame;
  - (4) No signs made of canvas shall be permitted;
  - (5) No sign may have streamers, balloons, pennants, banners, or wind driven devices as part of the sign or attached to the sign;
  - (6) No sign may emit a noise via an artificial device;

- (7) No sign may emit smoke, fire or odor;
- (8) No sign or portion of a sign may simulate the appearance of an official sign; and
- (9) No sign may emit blinking lights that simulate a warning or stop light.
- (e) No Variances to Standards. Except as permitted in Section 110.502.55, no variance application shall be accepted to alter the standards of this article.
- (f) Prohibition on the Erection of New Signs. Until all nonconforming signs are removed, no new sign may be erected pursuant to this section.

**Section 110.502.25 Bringing a Nonconforming Sign into Conformance.** To bring a nonconforming sign into conformance with the provisions of this article, the sign owner shall satisfy the permit issuance and standards for new signs as enumerated in Section 110.502.45.

**Section 110.502.30 Continued Use of Nonconforming Signs.** An advertising display which becomes nonconforming as the result of the adoption of this article may be continued, repaired or reconstructed pursuant to the following requirements:

- (a) Alteration of Nonconforming Sign. A nonconforming sign shall not be altered in its location, size or height, except as provided in paragraph (b) through (e) of this section.
- (b) Damage of Nonconforming Sign by Natural Causes. A nonconforming sign damaged by wind or other natural causes to an extent less than fifty-one (51) percent of its replacement value, as determined by a member of the American Institute of Real Estate Appraisers selected by the building official, may be repaired or reconstructed. If the building official determines that an appraisal is necessary to satisfy the requirements of this section, (s)he shall notify the owner of the sign who shall give him/her written authorization to hire an appraiser and acknowledge owner's responsibility to pay all fees incurred as a result thereof. No permit for repair or reconstruction of the damaged sign shall be issued until the building official is presented with satisfactory evidence that the appraisal fees have been paid.
- (c) Damage of Nonconforming Sign by Vandalism. A nonconforming display which is damaged or destroyed as a result of vandalism or other malicious act may be repaired or reconstructed. Upon request of the building official, the owner of the sign shall provide evidence that a report to the Sheriff was made regarding the alleged vandalism.
- (d) Routine Maintenance of Nonconforming Sign. Routine maintenance of a nonconforming sign may occur only after notification of the Building and Safety Department that said repairs are being undertaken and that said maintenance meets the definition of routine maintenance as defined in this article.
- (e) Reconstruction of Nonconforming Sign. A nonconforming sign may be reconstructed providing the following occurs:

owner's responsibility to pay all fees incurred as a result thereof. No permit for reconstruction of the damaged sign shall be issued until the building official is presented with satisfactory evidence that the appraisal fees have been paid.

- (c) Removal Due to Approval of Development Application. A nonconforming sign may be ordered removed if the parcel on which the sign is located is the subject of a building permit application and after a public hearing is conducted.
- (d) Public Hearing Required. A public hearing before the planning commission shall be noticed and conducted pursuant to the provisions for a public hearing for a special use permit (110.810) before a nonconforming sign may be ordered removed pursuant to subsection (c) above. When determining that a nonconforming sign must be removed, the planning commission shall find that the continuation of the location of the nonconforming sign is not compatible with the proposed development for the property as submitted under an application enumerated in subsection (c) above.
- (e) Responsibility for Removal. Responsibility for removal of an abandoned, nonconforming sign rests with the owner of the sign or the owner of the property upon which the sign is constructed.

**Section 110.502.40 Total Number of Off-Premise Signs Permitted in Unincorporated Portion of Washoe County.**

- (a) Limitation to Number of Permitted Signs. Notwithstanding the total number of conforming locations that may be permitted for new signs as provided in Section 110.502.20, Permit Issuance and Standards for New Signs, the total number of signs existing in the unincorporated portion of Washoe County shall not exceed one hundred nine (109) at any one time.
- (b) Limitation Based on Inventory of Existing Signs. The total number of permitted off-premise signs enumerated in paragraph (a) of this section is determined by an inventory completed on May 1, 1998 of all existing conforming and nonconforming signs located in the unincorporated portion of Washoe County and confirmed by the Board of County Commissioners on May 26, 1998, the date of an amendment to this article.
- (c) Adjustment of Limitation. The total number of permitted off-premise signs enumerated in paragraph (a) of this section shall be reduced each time by the number of off-premise signs and permitted off-premise sign locations that are incorporated within the corporate boundaries of the City of Reno or City of Sparks.
- (d) No Entitlement. Notwithstanding the total number of permitted signs enumerated in paragraph (a) of this section, no entitlement to the maximum number of signs enumerated in this section is extended to any current or future owner of an off-premise sign through the provisions of this section. The retention of the location of current nonconforming signs and the provision of locations for new, permitted signs is strictly governed by the location standards enumerated in this article.

continuation of the location of the nonconforming sign is not compatible with the proposed development for the property as submitted under an application enumerated in subsection (c) above.

- (e) Responsibility for Removal. Responsibility for removal of an abandoned, nonconforming sign rests with the owner of the sign or the owner of the property upon which the sign is constructed.

**Section 110.502.40 Total Number of Off-Premise Signs Permitted in Unincorporated Portion of Washoe County.**

- (a) Limitation to Number of Permitted Signs. Notwithstanding the total number of conforming locations that may be permitted for new signs as provided in Section 110.502.20, Permit Issuance and Standards for New Signs, the total number of signs existing in the unincorporated portion of Washoe County shall not exceed one hundred twenty-five (125) at any one time.
- (b) Limitation Based on Inventory of Existing Signs. The total number of permitted off-premise signs enumerated in paragraph (a) of this section is determined by an inventory completed on May 1, 1998 of all existing conforming and nonconforming signs located in the unincorporated portion of Washoe County and confirmed by the Board of County Commissioners on May 26, 1998, the date of an amendment to this article.
- (c) Adjustment of Limitation. The total number of permitted off-premise signs enumerated in paragraph (a) of this section shall be reduced each time by the number of off-premise signs and permitted off-premise sign locations that are incorporated within the corporate boundaries of the City of Reno or City of Sparks.
- (d) No Entitlement. Notwithstanding the total number of permitted signs enumerated in paragraph (a) of this section, no entitlement to the maximum number of signs enumerated in this section is extended to any current or future owner of an off-premise sign through the provisions of this section. The retention of the location of current nonconforming signs and the provision of locations for new, permitted signs is strictly governed by the location standards enumerated in this article.

**Section 110.502.45 Community Development Director's and County Building Official's Powers; Right of Entry.**

- (a) Authority. The building official and the Director of Community Development and his/her agents are authorized and directed to enforce all the provisions of this article. The Director of Community Development may, in his/her sole discretion, permit variations in spacing and height requirements if undue hardship is shown. No variation shall exceed ten (10%) percent of spacing and height limitations imposed by this article.
- (b) Right of Entry. Whenever necessary to make an inspection to enforce any of the provisions of this article, or whenever the building official or Director of Community Development or his/her agents have reasonable cause to believe that there exists a condition which makes a sign unsafe, (s)he may enter the premises upon which such sign is located at all reasonable times to inspect the sign or to perform any duty imposed by this article, provided that:

- (1) If the premises upon which the sign is located are occupied, (s)he shall first present proper credentials and demand entry; and
- (2) If the premises are unoccupied, (s)he shall first make a reasonable effort to locate the owner or other persons having charge or control of the premises and demand entry.

If such entry is refused, the building official or Director of Community Development or his/her agents may pursue every remedy provided by law to secure entry.

- (c) Failure to Permit Entry. Any owner or occupant or any other person having charge, care or control of any building or premises who fails or neglects, after proper demand is made as provided by this article, promptly to permit entry therein by the building official or Director of Community Development or his/her agents for the purpose of inspection and examination pursuant to this section shall have violated this article.

**Section 110.502.50 Building Permit Issuance and Conditions.**

- (a) Permit Issuance. The application, plans and specifications, and other data filed by an applicant for a building permit shall be reviewed by the Department of Community Development. Such plans may be reviewed by other departments of this jurisdiction to verify compliance with any applicable laws under their jurisdiction. If the Department of Community Development finds that the work described in an application for a building permit and the plans, specifications and other data filed therewith conform to the requirements of this article and that the fees specified in this section have been paid, a building permit shall be issued to the applicant within twenty (20) days of receipt of the building permit application. An applicant shall be advised in writing within twenty (20) days of receipt of the building permit application of any deficiencies of information submitted with the application and what would be required to cure those deficiencies. The applicant may then resubmit the application and will receive a decision within 20 days. An applicant shall have six (6) months from the date of issuance of the building permit to commence work pursuant to the building permit, or all approvals are null and void. Once a building permit has been issued and exercised, all work shall be done in accordance with the approved plans unless the building official and the Community Development Director has given authorization for any changes or alterations.
- (b) Plan-Check Fee. Every person who applies for a building permit under the provisions of this article shall submit to the Building and Safety Department with his/her application a plan-check fee established by the board of county commissioners.
- (c) Permit Number; Address; Owner. On granting a permit for an off-premise sign, the building official shall assign a permit number and address which shall be painted on every sign erected pursuant to the permit. The sign shall also identify the owner of the sign.
- (d) Validity of Permit. The issuance or granting of a permit or approval of plans and specifications shall not be construed to be a permit for, or an approval of, any violation of any of the provisions of this article or any other law or ordinance. A permit presuming to give authority to violate or cancel the provisions of this article

or any other law shall not be valid except to the extent the work of use which it authorizes is lawful.

- (e) Suspension or Revocation. The building official may, upon service of a written notice, suspend or revoke a permit issued pursuant to the provisions of this article wherever the permit is issued:
  - (1) On the basis of incorrect information supplied by the applicant; or
  - (2) In violation of any state statute, any provision of this article or any other ordinance or regulation.
- (f) Stop Work Order. Whenever any advertising display or structure is being erected or maintained contrary to the provisions of this article, the building official may order the work stopped by serving the permittee or owner of the property or by posting a notice on the work being done. The owner or person responsible for the performance of such work shall promptly cease performing any work on the advertising display or structure until the building official gives him/her authority to proceed.

**Section 110.502.55 Sign Inspection and Responsibilities.**

- (a) Inspection. Every advertising display or advertising structure erected in the County is subject to inspection by the building official or Community Development Director to assure compliance with the provisions of this article.
- (b) Responsibility. The owner of the advertising display or advertising structure is responsible for its proper construction, maintenance, repair and compliance with the provisions of this article.

**Section 110.502.60 Violations.**

- (a) Procedure for Violations. Any advertising display or structure erected or maintained, or any use of property contrary to the provisions of this article, is unlawful and a public nuisance. The following procedure applies to enforcement of the provisions of this article:
  - (1) In the event of a violation of this article, the building official or Director of Community Development shall deliver to the person or persons in violation of this article a "Notice of Violation (Order to Comply and Abatement Order)" ordering the persons to comply with the provisions of this article within ten (10) days of receipt of the notice.
  - (2) Upon failure of the persons in violation to comply, the building official or Director of Community Development may issue to the persons in violation a citation to appear before any justice's court within the County and may refer a copy of the citation to the District Attorney for commencement of an action or actions for the abatement, removal and enjoinder of such violation as a public nuisance pursuant to Chapter 125 of the Washoe County Code, and the institution of a criminal action in the manner provided by law.
- (b) Remedies. All remedies provided for in this article are cumulative and not exclusive. The conviction and punishment of any person under this article do not

relieve such person from the responsibilities of correcting conditions or removing prohibited sign displays and structures that are in violation of this article.

- (c) Penalties. Any person violating any of the provisions of this article or any applicable provisions of the Uniform Building Code is guilty of a separate offense for each day or a portion thereof during which a violation of any of the provisions of this article is committed, continued or permitted, and upon conviction for any such violation shall be punished by a fine of not more than one thousand dollars (\$1,000), or by imprisonment for not more than six (6) months, or by both fine and imprisonment.

**Section 110.502.65 Substitution Clause**

Notwithstanding any other provision of this article to the contrary, any noncommercial message may be substituted for a commercial message on any off-premise sign permitted by this article, and any other commercial message may be substituted for any noncommercial message on any off-premise sign permitted by this article.