

CITY OF HOMER  
HOMER, ALASKA

ORDINANCE 90-43 A

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF HOMER,  
ALASKA, AMENDING HOMER CITY CODE, TITLE 21, ZONING AND  
PLANNING, CHAPTER 21.60, SUPPLEMENTAL REGULATIONS

**WHEREAS.** The Homer City Council adopted Ordinance 84-33(s) on February 11, 1985 enacting Chapter 21.60.010 - 21.60.018 regulating signs; and,

**WHEREAS.** at the February 26, 1990 meeting the Homer City Council directed the administration to assess signage violations and provide the information to the Homer Advisory Planning Commission; and,

**WHEREAS.** the Homer City Council further directed the Homer Advisory Planning Commission to review the sign chapter, including public testimony and refer the chapter back to the Homer City Council with their recommendations; and,

**WHEREAS.** the Homer Advisory Planning Commission held public hearings on the sign chapter at the May 9, 1990 meeting and the October 24, 1990 meeting; and,

**WHEREAS.** the Homer Advisory Planning Commission recommends the sign chapter be revised as follows.

**NOW, THEREFORE, THE CITY OF HOMER ORDAINS:**

Section 1. Sections 21.60.010 - 21.60.018 of the Homer City Code are hereby repealed in their entirety and re-enacted as 21.60.010 - 21.60.180 as follows:

**21.60.010 Sign Standards.** Sign standards are set out in Sections 21.60.20 through 21.60.180.

**21.60.020 Purpose.** The purposes of these sign regulations are: to encourage the effective use of signs as a means of communication in the city; to maintain and enhance the aesthetic environment and the city's ability to attract sources of economic development and growth; to improve pedestrian and traffic safety; to minimize the possible adverse effect of signs on nearby public and private property; and to enable the fair and consistent enforcement of these sign restrictions. This sign chapter is adopted under the zoning authority of the city in furtherance of the more general purposes set forth in the zoning code.

**21.60.030 Applicability - Effect.** A sign may be erected, placed, established, painted, created, or maintained in the city only in conformance with the standards, procedures, exemptions, and other requirements of this chapter.

**21.60.040 Definitions.** For the purpose of this chapter, the following words and phrases shall have the meanings set forth in this chapter.

- a. **Animated sign.** Any sign that uses flashing lights, movement or change of lighting to depict action or create a special effect or scene. A sign on which the only copy that changes is an electronic or mechanical indication of time or temperature shall be considered a "time and temperature" portion of a sign and not an animated sign for purposes of this chapter.
- b. **Banner.** Any sign of lightweight fabric or similar material that is permanently mounted to a pole or a building by a permanent frame at one or more edges. A flag shall not be considered a banner.
- c. **Beacon.** Any sign with one or more beams, capable of being directed in any direction or directions or capable of being rotated or moved.
- d. **Building marker.** Any sign cut or etched into masonry, bronze, or similar material, that includes only the building name, date of construction, or historical data on historic site.
- e. **Building sign.** Any sign attached to any part of a building as contrasted to a freestanding sign.
- f. **Changeable copy sign.** A sign or portion thereof with characters, letters, or illustrations that can be changed or rearranged without altering the face or the surface of the sign. A sign on which the message changes more than one time per day shall be considered an animated sign and not a changeable copy sign for purposes of this chapter. A sign on which the only copy that changes is an electronic or mechanical indication of time or temperature shall be considered a "time and temperature" portion of a sign and not a changeable copy sign for purposes of this chapter.
- g. **Cluster Business.** A business which has more than one shop, office, or building located on the same zone lot.
- h. **Commercial message.** Any sign wording, logo, or other representation that, directly or indirectly, names, advertises, or calls attention to a business, product, service, or other commercial activity.
- i. **Department.** The Planning and Zoning Department.
- j. **Flag.** Flags of the United States, the state, the city, foreign nations having diplomatic relations with the United States, and any other flag adopted or sanctioned by an elected legislative body of competent jurisdiction. A flag shall not be considered a banner for purposes of this chapter.
- k. **Freestanding sign.** Any sign supported by structures or supports that are placed on, or anchored in, the ground and that are independent from any building or other structure.
- l. **Handbill.** Any flyer, notice or brochure advertising or promoting any product, business, cause, political candidate or issue, and intended for distribution to the general public.

m. Incidental sign. A sign, generally informational, that has a purpose secondary to the use of the zone lot on which it is located, such as "no parking," "entrance," "loading only," "telephone", and other similar directives. No sign with a commercial message legible from a position off the zone lot on which the sign is located shall be considered incidental.

n. Lot. Any piece or parcel of land or a portion of a subdivision, the boundaries of which have been established by some legal instrument of record, that is recognized and intended as a unit for the purpose of transfer of ownership.

o. Marquee. Any permanent roof-like structure projecting beyond a building or extending along and projecting beyond the wall of the building, generally designed and constructed to provide protection from the weather.

p. Marquee sign. Any sign attached to, in any manner, or made a part of a marquee.

q. Nonconforming sign. Any sign which does not conform to the regulations of this chapter.

r. Pennant. Any lightweight plastic, fabric, or other material, whether or not containing a message of any kind, suspended from a rope, wire, or string, usually in series, designed to move in the wind.

s. Portable sign. Any sign not permanently attached to the ground or other permanent structure, or a sign designed to be transported, including, but not limited to, signs designed to be transported by means of wheels; signs converted to A- or T-frames; menu and sandwich board signs; balloons used as signs; umbrellas used for advertising; and signs attached to or painted on vehicles parked and visible from the public right-of-way, unless said vehicle is used in the normal day-to-day operations of the business.

t. Principal building. The building in which is conducted the principal use of the zone lot on which it is located. Zone lots with multiple principal uses may have multiple principal buildings, but storage buildings, garages, and other clearly accessory uses shall not be considered principal buildings.

u. Projecting sign. Any sign affixed to a building or wall in such a manner that its leading edge extends more than six inches beyond the surface of such building or wall.

v. Residential sign. Any sign located in the Rural Residential, Residential Office or Urban Residential zoning districts that contains no commercial message except for advertising for goods or services legally offered on the premises where the sign is located, if offering such services at such location conforms with all requirements of the zoning code.

w. Roof sign, integral. Any sign erected and constructed as an integral or essentially integral part of a normal roof structure of any design, such that no part of the sign extends vertically above the highest portion of the roof.

x. Setback. The distance between the lot line and the sign.

y. Sign. Any device, fixture, placard, or structure that uses any color, form, graphic, illumination, symbol, or writing to advertise, announce the purpose of, or identify the purpose of a person or entity, or to communicate information of any kind to the public.

z. Street. A strip of land or way subject to vehicular traffic (as well as pedestrian traffic) that provides direct or indirect access to property, including, but not limited to, alleys, avenues, drives, highways, lanes, roads, terraces, trails, or other thoroughfares.

aa. Suspended sign. A sign that is suspended from the underside of a horizontal plane surface and is supported by such surface.

bb. Temporary sign. Any sign that is used only temporarily and is not permanently mounted.

cc. Wall sign. Any sign attached parallel to, but within six inches of, a wall, painted on the wall surface of, or erected and confined within the limits of an outside wall of any building or structure, which is supported by such wall or building, and which displays only one sign surface.

dd. Window sign. Any sign, pictures, symbol, or combination thereof, designed to communicate information about an activity, business, commodity, event, sale, or service, that is placed inside a window or upon the window panes or glass and is visible from the exterior of the window.

ee. Zone lot. A parcel of land in single ownership that is of sufficient size to meet minimum zoning requirements for area, coverage, and use, and that can provide such yards and other open spaces as required by the zoning regulations.

**21.60.050 Computations.** The following principles shall control the computation of sign area and sign height.

a. Computation of Area of Individual Signs. The area of a sign face (which is also the sign area of a wall sign or other sign with only one face) shall be computed by means of the smallest square, circle, rectangle, triangle, or combination thereof that will encompass the extreme limits of the writing, representation, emblem, or other display, together with any material or color forming an integral part of the background of the display or used to differentiate the sign from the backdrop or structure against which it is placed, but not including any supporting framework, bracing, or decorative fence or wall when such fence or wall otherwise meets zoning code regulations and is clearly incidental to the display itself.

b. Computations of Area of Multifaced Signs. The sign area for a sign with more than one face shall be computed by adding together the area of all sign faces visible from any one point. When two identical sign faces are placed back to back, so that both faces cannot be viewed from any point at the same time, and when such sign faces are part of the same sign structure and not more than 42 inches apart, the sign area shall be computed by the measurement of one of the faces.

c. Computation of Height. The height of a sign shall be computed as the distance from the base of the sign at normal grade to the top of the highest attached component of the sign. Normal grade shall be construed to be the lower of (1) existing grade prior to construction or (2) the newly established grade after construction, exclusive of any filling, berming, mounding, or excavating solely for the purposes of locating the sign. In cases in which the normal grade cannot reasonably be determined, sign height shall be computed on the assumption that the elevation of the normal grade at the base of the sign is equal to the elevation of the nearest point of the crown of a public street or the grade of the land at the principal entrance to the principal structure on the zone lot, whichever is lower.

**21.60.060 Signs Allowed on Private Property With and Without Permits.**

a. Signs shall be allowed on private property in the city in accordance with, and only in accordance with, Table 1. If the letter "P" appears for a sign type in a column, such sign is allowed without prior permit approval in the zoning district represented by that column. If the letter "S" appears for a sign type in a column, such sign is allowed only with prior permit approval in the zoning districts represented by that column. Special conditions may apply in some cases. If the letter "N" appears for a sign type in a column, such a sign is not allowed in the zoning districts represented by that column under any circumstances.

b. Although permitted under the previous paragraph, a sign designated by an "P" or "S" in Table 1 shall be allowed only if:

(i) The sum of the area of all building and freestanding signs on the zone lot conforms with the maximum permitted sign area for the zoning district in which the lot is located as specified in Table 2;

(ii) The characteristics of the sign conform with the limitations of Table 3: Permitted Sign Characteristics, and with any additional limitations on characteristics listed in Table 1 or Table 2.

c. Any sign not listed on the following tables are not permitted, with or without, a permit.

Key to Tables 1 through 4

RR Rural Residential  
 UR Urban Residential  
 RO Residential Office  
 INS Institutional Uses Permitted  
 in Residential Zoning Districts(a)

CBD Central Business District  
 GC1 General Commercial 1  
 GC2 General Commercial 2  
 CM Marine Commercial  
 IM Marine Industrial  
 OSR Open Space Recreation

Table 1. Permitted Signs by Type and Zoning District

Sign Type	RR	UR	RO	INS	CBD	GC1	GC2	CM	IM	OSR
<b>Freestanding</b>										
Residential(b)	P	P	P	P	P	N	N	N	N	P
Other(b)	N	N	N	S	S	S	S	S	S	N
Incidental(c)	N	N	P(d)	P(d)	P	P	P	P	P	N
<b>Building</b>										
Banner	N	N	N	N	S	S	S	S	S	N
Building Marker(e)	P	P	P	P	P	P	P	P	P	P
Identification(d)	P	P	P	P	P	P	P	P	P	P
Incidental(c)	N	N	P(f)	P(c)	P	P	P	P	P	N
Marquee(g)	N	N	N	N	S	S	S	S	S	N
Projecting(g)	N	N	N	N	S	S	S	S	S	N
Residential(b)	P	P	P	N	S	N	N	N	N	N
Roof	N	N	N	N	N	N	N	N	N	N
Roof, Integral	N	N	N	S	S	S	S	S	S	N
Suspended(g)	N	N	N	S	S	S	S	S	S	N
Temporary(h)	N	N	N	N	S	S	S	S	S	N
Wall	P	P	P	N	S	S	S	S	S	N
Window	N	N	P	N	S	S	S	S	S	N
<b>Miscellaneous</b>										
Banner(c)	N	N	N	N	S	S	S	S	S	N
Flag(i)	P	P	P	N	S	S	S	S	S	N
Portable(j)	N	N	N	N	S	S	S	S	S	N

P = Allowed without sign permit  
 S = Allowed only with sign permit  
 N = Not allowed

- a. This column does not represent a zoning district. It applies to institutional uses permitted under the zoning code, in the RR, UR and RO zoning districts. Institutional is defined as an established organization or corporation of a public, non-profit, or public safety/benefit nature, i.e., schools, churches, and hospitals.
- b. No commercial message allowed on sign, except for a commercial message drawing attention to goods or services legally offered on the premises.
- c. No commercial message of any kind allowed on sign if such message is legible from any location off the zone lot on which the sign is located.
- d. Only address and name of occupant allowed on sign.
- e. May include only building name, date of construction, or historical data on historic site; must be cut or etched into masonry, bronze, or similar material.
- f. No commercial message of any kind allowed on sign.
- g. If such a sign is suspended or projects above a public right-of-way, the issuance and continuation of a sign permit shall be conditioned on the sign owner obtaining and maintaining in force liability insurance for such a sign in such form and such amount as the Department may reasonably from time to time determine, provided that the amount of such liability insurance shall be at least \$500,000 per occurrence per sign.
- h. The conditions of Section 21.60.130 of this ordinance apply.
- i. Flags of the United States, the state, the city, foreign nations having diplomatic relations with the United States, and any other flag adopted or sanctioned by an elected legislative body of competent jurisdiction, provided that such a flag shall not exceed 60 square feet in area and shall not be flown from a pole the top of which is more than 40 feet in height. These flags must be flown in accordance with protocol established by the Congress of the United States for the Stars and Stripes. Any flag not meeting any one or more of these conditions shall be considered a banner sign and shall be subject to regulation as such.
- j. Permitted on the same terms as a temporary sign, in accordance with Section 21.60.130, except that it may be freestanding.

**Table 2. Maximum Total Sign Area Per Zone Lot by Zoning District**

The maximum total area of all signs, in square feet, except incidental, building marker, and flags(b) shall not exceed the following according to district:

RR	UR	RO	INS(a)	OSR
4	4	6	20	4

The maximum total area of all signs, in square feet, in the Central Business District, General Commercial I, General Commercial II, Marine Commercial and Marine Industrial zoning districts, except incidental, building marker, and flags shall not exceed the following:

<u>Square feet of wall frontage:</u>	<u>Maximum allowed signage</u>
750 s.f. and over	150 s.f.
650 to 749	130 s.f.
550 to 649	110 s.f.
450 to 549	90 s.f.
350 to 449	70 s.f.
0 to 349	50 s.f.

Freestanding signs may not exceed **75 square feet**, or **20 feet in height**, and must be **setback 5 feet** from all property lines. Only **1 freestanding sign** is allowed per zone lot.

For cluster businesses containing more than one business license, each business is allowed a maximum allowed signage according to the table above. In addition each business cluster is allowed a maximum allowed signage according to the table above. If part of the allowed signage is used on a freestanding sign in no case shall the sign exceed **75 square feet**, **20 feet in height** and **must be setback 5 feet** from all property lines.

- a. This column does not represent a zoning district. It applies to institutional uses permitted under the zoning code, in the RR, UR and RO zoning districts. Institutional is defined as an established organization or corporation of a public, non-profit, or public safety/benefit nature, i.e., schools, churches, and hospitals.
- b. Flags of the United States, the state, the city, foreign nations having diplomatic relations with the United States, and any other flag adopted or sanctioned by an elected legislative body of competent jurisdiction, provided that such a flag shall not exceed 60 square feet in area and shall not be flown from a pole the top of which is more than 40 feet in height. These flags must be flown in accordance with protocol established by the Congress of the United States for the Stars and Stripes. Any flag not meeting any one or more of these conditions shall be considered a banner sign and shall be subject to regulation as such.
- c. Square feet of wall frontage is defined as total square footage of wall surface, under the roof, which faces the major access or right-of-way of the business. In the case of a business located on a corner lot, square footage of wall frontage is the total square footage of wall surface, under the roof, on the side of the business with the most square footage.

Table 3. Permitted Sign Characteristics by Zoning District

	RR	UR	RO	INS(a)	CBD	GC1	GC2	CM	IM	OSR
Animated(b)	N	N	N	N	S	S	S	S	S	N
Changeable Copy(c)	N	N	N	N	S	S	S	S	S	N
Illumination. Internal(d)	N	N	N	S	S	S	S	S	S	N
Illumination. External(d)	N	N	N	S	S	S	S	S	S	N
Neon(e)	N	N	N	N	S	S	S	S	S	N

P = Allowed without sign permit

S = Allowed only with sign permit

N = Not allowed

- a. This column does not represent a zoning district. It applies to insitutional uses permitted under the zoning code, in the RR, UR and RO zoning districts. Insituuonai is defined as an established organization or corporation of a public, non-profit, or public safety/benefit nature, i.e., schools, churches, and hospitals.
- b. Animated signs may not be neon or change colors.
- c. Changeable Copy signs must be wail or pole mounted, and may not be flashing.
- d. No direct light or significant glare from the sign shall be cast onto any adjacent zone lot that is zoned and used for residential purposes.
- e. Neon signs may not be flashing and may not exceed 32 square feet.

### 21.60.070 Permits Required.

a. If a sign requiring a permit under the provisions of this chapter is to be placed, constructed, erected, or modified on a zone lot, the owner of the lot shall secure a sign permit prior to the construction, placement, erection, or modification of such a sign in accordance with the requirements of Section 21.60.120.

b. No sign shall be erected in the public right-of-way except in accordance with Section 21.60.090 and the permit requirements of Section 21.60.140.

**21.60.080 Design, Construction, and Maintenance.** All signs shall be designed, constructed, and maintained in accordance with the following standards:

a. No sign shall be allowed to be a safety hazard. All signs shall be maintained in good repair. Any sign not in substantial, sturdy condition will be subject to abatement as a public nuisance.

b. Except for banners, flags, temporary signs and window signs conforming in all respects with the requirements of this chapter, all signs shall be constructed of permanent materials and shall be permanently attached to the ground, a building, or another structure by direct attachment to a rigid wall, frame, or structure.

**21.60.090 Signs in the Public Right-of-Way.** No sign shall be allowed in the public right-of-way, except for the following:

a. Permanent Signs. Only the following permanent signs, including:  
(i) Public signs erected by or on behalf of a governmental body to post legal notices, identify public property, convey public information, and direct or regulate pedestrian or vehicular traffic;

(ii) Informational signs of a public utility regarding its poles, lines, pipes, or facilities; and

(iii) Awning, projecting, and suspended signs projecting over a public right-of-way in conformity with the conditions of Tables 1 through 3 of this chapter.

b. Temporary Signs. Temporary signs for which a permit has been issued in accordance with Section 21.60.140, which shall be issued only for signs meeting the following requirements:

(i) Such signs shall contain no commercial message; and

(ii) Such signs shall be no more than two square feet in area each.

(iii) Notwithstanding (i) and (ii) such signs, calling attention to civic events shall be no more than four square feet in area, if freestanding, or if street banner, may not exceed the width of travelled portion of the road.

c. Emergency Signs. Emergency warning signs erected by a governmental agency, a public utility company, or a contractor doing authorized or permitted work within the public right-of-way.

d. Other Signs Forfeited. Any sign installed or placed on public property, except in conformance with the requirements of this section, shall be forfeited to the city and subject to confiscation. In addition to other remedies hereunder, the city shall have the right to recover from the owner or person placing such a sign the full costs of removal and disposal of such sign.

**21.60.100 Signs Exempt from Regulation Under this Chapter.** The following signs shall be exempt from regulation under this chapter:

- a. Any public notice or warning required by a valid and applicable federal, state, or local law, regulation, or ordinance;
- b. Any sign inside a building, not attached to a window or door, that is not legible from a distance of more than three feet beyond the lot line of the zone lot or parcel on which such sign is located;
- c. Works of art that do not contain a commercial message;
- d. Holiday lights between November 15 and January 15; and
- e. Traffic control signs on private property, such as Stop, Yield, and similar signs, the face of which meet Department of Transportation standards and which contain no commercial message of any sort.

**21.60.110 Signs Prohibited Under this Chapter.** All signs not expressly permitted under this chapter or exempt from regulation hereunder in accordance with the previous section are prohibited in the city. Such signs include, but are not limited to:

- a. Beacons;
- b. Pennants;
- c. Strings of lights not permanently mounted to a rigid background, except those exempt under Section 21.60.100; and
- d. Inflatable signs and tethered balloons.
- e. Animated signs exceeding three square feet in area.
- f. Placement of handbills, flyers, or bumper stickers on parked vehicles other than by owner.

**21.60.120 General Permit Procedures.** The following procedures shall govern the application for, and issuance of, all sign permits under this chapter.

- a. **Applications.** All applications for sign permits of any kind shall be submitted to the Department on an application form or in accordance with application specifications published by the Department.
- b. **Fees.** Each application for a sign permit shall be accompanied by the applicable fees, which shall be established by the Homer City Council from time to time by resolution.
- c. **Action.** Within seven working days of the submission of a complete application for a sign permit, the Department shall either:
  - (i) Issue the sign permit, if the sign(s) that is the subject of the application conforms in every respect with the requirements of this chapter; or
  - (ii) Reject the sign permit if the sign(s) that is the subject of the application fails in any way to conform with the requirements of this chapter. In case of a rejection, the Department shall specify in the rejection the section or sections of the chapter or applicable plan with which the sign(s) is inconsistent.

**21.60.130 Temporary Signs (Private Property).** Temporary signs on private property shall be allowed subject to the following requirements:

- a. Term. A temporary sign shall not be displayed for more than fourteen days in any ninety-day period.
- b. Number. Only one temporary sign shall be permitted per zone lot.

**21.60.140 Temporary Signs (Public Right-of-Way).** Permits for temporary private signs in the public right-of-way shall be issued in accordance with the following conditions:

- a. Term and Number of Permits. The maximum term of such a permit shall be 60 days. No more than one permit for temporary signs shall be issued to any applicant in any calendar year. For any sign containing the name of a political candidate, the candidate shall be deemed to be the applicant.
- b. The signs must meet the requirements of Table 3 of this chapter.
- c. Number of Signs. No more than 20 signs may be erected under one permit.

**21.60.150 Time of Compliance: Nonconforming Signs and Signs Without Permits.** Except as otherwise provided herein, the owner of any zone lot or other premises on which exists a sign that does not conform with the requirements of this chapter or for which there is no current and valid sign permit shall be obligated to remove such sign or, in the case of nonconforming sign, to bring it into conformity with the requirements of this chapter.

- a. Signs Existing on Effective Date. For any sign existing in the city on (date 1), an application for a sign permit must be submitted to the Department before (date 2, six months after effective date). Signs that are the subject of applications received after the applicable date set forth in this section shall be subject to all of the terms and conditions of this chapter and shall not be entitled to the protection of Section 21.60.150(c).
- b. Signs that were prohibited by Ordinance 84-33(S), as amended by Ordinances 86-18, 89-8 and which are prohibited this chapter must be removed immediately.
- c. Nonconforming Existing Signs, Permits and Terms. A sign that would be permitted under this chapter with or without a sign permit, which was in existence on (date 1) and which was constructed in accordance with the chapters and other applicable laws in effect on the date of its construction, but which by reason of its size, height, location, design, or construction is not in conformance with the requirements of this chapter, shall be issued a Nonconforming Sign Permit if an application in accordance with Section 21.60.150 of this chapter is timely filed.

Such permit shall allow the sign(s) subject to such permit, which were made nonconforming by the adoption of this chapter, to remain in place and be maintained for a period ending no later than (date 3, one year after effective date), provided that no action is taken which increases the degree or extent of the nonconformity. Such signs are also subject to the provisions of Section 21.60.150(d). A change in the information on the face of an existing nonconforming sign is allowed. However, any nonconforming sign shall either be eliminated or made to conform with the requirements of this Section when any proposed change, repair, or maintenance would constitute an expense of more than 25 percent of the lesser of the original cost or replacement cost of the sign.

- d. Lapse of Nonconforming Sign Permit. A Non-conforming Sign Permit shall lapse and become void under the same circumstances as those under which any other sign permit may lapse and become void.

e. **Sign Removal Required.** A sign that was constructed, painted, installed, or maintained in conformance with a permit under this chapter, but for which the time allowed for the continuance of a nonconforming sign has expired, shall be forthwith removed without notice or action from the city.

**21.060.160 Violations.** Any of the following shall be a violation of this chapter and shall be subject to the enforcement remedies and penalties provided by this chapter, by the zoning code, and by state law:

a. To install, create, erect, or maintain any sign in a way that is in violation of any provision of this chapter:

b. To install, create, erect, or maintain any sign requiring a permit without such a permit:

c. To fail to remove any sign that is installed, created, erected, or maintained in violation of this chapter; or

d. To continue any such violation. Each such day of a continued violation shall be considered a separate violation when applying the penalty portions of this chapter.

Each sign installed, created, erected, or maintained in violation of this chapter shall be considered a separate violation when applying the penalty portions of this chapter.

**21.60.170 Enforcement and Remedies.** Any violation or attempted violation of this chapter or of any condition or requirement adopted pursuant hereto may be restrained, corrected, or abated, as the case may be, by injunction or other appropriate proceedings pursuant to law. A violation of this chapter shall be considered a violation of the zoning code of the city. The remedies of the city shall include the following:

a. Issuing a stop-work order for any and all work on any signs on the same zone lot;

b. Seeking an injunction or other order of restraint or abatement that requires the removal of the sign(s) or the correction of the nonconformity;

c. Imposing any penalties that can be imposed directly by the city under the zoning code;

d. Seeking in court the imposition of any penalties that can be imposed by such court under the zoning code; and

e. In the case of a sign that poses an immediate danger to the public health or safety, taking such measures as are available to the city under the applicable provisions of the zoning code and building code for such circumstances.

The city shall have such other remedies as are and as may from time to time be provided for or allowed by city code or by state law for the violation of the zoning code.

All such remedies provided herein shall be cumulative. To the extent that state law may limit the availability of a particular remedy set forth herein for a certain violation or a part thereof, such remedy shall remain available for other violations or other parts of the same violation.

**21.60.180 Fee Schedule.** The fees for sign permits under this chapter shall be established by the City Council, from time to time, by means of a resolution.

Section 2. Sections 21.60.020 - 21.60.045 are hereby renumbered to read as follows:  
21.60.020 changed to read 21.60.210; 21.60.030 changed to read 21.60.220; 21.60.040 changed to read 21.60.230; 21.60.041 changed to read 21.60.240; 21.60.045 changed to read 21.60.250.

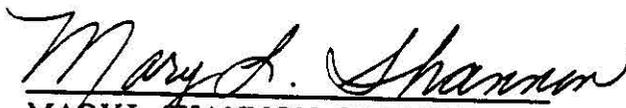
Section 3. Sections 1 and 2 of this ordinance are of a general and permanent nature and shall be included in the Homer City Code.

DATED THIS 17<sup>th</sup> DAY OF December 1990.

CITY OF HOMER

  
HARRY E. GREGOIRE, MAYOR

ATTEST:

  
MARY L. SHANNON, CITY CLERK

Ayes: 6  
Noes: 0  
Abstain: 0  
Absent: 0

First Reading: 11/26/90  
Public Hearing: 12/10/90  
Second Reading: 12/17/90  
Effective Date: 12/18/90

Approved as to form and content:

  
C.E. Swackhammer, City Manager

Date: 12/24/90

  
Gordon J. Tans, City Attorney

Date: 1/2/91