

CHAPTER 15 - SIGN REGULATIONS

SEC. 15.0 PURPOSE.

The purpose of this Chapter is to establish comprehensive provisions that will eliminate confusing, distracting and unsafe signs; establish reasonable regulations to promote economic vitality for local businesses and services; enhance the visual environment of Cave Creek.

SEC. 15.1 DEFINITIONS. For the purpose of this chapter the following words, terms and phrases shall have the following meaning:

Animated sign. Any sign or part of a sign which changes physical position by any movement, rotation or undulation or by the movement of any light used in conjunction with a sign such as blinking, traveling, flashing or changing degree of intensity of any light movement other than burning continuously.

Awning, Canopy sign. A sign on a traditional canvas awning and/or a sign on the edge of a structural canopy.

Banner sign. A temporary sign of fabric, plastic, paper, or other light pliable material not enclosed in a rigid frame.

Billboard. An Off-Premises sign.

Bulletin Board. A sign which identifies a noncommercial institution or organization, on site, which contains the name of the institution or organization and associated individuals, and general announcements of events or activities at the institution, or similar messages of general public interest.

Business sign. A sign that attracts attention to a business or profession conducted on-site, or to a commodity or service sold, offered or manufactured on-site, or to an entertainment offered on-site.

Community sign. The "Town of Cave Creek Welcome Signs" and the integrated public service club(s) sign.

Construction sign. A temporary sign, limited to the period of construction, erected on a premises of an existing construction project, and designating the architect, contractor, designer, engineer, financier, or name and nature of the project.

Directional sign. Signs not containing identification or advertising copy, but pertinent information, including assistance in the flow of traffic.

Directory sign. A sign listing the names, uses, and/or locations of the various businesses or activities conducted within a building or group of buildings, but not for the purpose of advertising products, goods, or services.

Fascia sign. A sign permanently affixed to a horizontal piece covering the joint between the top of a building wall and the projecting eaves of a roof.

Fixed Balloon. Any lighter than air or gas filled inflatable object attached by a tether to a fixed place.

Freestanding monument sign. An identification sign on its own self-supporting permanent structure, detached from supportive elements of a building, with a base having an aggregate width of at least fifty (50) percent of the width of the sign and with supports that complement the materials and colors used in the architecture on-site. Street address numerals shall be provided on any freestanding monument sign located along the street to which the address numbering applies, in a contrasting color and/or material from the color and material used for the background for the numerals on the sign.

Freestanding sign. A sign which is erected on its own self-supporting permanent structure, detached from any supporting elements of a building.

Identification sign. A sign that includes, as copy, only the name of the business, place, organization, building, or person it identifies and shall include the street address.

Illuminated sign. A sign with the surface artificially lighted; externally illuminated.

Kiosk sign. An informational sign providing directional information to planned residential developments and community facilities and developed by the Town.

Marquee sign. A sign that is usually defined as any movie-type marquee with changeable copy. Marquee signs are considered permanent signs. A marquee is defined as a permanent canopy structure constructed of rigid materials that are attached to and supported by the building and that projects over the entrance to a building.

Menu Board sign. A sign displaying the bill of fare of a restaurant.

Nameplate sign. A sign that identifies a resident's or home's name and address or the name of a farm, ranch, or commercial ranch.

Nonconforming sign. A sign lawfully erected and maintained prior to the adoption of this Ordinance that does not conform with the requirements of this Ordinance.

Off-Premises sign. A sign that directs identifies or advertises a business, commodity, a service, entertainment, product or attraction that is not sold, offered, or existing on the property where the sign is located.

Open House Directional sign. A sign used to advertise the sale of a house and direct traffic to the house for sale.

Parapet sign. A sign attached to that portion of a building's exterior wall which projects above the plate line of the building.

Pole sign. A sign that is supported by a pole and otherwise separated from the ground by air.

Political sign. A temporary sign which supports any candidate for public office or urges action for or against any matter.

Portable sign. A temporary sign not affixed to a structure or ground mounted on a site. It rests on the ground and consists of two sign faces.

Projecting sign. A sign attached to a building or other structure and extending in whole or in part more than fourteen (14) inches beyond the building or other structure.

Reader Panel sign. A sign designed to permit immediate change of copy using individual letters, not electronic or digital in nature, for use only by churches and schools.

Real Estate sign. A sign advertising for sale, lease or rent the property or building upon which it is located.

Roof sign. A sign erected on, above, or over the roof of a building so that it projects above the highest point of the roofline, parapet, or fascia.

Shingle sign. A sign suspended from, and located entirely under a covered porch, covered walkway, or an awning and is anchored or rigidly hung to prevent the sign from swinging due to wind movement.

Sign. Any object, display, structure, or devise (including but not limited to letters, words, numerals, figures, symbols, pictures, outline, character, color, illumination, trademark, logo, or any part or combination) visible from a public place and which is affixed directly or indirectly upon a building, vehicle, structure or land used for visual communication which is intended to attract the attention of the public by providing identification, advertising or directional information for a specific business, service, product, person, organization, place or building and is visible from the public rights-of-way.

The term “sign” shall also mean and include any display of one or more of the following; single or multiple colored bands, stripes, patterns, outlines or delineations displayed for the purpose of commercial identification

The term “sign” shall not include any national or state flags, window displays, athletic score boards or the official announcement or signs of government.

Vehicle sign. A sign mounted, painted or otherwise placed on a trailer, truck, automobile or other vehicle so parked or placed so that the sign thereon is visible from a street or right-of-way and is so parked primarily for the purpose of displaying advertising signage.

Wall sign. A sign fastened to or painted on the exterior wall of a building or structure in such a manner that the wall becomes the supporting structure for, or forms the background surface of the sign.

Window sign. Any poster, cut-out letters, painted text or graphic, or other text or visual presentation affixed to the interior or exterior of a window, or placed within six (6) feet behind a window pane, and is placed to be read from the exterior of a building. This does not include any item of merchandise normally displayed within a show window of a merchant.

SEC. 15.2. GENERAL SIGN REGULATIONS.

- A. The regulations, requirements, and provisions set forth in this chapter shall apply to all signs erected, placed, or constructed within the Town.
 - 1. A zoning clearance and/or sign permit shall be required for all signs except those signs specified in Section 15.9. The Building Official or his/her designee shall issue a sign permit only if the proposed sign, construction, alteration, re-erection, maintenance and location of the sign comply with these regulations.

2. All signs shall be structurally designed, constructed, and erected in accordance with all applicable provisions and requirements of the Town of Cave Creek adopted codes and ordinances.
3. All signs and sign structures, including legal nonconforming signs, shall be maintained in good order, repair, and appearance at all times so as not to constitute a danger or hazard to the public safety.
4. Signs shall not be located in a manner that interferes with pedestrian or vehicular travel or poses a hazard to either pedestrians, equestrians or vehicles.
5. Signs shall not be located within or projecting over any public street, right-of-way, or other public property, except for Town approved kiosk sign structures, shingle signs, and projecting signs as permitted by this Ordinance. The Town may install signs on its own property to identify public buildings and uses, and to provide necessary traffic control.
6. Signs may be externally illuminated or non-illuminated. The source of the sign's illumination shall not be visible from any street, sidewalk, or adjacent property. This shall not preclude the use of neon sign elements. The use of neon elements shall be limited to the commercial zoning districts for use as interior window signage.
7. Where there is conflict between this regulation and other Town regulations, the more restrictive shall apply.
8. All signs within the Desert Rural Residential zoning districts shall adhere to the twelve (12) foot setback, as required by the Native Plant Preservation, Salvage and Landscape provisions of Chapter 12 of this Ordinance.
9. Overall building height includes signs projecting above the building or roofline.
10. Internally illuminated signs are prohibited except as otherwise specifically provided in this Chapter.

B. Sign Area is defined and shall be measured as follows:

1. Sign copy mounted or painted on a background panel or area distinctively painted, textured or constructed as a background for the sign copy shall be measured as that area within the outside dimensions of the background panel or surface.
2. Sign copy mounted as individual letters and/or graphics against a wall, fascia, or parapet of a building or other structure that has not been painted, textured, or otherwise altered to provide a distinctive background for the sign copy shall be measured as the smallest rectangle that will enclose the entire copy or grouping of such letters, words, or graphics in the total sign.
3. A double faced sign shall be considered as one sign when determining the sign area, provided both faces are parallel and the distance between faces does not exceed one (1) foot.
4. Where a sign has three (3) or more faces the area of the sign shall be calculated as the total area of all faces.
5. The aggregate sign area for all signs on a lot or parcel shall be the sum of the areas of all the signs except, the area for the following:
 - a. Directional signs, assisting in the flow of traffic, which do not exceed an area of two (2) square feet or a height of three (3) feet and do not include advertising.
 - b. Street address wall signs, which do not exceed an area of two (2) square feet.
 - c. Signs necessary for safety, which do not exceed an area of two (2) square feet or height of three (3) feet.
 - d. For sale, lease or rent signs.

C. Sign height is defined and shall be measured as follows.

1. Freestanding signs shall be measured as the vertical distance from the top of the highest element of the sign or sign structure to the top of the curb, sidewalk, or street grade nearest the sign. The height of any monument base or other structure erected to support or ornament the sign shall be measured as part of the sign height.

2. Wall, fascia, or parapet mounted sign height shall be measured as the vertical distance to the top of the sign or sign structure from the base of the wall on which the sign is located.

SEC. 15.3. PERMITTED PERMANENT SIGNS.

- A. **“Residential Districts”**: All signs within the “Residential Districts” (D-5A, D-2.5A, D-1.75, D-1A, MP, R-35, R-18, and MR) shall comply with the following regulations:

1. **Single Residence Uses:**

- a. Shall be externally illuminated or non-illuminated in compliance with Chapter 14 of this Ordinance.
- b. One (1)-nameplate sign may be permitted per lot or parcel.
- c. Within the “R-35”, “R-18”, and “MR” Zoning Districts a total aggregate area of two (2) square feet may be permitted.
- d. Within the “D-2.5A, D-1.75A, D-1A and MP” Zoning Districts, a total aggregate area of six (6) square feet may be permitted.
- e. Within the “D-5A” Zoning District a total aggregate area of twelve (12) square feet may be permitted

2. **Multiple Residence Uses:**

- a. One (1)-nameplate sign may be permitted per unit.
- b. Sign area shall not exceed a total aggregate area of two (2) square feet.
- c. Building number or letter signs for multiple building developments shall be in compliance with Fire Department requirements and shall not be counted as part of the aggregate sign area.
- d. A maximum of two (2) freestanding monument identification signs with an aggregate area of twenty-four (24) square feet may be permitted per development. The maximum height shall be four (4) feet. Signs should be located near the main entrance(s) and may include only the name of the development and the street address.

- e. Directory signs, approved through the Site Plan Review procedure, may not exceed a total aggregate area of six (6) square feet and a maximum height of four (4) feet.

3. Other Permitted Uses:

- a. One (1) wall mounted sign per lot or parcel not exceeding six (6) square feet in area shall be permitted. The sign may include only the name of the facility, organization or development and the street address.
- b. One (1) freestanding monument sign per lot, not exceeding twelve (12) square feet in area nor a height of five (5) feet, may be permitted. The sign may include only the name of the facility, organization or development and shall include the street address.

4. Subdivision Entry / Identification Signs:

- a. A wall sign or monument sign may be permitted at the entryway(s) of a subdivision. The signage shall be integrated to complement the streetscape and landscaping frontages. A maximum aggregate area of twenty-four (24) square feet per subdivision may be permitted.
- b. The maximum height shall be six (6) feet. The sign may include only the name of the development and the street address.
- c. Water features shall not be incorporated into the signage or the adjacent entryway landscaping or streetscape.

5. Reader Panel Signs:

- a. Elementary and secondary schools may also have, in addition to the above, one (1) freestanding reader panel sign no greater than twenty-four (24) square feet in area and six (6) feet in height.
- b. Churches may use up to one-half ($\frac{1}{2}$) of the allowed freestanding sign area for a reader panel.

6. **Total Signage:**

- a. Single Residence Uses: Only one (1) sign per lot or parcel may be permitted.
- b. Multiple Residence Uses: Only one (1) nameplate sign per individual unit or dwelling may be permitted. A maximum of two (2) freestanding monument signs per development may be permitted. One (1) freestanding directory sign per development may be permitted.
- c. Other Permitted Uses: Maximum of two (2) signs per lot or parcel may be permitted, except schools as outlined above.

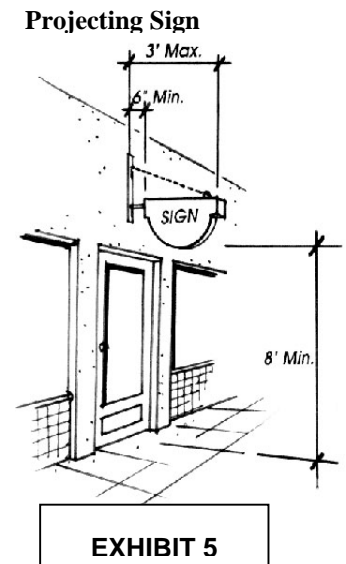
B. **“Commercial Districts”:** All signs within the “Commercial Districts” (CB and CC) shall comply with the following applicable regulations. Additionally, any complex of three (3) or more businesses shall be required to submit a comprehensive sign package to be reviewed and approved by the Town.

- 1. **Wall or Building Signage:** May be externally illuminated or non-illuminated in compliance with Chapter 14 of this Ordinance.
 - a. Signage shall not extend horizontally a distance greater than the width of the building wall on which it is displayed.
- 2. **Freestanding or Monument Signage:** If externally illuminated, signage shall be in compliance with Chapter 14 – Outdoor Lighting Provisions - of this Ordinance.
 - a. One (1) freestanding sign shall be permitted per development or commercial center.
 - b. The sign shall not exceed eight (8) feet in height
 - c. For a single tenant building the sign area shall not exceed one (1) square foot for each five (5) lineal feet of street frontage with the maximum not to exceed forty (40) square feet.
 - d. For a single building development with multiple tenants the sign shall not exceed one (1) square foot for each five (5) lineal feet of street frontage with the maximum not to exceed forty-eight (48) square feet in area.

- e. If street frontage is not available then the allowable sign area may be based on the lineal foot of store frontage at a ratio of one (1) square foot for each five (5) lineal feet of store frontage. In the case where there is no street frontage, the property owner may either; share a multi-tenant sign with the frontage property; or erect a free standing sign on the frontage property within a “sign easement” procured from the frontage property owner. A minimum distance of one hundred (100) feet shall be maintained between signs on the same property.
- f. For multiple building developments or commercial centers one (1) sign may be permitted for every three hundred thirty (330) feet of street frontage for the entire development with a maximum of two (2) signs per street frontage if applicable. The individual buildings within the development and/or the pad sites within the commercial center shall not be considered as separate developments. The minimum distance between two signs on the same street frontage shall be three hundred thirty (330) feet. Each sign may be a maximum of forty-eight (48) square feet in area and may be either a center identification sign or a multi-tenant identification sign.

3. Shingle Signs and Projecting Signs:

- a. One (1) shingle sign or projecting sign, which is designed and oriented primarily for the aid of pedestrians, may be allowed per business and shall be located immediately adjacent to the business it identifies.
- b. Shall have an eight (8) foot minimum clearance between the bottom of the sign and the pathway.
- c. Projecting and shingle signs shall not project more than three (3) feet from the building wall or building face.
- d. Shingle signs shall have a maximum area of three (3) square feet.



- e. Projecting signs for each ground floor business, on a street, shall not exceed one (1) square foot for each linear foot of street frontage of the business, up to a maximum of fifteen (15) square feet.
- f. May only identify the name of the business. Such signs shall not include advertising copy.
- g. A wall, fascia, or parapet sign is not permitted if a projecting sign is used to identify the business.

4. **Directory Signs:**

- a. One (1) directory sign may be used when required to identify the location of various buildings, offices or businesses within a complex. A directory sign may be externally illuminated or non-illuminated and have a maximum area of six (6) square feet and a maximum height of four (4) feet and shall not be included in calculating the total aggregate area for signage allowed on a parcel or lot or for a particular business.

5. **Reader Panel Signs:**

- a. Reader Panel signs for churches and schools legally in existence at the time of this Ordinance.

C. **“Open Space Districts”:** For all signs within the “Open Space Districts” (OSC and OSR) the following shall apply:

1. **Wall Sign:**

- a. One (1) wall mounted sign per lot or parcel not exceeding six (6) square feet in area may be permitted. The sign may include only the name of the facility or development and the street address.

2. **Freestanding Sign:**

- a. One (1) freestanding sign per lot not exceeding twelve (12) square feet in area nor a height of five (5) feet may be permitted. The sign may include only the name of the facility or development and shall include the street address.

3. Directional or Informational Signage:

- a. Signs shall be non-illuminated.
- b. Signs shall not exceed twelve (12) square feet in area or six (6) feet in height.

SEC. 15.4. BANNERS, PENNANTS AND DISPLAYS.

A. Uses

- 1. Banners, pennants, and other displays shall be allowed within the commercial zoning districts.

B. Regulations:

- 1. Banners and pennants shall be displayed only on the building and not within the parking area, perimeter landscape, or some other area of the development.
- 2. The maximum banner size shall be four (4) foot by eight (8) foot or thirty-two (32) square feet and shall be limited to one (1) per street frontage for the business.
- 3. No pennant, banner or display shall be placed on or above the roof of any building.

SEC. 15.5. TEMPORARY SIGNS.

A. "Special Events":

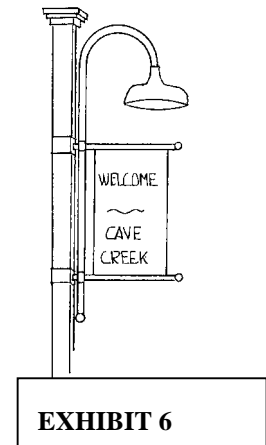
1. Off-Site Directional Signs

- a. A sign plan shall be required in conjunction with the Special Event Permit or Temporary Use Permit. Said sign plan shall show the proposed location, placement, and size of all off-site directional signs.
- b. Directional event signs shall be no greater than six (6) square feet and may be permitted within the Town rights-of-way, excluding medians, in accordance with the approved sign plan for an approved Special Event Permit and an approved Right-of-Way Use Permit.

- c. Signs may be placed twenty-four (24) hours in advance of the event and shall be removed within twenty-four (24) hours after the conclusion of the event.

2. Banners and Promotional Signs:

- a. Banners shall be made of cloth, nylon, or similar material.
- b. Banners and signs may advertise a town-authorized special event or a community wide event or a community message but not for individual businesses.
- c. All banners and signs shall be reviewed and approved by the Zoning Administrator or his/her designee.



- d. Such banners and signs may not be displayed more than two (2) weeks prior to the event and must be removed within three (3) business days after the event.
- e. Written approval must be obtained from the Zoning Administrator, or his/her designee, prior to the installation of any special sales event or grand opening banners, pennants, signs or other displays.

B. "Political Signs":

- 1. Political signs are permitted in all zones.
- 2. Signs shall not be displayed earlier than sixty (60) days prior to an election and shall be removed within three (3) business days after the specific election to which they refer.
- 3. Signs in Commercial Districts (CC and CB) shall not exceed sixteen (16) square feet in area and shall not exceed four (4) feet in height.
- 4. Signs in Residential districts shall not exceed six (6) square feet in area and shall not exceed four (4) feet in height.

C. **Real Estate Signs:** Signs advertising the sale, lease or renting of a building, suite, dwelling or lot shall conform to the following regulations and are exempt from the total aggregate sign area.

1. Real estate signs are permitted in all zones.
2. In residential zoning districts one (1) non-illuminated sign, located on the subject property, shall be permitted. Said sign shall not exceed four (4) square feet in area or five (5) feet in height. For multiple residential developments the real estate signs shall be placed at the dwelling unit unless an alternative location, not along the street frontage, is provided by the HOA for all such signs.
3. In commercial zoning districts one (1), non-illuminated sign, located on the subject property, shall be permitted. Said sign shall not exceed six (6) square feet in area or five (5) feet in height.
4. A maximum of four (4) "Open House" directional signs, including any such sign on the property of the home for sale, may be posted for each home not within the public right-of-way. Each sign shall not exceed a maximum height of three (3) feet and shall not exceed a maximum total area of six (6) square feet. The signs may be posted only when a sales person is on duty at the home and for no longer than nine (9) hours during any twenty-four (24) hour period.
5. All real estate signs shall be removed upon closing of the sale.
6. Real estate directional signs other than "open house" signs are prohibited.

D. **Construction or Development Signs:**

1. For residential construction one (1) sign may be posted on the lot or parcel and shall have a maximum area of six (6) square feet and a maximum height of five (5) feet.
2. For commercial construction one (1) sign may be posted on the lot or parcel and shall have a maximum area of thirty-two (32) square feet and a maximum height of six (6) feet.
3. In all cases, such signs shall be removed within ten (10) days following the issuance of a certificate of occupancy for the project.

E. Portable Signs:

1. Portable signs shall be allowed only in the Commercial “CB” and “CC” Zoning Districts. Signs may be placed on-site or within the adjacent public rights-of-way provided they are placed in a manner that does not impede or restrict vehicular, non-vehicular, or pedestrian traffic. No portable signs shall be allowed within the sight triangle at intersections or within the center medians that divide portions of paved or unpaved roads.
2. Portable signs shall not exceed three (3) feet in height or six (6) square feet in area and shall not exceed one (1) sign per business.
3. Portable signs shall not be used for real estate sales.

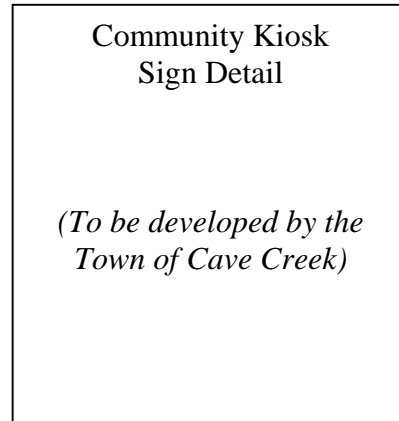
F. Yard, Carport, or Garage Sale Signs:

1. Garage sale signs shall not exceed four (4) square feet in total area. The subject signs shall not be displayed for more than three (3) consecutive days.
2. No more than three (3) portable signs per yard or garage sale shall be permitted inclusive of the one (1) sign on the property. A maximum of two (2) directional signs may be placed off-site.
3. Signs may be placed, in the permitted areas, only between sunrise and sunset. Signs shall be removed daily prior to sunset or they shall be subject to confiscation by the Town.

SEC. 15.6. COMMUNITY KIOSK SIGNS. (Reserved for future use – regulations to be developed by the Town of Cave Creek).

1. Sign panels on a Town owned kiosk structure may be authorized for the purpose of providing directional information to community facilities, special districts, or residential developments.
2. Sign panels may be single or double faced.

3. Kiosk structures shall be located within the public right-of-way, or, upon finding that such location will not permit adequate directional information, kiosk structures may be approved on private property with a sign easement designating the Town as a third party beneficiary. Such permission shall include the consent of the property owners to allow the Town, in the event of non-compliance, to enter



said property and remove the sign. A kiosk location plan shall be prepared showing the site of each kiosk and shall be submitted to and approved by the Zoning Administrator, or his designee, prior to the acceptance of a sign permit application.

- a. Directional sign panels shall conform to colors and design standards approved by the Zoning Administrator, or his designee.
- b. Any sign panel approved for a particular Kiosk shall not be changed to another panel without prior approval of the Zoning Administrator or his designee.

SEC. 15.7. SUBMITTAL AND PERMIT REQUIREMENTS.

- A. Sign permit approval is required for constructing or altering any non-exempt sign. A sign permit application shall be made in writing on forms provided by the Town. The following information shall be required as part of all sign permits applications:
 - 1. Business owner's name, address, telephone and fax number.
 - 2. Sign contractor's name, address, telephone and fax number.
 - 3. Inventory of all existing signs on the property showing the type and dimensions of each sign as well as a site plan showing the locations of each sign.

4. Fully dimensioned plans and elevations showing the dimensions, design copy, and location of each proposed sign in relation to the property line(s) and public right-of-way.
 5. Plans indicating the scope and structural detail of the work to be done; including details of all connections, supports, footings, and materials to be used.
 6. Required information for an electrical permit for all signage illumination.
 7. When a comprehensive sign package is required by this Ordinance, the submittal shall include the following information: the color(s), material(s), sign type (e.g. attached or detached), and letter samples (that are for all tenant, freestanding center identification signage, directional signs and window signs) and any other information deemed necessary by the Town.
- B. Two (2) copies of all information listed above in Section 15.7.A shall be submitted with the application for each sign, one (1) copy being returned to the applicant at the time the Permit is issued.
- C. Before issuing any Sign Permit required by this Ordinance, the Town shall collect a fee in accordance with a fee schedule established by the Town Council. If work, for which a permit is required by this Ordinance, is started before a permit has been issued, the fees specified above shall be doubled. The payment of such double fee shall not relieve any persons from complying fully with the requirements of this Ordinance in the execution of the work or from any penalties prescribed herein.
- D. All signs for which a permit is required shall be subject to inspections during various stages of construction as prescribed by the Town of Cave Creek Building Safety Department.

SEC. 15.8. EXCEPTIONS.

- A. **Permits Not Required:** Sign permits are not required for the following signs provided that such signs are subject to all other provisions of this Ordinance. Note: An electric permit is required for all exterior electric signs.
1. Standard sign maintenance.
 2. Yard, carport or garage sale signs.

3. Political signs.
4. Real Estate and Open House signs (see Section 15.5.C of this Chapter for regulations).
5. Nameplate signs for individual residences.
6. Messages painted directly on, or adhesive vinyl film affixed to, the exterior surface of existing mineral glass windows, except that the aggregate square footage of such signs shall be calculated as window signage.
7. Flags, pennants or insignia of any nation, state, county, town, school, or any church or religious organization.
8. Memorial plaques, statuary or remembrances of persons or events noncommercial in nature, or building identification signs and building cornerstones when cut or carved into a masonry surface or when made of non-combustible material and made an integral part of the building or structure.
9. Works of fine art, historic or cultural artifacts when not displayed in conjunction with a commercial enterprise which would derive direct commercial gain from such display.
10. Temporary decorations or displays celebrating the occasion of traditionally accepted patriotic, religious or local holidays or events.
11. Signs that are relevant to the function of the property that are not visible beyond the boundaries of the lot or parcel upon which they are located, or from any public right-of-way.
12. Signs displayed within the interior of a building.
13. The placement and maintenance of official traffic, fire and police signs, signals and devices and markings of the State of Arizona and the Town of Cave Creek or other authorized public agency, and the posting of notices as required by law.
14. Non-illuminated directional or informational signs of a non-commercial public or quasi-public nature, and community signs.

15. Signs displayed during recognized holidays as identification of temporary sales areas for trees and similar holiday items in conjunction with an approved Temporary Use Permit. Such signs shall be exempted only when displayed within thirty (30) days of the recognized holiday.

SEC.15.9. PROHIBITED SIGNS.

- A. Any sign not specifically listed as permitted by this Ordinance is prohibited, including, but not limited to the following:
 1. Internally illuminated signs are prohibited in the Town of Cave Creek.
 2. Billboards are prohibited in the Town of Cave Creek.
 3. Signs mounted, attached, or painted on trailers, boats, or motor vehicles primarily or consistently parked, stored, or displayed in a manner intended to attract the attention of the public for advertising purposes. This does not prohibit the identification of a firm or its principal products on a vehicle operating during the normal course of business or being taken home.
 4. Signs attached to any utility pole or structure, streetlight, traffic signal, tree, fence, fire hydrant, park bench or other location on public property unless otherwise specifically addressed in this chapter.
 5. The use of pennants, banners, balloons, streamers, and similar displays except as permitted in Section 15.4 and Section 15.5 of this Ordinance.
 6. Off-site signs, unless otherwise permitted by this Chapter.
 7. Signs that are animated or audible, or rotate or have intermittent or flashing illumination, or emit audible sound or visible matter.
 8. Signs displayed in a manner or locations that prevent free ingress and egress from a door, window or other exit.
 9. Signs displayed in a location in such a manner as to obstruct or interfere with an official traffic sign, signal or device, or signs that obstruct or interfere with the driver's view of approaching, merging or intersecting traffic.

10. The use of reader panel signs except as permitted in Section 15.3.A.5 and Section 15.3.B.5 of this Ordinance.
11. Fixed balloons, as defined in Section 15.1 of this Ordinance, used for promotional and advertisement purposes.
12. Signage on wireless communication facilities unless otherwise stated elsewhere in this Ordinance.
13. Signage within the road medians.
14. Signs are prohibited in the public rights of way unless otherwise permitted elsewhere in this Ordinance.

SEC. 15.10. NONCONFORMING, UNSAFE, and ILLEGAL SIGNS.

A. Legal Nonconforming Signs:

1. Legal nonconforming sign(s) shall mean a sign that is lawfully existing at the time of the enactment of this Ordinance but does not conform to the regulations set forth in this Ordinance. Legal non-conforming signs are subject to the provisions of Chapter 6 – Non-Conforming Uses - of this Ordinance.
2. Reasonable repair, maintenance, and alterations to legal non-conforming signs are allowed including change of copy, provided that no structural alterations are made.

B. SIGNS RENDERED NONCONFORMING

1. Except as provided in this Section, a nonconforming sign may continue in the manner and to the extent that it existed at the time of the Ordinance adoption, amendment or annexation which rendered the sign nonconforming.
2. A sign approved by variance before the effective date of this Ordinance (Date) or amendment thereto shall not be considered nonconforming and shall not be subject to the regulations set forth in this Section.
3. A nonconforming sign shall not be re-erected, relocated or replaced unless it is brought into compliance with the requirements of this Ordinance.

4. Any nonconforming sign shall be removed or rebuilt in full conformity to the terms of this Ordinance if it is damaged or allowed to deteriorate to such an extent that the cost of repair or restoration is fifty (50) percent or more of the cost of replacement of such sign.

C. Signs Rendered Discontinued:

1. Sign structures which remain vacant, unoccupied, devoid of any message for a period of one hundred and eighty (180) consecutive days, or display a message pertaining to a time, event or purpose that no longer applies shall be deemed to be discontinued.
2. A sign whose use has been discontinued is prohibited and shall be removed by the owner of the sign or owner of the premises. Removal shall occur no later than one hundred and eighty (180) days after such use has been discontinued.

D. Unsafe Signs:

1. If either the Building Official, Town Engineer or his/her designee, determines any sign or sign structure to be in an unsafe condition, he shall immediately notify, in writing, the owner of such sign who shall correct such condition within forty-eight (48) hours or, if the correction cannot reasonably be completed within forty-eight (48) hours, shall be commenced within that time and diligently completed.
2. If the correction has not been made within forty-eight (48) hours, the Building Official, Town Engineer or his/her designee, may have the sign removed if it creates a danger to the public safety or have any necessary repairs or maintenance performed at the expense of the sign owner or owner or lessee of the property upon which the sign is located.

E. Illegal Signs:

1. The Zoning Enforcement Officer, or other designated Town official, shall remove all illegal signs placed on public right of way. The Zoning Administration Enforcement Officer shall require the removal of all other illegal signs as further provided herein, subject to the notice requirements of this Section.

2. Before bringing an action to require removal of any illegal sign, the Zoning Enforcement Officer shall give written notice to the owner of the sign or the owner of the premises on which such sign is located. The notice shall state the violation charged, and the reasons and grounds for removal, specifying the deficiencies or defects and what repairs, if any, will make the sign conform to the requirements of this ordinance, and specify that the sign must be removed or made to conform with the provisions of this ordinance within the notice period provided below.

Service of notice shall be made personally on the owner and/or lessee, or by certified mail addressed to the owner or lessee at the last known address.

3. Notice period.
 - a. The notice period for permanent signs shall be ten (10) days.
 - b. The notice period for temporary signs shall be forty-eight (48) hours.
 - c. Re-erection of any sign or substantially similar sign on the same premises after a compliance notice has been issued shall be deemed a continuation of the original violation.
4. If the owner and/or lessee of the premises upon which the sign located has not demonstrated to the satisfaction of the Zoning Enforcement Officer that the sign has been removed or brought into compliance with the provisions of this ordinance by the end of the notice period, then the Zoning Enforcement Officer shall certify the violations to the city prosecutor for prosecution as a violation of this Ordinance.
5. Removal. The Zoning Enforcement Officer may remove any illegal temporary sign which is maintained or re-erected after the expiration of the notice period, if the owner or lessee of the premises has been issued a compliance notice at least once before for the same violation involving the same or a similar sign.

6. Notwithstanding the above, the Zoning Enforcement Officer may cause the immediate removal or repair (without notice to the owner of the sign, or of the property on which it is located) of any unsafe or defective sign or signs that creates an immediate hazard to persons or property.
7. The costs of removal or repair of a sign by the Town shall be borne by the owner of the sign and of the property on which it is located; and an action for recovery thereof may be brought by the Town Attorney.

F. Liability for Damages.

1. The provisions of this ordinance shall not be construed to relieve or to limit in any way, the responsibility or liability of any person, firm, or corporation which erects or owns any sign, for personal injury or property damage caused by the sign; nor shall the provisions of this ordinance be construed to impose upon the Town, its officers, or its employees, any responsibility or liability by reason of the approval of any sign under the provisions of this ordinance.