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## Chapter 20 SIGNS

### ARTICLE I. IN GENERAL

#### **Sec. 20-1-1. Short Title.**

The Sign Code of the City of Aztec (hereinafter referred to as Sign Code).

#### **Sec. 20-1-2. Purpose and Intent.**

The purpose and intent of Sign Code is to regulate signs in a legal and reasonable manner that promotes economic vitality, public safety and ensures compliance with constitutionally protected First Amendment rights. These regulations for signs have the following specific objectives:

1. To ensure that signs are designed, constructed, installed and maintained according to minimum standards to safeguard life, health, property and public welfare;
2. To promote the creation of an attractive visual environment that promotes a healthy economy by directing the general public through the use of signs while maintaining attractive and harmonious application of signs on the buildings and sites;
3. To protect and enhance the physical appearance of the community in a lawful manner that recognizes the rights of property owners by:
  - 1) Encouraging the appropriate design, scale, and placement of signs.
  - 2) Encouraging the orderly placement of signs on the building while avoiding regulations that are so rigid and inflexible that all signs in a series are monotonously uniform.
  - 3) Assuring that the information displayed on a sign is clearly visible, conspicuous, legible and readable so that the sign achieves the intended purpose.
4. To have administrative review procedures which are the minimum necessary to:
  - 1) Allow for consistent enforcement of Sign Code.
  - 2) Minimize the time required to review a sign application.

#### **Sec. 20-1-3. Scope (Where These Regulations Apply).**

The requirements of this Sign Code apply to all signs, sign structures, awnings, and other types of sign devices located within the City of Aztec.

**Sec. 20-1-4. Conflict.**

If any portion of this Sign Code is found to be in conflict with any other provision of any zoning, building, fire safety or health provision of Municipal Code, the provision which establishes the higher standard shall prevail.

**Sec. 20-1-5. Severability.**

If any word, sentence, section, article, or any other provision or portion of this Sign Code or rules adopted hereunder is invalidated by any court of competent jurisdiction, the remaining words, sentences, sections, provisions, or portions will not be affected and will continue in full force and effect.

**Sec. 20-1-6. Authority.**

1. Responsibility. This Sign Code will be administered and enforced by the Community Development Department of the City of Aztec.
2. Administration. The Community Development Department will administer the Sign Code as set forth herein. The Community Development Department may implement procedures, forms, and written policies for administering the provisions of this Sign Code.

**Sec. 20-1-7. Reading and Applying the Code Language.**

Literal readings of the code language will be used. Regulations are no more or less strict than as stated. Application of the regulations that are consistent with the rules of this Sign Code are non-discretionary actions of the Community Development Department to implement the code.

1. Defining words. Words used in the Sign Code have their dictionary meaning unless they are listed and described otherwise. Words listed in the Definitions article have the specific meaning stated, unless the context clearly indicates another meaning.
2. Conjunctions. Unless the context clearly indicates otherwise, the following conjunctions have the following meanings:
  - 1) "And" indicates that all connected items or provisions apply;
  - 2) "Or" indicates that the connected items or provisions may apply singly or in combination;
  - 3) "Either...or" indicates that the connected items or provisions apply singly, but not in combination.

3. Lists. Lists of items that state "including the following," "such as," or similar language are not limited to just those items. The lists are intended to provide examples, but not to be exhaustive of all possibilities.

**Sec. 20-1-8. Indemnification.**

The City, its officers, agents, and employees shall be held harmless against any and all claims resulting from the erection, alteration, relocation, construction, or maintenance of signs legally allowed as a result of this Sign Code.

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**ARTICLE II. ADMINISTRATION**

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**Sec. 20-2-1. Permitting.**

1. Applicants who wish to erect new permanent or temporary signs, or those seeking to complete significant modifications (i.e., a modification that costs 50% or more than the replacement cost of the original sign) of existing signs, must obtain a permit from the City prior to installation/modification of the signs. Review of applications for sign permits shall be concurrent in the instance that multiple departments must approve applications.
2. Upon submission of a completed application, the City shall have 10 business days to review the application for a sign permit. Business days are identified as Monday through Thursday and do not include holidays, as recognized by the City of Aztec.
3. Issuance of a City of Aztec Sign Permit does not exempt the applicant from the rules and regulations of the Highway Beautification Act identified in NMSA 67-12-1 et. seq., as amended. Applicants may be required to obtain an outdoor advertising permit from the New Mexico Department of Transportation depending on the proposed sign location. Approval of a sign permit by the City of Aztec does not guarantee approval of a New Mexico Department of Transportation permit for outdoor advertising.
4. If an application for a sign permit is denied, the City shall inform the applicant of the reasons the application fails to comply with the standards contained in the Sign Code. For a sign permit, once the City has provided the applicant with the reasons for denying the sign permit, the application request will be considered closed by the City unless it is resubmitted per Section 5 or appealed per Section 6 below.
5. Upon receiving a denied sign permit application, the applicant shall have 15 business days (from date of signature receipt for denial letter) to revise and resubmit the application for review by the City.
6. The applicant may also appeal the decision of the denial within 15 business days. Appeals shall be made in writing to the Aztec City Clerk. The Planning and Zoning Board shall review the denial of the applicant's application via a Quasi-Judicial Hearing process at a regularly scheduled Planning and Zoning Board Meeting. The decision of the Planning and Zoning Board will then be taken before the City Commission for a final determination.
7. Upon a final determination by the City Commission, unsuccessful applicants may seek to appeal to the court of competent jurisdiction.
8. All approved permits shall expire 180 calendar days from the date of issue, at which time the permit shall be considered expired. Failure to complete construction and

installation of approved sign(s) within the 180-calendar daytime period shall require submission of a new application and payment of all associated fees.

9. The Community Development Department will review and approve or deny all mural permit applications. Mural permit applications must be submitted with a rendering of the proposed Mural. No mural shall have or depict any illegal activities including but not limited to drugs, violent or illegal acts. No mural shall have or depict any offensive or graphic content including but not limited to nudity or violence.
10. If a mural permit application is denied, the Community Develop Department shall inform the applicant of the reasons the application was denied. Once the applicant has been provided with the reasons for denying the mural permit application, the applicant request will be considered closed by the City unless it is resubmitted per Section 11 or appealed per Section 12.
11. Upon receiving a denied mural permit application, the applicant shall have 15 business days from the date of the decision to revise and resubmit the application for review by the Community Development Department.
12. The applicant may also appeal the decision of the denial within 15 business days. Appeals shall be made in writing to the Aztec City Clerk. The Planning & Zoning Board shall review the denial of the applicant's application via a Quasi-Judicial Hearing process at the regularly scheduled Planning & Zoning Meeting.

### **Sec. 20-2-2. Comprehensive Sign Plan (CSP).**

A Comprehensive Sign Plan (CSP) may be submitted that permits consideration of unique conditions, flexibility, and creativity to address a particular locations site and its constraints, special circumstances. All CSPs must be submitted for approval to the Planning and Zoning Board via a Quasi-Judicial Hearing process. The recommendation of the Planning and Zoning Board will then be taken for final approval from the City Commission. The CSP application cannot impose more restrictive requirements than the basic standards allow. The CSP may result in permitting additional signs, permitting greater sign display area, or increasing other basic limitations. The approval may be subject to conditions such as increased landscaping or fencing on the site to mitigate potential impacts resulting from an approved CSP. Once approved, subsequent applications for specific signs may be approved administratively when the proposed sign is in compliance with the approved CSP. It is important to note that a CSP approval does not remove the requirement to obtain sign applications, permits, or pay required fees.

### **Sec. 20-2-3. Enforcement.**

1. Inspection. All signs for which a permit is required shall be subject to inspection. The Community Development Department may inspect all permitted signs during construction and installation, or upon completion of construction and installation, to ensure adherence to the stipulations of the sign permit, as approved by the City. All

signs may be re-inspected at the discretion of the Community Development Department.

2. Revocation. A sign permit may be revoked by the Community Development Department for a permit holder's failure to construct/install a sign as approved by the City or for attempts to construct/install a sign utilizing an expired/void permit. Any subsequent reapplication for a sign permit shall be subject to all applicable fees, as identified in [Chapter 16](#), of Aztec Municipal Code
3. Stop Work Orders. The Community Development Department shall issue a Stop Work Order to any person or organization attempting to construct/install a sign in the City without a valid permit. Persons or organizations in receipt of a Stop Work Order shall cease development activities immediately; failure to do so shall result in a penalty assessment as identified in Section 20-2-8.
4. Removal of Signs. The City Engineer, City Public Works Director, or the New Mexico Department of Transportation (on applicable streets) may require signs extending into the right-of-way to be modified or moved if streets are widened, or other improvements are made in the right-of-way, which result in the creation of unsafe conditions. The modification or moving of signs in the right-of-way will be at the owner's expense. If a nonconforming sign is moved under this requirement, it may be re-erected on the site without being brought into conformance but may not be altered in any way.
  - 1) Temporary Signs. The City shall have the authority to remove, without notice, any temporary signs within the public right-of-way or on public property.

#### **Sec. 20-2-4. Disposal of Signs; Costs; Prohibition.**

Any sign removed by the City pursuant to the provisions of this article shall be considered refuse and become the property of the City. The City shall dispose of the sign as it deems appropriate. The cost of removal, storage and/or disposal of the sign by the City shall be considered a debt owed to the City by the owner of the sign and/or the owner of the property as identified using information obtained the San Juan County Assessor's and may be recovered in appropriate court action by the City. The cost of removal shall include any and all incidental expenses, including legal fees, incurred by the City in connection with the sign's removal, storage and/or disposal.

#### **Sec. 20-2-5. Exemptions.**

The following are exempt from the regulations of this Sign Code and do not require sign permits, but may be subject to other codes adopted by the City of Aztec, where applicable:

1. Any public purpose/safety sign or any other notice or warning required by a valid and applicable federal, state or local law, regulation or resolution.

2. Works of art, such as murals, that do not include a commercial message.
3. Cultural, religious, and other holiday lights and decorations containing no commercial message.
4. Flags.
5. Building markers.
6. Scoreboards on athletic fields.
7. Signs inside a building, not visible from a public roadway or public access.
8. Decals and/or logos affixed to windows or door glass panels, such as those indicating membership in a business group or identifying credit cards accepted at the establishment.
9. Signs displayed during the course of a special event by an organization that has been issued a Special Event Vendor Permit by the City. This exemption shall only apply to signs displayed at the location for which the Special Event Vendor Permit has been issued.
10. The use of business logos, identification or advertising on vehicles primarily and actively used for business purposes or personal transportation and that, when parked, are not parked in such a manner as to constitute a violation of code under 20-2-6.4.
11. A maximum of three (3) temporary, noncommercial, accessory signs are allowed on all zoned lots; in the case of Mobile Home Parks, each mobile home space is permitted the same sign allowance. Such signs may not exceed (3) square feet each in area and must be anchored to prevent movement from wind.
12. Address Location Display Requirement. Please refer to Chapter 7, Sec. 7-2-8. Address Location Display and Location and International Property Maintenance Code IPMC, Section 304 (F), Premises identification.

### **Sec. 20-2-6. Prohibited Signs.**

The following signs are prohibited in the City:

1. Abandoned signs.
2. Billboards.
3. Animated, flashing, rotating signs and festoons, signs containing strobe lights, inflatable signs, tethered balloons, banners, searchlights, streamers, exposed

light bulbs, strings of lights not permanently mounted to a rigid background, and any clearly similar features employed to advertise or draw attention to a commercial activity, except those specifically permitted by Sign Code in Section 20-2-5, or special event signs or banners permitted in Section 20-4-6, or electronic message centers as permitted in Section 20-4-4.

4. Signs containing any words or symbols that would cause confusion because of their resemblance to highway traffic control or direction signals, or signs that interfere with the effectiveness of any official traffic light, sign, or signal.
5. Merchandise, equipment, products, vehicles, or other items which are not available for purchase, but are intended to attract attention, or for identification or advertising purposes.
6. Signs, to include snipe signs, posters, and handbills, affixed to any structures, fences, trees or other natural vegetation, rocks, utility poles, streetlights or street signs, City planters, public benches or any other form of public property or within any public right-of way or on public property unless explicitly permitted by these regulations or explicitly identified as a Public Bulletin or Community Announcement Board.
7. Roof signs, unless architecturally incorporated into the façade of the building on a parapet wall or similar extension of an exterior wall. Projecting signs that extend above the roof line are permissible provided they extend no further than three (3) feet above the roof line.
8. Signs which emit smoke, visible vapors, particles, sound or odor shall not be permitted. Open flames used to attract public attention to a place of business or to an advertising sign shall not be permitted.
9. No mirror device shall be used as part of a sign. Mirror finishes on signs are permitted provided such finishes are not directly illuminated with the intention of creating a reflective surface.
10. Signs which encroach upon or otherwise impede any public right-of-way, unless explicitly permitted in this code.

### **Sec. 20-2-7. Violations.**

It shall be unlawful to erect, construct, install, alter, modify, or move any sign or sign structure in the City or cause or permit the same to be done in violation of any of the provisions of this Sign Code.

**Sec. 20-2-8. Penalty.**

Any person, firm, corporation or organization violating any provision of this Sign Code shall be subject to penalties as identified in [Sec. 1-8](#); a separate offense shall be deemed committed on each day during which a violation occurs or continues.

**ARTICLE III. MEASUREMENT STANDARDS**

**Sec. 20-3-1. Determining Sign Area and Dimensions.**

1. Computation of Area of Individual Signs.  
 The display area for a sign face shall be computed by means of the square, circle, rectangle, triangle, or combination that encompasses writing, decoration, representation, emblem, or other display. The display area does not include any supporting framework, bracing.



Area within yellow border calculated as sign area.

2. Computation of Area of Multi-faced Signs.  
 The display 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 (2) identical sign faces are placed back-to-back, so that both faces cannot be visible from any point at the same time, the sign area shall be computed by the measurement of only one of the faces.



Area within yellow border calculated as sign area.

3. Awnings and Marquees.  
 When graphics or sign copy are incorporated into an awning, the sign area is determined by computing the area of a standard imaginary geometric shape or combination of shapes drawn around the sign copy area or graphics. When the ends of awnings or marquees are parallel and contain graphics or sign copy only one side is counted, in addition to the sign face area on the front.

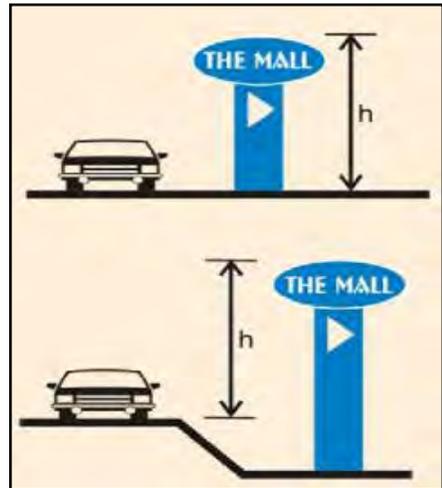
**Sec. 20-3-2. Determining Sign Height.**

1. The height of a freestanding sign shall be measured from the base of the sign or supportive structure at its point of attachment to the ground, to the highest point of the sign. A freestanding sign on a man-made base, including a graded earth mound, shall be measured from the grade of the nearest pavement or top of any pavement curb.



Area identified with the green check mark is the correct calculation for sign height (courtesy of the Signage Foundation).

- 1) Exception: Where a freestanding sign or sign structure is mounted along a roadway that has a higher grade level as compared to the grade level directly below the freestanding sign or sign structure, then the freestanding sign or structure's height will be measured from the roadway grade level to the highest point of the freestanding sign or sign structure. Visual example (courtesy of the United States Sign Council).



2. Clearance for freestanding and projecting signs shall be measured as the smallest vertical distance between finished grade and the lowest point of the sign, including any framework or other embellishments. Visual example: Note the height identified by the yellow arrows is the correct sign clearance height.



**Sec. 20-3-3. Determining Building Frontages and Frontage Lengths.**

Building Unit. The building unit is equivalent to the tenant space. The building frontage of the tenant space on the first floor shall be the basis for determining the permissible sign area for wall signs.

Primary and Secondary Frontage. The building frontage of any building unit shall include the elevation(s) facing a public street, facing a primary parking area for the building or tenants, or containing the public entrance(s) to the building or building units.

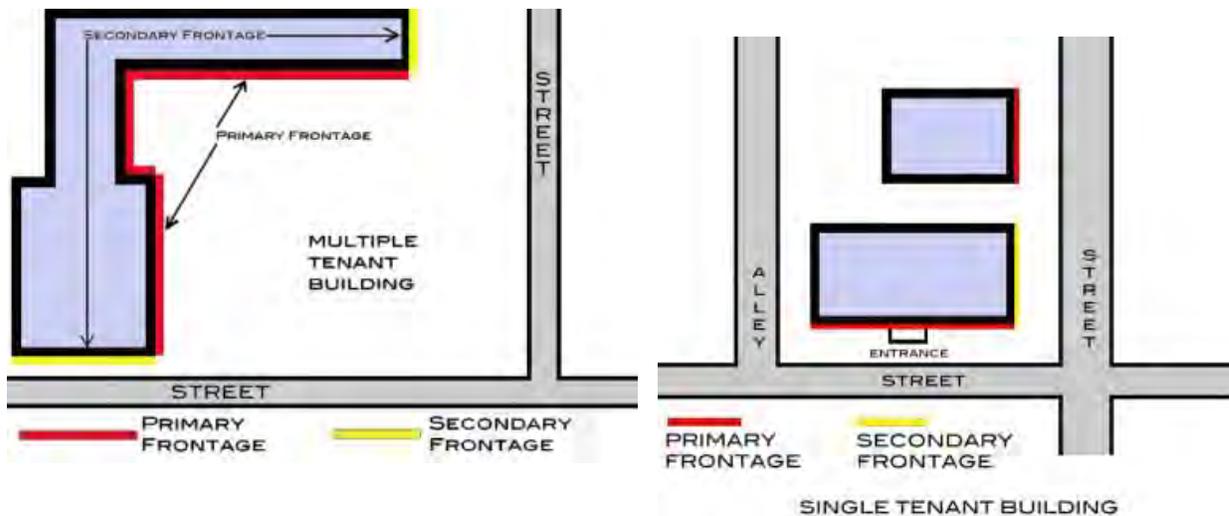
The primary building frontage shall be considered the portion of any building frontage containing the primary public entrance(s) to the building or building units.

The secondary building frontage shall include those building frontages containing secondary public entrances to the building or building units, and all building walls facing a public street or primary parking area that are not designated as the primary building frontage by subsection "1" above.

Length of Building Frontage. The length of any primary or secondary building frontage shall be the sum of all wall lengths parallel, or nearly parallel, to such building frontage, excluding any such wall length determined by the Community Development Department as clearly unrelated to the frontage criteria.

For buildings with two or more building frontages, the length of the wall and allowable sign area shall be calculated separately for each such building frontage.

The building frontage for a building unit shall be measured from the centerline of the party walls defining the building unit.



**ARTICLE IV. SIGNS PERMITTED BY ZONE DISTRICT**

The signs permitted in each zone district are those indicated in Sec. 20-4-1. All signs permissible are still subject to regulations based on sign type and sign location relative to zone district. All maximum numbers displayed are per lot unless otherwise noted.

**Sec. 20-4-1. Signs Permitted in Zone Districts**

Sign Type	A-1	R-1	R-2	MH	O-1	C-1	C-2	M-1	M-2	PUD
Freestanding (Multi-Business)					X	X	X	X	X	CS
Freestanding (Single Business)	X	X	X	X	X	X	X	X	X	CS
Wall Sign	X	X	X	X	X	X	X	X	X	CS
Projecting Sign					X	X	X			CS
Directory Sign					X	X	X	X	X	CS
Building Identification Signs					X	X	X	X	X	CS
Electronic Message Centers					X	X	X	X	X	CS
Illuminated Signs					X	X	X	X	X	CS
Murals					X	X	X	X	X	CS
Pennant Signs		T	T	T	X	X	X	X	X	CS

CS: Comprehensive Sign Plan is required for sign development/installation in all PUD zone districts.  
 T: See Section 20-4-6 for Temporary Sign regulations.

**Sec. 20-4-2. Development Standards for A-1, R-1, R-2, O-1.**

1. Wall Signs. The basic allowance for wall signs shall be as follows:
  - 1) The permitted sign area for each single-family residence shall not exceed 6 sq ft per lot. The maximum number of wall signage allowed is one (1).
  - 2) The permitted sign area for entrances to Residential Subdivisions, MH Parks, Multiple-Family Complexes (R-1, R-2, MH) shall not exceed more than 5% building façade (length x height of building). The maximum number of wall signage allowed is one (1) per building frontage.
  - 3) The permitted sign area for Agricultural Zone Districts (A-1) shall not exceed 25 sq ft. The maximum number of wall signage allowed is one (1).
  - 4) The permitted sign area for Permitted in O-1 Office/Institutional shall not exceed more than 15% of the façade. The maximum number of wall signage allowed is one (1) per building frontage.

2. Freestanding Signs. The basic allowance for freestanding signs shall be as follows:
- 1) The permitted sign height for each tenant in the Single Residential or MH Parcels or Single Spaces in MH Parks shall not exceed 3 ft and permitted signage area shall not exceed 6 sq ft total area permitted per lot. The maximum number allowed is one (1).
  - 2) The permitted sign height for entrances to Residential Subdivision, MH Parks, Multiple-Family Complexes (R-1, R-2, MH) shall not exceed 4 ft and the permitted signage area shall not exceed 64 sq ft. The maximum number allowed is one (1) per ingress/egress to development.
  - 3) The permitted sign height for the Agricultural Zone District shall not exceed 6 ft and the permitted signage area shall not exceed 48 sq ft. The maximum number allowed is one (1).
  - 4) The permitted sign height for the Permitted in O-1 Office/Institutional shall not exceed 30 ft and the permitted signage area shall not exceed 150 sq ft. The maximum number allowed is one (1) per building frontage.

**Sec. 20-4-3. Development Standards in Commercial and Manufacturing Districts.**

1. Wall Signs. The basic allowance for wall signs shall be as follows:
- 1) The minimum sign area for each tenant with building frontage shall not be less than 20 square feet.
  - 2) Each tenant may have multiple wall signs as long as the total wall sign area does not exceed twenty percent (20%) of the building façade.
  - 3) The wall sign or signs, shall not be greater than eighty (80%) percent of the length of the tenant space or the length of the building frontage for single tenant buildings.
  - 4) Wall signs may not extend above the top of the building wall upon which they are mounted.
  - 5) Additional wall sign area is permitted for a secondary frontage which shall be equal to 80% of the primary sign area. Additional wall sign area must appear on the secondary frontage and may not be added to the maximum permissible area for the primary frontage.
  - 6) The following additional wall signs may be permitted in excess of the wall sign area permitted:

3. Projecting Signs. Projecting signs are allowed in O-1, C-1 and C-2 zone districts for buildings that have no setback from the street or sidewalk or for buildings with attached canopies. Design or restrictions are as follows:
  - 1) Signs shall have a maximum area of ten (10) square feet.
  - 2) The bottom of the sign shall be a minimum of eight (8) feet above the sidewalk.
  - 3) The sign shall not project more than three (3) feet from the wall of the building on which the sign is placed (measured as the distance between the building façade and the innermost side of the projecting sign nearest the building).
  - 4) No two adjacent projecting signs shall be closer than fifteen (15) feet.
  - 5) Signs should be oriented toward pedestrians passing on the sidewalk of the building rather than automobiles or pedestrians on the other side of the street.
  - 6) Mounting hardware for blade signs should be attractive and an integral part of the sign design. Metal brackets with decorative and complex shapes are encouraged where appropriate to add to the character of the building.
  - 7) Signs should never cover architectural details and should be integrated with architectural façade elements.
  - 8) Blade signs should have two finished sides that are consistent on both sides.
  - 9) Blade signs should be consistent with downtown wall sign design guidelines.
4. Directory Sign. In addition to the wall signs otherwise permitted by these regulations, an additional sign may be permitted up to a maximum of sixteen (16) square feet for the purpose of identifying upper floor tenants or first floor tenants that do not have building frontage.
5. Instructional Sign. Instructional signs are permitted with no sign area or number limit, provided such signs meet the definition provided in code.
6. Window Signs. Permanent window signs shall not exceed twenty-five (25) percent of the area of a window or, in cases of buildings with numerous windows, shall not exceed twenty-five (25) percent of the total area of all windows combined. The total area of all window signs, including both permanent and temporary signs, shall not exceed fifty (50) percent of the window area or, in cases of buildings with numerous windows, shall not exceed fifty (50) percent of the total area of all windows combined.
7. Additional Wall Sign Area for Multiple Story Buildings. Additional sign area is permitted on each of the building's primary and secondary frontages according to the following:
  - 1) For a building with two (2) floors and 2 businesses the additional permitted sign area is 20 square feet for each eligible floor.

- 2) This additional permitted sign area may be increased by 10 square feet for each additional building floor.
  - 3) Wall signs utilizing allowances for additional sign area based on multiple building stories must be placed at the height (i.e. the story) for which the bonus has been granted.
8. Freestanding Signs. The sign area, height and location specifications for freestanding signs shall be determined by the zoning district.
- 1) No portion of a freestanding sign shall be in, or project over, a public right-of-way.
  - 2) Sign Angle. The angle of freestanding signs in relation to the oncoming traffic flow shall be between 45 and 135 degrees.
  - 3) Number of Signs. Freestanding Signs shall be limited to one (1) per lot. If a lot has frontage that exceeds three hundred (300) lineal feet on any given roadway, one (1) additional such sign on such frontage shall be permitted; and for each multiple of three hundred (300) lineal feet of frontage thereafter, one (1) additional such sign shall be permitted for each separate street frontage.
  - 4) Directional Signs. Directional signs shall be permitted in addition to all other signs when they are of such size and location that satisfy the intended Directional purpose and based on their size, location, and intended purpose will not constitute additional advertising. Directional signs shall be permitted without limitation as to number or size and may include the name of the business or logo.
  - 5) Instructional Sign. Instructional signs are permitted with no sign area or number limit, provided such signs meet the definition provided in code.
9. Pennant Signs. Pennant Signs are permissible per Sec. 20-4-1 provided the following standards are met:
- 1) Shall be permanently anchored so as not to become windblown.
  - 2) Shall not exceed fifteen feet in height.
  - 3) Shall not be placed in any visibility triangle for vehicular or pedestrian traffic.
  - 4) Shall be kept in good repair and replaced when become frayed or tattered.
10. Murals. Artwork with non-commercial messages are permitted in the following locations:
- 1) In the metropolitan redevelopment area (MRA), murals are allowed on the side and rear walls, with a maximum coverage of 100 percent of the wall. Permits in

the MRA shall be reviewed and approved by the Community Development Department.

- 2) Along principal arterials, as identified, murals are allowed on the side walls only, with a maximum coverage of 60 percent.
- 3) Along minor arterial and collector roads as identified, murals are allowed on the side walls only, with a maximum coverage of 40 percent.
- 4) All murals are subject to the approval of the property owner and any related tenant associations.

#### **Sec. 20-4-4. Changeable Copy Signs/Electronic Message Centers (EMCs).**

1. Changeable copy by non-electronic means may be utilized on any permitted sign.
2. Only one (1) EMC is permitted per lot for each street on which the development fronts and the sign is visible.
3. All EMCs are required to have automatic dimming capabilities in order to bring the EMC lighting level at night into compliance with Section 20-4-6.
4. The following EMC display features and functions are prohibited in O-1 zone districts and any zone district adjacent to a residential zone district: continuous scrolling and/or traveling, spinning, rotating, and similar moving effects, and all dynamic frame effects or patterns of illusionary movement or simulating movement. Scrolling utilized as a function to transition between message frames is permissible.
5. The following EMC display features and functions are prohibited in all zone districts: flashing and full motion video or film display via an electronic file imported into the EMC software or streamed in real time into the EMC.

#### **Sec. 20-4-5. Sign Illumination Standards.**

Signs may be illuminated consistent with the following standards:

1. Signs that have external illumination, whether the lighting is mounted above or below the sign face or panel, shall have lighting fixtures or luminaries that are fully shielded to ensure that light or glare from the sign does not shine above the horizontal plane of the top of the sign or onto any public right-of-way or adjoining property. Signs that have internal illumination shall have sign faces with opaque, non-reflective backgrounds.
2. The lighting for signs shall not create hazardous or excessive glare to pedestrians and/or motorists, either on a public street or right-of-way or on any private premises and will not obstruct traffic control or any other public information signs.

3. All illuminated signs must meet the requirements of the New Mexico Night Sky Protection Act [[NMSA 1978, Chapter 74, Article 12](#)].

### **Sec. 20-4-6. Temporary Sign Regulations.**

1. Signs that meet the standards of this section are exempt from the standards for permanent signs and are not counted in the maximum total square footage of signage allowed on any particular property, site, or lot.
2. A permit must be obtained for the display of temporary signs.
3. Temporary signs are signs not intended for permanent installation and are to be used for a limited amount of time. Types of temporary signs include, but are not limited to, real estate signs, construction site signs, banners, pennants (advertising for a limited amount of time at Mobile Home Park entrances, apartment complexes, and new Subdivision entrances), special event signs (whether these events are related to commercial or noncommercial activities), advertising vehicles and development signs.
4. Off-premise, temporary signs are permissible, subject to landowner approval.
5. Temporary signs must be securely anchored to prevent movement from wind and to ensure public safety.
6. The number of temporary signs on a lot shall not exceed three at any given period of time.
  - 1) In the O-1, C-1, C-2, M-1 and M-2 zone districts, one temporary banner sign no larger than thirty-two (32) square feet in size is permitted per structure or, on a multi-tenant structure, per tenant frontage. In no case may a lot have more than two (2) temporary banners.
  - 2) In the A-1, C-1, C-2, M-1 and M-2 zone districts one (1) temporary freestanding sign is allowed per zoned lot. Temporary freestanding signs may be up to thirty-two (32) square feet in area and must still meet location and site criteria as identified by this Sign Code.
  - 3) In the O-1, C-1, C-2, M-1 and M-2 zone districts temporary window signs are permitted, subject to the area regulations identified in Sec. 20-4-4.
7. A temporary sign may only be displayed for thirty calendar days. Applicants may renew permits for the display of temporary signs for two (2) additional thirty day periods for a maximum possible display time of ninety (90) consecutive days. Off-premise temporary signs do not qualify for display time extensions.
  - 1) Real Estate and Noncommercial Signs may be displayed on zoned lots any time of the year with no maximum display period and no permit requirements; such

signs must still meet location and size criteria as identified by this Sign Code and shall be counted in the consideration of maximum number of temporary signs permissible on a zoned lot.

- 2) Political Signs may be displayed on zoned lots, and no permit requirements, and all shall be properly maintained in good condition or removed. Political Signs shall not be erected prior to 90 days before the date of a specific election and must be removed no later than thirty (30) days after the date of such election. A candidate that is successful in a primary election or a candidate that becomes eligible to be placed on the ballot for the general election after the primary election is concluded, shall be allowed to retain, or erect signs during the interim period between the primary and general election.
  - 3) Temporary Signs for approved special events (as recognized and approved by the City Commission, or the City of Aztec Utility Office) may be displayed at approved public locations and/or over public streets; such signs must meet all design and construction specifications of the City and shall be installed by City staff. Special Event Signs are limited to a maximum thirty (30) day display period with no renewal and may be subject to shorter display periods, as directed by the City Commission or the City Lodger's Tax Advisory Board.
8. Sandwich Board Signs. Sandwich Board Signs may be used in C-1 zone districts with no maximum display limitations on lots containing a structure for which the primary building frontage encompasses 100% of the primary property frontage, provided the following standards are met.
- 1) Only one Sandwich Board Sign is permitted per lot.
  - 2) The sign is only displayed during hours for which the business or institution is open to the public.
  - 3) The sign is entirely outside the street, roadway or parking area and is not placed in City planting boxes or landscaping.
  - 4) The sign must maintain physical contact with the building façade at all times.
  - 5) The sign is no larger than ten (10) square feet.
  - 6) The sign is anchored to prevent movement in the wind.
  - 7) The sign does not obstruct a continuous through pedestrian zone of at least four (4) feet in width.
  - 8) The sign does not obstruct pedestrian and wheelchair access from the sidewalk to any of the following:
    - a. Transit stop areas;
    - b. Designated handicapped/disabled parking spaces;
    - c. Handicapped/disabled access ramps;
    - d. Building exits, including fire escapes.

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**ARTICLE V. CONSTRUCTION AND MAINTENANCE STANDARDS**

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**Sec. 20-5-1. Construction Standards.**

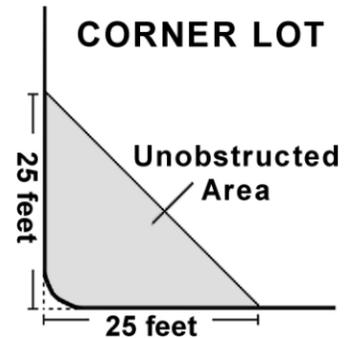
The construction, erection, safety and maintenance of all permanent signs, sign structures, sign foundations and methods to attach and anchor signs shall comply with the International Building Code and all of the following:

1. Signs shall be structurally sound and located so as to pose no reasonable threat to pedestrian or vehicular traffic.
2. All permanent freestanding signs shall have self-supporting structures erected on, or permanently attached to, concrete foundations.
3. When possible, signs should not be in locations that obscure architectural features such as pilasters, arches, windows, cornices, etc.
4. The signs shall not be in locations that interfere with safe vehicular and pedestrian circulation or public safety signals and signs.
5. Signs, sign structures and awnings are prohibited from being erected in any manner that interferes in any way with the free use of any fire escape, standpipe, required exit, window, or door opening used as a means of egress. Attaching signs, sign structures or awnings to a fire escape is prohibited.
6. Signs shall be structurally designed in compliance with American National Standards Institute (ANSI) standards. All elective signs shall be constructed according to the technical standards of a certified testing laboratory.
7. Sign structures and awnings are prohibited from being installed in any way that obstructs any building openings to such an extent that light, ventilation, or exhaust are reduced to a level below that required by the International Building Code.
8. The numerical address of the business/development shall be placed upon freestanding and monument signage.
9. All free-standing signs which incorporate lighting shall be served with underground utility service.
10. No signage shall be placed on any City property including City planters.

### Sec. 20-5-2. Clearance Standards.

1. Computation of setbacks: For field purposes the setback measurement is taken from the back edge of the sidewalk which is the edge farthest away from curb line, gutter, and street. If a sidewalk is not present, the back of curb or street edge will be used for the point of reference.

- 1) Vision clearance areas: Vision clearance areas are triangular shaped areas, commonly referred to as sight triangles, located at the intersection of any combination of public rights-of-way (such as streets), alleys or driveways. The sides of the triangle extend 'x' feet from the intersection of the right-of-way, alley, or driveway in either direction. No sign may be installed within this clear sight triangle. The minimum vision clearance area for streets, right-of-ways and alleys is twenty-five (25) feet. This distance is measured from the back of curb or street edge.



- 2) Vehicle area clearances: In areas outside of rights-of-way, when a sign or awning extends over an area in which vehicles travel or are parked, the bottom of the sign face or awning must be at least fourteen (14) feet above the ground. Vehicle areas include driveways, alleys, parking areas, and loading and maneuvering areas.
- 3) Pedestrian area clearances: When a sign or awning extends more than twelve (12) inches over a sidewalk, walkway, or other space used by pedestrians, the bottom of the sign face or awning must be at least eight (8) feet above the ground.
- 4) In situations where overhead, electric utilities are present, permanent signs must be located a minimum of ten (10) feet horizontally and ten (10) feet vertically from the outer extent of electrical lines.
- 5) For underground utilities, permanent signs must be located a minimum of ten (10) feet from the outer extent of the utility line.

### Sec. 20-5-3. Maintenance Standards.

All signs shall be maintained in accordance with the following:

The property owner shall maintain the sign, sign structures and awnings, together with their supports, braces, guys, anchors, and electrical components, in a condition appropriate to the intended use and in adherence to all City regulations. Awnings shall be maintained to ensure integrity of all component parts, to include maintenance of any non-rigid materials covering the awning supports or framework. The property owner has a continuing obligation to comply with all International Building Code requirements.

1. Signs or awnings may be deemed dangerous for one or more of the following reasons:
  - 1) Whenever a sign structure or its foundation, a sign's attachments to a building, or a building to which a sign is attached is damaged by fire, earthquake, wind, flood or by any other cause, to such an extent that the structural strength or stability is materially less than it was before the catastrophe and is less than the minimum requirements of International Building Code;
  - 2) Whenever any portion or member of a sign, sign structure or awning is likely to fail, or become detached or dislodged, or to collapse and thereby injure persons or property;
  - 3) Whenever any portion or member of a sign, sign structure or awning is likely to partially or completely collapse as a result of any cause, including, dilapidation, deterioration, or decay; faulty construction or wiring; or removal, movement or instability of any portion of the ground or building necessary for supporting such structure;
  - 4) Whenever a sign, sign structure or awning is structurally or electrically unsafe or otherwise hazardous to human life or safety by reason of inadequate maintenance, dilapidation, obsolescence, fire hazard, disaster, damage or abandonment.
2. If the sign, sign structure or awning is deemed by the Community Development Department to be in an unsafe or unmaintained condition, the owner of the business shall be immediately notified in writing, and shall, within forty-eight (48) hours of receipt of such notification, respond to the City with a plan to maintain the sign, correct the unsafe condition, remove the unsafe sign, or cause it to be removed. If, after ten (10) days, the unsafe condition has not been corrected through repair or removal, the Community Development Department may cause the repair or removal of such sign, at the expense of the property owner or lessee. If the total costs are not paid in full within ninety (90) days of the repairs or removal, the amount owed shall be certified as an assessment against the property of the sign owner, and a lien placed upon that property.
3. In cases of emergency, the Community Development Department may cause the immediate removal of a dangerous or defective sign without notice.
4. Whenever any sign, either conforming or nonconforming to these regulations, is required to be removed for the purpose of repair, sign face replacement, re-lettering or repainting, the same may be done without a permit or without any payment of fees provided that all of the following conditions are met:

- 1) There is no alteration or significant modification to the structure or the mounting of the sign itself;
- 2) There is no enlargement or increase in any of the dimensions of the sign or its structure;
- 3) The sign is accessory to a legally permitted, conditional, special or nonconforming use.

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**ARTICLE VI. NONCONFORMING SIGNS**

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**Sec. 20-6-1. General Provisions.**

1. Nonconforming signs shall be maintained in good condition pursuant to Section 20-5-3.
2. A nonconforming sign shall not be altered, modified, or reconstructed except:
  - 1) When such alteration, modification or reconstruction would bring such sign into conformity with these regulations;
  - 2) When the existing use has new ownership which results in a change in the name or logo of the use or business on the property, and such change complies with subsection "4" below;
  - 3) When the space is re-occupied by a similar use and the new occupant requires no external building or site renovation, and such change complies with subsection "4" below;
  - 4) Any alteration, modification or reconstruction permitted in this section shall be limited to the replacement of a sign panel, replacing individual letters and logos within the same area or repainting a sign face, and does not permit changes to the structure, framing, erection or relocation of the sign unless such changes conform to subsection "1" above.

**Sec. 20-6-2. Limitations for Non-Conforming Signs.**

1. With the exception of Landmark Signs (see Sec. 20-6-3), a nonconforming sign shall be removed upon verification that any of the following conditions have been met:
  - 1) The use to which such non-conforming sign refers has been abandoned for more than 180 consecutive days; or
  - 2) The regulation or amendment to these regulations which made the sign non-conforming has been in effect for ten (10) years or more.
2. Extension of time to comply: The dates established in this Section for a sign to be brought into compliance with the requirements of these regulations may be extended at the request of the sign owner or lessee. In evaluating the extension of time for a nonconforming sign, the City may request additional information and documents from the property owner and shall consider the following factors to determine whether the owner of the sign has had a reasonable amount of time to recoup the initial investment:
  - 1) The value of the sign at the time of construction and the length of time the sign has been in place;

- 2) The life expectancy of the original investment in the sign and its salvage value, if any;
  - 3) The amount of depreciation and/or amortization of the sign already claimed for tax or accounting purposes;
  - 4) The length of the current tenant lease or expected occupancy compared to the date the sign is to be brought into compliance;
  - 5) The extent to which the sign is not in compliance with the requirements of these regulations; and
  - 6) The degree to which the City determines that the sign is consistent with the purposes of these regulations.
3. Once a sign is altered to conform or is replaced with a conforming sign, the nonconforming rights for that sign are lost and a nonconforming sign may not be re-established.

**Sec. 20-6-3. Landmark Signs.**

1. Landmark Signs designated by federal, state or local government as having artistic or historic significance shall have perpetual nonconforming status and shall have no requirements for removal unless federal, state or local government authorities rescind a sign's Landmark designation. For the purposes of this code, Landmark signs shall be designated by the City Commission via Resolution.
2. Landmark Signs are still required to adhere to Sec. 20-5-3 Maintenance Standards and may be subject to removal under Sec. 20-2-3 (4).
3. Landmark Signs shall not be included in calculations determining maximum permissible sign area for lots or developments.

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**ARTICLE VII. DEFINITIONS**

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The following words and phrases used in this Sign Code shall have the following meanings:

**“A” Frame Sign**

See Sandwich Board Sign.

**Abandoned Sign**

A sign which, for a period of at least 180 consecutive days or longer, no longer advertises or identifies a legal business establishment, product or activity. Sign structures that do not display copy are not considered abandoned signs.

**Access (Public)**

A means of physical approach (door, gate, driveway, etc.) available to the general public; does not include freight/delivery areas, key-entry doors/gates, etc.

**Accessory Sign**

A sign which is accessory to the principle use of the premises on which it is located.

**Alteration**

A change in the size or shape of an existing sign. Copy or color change of an existing sign is not an alteration. Changing or replacing a sign face or panel is not an alteration.

**Animated Sign**

A sign employing actual motion, the illusion of motion, or light and/or color changes achieved through mechanical, electrical, or electronic means. Animated signs, which are differentiated from changeable signs as defined and regulated by this Sign Code, include the following types:

1. Environmentally Activated: Animated signs or devices motivated by wind, thermal changes, or other natural environmental input. Includes spinners, pinwheels, pennant strings, streamers, and/or other devices or displays that respond to naturally occurring external motivation.
2. Mechanically Activated: Animated signs characterized by repetitive motion and/or rotation activated by a mechanical system powered by electric motors or other mechanically induced means.
3. Electrically Activated: Animated signs producing the illusion of movement by means of electronic, electrical, or electromechanical input and/or illumination capable of simulating movement through employment of the characteristics of one or both of the classifications noted below:

- 1) **Flashing:** Animated signs or animated portions of signs whose illumination is characterized by a repetitive cycle in which the period of illumination is either the same as or less than the period of non-illumination. For the purposes of these regulations, flashing will not be defined as occurring if the cyclical period between on-off phases of illumination exceeds four (4) seconds.
- 2) **Patterned Illusionary Movement:** Animated signs or animated portions of signs whose illumination is characterized by simulated movement through alternate or sequential activation of various illuminated elements for the purpose of producing repetitive light patterns designed to appear in some form of constant motion.

### **Architectural Projection**

Any projection from a building that is decorative and/or functional and not intended for occupancy, and that extends beyond the face of an exterior wall of a building but that does not include signs as defined herein. See also: Awning and Canopy, Attached and Freestanding.

### **Area of Sign**

Refer to measurement standards in Section 20-3-1. See also Copy Area of Sign.

### **Awning**

An architectural projection or shelter extending from and supported by the exterior wall of a building and composed of non-rigid materials except for the supporting framework that may be either permanent or retractable; it may or may not project over a public right-of-way.



Example of Awning.

### **Awning Sign**

Any sign painted on, attached to or supported by an awning. Awning signs are considered wall signs and are calculated as such when determining maximum allowable sign area.

### **Balloon Sign**

A lighter-than-air gas-filled balloon tethered in a fixed location that has a sign with a message on its surface or attached in any manner to the balloon.

### **Banner**

A flexible substrate on which copy or graphics may be displayed.

**Banner Sign**

A temporary, lightweight sign that contains a message which is attached or imprinted on a banner that is typically constructed of non-durable materials, including, but not limited to, cardboard, cloth and/or plastic.

**Bench Sign**

A sign applied or affixed to the seat or back of a bench.

**Billboard or Poster Panel**

A permanent structure sign in a fixed position that meets any one or more these criteria: (1) routinely used for advertising for hire; (2) the sign is a separate economic unit, not an accessory or auxiliary use serving the principal use on the land; (3) message display area is made available to message sponsors other than the owner. Also referred to as a Commercial Outdoor Advertising Sign.

**Building**

Any structure having a roof supported by columns or walls and intended for the shelter, housing or enclosure of any individual, animal, process, equipment, goods, or materials of any kind.

**Building Elevation**

The perimeter surface of a building set approximately parallel to a lot line.

**Building Façade**

That portion of any exterior elevation of a building extending vertically from grade to the top of a parapet wall or eaves and horizontally across the entire width of the building elevation.

**Building Identification Sign**

Any sign containing the name or address of a building or building complex, such sign being located on the same site as the building.



Example of Building Identification Signs.

**Building Marker**

Any sign indicating the name of a building and date and incidental information about its construction and whereby the sign is cut into a masonry surface or made of bronze or other permanent material and attached to the building façade or installed at the building site. Visual example below.



Example of Building Marker.

**Bulletin or Community Announcement Board**

A sign that identifies an institution or organization on whose premises it is located and that contains the name of the institution or organization and general announcements of events or activities occurring at the institution, or similar messages.

**Canopy (Attached)**

A multi-sided overhead structure or architectural projection supported by attachment to a building on one or more sides and either cantilevered from such building or also supported by columns at additional points; it may or may not project over a public right-of-way. The surface(s) and/or soffit of an attached canopy may be illuminated by means of internal or external sources of light. Also referred to as a Marquee.



Example of attached canopy.

**Canopy (Freestanding)**

A multi-sided overhead structure supported by columns, but not enclosed by walls and not attached to or requiring support from an adjacent structure. The surface(s) and or soffit of a freestanding canopy may be illuminated by means of internal or external sources of light. See visual example below.



Example of freestanding canopy.

**Canopy Sign**

A sign affixed to the visible surface(s) of an attached or freestanding canopy. May be internally or externally illuminated. Attached Canopy Signs are considered wall signs and are calculated as such when determining maximum allowable sign area. Freestanding Canopy Signs are considered freestanding signs and are calculated as such when determining maximum allowable sign area.

**Changeable Copy Sign**

A sign or portion thereof on which the copy or symbols change manually through placement of letters or symbols on a panel mounted in or on a track system.



Example of changeable copy sign.

**Channel Letter (Open Faced)**

A dimensional letter with a back and sides but no face at the front of the letter. Open Faced Channel Letters may be non-lit, externally illuminated, or illuminated by a light source contained inside the open channel of the letter itself, such as a neon tube.

**Channel Letter (Internally Illuminated)**

A dimensional letter with a back, sides and a translucent front face capable of transmitting light from an internal light source within the letter.

**Channel Letter (Reverse or Backlit)**

A dimensional letter with a face and sides but no back, opposite to an Open Faced Channel Letter. A Reverse Channel Letter has an open channel facing the wall or building to which it is affixed. A Reverse Channel Letter may contain a source of illumination designed to project lighting against the surface behind the letter, commonly referred to as a Backlit Channel Letter; also referenced as a halo or silhouette lighted channel letter. The face of a Reverse Channel Letter does not illuminate.

**Commercial Activity**

Any activity conducted with the intent of realizing a profit from the sale of goods or services to others.

**Commercial Message**

A message that proposes an economic transaction or the economic interests of the sign sponsor or audience; 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.

**Community Announcement Board**

See Bulletin or Community Announcement Board.

**Complying Sign**

A sign that is legally installed in accordance with federal, state, and local permit requirements and laws.

**Comprehensive Sign Plan (CSP)**

A coordinated program of all signs, including exempt and temporary signs for a business, or businesses if applicable, located on a development site. The sign program shall include, but not be limited to, indications of the locations, dimensions, letter styles and sign types of all signs to be installed on a site.

**Construction Sign**

A nonpermanent sign identifying the persons, firms or business directly connected with a construction project.



Example of construction sign.

**Contrast**

The difference or degree of difference in the appearance of adjacent surfaces, such as light and dark areas, different colors, or typefaces, and graphics appearing on various backgrounds.

**Copy**

The graphic content or message of a sign.

**Curb Line**

The line at the face of the curb nearest to the street or roadway. In the absence of a curb, the curb line shall be established by the edge of roadway.

**Dimensional Letter, Symbol, or Graphic**

A letter, symbol, or graphic that is three dimensional in character, containing height, width, and depth.

**Directional Sign**

A permanent instructional sign located on private property, typically at or near the public right-of-way, directing or guiding vehicular or pedestrian traffic onto the property or toward parking or other identified locations on the property. Visual examples below.



Examples of directional signs.

### Directory Sign

A sign or group of signs attached to a building or freestanding which identifies the business, owner, address, or occupation of a group of businesses or tenants located within a building or group of buildings, that is centrally located and intended to provide on-site directions.



Examples of directory signs.

### Display Time

The amount of time a message and/or graphic is displayed on an Electronic Message Center.

### Dissolve/Appear

A mode of message transition on an Electronic Message Center accomplished by varying the light intensity or pattern, where the first message gradually appears to dissipate and lose legibility simultaneously with the gradual appearance and legibility of the second message.

### Double-faced Sign

A sign with two faces that are part of the same sign structure, placed back to back with less than thirty-six (36) inches between sign faces, such that both faces are not visible from the same location.

### Dynamic Frame Effect

An Electronic Message Center frame effect in which the illusion of motion and/or animation is used.

### Electric Sign

Any sign containing electrical wiring, but not including signs illuminated solely by an exterior light source.

### Electronic Message Center or Sign (EMC)

An electrically activated changeable sign whose variable message and/or graphic presentation capability can be electronically programmed by computer from a remote location. Also known as an EMC. EMCs typically use light emitting diodes (LEDs) as a lighting source. (See also following terms principally associated with Electronic Message Centers: Display Time, Dissolve/Appear, Dynamic Frame Effect, Fade/Appear, Frame, Frame Effect, Scroll, Transition, Travel).



Examples of electronic message center signs.

### Event Sign.

See Special Event Sign.

### Externally Illuminated Sign

See Illuminated Sign.

### Exterior Sign

Any sign placed outside a building.

### Façade

See Building Façade.

### Facade Sign

See Wall Sign.

### Flag

A rectangular piece of fabric or bunting containing distinctive colors, patterns or symbols, attached to or designed to be flown from a flagpole, typically used as a symbol of a government, political subdivision or other entity.

### Flagpole

A freestanding structure with a permanent foundation or a structure attached to a building.

### Flashing Sign

See Animated Sign, Electrically Activated.

**Font**

A set of letters, numerals, symbols, or shapes conforming to a specific set of design criteria.

**Frame**

A complete, static display screen on an Electronic Message Center.

**Frame Effect**

A visual effect on an Electronic Message Center applied to a single frame. See also Dynamic Frame Effect.

**Freestanding Sign**

Any sign, not attached to a building or other structure, which is permanently affixed in or upon the ground, supported by one or more structural members, with air space between the ground and the sign face.



Examples of freestanding signs.

**Frontage (Property)**

The length of the property/lot line(s) of any single premise along either a public way or other properties/lots on which it borders.

**Frontage (Building)**

The length of an exterior building wall or structure of a single premise along either a public way or other properties/lots that it faces.

**Governmental Sign**

A sign erected and maintained pursuant to and in discharge of any governmental functions, or required by law, ordinance, resolution or other governmental regulation.

**Grade**

The level of the site at the property line located at the closest distance to the sign.

**Ground Sign**

See Monument Sign.

### Height of Sign

Refer to measurement standards in Section 20-3-1.

### Holiday Decorations

Signs or displays, including lighting, which are a nonpermanent installation celebrating national, state, and local holidays or holiday seasons.

### Identification Sign

A sign giving only the nature, logo, trademark or other identifying symbol; address; or any combination of the name, symbol, and address of a building, business, development (to include residential), or establishment on the premises where it is located.



Examples of identification signs.

### Illegal Sign

Any sign placed without proper approval or permits as required by this Sign Code at the time of sign placement. Illegal sign shall also mean any sign placed contrary to the terms or time limits of any permit and any nonconforming sign which has not been brought into compliance with any applicable provisions of this Sign Code.

### Illuminated Sign

A sign characterized by the use of artificial light, either projecting through its surface(s) [Internally or trans-illuminated]; or reflecting off its surface(s) [Externally illuminated].

### Inflatable Device

A sign that is a cold air inflated object, which may be of various shapes, made of flexible fabric, resting on the ground or a structure and equipped with a portable blower motor that provides a constant flow of air into the device. Inflatable devices are restrained, attached, or held in place by a cord, rope, cable or similar method.

### Instructional Signs

A sign clearly intended for instructional purposes, as determined by the Community Development Department, shall not be included in the permitted sum of the sign area, provided such sign is not larger than necessary to serve the intended instructional purpose, and such sign is not in a location, nor includes design characteristics, that constitute or serve the purposes of an identification sign.



Examples of instructional signs.

### Interior Sign

Any sign placed within a building, but not including window signs as defined by these regulations. Interior signs, with the exception of window signs as defined, are not regulated by Sign Code.

### International Building Code

The official building code utilized by the designated building official for the City of Aztec, see Sec. 7-1-2 of Municipal Code for further details.

### Landmark Sign

Any sign of artistic or historic merit, uniqueness, or of extraordinary significance to the community, as designated by federal, state or local government.



Examples of landmark signs.

### Legibility

The physical attributes of a sign that allow for differentiation of its letters, words, numbers, or graphics, which directly relate to an observer's visual acuity.

### Length of Frontage.

1. For measurement purposes, the length of any primary or secondary frontage shall be the sum of all wall lengths parallel, or nearly parallel, to such frontage, excluding any such wall length determined by the Community Development Department as clearly unrelated to the frontage criteria.
2. For buildings with two or more frontages, the length and allowable sign area shall be calculated separately for each such frontage.
3. The building frontage for a building unit shall be measured from the centerline of the party walls defining the building unit.

### Logo, Logogram, or Logotype

An emblem, letter, character, pictograph, trademark, or symbol used to represent any firm, organization, entity, or product.

### Lot, Lot of Record, Zoned Lot

A permanent parcel of land in identical ownership throughout and recorded as a lot of record by the County Clerk, used or available for use as the site of one or more buildings or other definite purposes.

### Luminance

The light that is emitted by or reflected from a surface. Measured in units of luminous intensity (candelas/lumens) per square foot. Can be measured by means of a luminance meter.

### Mansard

A roof-like facade comparable to an exterior building wall.

**Marquee**

See Canopy (Attached).

**Marquee Sign**

See Canopy Sign.

**Memorial Sign**

A sign, tablet, or plaque memorializing a person, event, structure, or site.

**Modification (Significant)**

A modification that costs 50% or more of the replacement cost of the original sign.

**Monument Sign**

A freestanding sign supported primarily by an internal structural framework or integrated into landscaping or other solid structural features other than support poles or pylons in which the entire bottom is in contact with the ground. Also referred to as Ground Sign.



Examples of monument signs.

**Moving Sign**

See Animated Sign.

**Mullion**

A slender vertical member dividing the opening for a pair of double doors, sometimes removable to permit the passage of large objects; a vertical member between the lights of a window.

**Multi-Tenant Sign**

A freestanding or monument sign used to advertise businesses that occupy a shopping center or industrial park/complex with multiple tenants.



Examples of multi-tenant signs.

**Multiple-Faced Sign**

A sign containing three (3) or more faces.

**Muntin**

A stile within the frame of a door; a rabbeted member for holding the edges of windowpanes within a sash.

**Mural**

A picture on an exterior surface of a structure. A mural is a sign only if it is related by language, logo, or pictorial depiction to the advertisement of any product or service or the identification of any business.



Example of mural: "Further the Dream" mural on the Martin Luther King, Jr. School in Cambridge, MA.

**Non-accessory Sign**

Signs that are NOT secondary to the principle use of the premises.

**Noncommercial Sign**

See Political and Noncommercial Signs.

**Nonconforming Sign.** A permanent sign which was validly installed under laws or ordinances in effect at the time of its installation, but which is in conflict with the current provisions of this Sign Code.

**Off-Premise Sign**

Any sign normally used for promoting an interest other than that of a business, individual, products, or service available on the premises where the sign is located. See also Billboard and Accessory Sign.

**On-Premise Sign**

Any sign used for promoting a business, individual, product or service available on the premises where the sign is located, provided that an on-site sign may also display a noncommercial message. See also Non-accessory signs. On-premise signs shall not be construed to include signs erected by the outdoor advertising industry in the conduct of the outdoor advertising business (see definition for Billboard).

**Organization**

An entity, including a natural person, which owns or operates the premises where an on-premise sign is displayed.

**Parapet**

The extension of a building facade above the line of the structural roof.

**Pennant**

A triangular or irregular piece of fabric or other material, whether or not containing a message of any kind, commonly attached in strings or strands, or supported on small poles intended to flap in the wind.

**Permanent Sign**

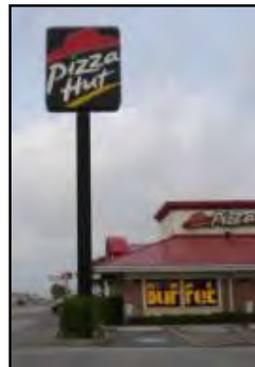
A sign attached to a building or structure, or to the ground in a manner that enables the sign to resist environmental loads, such as wind, and that precludes ready removal or movement of the sign and whose intended use appears to be indefinite.

**Pole Cover or Pylon Cover**

An enclosure designed to conceal poles and/or other structural supports of a sign. See also Cladding.

**Pole Sign**

A freestanding sign with a visible support structure.



Examples of pole signs.

**Political and Noncommercial Signs**

Any sign designed for the purpose of supporting or opposing a candidate, proposition or other measure at an election or for any other noncommercial expression not related to the advertisement of any product, service, event or the identification of any business. See also Accessory Sign.

**Portable Sign**

Any movable sign not permanently attached to the ground or other permanent structure and easily removable using ordinary hand tools. See also Temporary Sign.

**Primary Copy**

The words or message on a sign meant to be read by passersby travelling at the posted speed limit.

**Primary and Secondary Frontage**

The frontage of any building or site shall include the elevation(s) facing a public street, facing a primary parking area for the building or tenants, or containing the public entrance(s) to the building or building units.

1. For multi-tenant buildings, the portion of such building that is owned, or leased by a single tenant, shall be considered a building unit.
2. The primary frontage shall be considered the portion of any frontage containing the primary public entrance(s) to the building or building units.
3. The secondary frontage shall included frontages containing secondary public entrances to the building or building units, and all walls facing a public street or primary parking area not designated as the primary frontage.

**Private Street**

Primary access ways that are intended to provide vehicular access to multiple commercial businesses and/or ownerships and are not dedicated as a public thoroughfare.

**Projecting Sign**

A building mounted sign, excepting signs located on an attached canopy, awning or marquee, with the faces of the sign projecting 12 inches or more from and generally perpendicular to the building fascia which is supported by a wall, parapet or attached canopy of a building.



Examples of projecting signs.

**Projection**

The distance by which a sign extends over public property, public right-of-way, or beyond the building line.

**Public Access**

See Access (Public).

**Readability**

That which enables the observer to correctly perceive that information content of letters, numbers or symbols grouped together in words, sentences, or other meaningful relationships on the sign. Readability is the character of a sign which leads to the observer's comprehension of its intended message and depends on legibility and other considerations of contents and time restraints.

**Real Estate Sign**

Any nonpermanent sign pertaining to the sale, exchange, lease, rental, or availability of land, buildings, condominium and similar units, or apartments of the property or premises upon which the sign is located.



Examples of real estate signs.

**Roof Line**

The uppermost line of the roof of a building or, in the case of an extended facade or parapet, the uppermost point of said facade or parapet.

### Roof Sign

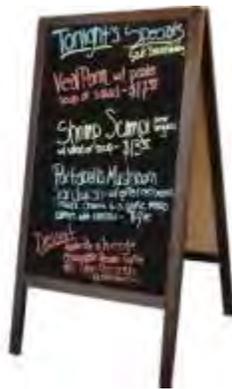
A sign mounted on the main roof portion of a building or roof-mounted equipment structure, or on the uppermost edge of a parapet wall of a building and which is wholly or partially supported by such building and extends above a roof, parapet, or roof-mounted equipment structure of a building or structure. Signs mounted on mansard facades, pent eaves, and architectural projections such as canopies or marquees shall not be considered to be roof signs.



Examples of roof signs.

### Sandwich Board Sign

A freestanding sign which is ordinarily in the shape of an "A" or some variation thereof, which is readily moveable, and is not permanently attached to the ground or any structure. Also referred to as an "A" Frame or Sidewalk Sign.



Examples of sandwich board signs.

### Scroll

A mode of message transition on an Electronic Message Center where the message appears to move vertically across the display surface.

### Secondary Copy

The words or messages on a sign which are meant to be read by pedestrians or automobiles that are idling or parked along a road way.

**Secondary Frontage**

See Primary and Secondary Frontage.

**Setback**

The distance from the property line to the nearest part of the applicable building, structure or sign, measured perpendicularly to the property line. See Section 20-46 for specific guidelines on the measurement and application of setbacks for purposes of Sign Code.

**Shopping Center**

A commercial development on a zoned lot which has two or more businesses or tenants.

**Sight Triangle**

A triangular area of unobstructed vision. See Section 20-46 for specific guidelines on the measurement and application of sight triangles for purposes of Sign Code.

**Sign**

A visual image intended to be communicative, placed on public display and visible from any portion of the public right of way. A sign shall not include any architectural or landscape features that may also attract attention. The following are not considered signs: gravestones, headstones, fireworks, tattoos, searchlights used for search and rescue and banners towed behind aircraft.

**Sign Area**

The area of the smallest geometric figure, or the sum of the combination of regular geometric figures, which comprise the sign face. The area of any double-sided or "V" shaped sign shall be the area of the largest single face only. The area of a sphere shall be computed as the area of a circle. See Section 20-3-1 for computational methodology for various sign area configurations.

**Sign Face**

An exterior display surface of a sign including nonstructural trim exclusive of the supporting structure.

**Sign Plan**

See Comprehensive Sign Plan.

**Sign Structure**

Any structure designed for the support of a sign.

**Site**

A contiguous area of land, including a lot or lots or a portion thereof, upon which a project is developed or proposed for development.

**Snipe Sign**

A temporary sign tacked, nailed, posted, pasted, glued, or otherwise attached to trees, poles, stakes, fences, or other objects.



Example of snipe signs.

**Special Event Sign**

Any temporary or non-permanent sign advertising or pertaining to any civic or special event of general public interest.

**Structure**

A combination of materials that form a construction for use, occupancy, or ornamentation whether installed on, above, or below the surface of land or water.

**Super Graphic**

A painted design which covers all or a major portion of a wall, building or structure. A super graphic is a sign only if it is related by language, logo, or pictorial depiction to the advertisement of any product or service or the identification of any business. See visual examples (the graphic on the top, from Los Angeles, CA, is considered a sign as it is related by logogram to Pepsi; the graphic on the bottom, from Cincinnati, OH, is considered a noncommercial super graphic).



Examples of super graphic signs.

### Temporary Sign

Portable signs or any sign not permanently embedded in the ground, or not permanently affixed to a building or sign structure that is permanently embedded in the ground, are considered temporary signs.

### Transition

A visual effect used on an Electronic Message Center to allow one message to disappear while it is simultaneously being replaced by another.

### Travel

A mode of message transition on an Electronic Message Center in which the message appears to move horizontally across the display surface.

### Vehicle Sign

Any sign permanently or temporarily attached to or placed on a vehicle or trailer. Visual Examples below (the two signs on top are examples of permissible vehicle signs placed on vehicles actively used for business or personal use; the sign on the bottom is an example of a prohibited vehicle sign placed on a parked trailer where the primary purpose of the vehicle/trailer is to advertise a product or service).



Examples of vehicle signs.

### Visibility

The physical attributes of a sign and its contents that allow for detection at a given distance, although legibility may be uncertain.

**Wall Sign**

Any sign attached to or painted on the wall of a building or structure in a plane parallel or approximately parallel to the plane of said wall and not projecting more than sixteen (16) inches from such surface.



Examples of wall signs.

**Window, Area of**

The area of a single window includes all of the window panes in an area that is separated by mullions, muntins, or other dividers which are less than twenty-four (24) inches wide.

**Window Sign**

Any sign viewable through and/or affixed in any manner to a window or exterior glass door such that it is intended to be viewable from the exterior (beyond the sidewalk immediately adjacent to the window), including window paintings and signs located inside a building but visible primarily from the outside of the building.



Examples of window signs.

**Zoned Lot**  
See Lot.