

ORDINANCE 2012-5

ORDINANCE AMENDING SECTIONS 15.10.015 AND 15.10.035 OF THE TOPPENISH MUNICIPAL CODE FOR THE PURPOSE OF MAKING CORPORATE LOGOS ON SIGNS SUBJECT TO WESTERN THEME REQUIREMENTS

WHEREAS the sign ordinances in Chapter 15.10 of the Toppenish Municipal Code (TMC) create various regulations, restrictions, requirements and western theme elements, and

WHEREAS corporate logos have been exempted from the western theme requirements, and

WHEREAS the original intent of the ordinances was to exempt logos from some of the regulations, restrictions and requirements, but not all of them, and

WHEREAS TMC Section 15.10.015 (C) exempts corporate logos from TMC Chapter 15.10, and

WHEREAS TMC Section 15.10.035 specifies the western theme requirements that all signs subject to Chapter 15.10 are required to comply with, and

WHEREAS the City Council has considered the recommendation of city staff that Sections 15.10.015 and 15.10.035 be amended for the purpose of making corporate logos subject to the western theme requirements set forth in 15.10.035,

NOW THEREFORE THE CITY COUNCIL OF THE CITY OF TOPPENISH, WASHINGTON ORDAINS AS FOLLOWS:

1) Section 15.10.015 of the Toppenish Municipal Code is amended to read as follows:

15.10.015 Scope – Murals – Exemptions.

- A. This chapter applies within Toppenish city limits to all existing signs and all signs erected, moved, relocated, enlarged, structurally changed, painted, or altered after the date of adoption of the ordinance codified in this chapter. All such signs, including portable (sandwich) signs, must comply with the requirements of this chapter.
- B. Murals which are based upon accurate historical research of a local person or event and which have been approved by the Toppenish Mural Society are not subject to this chapter.
- C. The following are either not signs as defined in this chapter or are otherwise exempt from this chapter:
 - a. Gravestones;
 - b. Barber poles;
 - c. Memorials and historic plaques;
 - d. Official and legal notices issued by any court or public body;
 - e. Directional, warning or information signs required or authorized by law;
 - f. "Entrance" and "Exit" signs;
 - g. School and hospital signs; and
 - h. Signs advertising community events such as fund raising activities conducted by the Chamber of Commerce, the Rodeo Association, local service clubs, the Toppenish Mural Society or other local nonprofit organizations.

2) Section 15.10.035 of the Toppenish Municipal Code is amended to read as follows:

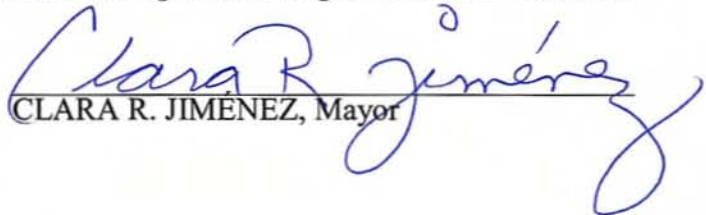
15.10.035 Western theme requirements.

In addition to the requirements set forth elsewhere in this chapter, all signs must comply with the following requirements:

- A. Except as may be approved by the Planning commission for corporate logos, as specifically set forth below in paragraph E, lettering and colors shall conform to the list of fonts and colors as approved by the planning commission and maintained by the building official, which list shall include the corresponding Pantone color numbers that have been approved by the planning commission. Colors of paint, plastic, vinyl or other material must match the appropriate Pantone matching system color number that is equivalent to the color on the planning commission's list that has been approved, but if an exact match cannot be made because the manufacturer of the colored material does not use the Pantone system, then a color may be used that substantially matches the approved Pantone system number, if approved by the planning commission.
- B. Hot, fluorescent, or neon colors are not allowed.
- C. Artwork on signs, including bordering, pictures or graphics, is not required but if used must complement the western theme. Examples of artwork which have been approved by the planning commission are maintained by the building official.
- D. Signs shall not distract or otherwise take away from the overall appearance of the western theme. See TMC 15.10.036.
- E. The Planning Commission shall have the authority to approve corporate logos which have lettering, fonts, and colors other than those described in paragraph A above, if they are part of a graphic design used by commercial enterprises, organizations or institutions on their signs as unique icons, marks, emblems or words by which they can easily be recognized by the public, provided they comply with paragraphs B, C and D above.

This Ordinance shall take effect five days after publication of a summary hereof.

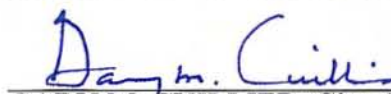
PASSED by the Toppenish City Council at its regular meeting held on June 11, 2012.


CLARA R. JIMENEZ, Mayor

ATTEST:


LINDA B. MEAD, CMC, Finance Director/City Clerk

APPROVED AS TO FORM:


GARY M. CUILLIER, City Attorney