

**Chapter 12A.17**  
**Motorist Informational and Service Club Signs**

- 12A.17.010 Purpose
- 12A.17.020 Definitions
- 12A.17.030 Applicability
- 12A.17.040 Specific Service or Tourist Informational Sign
- 12A.17.050 Service club sign
- 12A.17.060 Business and service club eligibility
- 12A.17.070 Density of directional signage
- 12A.17.080 Density of service club signage
- 12A.17.090 Composite sign locations
- 12A.17.100 Illumination
- 12A.17.110 Permit process
- 12A.17.120 Installation and maintenance
- 12A.17.130 Sign Placement
- 12A.17.140 Annual maintenance fee
- 12A.17.150 Grandfathered Signs
- 12A.17.160 Revocation
- 12A.17.170 Termination
- 12A.17.180 Public Nuisance
- 12A.17.190 Appeals
- 12A.17.200 Severability
- 12A.17.210 Effective Date

**12A.17.010 Purpose**

The purpose of this chapter is to provide motorists with adequate directional information to local qualified business by establishing standards for the type, design, placement, size, and maintenance of motorist information signs in, on or above any Lakewood road right-of-way.

In addition, the purpose of this chapter is to allow service clubs that service the City of Lakewood to post their club logo and an information sign indicating only their regular meeting place, dates, and times in Lakewood road right-of-way and key gateways and/or entrances to the City. The purpose includes recognizing the valuable public service these organizations provide to the community and as a mean to encourage more volunteerism in the community.

The chapter is designed to ensure traffic and pedestrian safety as well as enhance and promote the aesthetic appeal of all Lakewood roads.

**12A.17.020 Definitions**

The following terms when used in this chapter have the following meanings:

- (1) "Arterial" means any road classified as an urban principal, minor, or collector arterial as defined in LMC 12A.9.021.
- (2) "Composite sign" means a sign structure with multiple connection points intended for the purpose of installation of multiple service club logo signs.
- (3) "Public Works Department" means the City of Lakewood Department of Public Works.
- (4) "State Highway" means the State designated I-5 and/or SR512.
- (5) "Service club" means a non-political, non-sectarian, not for profit organization with the primary goal of providing services that directly benefit the community.
- (6) "Sign" means any device, object or thing which directs attention to or which is designed to convey a message and that is placed for the purposes of advertising goods and services offered, identifying a business or enterprise or for conveying any other type of message.
- (7) "Sign face" means that portion of the sign, excluding the supporting structure, where copy is and/or can be placed.
- (8) "Specific service business" means any business lawfully established pursuant to State and local ordinances, including but not limited to zoning, building, health, or land division and provide one or more of the following services: gas, food, lodging, or camping or RV park.
- (9) "Tourist-oriented business" means any business lawfully established pursuant to city ordinances, including but not limited to zoning, building, health, or land division and providing cultural, historical, recreational, educational, or entertaining activity or a specifically defined commercial area either being or lying within the City's Central Business District (CBD) as defined in the City's zoning code and also having a minimum of 500,000 square feet of leasable commercial space for which case only the name of the district or area will be displayed on the business sign, corporate logos may not be displayed.

#### **12A.17.030 Applicability**

This chapter shall apply to and regulate all specific service, tourist informational signs, or service club signs located or being located in, on, or above any Lakewood road right-of-way.

#### **12A.17.040 Specific service or tourist informational sign**

Signs shall be in accordance with, but not limited to, general service type signs as noted in Chapter 2D-46 (D9-1 to 14 of the Manual on Uniform Traffic Control Devices, MUTCD) as modified by the most current Washington State revision.

Signs will be 24 inches by 36 inches or smaller and will have reflectorized white letters, symbols, and border on a reflectorized or opaque blue background for all activities except camping or recreational activities which will have a brown background. Signs

may have a top heading of "Discover Lakewood" with City logo. Some deviation in size and color may be allowed at the discretion of the Public Works Department by special request at the time the permit application is applied for.

Services and businesses will be grouped onto one sign as much as possible to minimize the overall quantity of signs at the discretion of the Public Work Department.

A business logo, which may consist of the business identification symbol, name, brand, trademark, or combination thereof, may be used. The sign will be the same as noted above but symbols or trademarks may be reproduced in the colors and general shapes consistent with their customary use and for such cases the applicant shall provide to the City at no cost for its fabrication of such sign(s) the necessary sticker(s) of the "business Logo" in the quantity and of a material approved by the City.

#### **12A.17.050 Service club sign**

Service club signs shall consist of a service club logo sign not to exceed 20" square or diameter. An additional 4" tall by 20" rectangular sign may be placed below the logo indicating place and time of regular meetings. The applicant shall provide to the City at no cost for its fabrication of said service club logo sign the necessary sticker of the club logo in the quantity and of a material approved by the City.

#### **12A.17.060 Business and service club eligibility**

Specific service or tourist businesses to be eligible for sign placement must be located within five miles of the nearest state highway, not be visible from the state highway, and incorporate one or more of the following activities: gas, food, lodging, camping or RV park, recreation, or tourist-oriented business.

Service clubs shall to be eligible for sign placement must provide services and hold their regular meetings within the city limits of Lakewood.

Service, business, and service club activities shall comply with the laws concerning the provisions of public accommodations without regard to race, religion, color, age, sex, or national origin, disabilities, sexual orientation, and laws concerning the licensing and approval of service or business facilities. Activities, generally, will conform to those standards listed in the WAC 468-70-050.

#### **12A.17.070 Density of directional signage**

Signs pursuant to this chapter shall only be placed near intersections of public roads where information is required to direct motorists to qualified specific service or tourist-oriented businesses. The Public Works Department may require signs to be grouped together on one sign and/or limit the number of individual signs on any one road.

Qualified businesses shall only be permitted to have one sign per business on an approved access route to the qualified business. Additional signs may be allowed for each intersection change required to direct the motorist to the qualified business. A secondary route to the business with signage may be approved by the Public Works Department if at the determination of the City Engineer that the secondary route is served by a city arterial which carries traffic which would serve such business without unduly impacting local traffic volumes.

#### **12A.17.080 Density of service club signage**

Service clubs may apply to place their service club signs on the composite sign provided by the City. Unless a service club is already located on a composite sign or has secured a composite sign location, the location of logos on the composite signs will be assigned by random. No service club logo may be placed on more than two composite signs.

#### **12A.17.090 Composite sign locations**

Subject to available funding, the Public Works Department will fabricate, install, and maintain composite signs at the following locations:

- 1) Bridgeport Way and Pacific Highway
- 2) Bridgeport Way and North City Limits
- 3) Gravelly Lake Drive and Nyanza Drive (south)

Additional composite signs may be erected at other locations in conjunction with development of City gateways consistent with the Comprehensive Plan.

#### **12A.17.100 Illumination**

Illumination, either direct or indirect, from the right-of-way or outside of the right-of-way will not be allowed on or for any sign covered by this chapter.

Exception will be made for indirect illumination for the service club composite signs in conjunction with gateway lighting as approved by the Public Works Director.

#### **12A.17.110 Permit process**

- (1) Required. No person shall erect, relocate or otherwise construct or alter any sign in, on, or above any Lakewood road right-of-way without first obtaining an approved permit from the Lakewood Public Works Department. A separate permit will be required for each business entity but not for each sign for the same entity.

Each sign shall be listed on the permit. After the permit is approved no modification of the type, or location shall be allowed without the written permission of the Public Works Department.

- (2) Permit Application. Each permit application shall be filed with the Public Works Department on a form provided by the Department and shall contain the following information:
- a. Business name and the location of the business.
  - b. Business owner, lessee, or responsible party including applicable address.
  - c. Justification for the sign(s) (e.g. gas, food, lodging, camping or RV park, tourist-oriented business)
  - d. Number of signs applied for and a description of each sign including dimensions, materials, copy, and logos, symbols or trademarks, if any, including colors and designs customarily used.
  - e. Distance, in feet, from the nearest intersection to the desired location of each sign including which side of the road the sign will be on. The ultimate location of each sign will be at the discretion of the Public Works Department.
  - f. Route description from principal road to qualified business.
  - g. Zoning designation, zoning or land use permits applicable to the subject property, SEPA threshold determinations, if applicable, copy of plat and deed restrictions, if any.
- (3) Permit Fees. For specific service, service club or tourist informational signs the permit fee, as set by LMC 03.20.000, will be submitted with each application. This fee is intended to reimburse the City for the cost of locating and installing each sign and for the administrative costs incurred by each application.

If the permit application is rejected for any reason other than false and/or misleading statements made on the application, the fees (minus \$70.00 for administrative expenses) will be refunded. Permit fees, at the discretion of the Public Works Department, may or may not be refunded for false and/or misleading statements made on the application.

If a sign or signs on a multiple sign application are rejected and the remaining portion of the application approved, that portion of the permit fee pertaining to the rejected sign or signs will be refunded.

- (4) Burden of Proof. At every stage of the application process, the burden of demonstrating that the business is qualified under this chapter and that the information is true and correct and otherwise consistent with State and local regulations, is upon the applicant.

### **12A.17.120 Installation and maintenance**

Upon approval of the permit the Public Works Department will order the sign(s) and upon the receipt of the sign(s) will proceed with the installation either by City forces or designee.

For those specific service or tourist informational signs and service club signs for which the business or club logo sticker(s) are to be supplied by the permit applicant after the permit is approved by the Public Works Department. If the business or club logo sticker(s) are not received at the Public Works Department for installation within 90 days after notification of approval, the permit will become null and void and permit, fees, minus suitable administrative costs as determined by the Public Works Department, will be returned to the permit applicant.

Sign posts or composite sign will be supplied by the Public Works Department. Installation and maintenance of all signs will be by City forces or designee.

Where a specific service or tourist informational sign face(s) or service club sign face(s) is vandalized, damaged or destroyed by other than City forces or where the sign is stolen the applicant will be solely responsible for all costs associated with its replacement. The Public Works Department will notify the applicant of the replacement cost and if the Public Works Department hasn't received said dollar amount from the applicant within 90 days after notification of said amount, the permit or that portion of the permit associated with said sign will become null and void and said sign or remnant thereof removed.

### **12A.17.130 Sign Placement**

Signs will not be located in such a manner as to obscure or otherwise interfere with the effectiveness of an official traffic signal, sign, or device or obstruct or interfere with the driver's view of approaching, merging, or intersecting traffic, nor will signs, in any way, constitute a safety hazard to any pedestrian or vehicle operator.

The location and placement of the sign or signs along the road right-of-way will be designated by the Public Works Department. Every effort will be made by the department to locate sign(s) at the locations requested in the permit application.

Any sign(s) moved from the location designated by the Public Works Department will cause the permit to be revoked and no permit fees will be refunded.

### **12A.17.140 Annual Maintenance Fee**

For specific service or tourist informational signs and service club signs an annual maintenance fee, as set by LMC 03.20.000, will be assessed to cover the cost of

maintenance and upkeep. Annual fees will be due on or before January 15<sup>th</sup> of each year. If fees are not paid within 60 days of the due date the permit will be revoked, the sign(s) removed, and a new permit will be required to re-install the signs.

#### **12A.17.150 Grandfathered signs**

Owners of signs not in conformance with this chapter, that were permitted for under a previous city or county process, will be given one year from the date this chapter is adopted to comply with the requirements of the chapter. No allowances will be made for any signs found to not be in conformance with this chapter. Such signs will be considered as a public nuisance and will be treated as a Class 2 civil infraction as defined in LMC 1.48.010, punishable by a fine of up to \$500. Each day, location, violator and incident shall constitute a separate Civil Infraction.

#### **12A.17.160 Revocation**

Permit applications will be reviewed by the Public Works Department on a regular basis for compliance with LMC 12A.17 and Business eligibility. Business or service activities found in noncompliance with this chapter will have their permits revoked.

Permits will also be revoked for, but not limited to, the following: failure to provide the services and/or facilities stated in the permit application; making false or misleading statements in the application; creating an unsafe condition or hazard; or for reasons stated elsewhere in this chapter.

#### **12A.17.170 Termination**

Upon termination of the permit by the applicant or revocation of the permit by the Public Works Department, the sign(s) will be removed, the permit applicant notified, and the signs taken to the Public Works Department. Sign(s) will remain at the facility for 30 days after notification during which time the permit applicant or his representative may pick them up. Any signs left over the 30-day limit will be disposed of at the County's convenience.

#### **12A.17.180 Public nuisance**

Any sign(s) erected or maintained in, on, or above any City road right-of-way that are contrary to the provisions set forth in this chapter are declared a public nuisance and the Public Works Department is authorized by this chapter to remove and dispose of said sign(s).

#### **12A.17.190 Appeals**

1. Any person aggrieved by decision under this Chapter may file an appeal with the City Clerk within 14 days after the date of the action.

2. All appeals shall be filed in writing with the city clerk and shall identify, with specificity:

- a. Appellant's name, address and phone number.
- b. The specific action being appealed and the date of the action.
- c. The appellant's statement of grounds for appeal.
- d. The facts upon which the appeal is based.
- e. The reasons why the appealed action should be reversed or modified.
- f. The relief being sought, including the specific nature, extent and manner of any modification being sought.
- g. A statement that the appellant has read the appeal and believes the contents to be true, followed by the appellant's signature.

3. The appeal shall be accompanied by the appropriate fee as established by city resolution. The appeal fee must be paid upon filing of the notice of appeal. No appeal will be processed without receipt of the appropriate fee before expiration of the period for filing the appeal.

4. Following receipt of an appeal and payment of the appropriate fee, an appeal hearing shall be set by the hearing examiner. Notice of filing of the appeal and the date, time and location of the scheduled open record appeal hearing shall be mailed to the applicant, appellant, and any persons that have submitted substantive comments on the proposal. The notice shall include a copy of the written appeal. In addition, upon a motion by the appellant or the City at least thirty (30) days prior to the hearing date, the hearing examiner may order that notice of the open record hearing be publicly advertised or announced in any appropriate manner within the hearing examiner's discretion. The form of this public notice may be different from the form of the notice provided to the parties of record and need not include a copy of the appeal.

5. At the hearing examiner's initiative, or at the request of any party to the appeal or the City, the hearing examiner may hold a conference prior to the hearing in order to entertain and act on motions, clarify issues, establish procedures, or consider other relevant matters.

D. Effect. The timely filing of an appeal shall stay the effective date of the decision until such time as the appeal is adjudicated by the hearing examiner, or is withdrawn.

E. Appeal Hearing. The appeal shall be heard at an open record hearing. Participation in an appeal hearing is limited to the applicant, the applicant's representative, the appellant, the appellant's representative, appropriate city staff, and any witnesses called by each.



3. Issues- Limitation. Appeal hearings shall be limited to the issues specified in the written appeal.

4. Continuation of Hearing. A hearing may be continued to a date certain without additional notice.

F. Decision of the Hearing Examiner.

1. Actions. In considering appeals, the hearing examiner shall do one of the following:

a. Affirm the decision;

b. Reverse the decision;

c. Affirm the decision with modifications; or

d. Remand the decision to the appropriate department director for further consideration. The hearing examiner shall include in the order the issues to be reviewed on remand.

2. Standard of Review. The administrative decision under appeal shall be given substantial weight by the hearing examiner. On any such appeal, the standard of review shall be whether the administrative decision was clearly erroneous based on a review of all evidence, or the administrative decision was arbitrary or capricious. Failure of a party to request review by the hearing examiner of an administrative decision shall be a bar to any further judicial review.

3. Conditions. The hearing examiner may include conditions as part of a decision granting, or granting with modifications an appeal to ensure conformance with this code, the City's comprehensive plan and other applicable laws or regulations.

4. Written Decision. Within 10 working days after completion of the public hearing, unless the appellant and the hearing examiner have agreed to an extension of time, the hearing examiner should issue a written decision on the appeal which contains the following:

- a. The decision of the hearing examiner granting or denying the appeal in whole or in part;
- b. Any conditions included as part of the decision on the appeal;
- c. Findings of facts upon which the decision, including any conditions, is based and the conclusions of law derived from those facts; and

If the Examiner is unable to issue a written decision within 10 working days, the Examiner shall inform the applicant, appellant, and the Public Works Department that additional time will be required and shall provide an estimated date for issuance of a decision on the appeal.

5. Distribution. The hearing examiner or designee shall mail a copy of the written decision to the City Clerk, the applicant, the appellant, the applicable department director, and any person requesting the written decision or who submitted substantive comments on the application prior to the decision.

6. Finality of Decision. The decision of the hearing examiner shall be final unless, within 21 days after issuance of a decision, review is sought by a court of competent jurisdiction.

#### **12A.17.200 Severability**

If any provision of this chapter or its application to any business, person, or circumstance is held invalid, the remainder of the chapter or its application to any business, person, or circumstance shall not be affected.