Date: August 25, 2011  
Subject: Revised Sign and Billboard Ordinance – Ordinance 2012-002  
To: Board of County Commissioners  
From: Planning and Zoning Department  

HISTORY  
The current County Sign Ordinance, Ordinance No. 1996-04, was adopted on February 29, 1996. It is an adequate ordinance. However, the ordinance needs to be updated. There are some administrative gaps and there have been changes in the sign industry including types of signs and lighting techniques that were never under consideration previously.

COMPARISON OF PROPOSED ORDINANCE WITH CURRENT ORDINANCE  
Almost all of the standards relating to size, height and the location of signs and the number of signs permitted at a site remain the same. The major changes include the administrative separation of billboards into its own section, addressing new lighting standards, temporary signs and banners and regulations for political signs. There are administrative changes that include the integration of Use Permits with the sign ordinance, inclusion of a Variance process and code enforcement. The following chart compares the proposed sign ordinance with the current ordinance.

PROPOSED ORDINANCE  
CURRENT ORDINANCE  
Section 4. APPLICABILITY AND SCOPE  
A. A Development Permit is required for all signs  
   Same  
B. Single family sign identification sign provided  
   New  
C. Use Permits for new commercial or industrial sites can be used to amend regulations for a large scale project.  
   New  
D. Exceptions for government and traffic signs  
   New  

Section 5. ON-SITE SIGN STANDARDS  
A. Limit of no more than 3 advertising signs on site  
   Same  
B. Traffic directional signs allowed  
   New  
C. Size and height of signs  
   Same  
D. Roof signs may not project above roof ridge  
   Clarified  
E. Location between ground signs  
   Same  
F. Signs to not encroach over streets and property lines  
   Same  
G. Wall signs to not project more than 18 inches or 6 inches over parapet  
   Altered  

WEBSITE: www.rio-arriba.org
H. Street corner visibility triangle
I. Projecting sign 18 inch limit and 8 foot clearance

Section 6. SIGN ILLUMINATION
A. Limitation on luminance, require photo cell
B. Duration of lighting
C. External indirect illumination standards
D. Time and temperature motion limitation
E. Neon light standards
F. Nightsky Ordinance - cross reference added

Section 7. BILLBOARDS, OFF-PREMISE SIGNS
A. The size limit 32 square feet, framing edge 6 inch limitation
B. Three signs permitted on one lot
C. Signs located 250 feet apart
D. Height limited to 15 feet
E. Illumination not permitted
F. Signs not attached to buildings
G. No billboards painted on walls fences
H. No encroachment over road right of way and property line
I. Street corner visibility corner
J. Business license required for each sign

Section 8. POLITICAL OR CAMPAIGN SIGNS
A. Time limit for removal
B. Residential area size limit
C. Commercial area size limit
D. Permission to place signs
E. No signs on public property and roads
F. Polling place distance limitation

Section 9. TEMPORARY SIGNS AND BANNERS
A. Size, number and height of signs
B. Banners and pennants permitted
C. Time limit on signs and removal
D. Limitation by street frontage
E. Control of signs by Temporary Use Permit
F. Window signs permitted with 40% size limit

Section 10. PROHIBITED SIGNS
A. Any sign with flashing or rotating parts
B. No changing message sign
C. No transitioning messages, sound or special effects
D. No sign to encroach over property lines and roads
E. No sign attached to utility poles
F. No sign shall interfere with traffic

WEBSITE: www.rio-arriba.org
1122 Industrial Park Espanola, New Mexico 87532 Phone (505) 753-7774 Fax (505) 753-4732
PO Box 127 Tierra Amarilla, New Mexico 87575 Phone (575) 588-7254 Fax (575) 588-7810
G. No flashing blinking light to interfere with traffic
H. Certain portable signs prohibited
I. Signs as hazard to health and safety prohibited

Section 11, Sign maintenance, Section 12, Non-conforming signs and Section 13, Enforcement are clarified and updated for the new ordinance.

For information on the variance process, refer to Rio Arriba County Design and Development Regulation System.

PUBLIC MEETING HISTORY
A study session was conducted by the Planning and Zoning Committee at their July meeting on July 6, 2011 where comments and suggestions were received from sign contractors and the general public. As a result of that meeting, some changes were made in the draft ordinance. A public hearing was held by the Planning Zoning Committee at its August 5, 2011 meeting where a small amount of editing was made. On August 9, 2011 an additional public hearing was conducted at 6:30 pm at the Rural Events Center. This meeting of the Board of County Commissioners has been advertised as a public hearing on this matter.

FINDINGS OF FACT
1. The current Sign and Billboard Ordinance (Ordinance 1996-04) was adopted by the Board of County Commissioners on February 29, 1996.
2. There have been changes in sign styles, materials and methods of construction since that date of adoption.
3. The Planning and Zoning Committee has conducted a workshop on July 6, 2011 and a public hearing on August 5, 2011 to consider changes to upgrade the Sign Ordinance and recommends approval as presented.
4. The improvements to the Sign Ordinance support the following Goals from the Rio Arriba Comprehensive Plan:
   a) Economic Development – Goal 4: Promote the use and purchase of local goods and services that support local businesses.
   b) Economic Development – Goal 12: Market and utilize existing businesses in the County where possible.
   c) Transportation – Goal 4: Improve safety of the roadway system.

RECOMMENDATION
The Planning and Zoning Department concurs with the recommendation of the Planning and Zoning Committee and recommends approval of the draft Sign and Billboard Ordinance 2012-002 as presented.
Amending
Book: 534, Page: 4175
Recorded on 8-31-2011

RIO ARRIBA COUNTY
SIGNS AND BILLBOARDS
ORDINANCE NO.2012-002
ORDINANCE NO. 2012-002

SIGNS AND BILLBOARDS

AN ORDINANCE ESTABLISHING DEVELOPMENT STANDARDS AND LOCATION REQUIREMENTS FOR ON-SITE SIGNS AND BILLBOARDS; PROVIDING A PENALTY AND REPEALING ORDINANCE NO. 1996-04

BE IT ORDAINED BY THE BOARD OF COUNTY COMMISSIONERS OF RIO ARRIBA COUNTY:

Article I. Short Title
This Ordinance may be cited as the “Signs and Billboards Ordinance of the County of Rio Arriba.”

Article II. Purpose
The purpose of the Signs and Billboards Ordinance is to regulate the size, number, illumination and location of signs and billboards in Rio Arriba County. This ordinance promotes the preservation and enhancement of the natural scenic beauty of the roadside environment of Rio Arriba County by reducing the distraction and obstruction from signs. It is the intention of the Board of County Commissioners to promote the use of adequate signage for the purposes of business identification and as a medium for the public to communicate messages, while concurrently protecting the safety of pedestrians and motorists.

Article III. Definitions

Billboard or Off-Site Sign: A sign which uses color, form, graphics, architectural style or design sometimes with text, or writing to advertise, attract attention, announce the purpose of, or identify the purpose of any person or entity or to communicate information of any kind to the public on a site where the matter being represented is not located.

Erect: To build, construct, assemble, affix, attach, create, paint or draw.

Foot-lambert: A measure of the relative intensity of illumination from a source of light which equals one candela per square foot, understood as the unit of brightness equal to one foot candle at a distance of one foot.

Free-standing Sign: A sign, pole mounted or a monument sign, supported by structures or supports that are placed on or anchored in the ground or at ground level and which are independent of any building or other structure.

Monument Sign: A free standing sign supported or contained by a monolithic structure as opposed to a sign mounted on an exposed pole structure.

Motor Vehicle Sign: A sign measuring not more than two square feet (2ft²) in size that is mounted, placed written or painted on a vehicle or trailer, whether motorized or not. Such sign area is not calculated as a free standing sign or a wall sign.
Non-conforming Sign: A sign that was lawful before enactment of the ordinance, but is no longer in conformance with the new ordinance.

On-site Sign: Any sign relating in its subject matter to the commodities, accommodations, service or activities on the premises on which it is located.

Person: Any individual, firm, association, organization, partnership, trust company or corporation, but does not include a governmental entity.

Premises: One or more parcels of land which are in the same ownership and contiguous.

Projecting Sign: A sign that is attached to a wall and extends at a ninety degree(90°) angle from the wall.

Public Way: Any way designated for vehicular use and maintained with public funds.

Roof Sign: A sign which is displayed above the eaves of a building. A roof sign is considered a wall sign for the purposes of calculating the total number of permitted signs.

Sign Area: The total square foot area of sign surface, including all parts thereof devoted to the background, computed by bounding the exterior of the sign structure or surface with a series of straight or curved lines tangent thereto. The area of a sign painted directly on a wall or awning and signs with letters attached directly to walls or awnings shall be calculated by constructing an imaginary series of straight lines or lines formed, bounded or characterized by curves around the outside of all elements of the sign. For a freestanding sign, the sign area shall not include the area of sign support structure.

Sign Area Height: The measurement taken from the sign area as the lowest point on the sign with relation to the ground, and measured to the top-most point on the sign.

Sign Height: The measurement taken from the centerline of the nearest roadway to the highest point of the sign, including all structural elements and borders. The sign height is not to be measured from any terms or other artificial grades.

Sign Structure: Any structure which is designed specifically for the purpose of supporting a sign, which has supports or which is capable of supporting a sign. The definition shall include any decorative covers, braces, wires, supports, or other components attached to or placed around the sign structure.

Sign: Any device, fixture, placard or structure which uses color, form, graphics, illumination, architectural style or design with text, or writing to advertise, attract attention, announce the purpose of, or identify the purpose of any person or entity or to communicate information of any kind to the public. A single freestanding sign may be defined as having two (2) faces displayed on the same sign structure and displaying the same sign area on both faces, with the intention of being viewed by both directions of traffic, such signs are considered a single sign when computing sign area.

Temporary Signs: Exterior signs or banners erected on or affixed to a building that are intended for a limited period of display, or a sign installed inside a window or door window and intended to be viewed from the adjacent public rights-of-way and not constructed or intended for long-term use.

Traffic Directional Sign: Any sign that serves the purpose of providing direction or orientation to pedestrian or motor vehicle traffic.
Visible: Capable of being seen without visual aid by a person of normal visual acuity.

Visibility Triangle: A triangle formed by a diagonal line that extends from two (2) points measured twenty-five feet (25’) from the outside edge of an intersection.

Wall-mounted Sign: A sign which is attached flat, painted on, or pinned away from the wall and does not project more than eighteen inches (18”) from the wall. Signs hung from ceilings, lintels or similar structural elements are considered a wall sign.

Article IV. Applicability & Scope
This Ordinance applies to all signs and billboards, of whatever nature within the County of Rio Arriba except those signs and billboards that are located within a municipality; land controlled by the Federal government, State government, or property designated as Native American lands. All signs and billboards not specifically permitted or accepted by this Ordinance are prohibited.

Section 4.01 Permits
A Sign Permit, which may be obtained in the Planning Department, is required for the erection, construction, enlargement, movement or conversion of all signs and billboards described in this ordinance. Temporary political or campaign signs as described in this ordinance are exempt.

Section 4.02 Application
An application for a Sign Permit along with any accompanying information the Director deems necessary must be submitted prior to approval for a Sign Permit. This application shall include but is not limited to the following information:
1. A site plan that includes cross-streets, a twenty-five foot (25’) visibility triangle, sign face directions, and the location of all existing and proposed signs.
2. A clear and legible sign plan to include an illustration of the sign and how it will placed, attached, or mounted, and dimensions of all borders, sign area, structures, materials and colors, including any illumination.
3. Pictures of the site and any existing signs.
4. Billboards must include a copy of a current business license.

Section 4.03 Notice
Notice is hereby given that upon receipt of a sign permit, the sign owner takes full liability to ensure the safety of his/her sign. The Rio Arriba County Planning & Zoning Department highly recommends that a review be made by a structural engineer or licensed contractor to ensure that the sign’s design meets structural safety standards.

Section 4.04 Single Family Residences
Unless permitted otherwise by a Home Occupation Permit, Conditional Use Permit, or a Special Use Permit, single family residential uses are limited to one non-illuminated attached sign up to two square feet (2ft²) in area or one free standing non-illuminated sign of the same area but no greater than six feet (6’) in sign height to identify the occupant, the address, or a home occupation activity.
Section 4.05 Amended Permits
The on-site standards for signs and billboards may be amended to conform to the type and scale of the proposed use pursuant to the issuance by the County of Rio Arriba of a current Conditional Use Permit, a Special Use Permit, or a Variance.

Section 4.06 Exceptions
The following types of signs are exceptions to this ordinance:
1. Governmental signs, legal notices, and government agency flags.
2. Warning, trespassing, and traffic signs that meet Department of Transportation standards on private property and that contain no commercial message.
3. One (1) single directional sign per legal driveway; not to exceed four square feet (4ft²).
4. Memorial plaques, historical markers, and sponsorship signs.
5. Signs not exceeding one square foot (1ft²) in area bearing only property address numbers, names of occupants on the premises and similar signs that contain no commercial message.
6. One real estate sale or lease/rent sign not to exceed five square feet (5ft²) in area placed on the property of the intended real estate action.

Section 4.07 Expiration
If work has not begun within sixty (60) days of the issued permit, or completed within one-hundred and eighty (180) days, the sign permit shall become null and void.

Article V. Sign Illumination
All permanent signs may be illuminated by internal, internal indirect (halo), or lit by external indirect illumination, unless otherwise specified. Consistency with the following illumination regulations is required:

Section 5.01 Internal Illumination
Internally illuminated signs shall have a luminance no greater than two-hundred (200) foot-lamberts at night. Electronic sign installations shall include a photo cell or software settings to control the brightness.

Section 5.02 Duration
All illuminated signs shall be extinguished at 11:00 P.M. or when the use or activity closes, whichever is later. Electronic sign installations shall include a timer or software settings to ensure their extinguishment.

Section 5.03 External Direct Illumination
Externally lit signs are permitted to be illuminated only with steady, stationary, down directed and shielded light sources directed solely onto the sign. Light bulbs or light tubes, excluding neon, used for illuminating a sign shall be shielded from view so as not to be visible from adjacent public rights-of-way or residential properties.

Section 5.04 Time
No sign or part of a sign shall change its message or picture at a rate more often than once each thirty (30) seconds.
Section 5.05 Neon
Exposed neon tube illumination is permitted on permanent signs when placed inside of the establishment.

Section 5.06 Nightsky Ordinance
Lighting shall not exceed the standards set forth in the Nightsky Ordinance and must be in direct accordance with Article 3 Technical Standards.

Article VI. On-site Standards
All free-standing signs, monument signs, roof signs, wall-mounted signs, and other allowable signs whose standards are not described somewhere else in this ordinance are permitted subject to the following standards:

Section 6.01 Number
1. Any premise under three (3) acres in size shall contain no more than one (1) free-standing or monument sign.
2. Any premise greater than three (3) acres in size shall contain no more than two (2) free-standing or monument signs that are subject to distance limitations.
3. All premises regardless of size are allowed to display two (2) wall signs and one (1) additional wall sign allowed for each additional street frontage.
4. Multi-tenant commercial premises are allowed one (1) sign for each tenant location.

Section 6.02 Size
1. The sign area of each sign shall be limited to thirty-two square feet (32ft²), except as provided for monument signs.
2. Multi-tenant commercial premises are allowed wall signs with sign area a calculated at two square feet(2ft²) for each lineal foot of store frontage with a maximum of thirty two square feet (32ft²) for each tenant.

Section 6.03 Height
The maximum sign height for a free-standing sign shall be twenty-five feet (25').

Section 6.04 Setback
A twenty-five foot (25') site distance visibility triangle for street intersections shall be required for all signs.

Section 6.05 Encroachment
Signs shall not encroach over property lines or into the road right-of-way.

Section 6.06 Roof Signs
1. A roof sign may be substituted in place of one (1) allowable wall sign.
2. The roof sign may not project in any way above the ridge of the roof.
3. The roof sign shall only be displayed in a way that is integrated with the structure of the building.

Section 6.07 Monument Signs
1. The sign area of each monument sign shall be limited to forty-eight square feet (48ft²).
2. The maximum sign height of a monument sign shall be fifteen feet (15').
Section 6.08 Distance Limitations
No free-standing sign or monument sign which contains more than twenty-five square feet (25'\textsuperscript{2}) of sign area shall be closer than fifty feet (50') to any other sign of the same type on the same premises.

Section 6.09 Wall-mounted Signs
1. Horizontal projection from the exterior of a building is limited to a maximum distance of eighteen inches (18") and must clear the ground or sidewalk by at least eight feet (8').
2. Wall-mounted signs shall not extend above the parapet more than six inches (6’’).
3. Wall-mounted signs may not exceed forty percent (40%) of the wall area or thirty-two square feet (32'\textsuperscript{2}) in sign area, whichever is less.

Section 6.10 Agricultural Uses
Signs permitted for commercial display of agricultural uses shall be limited to thirty-two square feet (32'\textsuperscript{2}) in sign area, and shall include:
1. one (1) free-standing non-illuminated sign for each street frontage and;
2. one (1) non-illuminated wall-mounted sign.

Section 6.11 Large-scale Residential Uses
Signs permitted for residential uses that have an intensity greater than four (4) dwelling units shall be limited to thirty-two square feet (32'\textsuperscript{2}) in sign area, and shall include:
1. one (1) non-illuminated monument sign and;
2. one (1) non-illuminated wall-mounted sign

The illumination of signs used in large-scale residential premises may be allowable, but will require the evaluation and approval of the Director.

Article VII. Billboards/Off-Premise Signs
Billboards or off-premise signs are permitted subject to the following standards:

Section 7.01 Number
No more than three (3) billboards shall be displayed on any premise.

Section 7.02 Size
The sign area of each billboard shall be limited to thirty-two square feet (32'\textsuperscript{2}). The message of each billboard shall be displayed on one (1) side only for each sign structure. Framing or edging material around a billboard sign greater than six inches (6") in width shall be computed as part of the sign area.

Section 7.03 Height
The maximum sign height of a billboard shall be fifteen feet (15’).

Section 7.04 Setback
A site distance visibility triangle for street intersections of a twenty-five foot (25’) setback shall be required.
Section 7.05 Encroachment
Billboards shall not encroach over property lines or into the road right-of-way.

Section 7.06 Buffer
No billboard shall be located closer than two-hundred fifty feet (250') from other billboards.

Section 7.07 Illumination
No billboard shall be illuminated or contain elements that flash, blink, or move nor shall be constructed in such a manner that may cause motorists to become distracted.

Section 7.08 Non-attachment
All billboards shall be constructed free-standing and are not allowed as an attachment to a building, nor shall be painted on a building or garden wall.

Section 7.09 Business License
For each billboard an individual business licenses required each year beginning January 1, 2012. Contact information for the billboard owner shall appear on the sign.

Article VIII. Political/Campaign Signs
In addition to signage otherwise authorized by this chapter, temporary political or campaign signs on behalf of candidates for public office or measures on election ballots are allowed as follows:

Section 8.01 Number
No more than three (3) political signs per candidate or issue shall be displayed on any premise.

Section 8.02 Permits
Signs permitted in this section are considered temporary and do not require sign permits.

Section 8.03 Size Residential
Signs placed on single-family residential property shall not exceed thirty two square feet (32ft²) in area each.

Section 8.04 Size Commercial
Signs placed in commercial areas shall not exceed thirty-two square feet (32ft²) in area. Such signs shall not be erected in a manner as to constitute a roof sign.

Section 8.05 Height
The maximum height of a political sign shall be fifteen feet (15').

Section 8.06 Duration
No sign shall be displayed more sixty (60) days before an election. Signs shall be removed by the Monday following the election. A temporary “thank you” sign may be displayed after an election for a time period not to exceed fourteen (14) days.

Section 8.07 Permission
No political signs shall be erected upon any private property without the permission of the owner.
Section 8.08  Public Property
Signs may not be placed on public property, fastened upon any utility pole, street sign, lamppost, or placed in a public right-of-way or in any place that would impede traffic visibility or safety.

Section 8.09  Voting Stations
Campaign signs may not be placed closer than one-hundred feet (100’) to any building where an official voting station is located.

Article IX.  Temporary Signs & Banners
Temporary signs and banners are allowed as provided in this section and unless specifically indicated, temporary signs are not permitted. Examples of temporary signs include but are not limited to; flags, pennants, signs for special events, signs for special sales, and construction signs.

Section 9.01  Number
No more than two (2) temporary signs shall be displayed on any premise.

Section 9.02  Illumination
Temporary signs shall not be illuminated.

Section 9.03  Size
Temporary signs shall not exceed twenty-four square feet (24ft²) in area.

Section 9.04  Height
The maximum height of a temporary sign shall be fifteen feet (15’).

Section 9.05  Banners
Banners are permitted as a temporary sign if the total length of the display does not exceed thirty two (32) square feet in area.

Section 9.06  Flags and Pennants
Flags and pennants are permitted as a temporary sign not in excess of combined area of thirty two (32) square feet.

Section 9.07  Duration
Temporary signs may be displayed for a time period of no more than forty-five (45) days preceding a special event and/or promotion and shall be removed within five (5) days following the special event and/or promotion.

Section 9.08  Construction Projects
Signs denoting the construction project, financing, architect, engineer, or contractor may be placed on the premises while construction, repair, or renovation is in progress and shall be removed within five (5) days following the completion of work.

Section 9.09  Multiple Frontages
Not more than one (1) temporary sign shall be placed on any single premises or property unless such premises or property fronts on more than one street in which case; one (1) temporary sign may be permitted on each separate street frontage.
Section 9.10  Extension
One re-application of a sign permit may be used to increase the number of days that a temporary sign may be displayed.

Section 9.11  Window Signs
Temporary window signs may be displayed indoors without time limit, but they may not exceed forty percent (40%) of the window area or thirty-two square feet (32ft²) in size, whichever is less. A window sign larger than this size is subject to the standard requirements of a temporary sign.

Article X.  Prohibited Signs
Any sign or billboard not specifically authorized by this ordinance is prohibited unless required by law. The following signs and conditions are prohibited as determined by the Planning and Zoning Department of Rio Arriba County:

1. Any sign with moving, flashing, rotating parts, or that changes its message or picture, except for electronic signs with a scrolling marquee that are in compliance with all other parts of this ordinance.
2. Electronic signs that include visual, audible, or any other special effects such as flashing or full motion video and electronic signs not in compliance with Section 5 Sign Illumination.
3. Any sign considered encroaching within, on, or projecting over a property line which borders a public or private street, highway, alley, lane, parkway, avenue, road, sidewalk, or other right-of-way.
4. Any sign attached to any public utility pole or structure, streetlight, tree, fence, fire hydrant, bridge, curb, sidewalk, park bench, or other location on public property.
5. Any sign placed, which by reason of its location, will obstruct the view of any authorized traffic sign, signal or other traffic control device or which by reason of shape, color, or position interferes with or could be confused with any authorized traffic signal or device.
6. Any sign or lighting device, whether on the exterior of the building, or on the inside of a window which is visible beyond the boundaries of the lot or parcel, or from any public right-of-way with flashing, blinking, or otherwise bothersome illumination.
7. Any free standing portable sign or attention getting device including but not limited to; tire rims, animated signs, stuffed animals, hand held activated signs, or strings of lights arranged in the shape of a product, arrow, or other commercial message.
8. Any sign that is considered a hazard to the health or safety of the public as a result of problems in design, construction, installation, or maintenance.

Article XI.  Sign Maintenance
Complete maintenance is required for all signs, whether or not in existence prior to adoption of this Ordinance.

Section 11.01  Maintenance
Maintenance of a sign shall include periodic cleaning, replacement of flickering, burned out or broken light bulbs or fixtures, repair or replacement of any faded, peeled, cracked, or otherwise damaged or broken parts of a sign, and any other activity necessary to restore the sign so that it continues to conform to the requirements and contents of the sign permit issued for its installation and provisions of this Ordinance.
Section 11.02 Removal of Unused Sign Support Structures
Removal is required of any vacant and/or unused sign support structures, angle irons, sign poles or other remnants of old signs that are not currently in use, or proposed for reuse after thirty (30) days from when the business associated with the sign has ended.

Section 11.03 Removal of Obsolete Signs
Signs which conform to the provisions of this Ordinance, but which reflect obsolete sign copy may remain in place for a time period of up to thirty (30) consecutive days from when the building is no longer in use, provided the sign copy is left unlit and/or blank, however if the building in which the use existed is demolished and no new building permit has been issued, the sign must be removed. An extension for up to an additional thirty (30) days may be granted by the Planning Office, provided the sign has been left unlit and/or blank, and when the owner or person in control of the vacant property requests such extension in writing.

Section 11.04 Unsafe Sign Structures Unlawful
It is unlawful to maintain any sign or sign frame or structure which has become unsafe or dilapidated, or which could represent a hazard to safety, health, or public welfare.

Article XII. Non-conforming Signs
If at the time of the adoption of this Ordinance, any sign which is being used in a manner or for a purpose which was otherwise lawful, but does not conform to the provisions of this ordinance, shall be deemed nonconforming.

Section 12.01 Postliminary
Any sign that becomes nonconforming subsequent to the effective date of this Ordinance, amendment of this Ordinance, or other provisions to this Ordinance, shall be subject to the provisions of this Ordinance.

Section 12.02 Repair and Removal
In the event a non-conforming billboard or a nonconforming sign is removed from its wall mountings or is detached from the mounting structure for any reason, the sign or billboard may not be remounted unless it is rendered in conformance with this ordinance. This requirement does not apply to the flexible material stretched over the structure of a billboard, commonly referred to as a flex face.

Section 12.03 Non-conforming Sign Maintenance
Nonconforming signs are required to be maintained in good condition. Removal of a non-conforming sign, or replacement of a non-conforming sign with a conforming sign, is required when non-conforming signs require repairs to the sign or the sign structure that equal or exceed fifty percent (50%) of the cost of reconstruction as decided by the Director.

Section 12.04 Disruption
If any such sign, or sign structure equaling fifty percent (50%) or more of the total sign area is blown down, destroyed, or for any reason or by any means is taken down, altered, and/or removed, a new permit that meets the current ordinance standards must be acquired.
Section 12.05 Deterioration
If the condition of the sign or sign structure has deteriorated, and/or the sign structure or building it is mounted on is destroyed or damaged by a fire, flood, windstorm, or similar abnormal event, and the cost of restoration of the sign to its condition immediately prior to such deterioration or event exceeds fifty percent (50%) of the cost of reconstruction of the sign structure, as decided by the Director; a new permit that meets the current ordinance standards must be obtained.

Article XIII. Enforcement
It shall be unlawful to construct, reconstruct, enlarge, change, or maintain any sign or to allow the maintenance of unsafe signs and sign structures or billboard in violation of any regulation or any provision of this Ordinance or amendments thereto. The Director may order the removal of any sign in violation of this ordinance pursuant to the provisions set forth in Article XIII ADMINISTRATION AND ENFORCEMENT of Rio Arriba County Design and Development Regulation System Ordinance 2011-02.

The violation of any separate provision of this Ordinance shall be considered a separate offense, and each day the violation is allowed to continue shall be considered a separate offense.

Article XIV. Variance
Applications for a variance to the standards of this ordinance shall be submitted, reviewed and processed according to the Rio Arriba County Design and Development Regulation system.
REVIEWED, APPROVED, AND ADOPTED ON THIS 29th DAY OF Sept, 2011,
BY THE RIO ARRIBA BOARD OF COUNTY COMMISSIONERS.

RIO ARRIBA COUNTY BOARD OF COUNTY COMMISSIONERS

FELIPE MARTINEZ, CHAIRMAN/COMMISSIONER, DISTRICT III

ALFREDO L. MONTOYA, COMMISSIONER, DISTRICT II

BARNEY TRUJILLO, COMMISSIONER, DISTRICT I

ATTEST:

MOISES A. MORALES JR., COUNTY CLERK

CERTIFICATE OF FILING
I, Moises A. Morales, Jr. County Clerk, do hereby certify that the foregoing ordinance designated as Ordinance NO: 2012-002 was filed in my office on the 3rd day of Ocotber 2011 in Book Number #534 Pages 4801

MOISES A. MORALES JR., COUNTY CLERK