

CHAPTER 17.52

SIGNS	PAGE
17.52.010 Intent and Purpose	1
17.52.020 Area of Signs	2
17.52.030 Sign Definitions, Removed Ord 446 March 23, 2016	-
17.52.040 Sign Permit Requirements	2
17.52.050 Prohibited Signs	2-3
17.52.060 Permitted Temporary and Special Event Signs	3-4
17.52.070 Signs Exempt From Permit Requirements	4-6
17.52.080 Signs Permitted Upon Issuance of a Sign Permit, Removed Ord 448 October 11, 2016	-
17.52.090 Signs Permitted All Districts Except Residential	6-7
17.52.100 Signs Permitted In Residential Zones	7
17.52.105 EMC Signs	7-9
17.52.110 Special Overlay Zones	9
17.52.120 Historic Overlay Zones	9
17.52.130 Comprehensive Sign Plan	9-10
17.52.140 Street Vision Triangles	10
17.52.150 Billboards and Offsite Advertising	10
17.52.160 Signs Erected In Conjunction with Nonprofit Activities on Public Property	11
17.52.170 Historic or Culturally Significant Signs	11
17.52.180 Application for All Signs	12
17.52.190 Maintenance of Permitted Signs	12
17.52.200 Nonconforming Signs	12-13
17.52.210 Content	13

CHAPTER 17.52 - SIGNS

17.52.010 INTENT AND PURPOSES

It is the intent and purpose of this chapter to promote the health, safety and welfare of the residents and visitors of the City of Dillon by regulating and controlling the size, location, quality of materials, height, maintenance and construction of all signs and sign structures not located within a building for the following reasons:

- A. To preserve Dillon's natural scenic beauty;
- B. To contribute to inviting entrances into Dillon by eliminating clutter associated, in part, by the unrestricted proliferation of signs, lights and stringed devices;
- C. To encourage area beautification through creative, interrelated design of signage, landscaping, buildings, access and parking that enhances the community's built and natural environment;
- D. To provide all businesses an equal opportunity to have a sign that will help people find the services they need; and
- E. To ensure that pedestrians and motorists are protected from damage or injury caused or partly attributable to the distractions and obstructions which are caused by improperly situated signs. The City of Dillon intends to provide a reasonable balance between the right of an individual to identify their business and the right of the public to be protected from the visual discord that results from the unrestricted proliferation of signs. In a Historic Overlay District standards and certain exemptions, and alternative procedures utilizing design review will guide decisions. The deliberations and decisions of the review shall be directed to accomplish the intent and purposes of this section. It is determined that the regulations contained herein are the minimum necessary to further the interest of this title.

Enc Ord 433 December 5, 2012

17.52.020 AREA OF SIGNS

The area of a sign that shall be computed by enclosing the entire area within any type of perimeter or border which may enclose the outer limits of any writing, representation, emblem, figure or character together with any other material or color forming an integral part of the display or used to differentiate such sign from a building on which it is placed. The area of a sign having no such perimeter shall be computed by enclosing the entire area within parallelograms, triangles, or circles in a size sufficient to cover the entire area of the sign copy and computing the size of such area. In the case of a two-sided sign, the area shall be computed as including only the maximum single display surface which is visible from any ground position at one time. If the angle between the two sign faces is greater than 45 degrees, the sign area will be the sum of the areas of the two faces. The supports or uprights on which any sign supported should not be included in determining the sign area unless such supports or uprights are designed in such a manner as to form an integral background of the sign. In the case of any spheric conical, or cylindrical sign, one-half of the total surface area shall be computed as the area of the sign.

Enc Ord 433 December 5, 2012

17.52.040 SIGN PERMIT REQUIREMENTS

If a sign requiring a permit under the provisions of this chapter is to be placed, constructed, erected or modified on a lot, the owner of the lot shall secure a sign permit prior to the construction, placement, erection or modification of such a sign. Furthermore, the property owner shall maintain in force, at all times, a permit for such sign. No permit of any kind shall be issued for a proposed sign unless such sign is consistent with the requirements of this chapter.

Enc Ord 433 December 5, 2012

17.52.050 PROHIBITED SIGNS

- A. All signs not expressly permitted under this Chapter, or exempt from regulation are prohibited in the City.
- B. Such signs include, but are not limited to:
 - 1. Portable signs
 - 2. Roof signs;
 - 3. Revolving signs;
 - 4. Beacons, spot lights;
 - 5. Flashing, or blinking signs as defined in Chapter 17.108, Definitions, and 17.44, Lighting.
 - 6. Pennants, streamers, wind socks, pinwheels, or similar items;
 - 7. Stringed flags;
 - 8. Inflatable signs and tethered balloons (except as permitted in this Chapter); and
 - 9. Signs located in public rights-of-way (except for those permitted in this Chapter).

Enc Ord 433 December 5, 2012, Revised Ord 455 November 1, 2017

17.52.060 PERMITTED TEMPORARY AND SPECIAL EVENT SIGNS

- 1. Temporary and special event signs, and portable (sandwich board signs), banners, tethered balloons and inflatable signs, as permitted.
 - a. No sign shall create a hazard or interfere with pedestrian traffic.
 - b. Ground (boardwalk) signs shall be not larger than 2 feet by 4 feet maximum.
- 2. Special event signs are permitted in all districts.
- 3. Applicants for temporary signs shall apply for, and have approved, a temporary sign permit.
- 4. All temporary signs shall comply with size, height, and location requirements of this chapter.
- 5. For special commercial events, temporary signs shall be displayed for a consecutive period not to exceed a maximum of thirty days during a calendar year, from January 1 to December 31. There shall be a period of at least seven (7) days between each display period.

6. Grand opening temporary signs may be displayed for a period not to exceed sixty (60) days, additional temporary signs shall not be allowed until the next calendar year. Only one grand opening temporary sign shall be permitted for the life of the business. A subsequent grand opening banner may be permitted when business ownership has transferred to another owner, or when the business moves to a new location on a different zone lot.
7. Temporary signs that identify a new business may be displayed until the business erects a permanent sign, only if the business is in the process of obtaining a permanent sign, or sixty (60) days, whichever comes first. If the business has had a temporary sign in this instance, the business will be allowed thirty (30) more days of temporary signage.
8. Itinerant vendors shall receive information about allowable temporary signs, but no permit is required if the itinerant vendor is operating less than seven (7) days.
9. Temporary signs that are seasonal in nature, such as garden greenhouses, boat showrooms, or ski rental, may apply for a long term temporary sign which may be approved for a period not to exceed one hundred twenty (120) days.
10. Temporary signs supporting local public events (County Fair, Art In the Park, Shakespeare in the Park) may be displayed to promote the event and shall be removed within thirty (30) days after the event.
11. Temporary signs directing attention to garage, yard, estate sales or auctions are permitted in any district and may be posted three (3) days prior to event and removed at the end of the last day. At no time should signs create a hazard to the public safety and general welfare or create safety issues or congestion.

Enc Ord 433 December 5, 2012

17.52.070 SIGNS EXEMPT FROM PERMIT REQUIREMENTS

The following signs are exempt from the permitting requirements but must comply with the criteria for signage allowed in this title:

A. Residential Zones. (R-1,R-2,R-3, RMH).

1. Temporary, non-illuminated, real estate sale, political campaign and other non-commercial speech signs.
2. Businesses working at a residentially zoned lot, such as landscapers or window treatment installers, may post an identifying sign only during the course of work on the project.

B. Commercial, Manufacturing Zones, (C-1, C-2, C-3, M-1, M-2, PLI, B-P)

1. Window signs painted on the window or physically affixed to the interior of a window, provided that such signs do not occupy more than 25 percent of the area of the window in which it is displayed. If it exceeds 25 percent of the area of the window, it will be classified as a wall sign.
2. Temporary, non-illuminated real-estate sale, political campaign, and other non-commercial speech signs not exceeding 32 square feet in size, no more than 5 feet high as measured from the base of the sign, with a minimum setback of 5 feet

assuming that the site triangle requirements are met and only one sign for each lot is allowed.

3. A development and construction sign not exceeding 32 square feet in size, no more than 5 feet high and with a minimum setback of 5 feet. All parties to the development, including but not limited to banks, architects, contractors, developers, future occupants of the lot, real estate agents, and landscape companies shall be advertised on a single sign for each lot.
4. On-premises directional signs not exceeding 4 square feet in area and 5 feet in height which shall not contain any commercial messages.

C. All Zones

1. Government and Public Utility Signs. Directional, warning, street, traffic control, informational or temporary special event signs that are erected, installed or placed by or on behalf of any federal, state, county or city government. Public utility signs showing locations of underground facilities or public telephones, and safety signs on construction sites, are included within this exemption.
2. Incidental Signs. A sign, generally informational, that has a purpose secondary to the use of the lot on which it is located, such as “no parking,” “entrance,” “loading only,” and other similar directives. No sign with a commercial message, which is designed with the intent to be legible from a position off the lot on which the sign is located, shall be considered incidental.

Enc Ord 433 December 5, 2012, Revised Ord 448 October 11, 2016, Revised Ord 455 November 1, 2017

17.52.090 SIGNS PERMITTED IN ALL DISTRICTS EXCEPT RESIDENTIAL

The following on-premises signs are permitted in all zones except R-1, R-2, R-3, RMH, as qualified in this section and subject to a sign permit:

1. Freestanding Signs, also known as Pole Signs. One low-profile or pole-style freestanding sign is permitted for each property held in single and separate ownership, except for a property that has frontage on more than one (1) street, in which case one (1) such sign shall be permitted for each separate street frontage. The maximum area for a freestanding sign shall be 32 square feet. In addition:
 - a. Low profile freestanding signs are allowed in all non-residential EMC corridors and shall maintain a minimum setback of 5 feet with a maximum height of 5 feet.
 - b. Pole-style freestanding signs are allowed in non-residential districts except C-1 and C-3.
 - i. A pole-style freestanding sign shall have a minimum setback of 15 feet and will maintain at least an 8-foot minimum vertical clearance. Pole-style signs shall not exceed a total area of 40 square feet and 16 feet in height, provided however, that for every 2 feet the sign is set back from 15 feet beyond the adjacent street right-of-way, the height measured at grade may be increased 1 foot, not to exceed a total of 32 feet, and the area may be increased by 2.5 square feet for every 2 feet that said sign is set back

from 15 feet beyond the adjacent street right-of-way up to a maximum of 60 feet. Pole-style height, 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 may be measured from the roadway grade level to the highest point of the freestanding sign or sign structure. Maximum height above grade shall be determined by Table 17.52.01 for Pole/Freestanding Signs and Height vs. maximum driving speed.

- ii. Pole-style sign design shall be verified by a licensed engineering firm that the design and installation shall withstand nominal seismic and wind forces in the Dillon, Montana area.

Zoning District	C-2 Zone		M1-M2 Zone		Interchange District		Residential Business District	
	Area (sq. ft.)	Height (ft)	Area (sq. ft.)	Height (ft)	Area (sq. ft.)	Height (ft)	Area (sq. ft.)	Height (ft)
Max Speed (mph)								
25	32	35	32	35	64	50	16	35
30	32	35	32	35	64	50	-	-
35	32	35	32	35	64	50	-	-
40	-	-	-	-	64	50	-	-
45	-	-	-	-	64	50	-	-

Table 17.52.01 for Pole/Freestanding Sign Height and Area

- 2. Wall Signs. Wall signs are not to exceed a total signage allowance of 2 square feet per linear foot of building frontage minus any area devoted to freestanding or projecting signs. Canopy, window (see 17.52.070.B.1) and awning signs shall be classified as wall

signs. Wall signs shall not project above the top of a wall or parapet. Lots fronting on two or more streets shall be permitted an additional 35 percent of the already permitted wall sign area for each subsequent building frontage.

Wall signs in the C-1 district are not to exceed a total signage allowance of one square foot per linear foot of building frontage minus any area devoted to freestanding or projecting signs.

3. Projecting Signs. One projecting sign is allowed for each tenant. Projecting signs shall not exceed 8 square feet in area nor extend more than 4 feet from the building. In C-3 districts, projecting signs shall not exceed 12 square feet in area nor extend more than 6 feet from the building. Projecting signs shall provide a minimum sidewalk clearance of 8 feet.
4. Bench Advertising and Bike Racks. Benches with advertising messages are allowed in all districts except residential districts. Bench size shall not exceed 2 ft. by 8 ft. maximum. Benches shall be secured so as not to be easily moved and located so that the bench does not interfere with pedestrian traffic.

No advertising is permitted on racks provided for bicycles.

Enc Ord 433 December 5, 2012, Revised Ord 448 October 11, 2016, Revised Ord 455 November 1, 2017

17.52.100 SIGNS PERMITTED IN RESIDENTIAL ZONES

The following on-premise signs are permitted in the R-1, R-2, R-3, and RMH zones, subject to a sign permit.

1. Subdivision Identification Signs. For residential subdivisions consisting of more than four residential units, one low profile, freestanding, neighborhood identification sign for each development entrance is allowed. Each sign shall not exceed 16 square feet in area and 5 feet in height from the finished grade. The sign must have a setback of at least 5 feet.
2. Residential Building Identification Signs. For properties used for multi-household residential buildings, one residential identification wall sign for each street frontage is allowed.

Enc Ord 433 December 5, 2012, Revised Ord 448 October 11, 2016

17.52.105 EMC SIGNS

EMC Signs on signs are allowed subject to the following regulations:

1. Where Allowed
 - a. Prohibited Locations

EMC Signs are prohibited in All Residentials (R-1, R-2, R-3, and RMH), and C-1 and C-3 zoning districts. They are also prohibited in historic districts and as stated in Prohibited Signs and Sign Characteristics 17.52.050.
 - b. Allowed Locations

EMC Signs are allowed in the following EMC Sign districts on parcels with frontage on stated streets, subject to the EMC Signs display regulations of this subsection.

- i. Interchange North EMC Sign Districts – Defined from City boundary on North Montana Street to the Intersection of Hwy. 91 North and Skihi Street.
- ii. Interchange South EMC Sign Districts - Defined from City boundary on Atlantic Street South to the Intersection of Atlantic and Poindexter Street. Also, all businesses adjacent to Sinclair Street.
- iii. Residential Business EMC Sign District – Defined along C-2 Business District on Atlantic Street from Poindexter Street to the Intersection of Helena Street, Thomson Avenue, and Spruce Street.
- iv. Highway Business EMC Sign District – Defined as all C-2 businesses not encompassing Districts i. and ii. defined above.

2. Maximum EMC Area

- i. For the Interchange EMC Sign Districts (North and South), the EMC Sign’s display portion of the sign may not exceed thirty-two (32) square feet or 50% of the total area of the sign, whichever is less.
- ii. For the Highway Business EMC Sign District, the total size of the sign including the EMC Signs shall not exceed thirty-two (32) square feet.
- iii. For the Residential Business EMC Sign District, the EMC Signs shall not exceed eight (8) square feet or 50% of the total area of the sign, whichever is less.
- iv. For all districts, the above computations shall be calculated as part of the sign’s total area including the bezel area. The remainder of the sign may not have the capability to have EMC Signs displays even if not used. Only one, contiguous EMC Sign display area is allowed on a sign face.

3. Orientation

The sign face must be oriented away from adjacent residential uses and zoning districts. All requirements related to setbacks and minimum and maximum heights shall follow the specifications set forth in this chapter.

4. Hold Time

EMC Sign Display’s may not change or move more often than once every second.

5. Transitions

The transition from one image or display to the next must be accomplished in one second or less. Fading, scaling, scrolling, and dissolving effects may be used as part of the transition.

6. Display Malfunctions

The sign owner must deactivate the EMC Sign display within 24 hours of receiving notice from the City that it is malfunctioning or otherwise not complying with the standards of this zoning ordinance.

7. Brightness

EMC Signs may not exceed a maximum illumination of 5,000 nits (candelas per square meter) during daylight hours (one-half hour before sunrise) or more than 500 nits during night-time hours (one-half hour after sunset), as measured from the sign's face at maximum brightness. EMC Signs must be equipped with automatic dimming technology that automatically adjusts the display's brightness based on ambient light conditions. The owners of the EMC Signs shall verify every two years in writing, along with the initial installation measurements, that the signs comply with the brightness requirements.

8. Mechanical Filters Required

Horizontal louvers to focus the light downward are required between the light segments.

9. Prohibited Display Types

EMC Signs may not use blinking, bursting, distorting, flashing, oscillating, rotation, shimmering, sparkling, streaming, tracing, traveling text, or twinkling effects. Audio or pyrotechnic elements are also prohibited.

10. Nonconformities

EMC Signs installed after November 1, 2017 must comply with all the operational standards of this subsection. An EMC Sign display existing before the above date may continue as a nonconforming sign subject to the nonconforming sign regulations of 17.52.200.

Enc Ord 455 November 1, 2017

17.52.110 SPECIAL OVERLAY ZONES

The guidelines for the underlying zoning districts apply unless otherwise addressed below.

1. Low Profile Signs. One low profile sign is allowed for each lot. The maximum area for a low profile sign shall be 16 square feet. The sign shall have a minimum setback of 5 feet with a maximum height of 8 feet.
2. Pole-Style Signs. A pole-style freestanding sign shall have a minimum setback of 15 feet and will maintain at least an 8-foot minimum vertical clearance. Pole-style signs shall not exceed a total area as defined in Table 17.52.01 and 16 feet in height, provided however, that for every 2 feet the sign is set back from 15 feet beyond the street right-of-way, the height measured at grade may be increased 1 foot, not to exceed a total of 32 feet, and the area may be increased by 2.5 square feet for every 2 feet that said sign is set back from 15 feet beyond the street right-of-way up to a maximum of 120 feet.

Enc Ord 433 December 5, 2012, Revised Ord 448 October 11, 2016, Revised Ord 455 November 1, 2017

17.52.120 HISTORIC OVERLAY ZONE

Signage within the Historic Overlay District shall be reviewed by the designated Administrative Official and the Historic Preservation Committee to verify compliance with all standards of this title. If a sign permit is denied, a written report will be given applicant outlining the reasons. The applicant may submit a corrected plan within 60 days for reconsideration.

Enc Ord 433 December 5, 2012, Revised Ord 446 March 23, 2016

17.52.130 COMPREHENSIVE SIGN PLAN

A comprehensive sign plan shall be submitted for all commercial business uses, manufacturing/industrial uses and civic uses consisting of two or more tenant or occupant spaces on one or more lots. A comprehensive sign plan shall not be approved unless it is consistent with this Chapter, the underlying zoning regulations applicable to the property and any other plan for the property. The plan should include the size and location of buildings and the size and location of existing and proposed signs. The purpose of the plan is to coordinate graphics and signs with building design with the coordination achieved by:

1. Using the same type of cabinet supports or method of mounting for signs of the same type; using the same type of construction for components, such as sign copy, cabinet and supports; using other types of integrating techniques, such as common color elements, determined appropriate by the Administrative Official.
2. Using the same form of illumination for all signs, or by using varied forms of illumination determined compatible are coordinated to avoid excessive light output. Neon and other gas type transformers shall be limited to 60 milli-amperes and fluorescent transformers shall be limited to 800 milli-amperes to limit light output. Additionally, neon and other gas type signs with exposed tubing shall be equipped with dimmers to limit transformer output to 30 milli-amperes during night.
3. Externally illuminated wall-mounted and pole signs shall be lighted by fixtures mounted at the top of the sign and aimed downward; ground-mounted sign lighting may only be used for monument style signs. Fixtures used to illuminate signs shall be aimed so as not to project their output beyond the sign.

Enc Ord 433 December 5, 2012, Revised Ord 448 October 11, 2016, Revised Ord 455 November 1, 2017

17.52.140 STREET VISION TRIANGLES

Signs shall not be placed in street vision triangles as established in Chapter 17.12, General Land Use Standards and Requirements.

Enc Ord 433 December 5, 2012

17.52.150 BILLBOARDS AND OFFSITE ADVERTISING SIGNS

Off –premises commercial advertising signs are not permitted within the City of Dillon City limits except as permitted by state or federal law.

Enc Ord 433 December 5, 2012

**17.52.160 SIGNS ERECTED IN CONJUNCTION WITH NONPROFIT ACTIVITIES
ON PUBLIC PROPERTY**

Signs erected on public property in support of nonprofit activities, such as signs advertising sponsors of youth and sports activities, shall be allowed only as follows and a temporary permit is required:

1. The sign(s) shall be permitted only at developed facilities in public parks or other publicly owned lands.
2. The sign(s) may be erected two weeks prior to the commencement of the activity and shall be removed within two weeks after the cessation of the activity for which the sign(s) were erected.
3. Each individual sign shall be no larger than 32 square feet. Freestanding signs shall have a minimum setback of 15 feet with a maximum height of 5 feet. Signs attached to walls or scoreboards shall not exceed the height of the wall or scoreboard to which they are attached. All signs shall be oriented towards spectators attending the activity who are at the facility.
4. The sign(s) shall not be individually illuminated; nor be placed in sight vision triangles or otherwise impede or obstruct the view of the traveling public.
5. Applicants for such sign(s) must apply for a special temporary sign permit detailing the nature of the sign(s) to be erected and the duration the sign(s) will remain in place.

Enc Ord 433 December 5, 2012, Revised Ord 448 October 11, 2016

17.52.170 HISTORIC OR CULTURALLY SIGNIFICANT SIGNS

Signs which have historical or cultural significance to the City but do not conform to the provisions of this chapter, may be permitted provided that the Historical Preservation Committee documents the cultural significance of the sign and a sign permit is issued.

Enc Ord 433 December 5, 2012

17.52.180 APPLICATION FOR ALL SIGNS

An application for a sign shall be made on forms provided by the designated Administrative Official. The application shall contain sufficient information and plans to permit review pursuant to this chapter, including but not limited to: building elevations; photographs; proposed locations of signs on building elevations; sign design layout showing number, types and dimensions of all signs; and a site plan showing proposed location of all signs. An applicant may appeal the denial of permit request pursuant to the provisions of Chapter 17.36, Variances.

Enc Ord 433 December 5, 2012

17.52.190 MAINTENANCE OF PERMITTED SIGNS

All signs shall be continuously maintained in a state of security, safety and repair. Should any sign be found not to be so maintained, or is in need of repair or has been abandoned, it shall be the duty of the owner and the occupant of the premises to repair or remove the sign within fifteen days after receiving written notice to do so from the City. If the sign is not so repaired or removed within such time, the City shall cause the sign to be removed at the expense of the owner of the premises.

Enc Ord 433 December 5, 2012, Revised Ord 455 November 1, 2017

17.52.200 NONCONFORMING SIGNS

The eventual elimination of existing signs that are not in conformity with the provisions of this chapter is as important as the regulation of new signs.

All signs which were legally permitted prior to the date of adoption of this title may remain in place, however, if the sign is nonconforming with this chapter the sign may not be:

1. Replaced except with a zoning commission approved sign at a size no larger than the existing; or
2. Expanded, moved or relocated; or
3. Altered or enlarged in any way which increases its nonconformity, but can be altered to decrease its nonconformity. A change of use of existing signs is allowed if existing framework and dimensions are not altered.

Change of Use or Use Discontinued

1. Within ninety (90) days of discontinued use on the premises, all signs shall be removed or copy removed or covered with appropriate material.
2. Upon a change of use all nonconforming signs shall be replaced with a conforming sign.

Enc Ord 433 December 5, 2012, Revised Ord 448 October 11, 2016, Revised Ord 455 November 1, 2017

17.52.210 CONTENT

Notwithstanding any other provision of this chapter, no sign shall be subject to any limitation based on the content of the message contained on such sign. Any sign authorized in this chapter may contain noncommercial copy.

Enc Ord 433 December 5, 2012

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