

**CITY OF PROSSER, WASHINGTON
ORDINANCE NO. 26-3314**

**AN ORDINANCE AMENDING PROSSER MUNICIPAL CODE CHAPTER 18.72
SIGNS AND PROVIDING FOR SEVERABILITY; ESTABLISHING AN
EFFECTIVE DATE; AND PROVIDING FOR PUBLICATION BY SUMMARY.**

WHEREAS, the City Council desires to update Chapter 18.72 of the Prosser Municipal Code to make the City's sign regulations easier for the public to understand and easier for City staff to administer and enforce; and

WHEREAS, the City Council finds that clear standards for the size, location, placement, maintenance, illumination, and permitting of signs are necessary to protect public health, safety, accessibility, traffic visibility, pedestrian movement, and community appearance; and

WHEREAS, the City Council desires to establish clear permitting requirements for sandwich board signs and provide that the applicable permit fee shall be the amount established in the City's approved fee schedule, as may be amended from time to time; and

WHEREAS, the City Council desires to regulate off-premises signs and billboards, preserve lawful nonconforming rights where applicable, and process violations of Chapter 18.72 PMC as civil infractions using an education-to-infraction process intended to encourage voluntary compliance before penalties are issued;

NOW THEREFORE, THE CITY COUNCIL OF THE CITY OF PROSSER, WASHINGTON, DO ORDAIN AS FOLLOWS:

Section 1. Prosser Municipal Code Chapter 18.72 is hereby amended to read as follows:

18.72.010 General Provisions.

A. Title. This chapter shall be known as the Sign Code.

B. Purpose. The purpose of this chapter is to protect public health, safety, welfare, property, traffic safety, pedestrian access, accessibility, and community appearance by establishing clear standards for the design, placement, size, height, illumination, maintenance, permitting, and removal of signs visible from outdoors within the city.

C. Intent. This chapter is intended to:

1. Allow signs that identify businesses, properties, services, events, and other lawful activities;
2. Reduce sign clutter and visual obstruction;
3. Protect motorists, pedestrians, cyclists, and persons using mobility devices;
4. Preserve visibility of traffic control devices and public safety signs;

5. Maintain safe and accessible sidewalks, rights-of-way, entrances, exits, driveways, and sight-distance areas;
6. Support the character of residential, commercial, industrial, agri-tourism, and historic areas;
7. Provide standards that are clear for the public and enforceable by city staff; and
8. Regulate signs in a content-neutral manner.

D. Applicability. This chapter applies to all signs located, erected, placed, displayed, altered, relocated, maintained, or visible from outdoors within the city unless expressly exempted by this chapter or other applicable law.

E. Other approvals may be required. Approval under this chapter does not relieve any person from obtaining any other required city, state, or federal permit or approval, including building, electrical, fire, right-of-way, sidewalk use, business license, or land use approvals.

F. Content neutrality. This chapter regulates signs based on physical, structural, locational, operational, and safety characteristics. Nothing in this chapter shall be interpreted or applied to regulate a sign based on the viewpoint, idea, or message expressed.

G. City events and city-authorized events. Sandwich board signs associated with an event organized, hosted, or co-hosted by the city, or otherwise permitted by the city in writing (such as Prosser Senior Citizen's Club events and Prosser Farmers Market), may be placed in locations approved by the Public Works Director or designee and are exempt from the premises, business frontage, and hours-of-operation placement limitations in this section, provided that:

1. Placement of the sign is approved by the Public Works Director or designee before the sign is displayed;
2. The sign is displayed only during the time period authorized by the city;
3. The sign does not create a traffic, pedestrian, accessibility, emergency access, maintenance, construction, or public safety hazard;
4. The sign does not obstruct sidewalks, pedestrian routes, wheelchair ramps, accessible routes, crosswalks, driveways, alleys, fire lanes, emergency access, sight-distance areas, traffic control devices, street signs, public signs, or public safety signs;
5. The sign is removed or relocated immediately upon request of the city; and
6. The sign is removed at the conclusion of the event or within the time period specified in the city's written approval, whichever occurs first.

18.72.020 Definitions.

Unless the context clearly requires otherwise, the definitions in this section apply throughout this chapter.

- A. **“Abandoned sign”** means a sign located on property that is vacant and unoccupied for four months or more, or a sign associated with a use, business, tenant, activity, or property that has been discontinued for four months or more. A lawful nonconforming off-premises sign or billboard shall not be considered abandoned solely because it does not relate to a use, business, activity, or property located on the premises where the sign is located.
- B. **“Awning sign”** means a sign attached to or incorporated into a fixed or retractable awning made of canvas, fabric, metal, wood, or similar material.
- C. **“Banner sign”** means a temporary sign made of fabric, vinyl, plastic, or similar flexible material that is attached by one or more edges to a building, pole, frame, or other support.
- D. **“Billboard”** means an off-premises sign that is designed, used, or intended to be used for display of copy, advertising, or messages that are unrelated to the premises where the sign is located. A billboard is a type of off-premises sign.
- E. **“Blade sign”** means a sign attached to a building or building projection that extends generally perpendicular from the building wall.
- F. **“Building facade”** means the exterior wall surface of a building extending from grade to the top of the wall, parapet, or eave, and across the width of that building elevation.
- G. **“Canopy sign”** means a sign attached to or incorporated into a canopy or similar freestanding overhead structure.
- H. **“City”** means the City of Prosser.
- I. **“City Administrator or designee”** means the City Administrator or the city employee, official, consultant, or agent designated to administer or enforce this chapter.
- J. **“Electronic message board”** means an electronic sign capable of displaying copy, messages, images, or graphics through electronic means, including light-emitting diodes, fiber optics, plasma displays, digital displays, or similar technology.
- K. **“Externally illuminated sign”** means a sign illuminated by a light source located outside the sign and directed toward the sign face.
- L. **“Flag”** means a fabric sign attached to a pole or similar support and designed to move naturally by wind.
- M. **“Freestanding sign”** means a sign supported by one or more columns, posts, poles, uprights, braces, monument bases, or similar supports and not attached to a building.
- N. **“Freeway sign”** means a freestanding sign designed and placed to be visible from Interstate 82 and regulated under this chapter and applicable state law.

- O. **“Illuminated sign”** means a sign with internal or external lighting.
- P. **“Internally illuminated sign”** means a sign illuminated by a light source located inside the sign face or sign cabinet.
- Q. **“Internally illuminated letter sign”** means a sign where individual letters, logos, or symbols are illuminated from within.
- R. **“Marquee”** means a roof-like projection over the entrance to a building.
- S. **“Marquee sign”** means a sign attached to or incorporated into a marquee.
- T. **“Neon sign”** means a sign using luminous tubes or similar lighting technology.
- U. **“On-premises sign”** means a sign that directs attention to, identifies, or communicates information regarding a business, use, activity, service, product, event, person, organization, property, location, or matter located, occurring, offered, conducted, sold, produced, manufactured, or available on the same parcel, lot, site, or premises where the sign is located.
- V. **“Off-premises sign”** means a sign that directs attention to, identifies, or communicates information regarding a business, use, activity, service, product, event, person, organization, property, location, or matter not located, occurring, offered, conducted, sold, produced, manufactured, or available on the same parcel, lot, site, or premises where the sign is located.
- W. **“Parapet”** means the portion of a building wall that extends above the roof.
- X. **“Premises”** means the parcel, lot, site, building, tenant space, business location, or unified development site on which a sign is located. For a multi-tenant building, shopping center, business park, or similar unified development, the premises may include the shared site or development area approved by the city.
- Y. **“Permit holder”** means the person or entity to whom a sign permit has been issued.
- Z. **“Person”** means any individual, business, firm, association, partnership, corporation, organization, public agency, or other legal entity.
- AA. **“Reader board”** means a sign with tracks, panels, or similar features that allow manual replacement of letters, numbers, symbols, or other copy.
- BB. **“Right-of-way”** means land dedicated, deeded, used, or intended to be used for streets, sidewalks, alleys, pedestrian facilities, utilities, or other public access or transportation purposes.
- CC. **“Roof sign”** means a sign located on, above, or attached to a roof, or attached behind a parapet and supported by the roof or parapet.

- DD. **“Sandwich board sign”** means a portable, two-faced, self-supporting A-frame sign that is hinged or connected at the top, spread at the bottom, and designed to stand without permanent attachment to a building, structure, sidewalk, right-of-way, or the ground.
- EE. **“Sign”** means any object, device, display, structure, or part thereof, visible from outdoors, that is used to identify, display, direct, advertise, or attract attention by words, letters, figures, designs, symbols, fixtures, colors, illumination, projected images, or similar visual means.
- FF. **“Sign area”** means the smallest circle, triangle, rectangle, or combination of shapes that encloses the sign face. Supporting structures that do not contain sign copy are not included. For a two-sided sign with back-to-back faces, only one face is counted. If more than one face can be viewed at the same time, all visible faces are counted.
- GG. **“Sign face”** means the surface or display area of a sign upon which copy, symbols, graphics, or images are placed.
- HH. **“Sign permit”** means written authorization issued by the city allowing a sign to be placed, erected, displayed, altered, relocated, or maintained in accordance with this chapter.
- II. **“Temporary sign”** means a nonpermanent sign intended for display for a limited period of time and not permanently attached to a building, structure, sign structure, or the ground.
- JJ. **“Very small freestanding sign”** means a freestanding sign not exceeding three feet in height and three square feet in sign area.
- KK. **“Wall sign”** means a sign attached parallel to a building wall, painted on a building wall, or located within six inches of a building wall, and located within the limits of the building facade.
- LL. **“Window sign”** means a sign placed within, painted on, attached to, or displayed through a window.

18.72.030 Zoning District Abbreviations.

For purposes of this chapter, the following abbreviations apply:

- A. **“AT”** means property zoned agri-tourism district.
- B. **“C”** means property zoned commercial neighborhood district, commercial general district, commercial downtown district except any portion included in HDP, commercial thoroughfare district, commercial professional district, or public facility district.
- C. **“HDP”** means property located in the historic downtown area shown on the city’s adopted zoning map or other adopted map identifying the HDP area.
- D. **“I”** means property zoned industrial light district, industrial heavy district, or agri-business district.

E. “R” means property zoned residential rural district, residential low density district, residential manufactured home subdivision, residential manufactured home park district, residential medium density district, residential high density district, steep slope residential district, or urban residential district.

18.72.040 Prohibited Signs.

Except as expressly allowed by this chapter, the following signs are prohibited in all zoning districts:

- A. Signs attached to utility poles, streetlights, traffic control devices, traffic control standards, or official public signs, unless placed or authorized by the agency having jurisdiction;
- B. Signs attached to trees, rocks, or natural features;
- C. Signs that swing, rotate, move, flash, blink, pulse, strobe, or otherwise create a traffic, pedestrian, or public safety hazard, except for flags or signs expressly allowed by this chapter;
- D. Signs that obstruct or interfere with traffic control devices, street signs, sight distance, sidewalks, wheelchair ramps, accessible routes, driveways, alleys, fire lanes, emergency access, entrances, exits, windows, or doors;
- E. Abandoned signs;
- F. Signs containing reflective materials, including foil, mirrors, bare metal, or similar materials, that create hazardous glare or visibility conditions;
- G. Roof signs;
- H. Signs placed in a street, travel lane, bicycle lane, or public parking space unless expressly authorized by the city;
- I. Signs placed on public property or within public right-of-way unless expressly allowed by this chapter, authorized by the city, or authorized by the agency having jurisdiction;
- J. Signs that are structurally unsafe, insecurely fastened, deteriorated, or not maintained in good repair; and
- K. Signs that violate the adopted building, fire, electrical, accessibility, or construction codes.
- L. New off-premises signs, except where expressly allowed by this chapter;
- M. New billboards, except where expressly allowed by this chapter;
- N. Conversion, enlargement, relocation, reconstruction, or structural alteration of an off-premises sign unless expressly allowed by this chapter or required for ordinary maintenance of a legal nonconforming sign;

O. Conversion of an off-premises sign to an electronic message board, digital display, or other sign with electronically changeable copy, unless expressly authorized by this chapter; and

P. Any sign for which the applicant fails to provide information sufficient for the city to determine whether the sign is an on-premises sign or off-premises sign.

18.72.050 Signs Allowed By Zoning District.

- A. The following table identifies sign types allowed in each zoning district.
- B. “P” means the sign type is permitted, subject to all applicable standards in this chapter.
- C. “NP” means the sign type is not permitted.
- D. A sign type listed as permitted may still require a sign permit under PMC 18.72.060.

Sign Type	Zone District				
	AT	C	HDP	I	R
Awning sign	P	P	P	P	NP
Banner sign	P	P	P	P	NP
Blade sign	P	P	P	P	P
Canopy sign	P	P	NP	P	NP
Electronic message board	P	P	NP	P	NP
Externally illuminated sign	P	P	P	P	P
Flag	P	P	P	P	P
Large freestanding sign	P	P	NP	P	NP
Medium freestanding sign	P	P	NP	P	NP
Small freestanding sign	P	P	P	P	NP
Very small freestanding sign	P	P	P	P	P
Freeway sign	P	P	NP	P	NP
Internally illuminated sign	P	P	NP	P	NP
Internally illuminated letter sign	P	P	P	P	NP
Marquee sign	P	P	P	NP	NP
Neon sign	P	P	P	P	NP
Reader board	NP	P	NP	NP	NP

Sign Type	Zone District				
	AT	C	HDP	I	R
Sandwich board sign	P	P	P	P	NP
Temporary sign	P	P	P	P	P
Wall sign	P	P	P	P	P
Window sign	P	P	P	P	P
On-premises	P	P	P	P	P
Off Premises	NP	NP	NP	NP	NP
Billboard	NP	NP	NP	NP	NP

E. If a sign type is not listed in the table, the City Administrator or designee shall determine the most similar sign type based on the sign's physical characteristics, method of attachment, location, size, height, illumination, and duration.

18.72.060 Permit And Dimensional Standards.

A. The following table establishes permit requirements, maximum height, maximum sign area, and basic standards for each sign type.

B. Additional requirements may apply under this chapter or other provisions of the Prosser Municipal Code.

C. A sign permit is not required where the table states “No,” but the sign must still comply with all applicable standards.

Sign Type	Permit Required	Maximum Height	Maximum Sign Area	Basic Standards
Awning sign	Yes	Within awning dimensions	20% of building facade	May not be on a building facade facing an alley. May include a blade sign under the awning if the blade sign is under 3 square feet and has at least 8 feet of clearance.
Banner sign	No	May not extend above building facade	25 square feet	One banner per parcel at a time. Display limited to 14 consecutive days in any 90-day period. Must be securely anchored. Not counted toward maximum sign area.
Blade sign	Yes	May not extend more than 10 feet above parapet	24 square feet	Must be set back at least 2 feet from the curb and provide at least 8 feet of sidewalk or grade clearance.
Canopy sign	Yes	Within canopy face	Same as applicable sign type	May not extend above or below the canopy structure.
Electronic message board	Yes	30 feet	100 square feet	Subject to PMC 18.72.075. Site review required. Conditional use permit required if within 500 feet of an R district.
Externally illuminated sign	Yes	Same as underlying sign type	Same as underlying sign type	Overlay standard. Site review required unless located in a window. Not allowed where illumination is prohibited.

Sign Type	Permit Required	Maximum Height	Maximum Sign Area	Basic Standards
Flag	No	35 feet	100 square feet	No more than 3 flags per parcel.
Large freestanding sign	Yes	30 feet	100 square feet	One per parcel, except where a freeway sign is also allowed. Must be set back at least 15 feet from buildings and 5 feet from right-of-way. Site review required.
Medium freestanding sign	Yes	8 feet	40 square feet	No more than 4 per parcel without conditional use permit. Not counted toward maximum sign area.
Small freestanding sign	No	3 feet	6 square feet	Not allowed in R districts. No more than 12 per nonresidential parcel without conditional use permit. Not counted toward maximum sign area.
Very small freestanding sign	No	3 feet	3 square feet	Allowed in all districts. No more than 4 per parcel in R districts. Not counted toward maximum sign area.
Freeway sign	Yes	100 feet	See subsection D	Must comply with PMC 18.72.076 and applicable WSDOT requirements. Site review required.
Internally illuminated sign	Yes	Same as underlying sign type	Same as underlying sign type	Overlay standard. Site review required. Not allowed where illumination is prohibited.
Internally illuminated letter sign	Yes	Same as underlying sign type	Same as underlying sign type	Overlay standard. Site review required if within 300 feet of an R district unless located in a window.

Sign Type	Permit Required	Maximum Height	Maximum Sign Area	Basic Standards
Marquee sign	Yes	Within marquee face	20% of building facade	May not extend above or below the marquee.
Neon sign	Yes, unless in window	May not extend above building facade	10% of building facade	Site review required if within 300 feet of an R district unless located in a window.
Reader board	Yes	6 feet	32 square feet	Changing removable letters or panels does not require a new permit.
Sandwich board sign	No	4 feet	9 square feet per face	Subject to PMC 18.72.065. Not counted toward maximum sign area. Must be removed, relocated, or brought into compliance when directed by the city.
Temporary sign	No	10 feet	32 square feet	Subject to PMC 18.72.070. Not counted toward maximum sign area.
Wall sign	Yes	May not extend above building facade	20% of building facade	Must be attached parallel to, painted on, or located within 6 inches of the building wall.
Window sign	No	Within window	No maximum unless otherwise stated	Must be contained within or on a window. Not counted toward maximum sign area.

Sign Type	Permit Required	Maximum Height	Maximum Sign Area	Basic Standards
On-premises sign	Same as underlying sign type	Same as underlying sign type	Same as underlying sign type	Must comply with all standards for the applicable sign type.
Off-premises sign	Not applicable	Not applicable	Not applicable	New off-premises signs are prohibited unless expressly allowed by this chapter. Existing lawful off-premises signs are subject to PMC 18.72.120.
Billboard	Not applicable	Not applicable	Not applicable	New billboards are prohibited unless expressly allowed by this chapter. Existing lawful billboards are subject to PMC 18.72.120.

D. Freeway sign area. Freeway signs are subject to the following maximum sign area:

1. Less than 30 feet in height: 100 square feet;
2. 30 feet to 50 feet in height: 200 square feet;
3. 51 feet to 80 feet in height: 300 square feet;
4. 81 feet to 100 feet in height: 400 square feet; or
5. 81 feet to 100 feet in height: 475 square feet if the sign owner records a deed restriction relinquishing the right to a second freestanding sign on the parcel.

18.72.065 Sandwich Board Signs.

A. Allowed without permit. A sandwich board sign is allowed without a sign permit if it complies with this section and all other applicable requirements of this chapter.

B. No fee. No sign permit fee is required for a sandwich board sign that complies with this section. This subsection does not limit the city's ability to recover costs, charge impound fees, or assess civil penalties for signs placed, displayed, maintained, removed, or impounded in violation of this chapter.

C. Maximum size. A sandwich board sign must comply with the following size limits:

1. Maximum height: four feet;

2. Maximum sign area: nine square feet per sign face;
3. Maximum number of sign faces: two; and
4. No attachments may be added to increase the sign's height, width, area, movement, or visual effect.

D. Design and materials. A sandwich board sign must comply with the following design and material standards:

1. The sign must be a two-faced A-frame style sign;
2. The sign must be portable and readily movable by one person;
3. The sign must be made of durable, weather-resistant material, including wood, plastic, metal, composite material, chalkboard material, whiteboard material, or similar material;
4. The sign must be stable, upright, and weighted or constructed to resist tipping under normal weather conditions;
5. The sign may not be permanently attached to a building, structure, sidewalk, right-of-way, utility pole, streetlight, traffic control device, tree, fence, bench, trash receptacle, planter, or the ground;
6. The sign may not be electrified, illuminated, animated, digital, or equipped with mechanical or moving parts; and
7. Balloons, streamers, windsocks, papers, flags, banners, lights, inflatable devices, or similar attachments may not be attached to the sign.

E. Placement. A sandwich board sign must comply with the following placement standards:

1. The sign may be placed only on the same premises as the business, activity, tenant, property, or use associated with the sign;
2. The sign may not be placed in a street, vehicle travel lane, bicycle lane, public parking space, driveway, alley, fire lane, loading area, or landscaped area within the public right-of-way;
3. The sign may not obstruct sidewalks, pedestrian routes, wheelchair ramps, accessible routes, crosswalks, entrances, exits, driveways, alleys, fire lanes, emergency access, public parking areas, transit stops, benches, trash receptacles, utility access, or sight-distance areas;
4. A sign placed on a sidewalk must comply with PMC 12.16.030 and must maintain all required pedestrian clearance;
5. The sign may not be placed in a location that creates a traffic, pedestrian, accessibility, emergency access, or public safety hazard;

6. The sign may not block or interfere with any official traffic control device, street sign, public sign, or public safety sign; and

7. The sign must be removed or relocated upon direction of the city when necessary for public safety, accessibility, maintenance, construction, emergency access, special events, or compliance with law.

F. Right-of-way placement. A sandwich board sign may be placed on a sidewalk or within city-controlled right-of-way only if all of the following requirements are met:

1. The sign complies with this section;

2. The sign complies with PMC 12.16.030 and all applicable pedestrian clearance requirements;

3. The sign is located directly adjacent to the business, activity, tenant, property, or use associated with the sign, unless otherwise authorized by the city;

4. The sign is displayed only during the hours the associated business or activity is open to the public, unless otherwise authorized by the city;

5. The sign is removed from the right-of-way when the associated business or activity is closed;

6. The sign does not interfere with city maintenance, construction, snow removal, emergency response, special events, or other public operations; and

7. The sign is removed or relocated immediately upon request of the city.

G. Number of signs. Unless otherwise approved by the City Administrator or designee due to site layout, multiple street frontages, shared tenant spaces, or similar conditions, no more than one sandwich board sign may be displayed for each business frontage.

H. Maintenance. A sandwich board sign must be maintained in good repair and in a clean, stable, safe, and upright condition. A sign that is damaged, deteriorated, unsafe, unstable, abandoned, or no longer in compliance with this section must be repaired, removed, or brought into compliance.

I. No vested right. Allowing sandwich board signs without a permit does not create a property right, vested right, or exclusive right to maintain a sign in a particular location. The city may require relocation or removal of a sandwich board sign as provided in this chapter.

J. Violation. Placement, display, or maintenance of a sandwich board sign in violation of this section is unlawful and is a civil infraction. Violations shall be enforced under PMC 18.72.160. The city may also remove or impound a sandwich board sign under PMC 18.72.170 when authorized by this chapter.

18.72.070 Temporary Signs.

A. Permit not required. A temporary sign does not require a sign permit unless another provision of the Prosser Municipal Code requires one.

B. Private property. Temporary signs may be placed on private property if they comply with the following:

1. No temporary sign may exceed 10 feet in height;
2. No temporary sign may exceed 32 square feet in sign area;
3. The total area of all temporary signs on one parcel may not exceed 64 square feet;
4. No more than 20 temporary signs may be located on one parcel at one time;
5. No temporary sign may be displayed for more than 45 consecutive days in any 90-day period;
6. Temporary signs may not be illuminated, electrified, animated, or equipped with moving parts; and
7. Temporary signs must be removed when the allowed display period ends.

C. Public property and right-of-way. Temporary signs may not be placed on public property or within public right-of-way unless allowed by this chapter, authorized by the city, or authorized by the agency having jurisdiction.

D. Temporary signs in city-controlled right-of-way. A temporary sign may be placed within city-controlled right-of-way only if all of the following requirements are met:

1. The sign complies with the size, height, duration, and placement standards of this chapter;
2. The sign does not obstruct vehicle, bicycle, or pedestrian travel;
3. The sign does not obstruct sidewalks, wheelchair ramps, accessible routes, crosswalks, driveways, alleys, fire lanes, emergency access, or sight-distance areas;
4. The sign is not attached to a utility pole, streetlight, traffic control device, official public sign, tree, rock, or public structure;
5. If the right-of-way is maintained by an adjacent private property owner, the person placing the sign obtains the adjacent property owner's consent before placing the sign;
6. If sign posts or supports will be placed more than 12 inches below grade, the person placing the sign must obtain a utility locate before installation and may not place the sign where an underground utility is located; and
7. The sign is removed at the end of the allowed display period or upon direction of the city.

E. Immediate removal. The city may immediately remove a temporary sign located on public property or within right-of-way if the sign creates a traffic, pedestrian, accessibility, emergency access, maintenance, construction, or public safety hazard.

18.72.075 Electronic Message Boards.

A. An electronic message board requires a sign permit and site review.

B. An electronic message board may not change messages or images more frequently than once every 15 seconds.

C. Messages and images may not scroll, flash, pulse, blink, rotate, expand, change size, or otherwise move.

D. An electronic message board may not emit a solid green light or be of such brightness, color, or intensity as to create a hazard for the traveling public.

E. An electronic message board may not be located on a building facade facing an alley.

F. An electronic message board may be part of a freestanding sign if it complies with the standards for freestanding signs.

G. A conditional use permit is required if the electronic message board will be located within 500 feet of an R zoning district.

18.72.076 Freeway Signs.

A. A freeway sign requires a sign permit and site review.

B. A freeway sign may only be located within 400 feet of the edge of the Interstate 82 right-of-way.

C. On a property with a freeway sign, one secondary freestanding sign is permitted.

D. The sign must comply with Chapter 47.42 RCW, as now enacted or later amended.

E. City approval of a freeway sign is subject to approval by the Washington State Department of Transportation when WSDOT approval is required. Any change required by WSDOT shall be incorporated into the city's sign permit.

18.72.077 Off-Premises Signs And Billboards.

A. New off-premises signs prohibited. New off-premises signs are prohibited unless expressly allowed by this chapter or required to be allowed by state or federal law.

B. New billboards prohibited. New billboards are prohibited unless expressly allowed by this chapter or required to be allowed by state or federal law.

C. Existing lawful off-premises signs. An off-premises sign or billboard that lawfully existed before the effective date of the ordinance adopting this section may remain only as a legal nonconforming sign under PMC 18.72.120.

D. No expansion or relocation. A legal nonconforming off-premises sign or billboard may not be enlarged, relocated, converted to another sign type, converted to an electronic message board or digital display, structurally altered, or reconstructed except as expressly allowed by this chapter.

E. Maintenance allowed. Ordinary maintenance and repair of a legal nonconforming off-premises sign or billboard is allowed if the maintenance or repair does not increase the sign area, height, illumination, degree of nonconformity, or structural nonconformity of the sign.

F. Loss of legal nonconforming status. A legal nonconforming off-premises sign or billboard loses its legal nonconforming status if:

1. The sign is abandoned;
2. The sign is removed;
3. The sign is relocated;
4. The sign is enlarged;
5. The sign is converted to an electronic message board or digital display;
6. The sign is structurally altered in a way that increases or extends its useful life beyond ordinary maintenance and repair;
7. The sign is damaged or destroyed to the extent that repair or replacement would constitute reconstruction under applicable building code standards; or
8. The sign is discontinued for a period of 12 consecutive months.

G. Change of copy. Changing the copy or message on a legal nonconforming off-premises sign does not, by itself, cause loss of legal nonconforming status, provided the sign is not otherwise enlarged, relocated, converted, reconstructed, or altered in violation of this section.

H. Substitution of noncommercial message. A noncommercial message may be substituted for any other message on a lawful sign, provided the sign structure and sign display comply with all applicable non-content-based requirements of this chapter.

I. State and federal law. Off-premises signs visible from state or federal highways may also be subject to state or federal outdoor advertising laws, including Chapter 47.42 RCW and applicable WSDOT regulations. The city's approval of any sign does not waive or replace any required state or federal approval.

J. Permit application review. The city may require any sign permit applicant to provide information showing whether the proposed sign is on-premises or off-premises. The applicant shall certify that the information provided is true and correct.

K. Violation. Placement, display, maintenance, enlargement, relocation, reconstruction, or conversion of an off-premises sign or billboard in violation of this section is a violation of this chapter and shall be enforced under PMC 18.72.160.

18.72.080 Maximum Sign Area.

A. Unless otherwise stated in this chapter, the total sign area for all signs located on a building or parcel may not exceed 20 percent of the largest single building facade facing a public street.

B. For purposes of this section, an alley is not a street.

C. The following signs are not included when calculating maximum sign area under this section:

1. Freestanding signs;
2. Freeway signs;
3. Sandwich board signs;
4. Temporary signs;
5. Window signs;
6. Flags;
7. Very small freestanding signs; and
8. Any other sign expressly excluded by this chapter.

18.72.090 Historic Downtown Pedestrian District Guidelines.

A. The following guidelines apply in the HDP district and are intended to encourage signs that support the historic, pedestrian-oriented character of downtown.

B. Signs in the HDP district should:

1. Contribute to the pedestrian-oriented character of the district;
2. Be designed to complement the historical character of the district;
3. Avoid covering architectural features;
4. Be centered or otherwise located in a manner compatible with the building design;
5. Use the minimum number of signs reasonably necessary;

6. Use the smallest sign area reasonably necessary;
7. Avoid unnecessary visual clutter;
8. Avoid placement in alleys where practical; and
9. Complement window displays when placed in or on windows.

C. Externally illuminated signs and neon signs are encouraged in the HDP district when consistent with this chapter.

D. Blade signs in the HDP district should not exceed two square feet for each 10 linear feet of building facade height.

E. These guidelines do not authorize a sign that is otherwise prohibited by this chapter.

18.72.100 Content Neutrality And Message Substitution.

A. Nothing in this chapter shall be interpreted or applied to regulate the content, message, or viewpoint of any sign.

B. The city's review of sign permits shall be limited to objective standards, including sign type, size, height, number, location, materials, illumination, movement, structural safety, maintenance, zoning district, right-of-way impacts, accessibility, sight distance, and other non-content-based requirements.

C. A noncommercial message may be substituted for any commercial message, and one noncommercial message may be substituted for another noncommercial message, on any sign allowed by this chapter, provided the sign structure and sign display comply with all applicable non-content-based standards.

D. If any provision of this chapter is found to impermissibly regulate sign content, message, or viewpoint, the provision shall be severed or interpreted to the maximum extent possible to preserve the city's lawful regulation of sign size, height, location, structure, illumination, movement, duration, safety, accessibility, and maintenance.

18.72.110 Variances.

A. A person may request a variance from this chapter in accordance with PMC 18.75.080.

B. A variance may not be used to allow a sign prohibited by PMC 18.72.040 unless the variance criteria are satisfied and the approval is consistent with applicable law.

18.72.120 Nonconforming Signs.

A. Legal nonconforming signs. A sign that lawfully existed before the effective date of the ordinance adopting or amending this chapter, but that does not comply with current standards, is a legal nonconforming sign if:

1. The sign was covered by a valid sign permit when a permit was required; or
2. No sign permit was required at the time and the sign complied with applicable law when established.

B. Loss of legal nonconforming status. A legal nonconforming sign loses its legal nonconforming status if:

1. The sign is altered in a way that increases its nonconformity;
2. The sign is relocated;
3. The sign is replaced; or
4. The sign is abandoned.

C. Maintenance allowed. Ordinary maintenance and repair do not cause a legal nonconforming sign to lose its status, provided the maintenance or repair does not increase the nonconformity.

D. Unsafe signs. Nothing in this section prevents the city from requiring repair or removal of a sign that is unsafe, damaged, deteriorated, abandoned, or otherwise dangerous.

E. Legal nonconforming off-premises signs and billboards. In addition to the requirements of this section, legal nonconforming off-premises signs and billboards are subject to PMC 18.72.077. If there is a conflict between this section and PMC 18.72.077, the more restrictive provision applies.

18.72.130 Sign Permits, Applications, And Fees.

A. Permit required. Unless exempt, no sign governed by this chapter may be erected, altered, placed, displayed, relocated, or maintained without a sign permit issued by the city.

B. Application forms. Applications shall be submitted on forms provided by the City Administrator or designee.

C. Application materials. Unless modified or waived by the City Administrator or designee because the information is not needed to determine compliance, a sign permit application must include:

1. A completed application form;
2. Applicant name and contact information;
3. Property owner or tenant authorization;
4. Site address or sign location;
5. Site plan, sketch, or photograph showing the proposed sign location;

6. Drawing, photograph, or description of the sign showing dimensions, sign area, height, materials, illumination, and construction details;
7. Information showing compliance with sight-distance, clearance, accessibility, and right-of-way requirements, where applicable; and
8. Any other information reasonably necessary to determine compliance.
9. A statement identifying whether the proposed sign is an on-premises sign or an off-premises sign, together with information sufficient for the city to verify the classification.

D. Fees. The applicant shall pay the applicable permit fee established in the city's adopted fee schedule. No permit shall be issued until the required fee has been paid.

E. Permit decisions. Permit decisions shall be based on the objective standards in this chapter and other applicable provisions of the Prosser Municipal Code.

F. Permit conditions. The city may impose conditions necessary to ensure compliance with this chapter, protect public safety, preserve accessibility, protect sight distance, or coordinate right-of-way use.

G. Permit suspension or revocation. A sign permit may be suspended or revoked if:

1. The sign violates this chapter;
2. The sign violates permit conditions;
3. The application contained materially incorrect information;
4. Required fees were not paid;
5. The sign creates a public safety, accessibility, sight-distance, or right-of-way hazard; or
6. The sign is abandoned, unsafe, damaged, or not maintained.

H. Public inspection. Sign permit applications and issued permits shall be available for public inspection consistent with applicable public records laws.

I. Applicant certification. The applicant shall certify that the sign is not an off-premises sign unless the applicant is seeking approval for a sign expressly allowed by this chapter or required to be allowed by state or federal law. The city may deny a sign permit if the applicant fails to provide information sufficient to determine whether the sign is on-premises or off-premises.

18.72.140 Requirements Applicable To All Signs.

A. Adopted codes. Signs must comply with the building, fire, electrical, accessibility, and construction codes adopted by the city, as now enacted or later amended.

B. Illumination. Illumination from or upon any sign must be located, shaded, shielded, directed, or reduced to avoid undue brightness, glare, or reflection on surrounding property and to avoid unreasonably distracting motorists, cyclists, or pedestrians.

C. Maintenance. Signs must be maintained in a safe, secure, clean, upright, and good condition.

D. Repair or removal. If a sign is unsafe, insecurely fastened, deteriorated, abandoned, or otherwise dangerous, the owner, occupant, permit holder, or person responsible for the sign must repair or remove the sign within the time stated in a notice issued by the city.

E. Obstruction prohibited. Signs may not obstruct any door, window, exit, fire lane, fire access route, driveway, alley, sidewalk, pedestrian route, wheelchair ramp, accessible route, sight-distance area, or area open to public travel.

F. Landscaping or barriers. Freestanding signs and freeway signs must include landscaping or a barrier at the base to prevent vehicles from striking the sign-supporting structure and to improve the appearance of the installation. The area must extend at least six feet in all directions around the base of the sign. Required landscaping or barriers must be installed within 60 days after sign installation unless the city grants a written extension.

G. Inspection. The city may inspect signs for compliance with this chapter. Inspections shall be conducted during reasonable hours and in a lawful manner. Where required by law, the city shall obtain consent, an inspection warrant, or other lawful authorization before entering areas not open to the public, except in an emergency or other circumstance authorized by law.

H. More restrictive standard applies. If two provisions of this chapter apply to the same sign and conflict, the more restrictive provision applies unless otherwise expressly stated.

18.72.150 Reserved.

18.72.160 Administration And Enforcement.

A. Administration. The City Administrator or designee is responsible for administering this chapter and may adopt forms, checklists, procedures, and administrative rules to implement this chapter, consistent with Chapter 2.115 PMC.

B. Enforcement authority. The Building Official, Code Enforcement Officer, City Administrator, or designee may enforce this chapter.

C. Civil infraction. The violation of, or failure to comply with, any provision of this chapter is unlawful and is designated as a civil infraction.

D. Civil process. Violations of this chapter shall be processed under Chapter 1.40 PMC and Chapter 7.80 RCW, as applicable.

E. No misdemeanor penalty. A violation of this chapter shall not be punishable by imprisonment. Repeat violations may be treated as repeat civil infractions but shall not be converted to misdemeanors under this chapter.

F. Separate violations. Each day a violation continues after notice has been issued and the required correction period, if any, has expired may be treated as a separate civil infraction.

G. Responsible persons. The city may enforce this chapter against any person responsible for a violation, including the sign owner, permit holder, property owner, tenant, business owner, person placing the sign, person benefiting from the sign, or any person who causes, allows, maintains, or fails to correct the violation.

H. Voluntary correction. The city may seek voluntary correction before issuing a notice of civil infraction where reasonable and appropriate. The city is not required to seek voluntary correction before issuing a civil infraction if:

1. An emergency exists;
2. The violation creates a safety, traffic, accessibility, or right-of-way hazard;
3. The violation is a repeat violation;
4. The violation cannot be corrected;
5. The sign is located in public right-of-way without authorization; or
6. The responsible person knew or reasonably should have known the sign violated this chapter.

I. Other civil remedies. In addition to issuing a civil infraction, the city may pursue any lawful civil remedy, including permit suspension, permit revocation, removal, impoundment, abatement, recovery of costs, or injunctive relief.

18.72.170 Removal And Impoundment Of Unlawful Signs.

A. Removal authorized. The city may remove or require removal of any sign placed, displayed, or maintained in violation of this chapter.

B. Immediate removal. The city may immediately remove a sign without prior notice if the city determines that the sign:

1. Creates a traffic, pedestrian, accessibility, emergency access, maintenance, construction, or public safety hazard;
2. Is located in a street, travel lane, bicycle lane, public parking space, sidewalk, wheelchair ramp, accessible route, or other location where immediate removal is necessary;
3. Is attached to a utility pole, streetlight, traffic control device, official public sign, tree, public structure, or other prohibited location;
4. Interferes with city maintenance, construction, emergency response, or special event operations; or

5. Is abandoned, unsafe, damaged, or structurally unstable.

C. Notice where practical. When immediate removal is not necessary, the city may provide notice and a reasonable opportunity to correct the violation before removing or impounding a sign.

D. Impoundment. A sign removed by the city may be impounded. The owner or responsible person may reclaim an impounded sign upon proof of ownership or responsibility and payment of applicable impound, storage, administrative, or other fees established in the city's adopted fee schedule.

E. Disposal. If an impounded sign is not claimed within 30 days after removal, the city may dispose of the sign. The city is not required to retain a sign that is unsafe, perishable, valueless, damaged beyond repair, or impracticable to store.

F. Appeal. A person aggrieved by sign impoundment may appeal in the manner established by Chapter 1.40 PMC or other applicable city procedure. Any appeal fee shall be as established in the city's adopted fee schedule.

G. Other remedies preserved. Removal or impoundment does not limit the city's authority to issue a civil infraction, recover costs, revoke a permit, require abatement, or pursue any other civil remedy authorized by law.

18.72.990 Severability.

If any section, subsection, sentence, clause, paragraph, phrase, or word of this chapter is held invalid or unconstitutional by a court of competent jurisdiction, the invalidity or unconstitutionality shall not affect the validity or constitutionality of any other section, subsection, sentence, clause, paragraph, phrase, or word of this chapter.

Section 2. SEVERABILITY. The provisions of this ordinance are hereby declared to be severable. If any section, subsection, sentence, clause, or phrase of this ordinance or its application to any person or circumstance is for any reason held to be invalid or unconstitutional, the remainder of this ordinance shall not as a result of said section, sentence, clause, or phrase be held unconstitutional or invalid.

Section 4. This ordinance shall take effect five (5) days after passage and publication of an approved summary thereof consisting of the title.

PASSED by the City Council and **APPROVED** by the Mayor, this 23rd day of June, 2026.



MAYOR GARY VEGAR

APPROVE
 VETO

ATTEST:



JACQUELINE RENTERIA, CITY CLERK

APPROVED AS TO FORM:



BENJAMIN GOODWIN, CITY ATTORNEY

Date of Publication: 07/01/2024

SUMMARY OF ORDINANCE NO. 26-3314

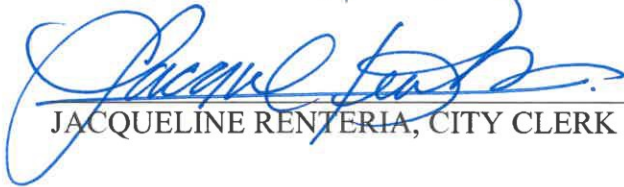
of the City of Prosser, Washington

On the 23rd day of June, 2026, the City of Prosser, Washington, passed Ordinance No. 26-3314. A summary of the content of said ordinance, consisting of the title, provides as follows:

AN ORDINANCE AMENDING PROSSER MUNICIPAL CODE CHAPTER 18.72 SIGNS AND PROVIDING FOR SEVERABILITY; ESTABLISHING AN EFFECTIVE DATE; AND PROVIDING FOR PUBLICATION BY SUMMARY.

The full text of this Ordinance will be mailed upon request.

DATED this 23rd day of June, 2026



JACQUELINE RENTERIA, CITY CLERK