

# ORDINANCE NO. 702

AN ORDINANCE OF THE COUCIL OF THE TOWN OF DARRINGTON, WASHINGTON  
AMENDING CHAPTER 19 DARRINGTON MUNICIPAL CODE, **SIGNS.**

## TITLE 19 - **SIGNS**

### CHAPTERS:

- 19.04 General Provisions
- 19.08 Definitions
- 19.12 Permits
- 19.16 Design and Construction
- 19.20 Signs on or Over Public Right-of-Way
- 19.24 Prohibited Signs and Devices
- 19.28 Regulations Based on Land Use Categories
- 19.32 Penalties

### CHAPTER 19.04 GENERAL PROVISIONS

#### Sections:

- 19.04.010 Title
- 19.04.020 Purposes
- 19.04.030 Liability for Damages

#### 19.04.010 - Title.

This title shall be hereinafter known as the "Darrington Sign Code"; it may be cited as such and will be hereinafter referred to as "this code".

#### 19.04.020 - Purposes.

- A. The town council finds that it is necessary to regulate signs in the town to help assure that Darrington is a safe and attractive place in which to live and to do business.
- B. Measures taken in this chapter to achieve this purpose reflect the town council's consideration of:
  - 1. The vantage points of pedestrians, motorists, cyclists, visitors, residents, and occupants of homes, shops, other buildings and real property.

2. Safety through care in placement, sizing and illumination of signs so as to avoid visual clutter, distraction or obstruction of vision of pedestrians and motorists or obstruction of right-of-way.
3. Communication between businesses, organizations and the general public.
4. Economy for those erecting signs, or maintaining or modifying already-existing signs, through care in specifying style and construction; by reducing the need to replace signs which might become obscured by unnecessarily large neighboring signs; by providing adequate time to replace signs which do not comply with the new standards; by protecting property values; and by preserving the community character which attracts visitors and new residents, and sustains business development.
5. Benefits to business districts and the community at large through consistency in placement, architectural and historical qualities of Darrington and scale and harmony of signs with buildings, natural settings and other signs.
6. General public health, safety and welfare.
7. Fair and consistent enforcement of these sign regulations.

#### **19.04.030 - Liability for damages.**

Nothing in this code shall relieve any person, corporation, firm or entity from responsibility for damages to any other person suffering physical injury or damage to property as a result of the installation, display, maintenance or removal of any sign authorized under this code. The town and its employees and officials shall assume no liability for such injury or damage resulting from the authorization of any permit or inspection implementing the provisions of this code.

## **CHAPTER 19.08 DEFINITIONS**

### **Sections:**

- 19.08.010 Generally
- 19.08.020 Access Road
- 19.08.030 Animated Sign
- 19.08.040 Area and Background Area
- 19.08.050 Exposed Building Face
- 19.08.060 Freestanding Sign
- 19.08.070 Glare
- 19.08.080 Height
- 19.08.090 Hotel
- 19.08.100 Off-Premises Sign
- 19.08.110 On-Premises Sign
- 19.08.120 Permanent Sign
- 19.08.130 Planned Shopping Center (Mall)

19.08.140	Portable Sign
19.08.150	Public Facility
19.08.160	Real Estate Sign
19.08.170	Real Estate Directional Sign
19.08.180	Sign
19.08.190	Special Permission Sign
19.08.200	Temporary Sign
19.08.210	Traffic Markings
19.08.220	Traffic Sign
19.08.230	Uniform Building Code

**19.08.010 - Generally.**

Special words used in this code shall be defined as set out in this chapter.

**19.08.020 - Access road.**

"Access road" means a driveway, as defined in the town zoning code.

**19.08.030 - Animated sign.**

"Animated sign" means any sign or portion of which physically moves, including rotation or on which letter ring or figures appear to move due to flashing lights. However, changes in background or border lighting which occur at a rate of no more than ten lines per minute and which utilize lamps of no more than fifteen watts are classified as non-animated portions of signs.

**19.08.040 - Area and background area.**

"Area" and "background area" means the entire face of a sign or panel upon which copy or insignia may be placed. Where separate letters or shapes are used, the sign area shall be that encompassed by drawing lines at the extremities of the shapes to be used.

**19.08.050 - Exposed building face.**

"Exposed building face" means that portion of the building exterior wall or tenant space wall area of the building, together with one-half the vertical distance between eaves and ridge of a pitched roof above it, used for sign area calculation purposes as provided below:

- A. That portion of the building wall fronting on the principle public street from which the building has access;

B. That portion of the building wall which fronts on an access road; or

C. That portion of the building wall wherein the principal public entrance to an individual tenant space within a multi-tenant building is located.

**19.08.060 - Freestanding sign.**

"Freestanding sign" means a sign installed on a permanent foundation not attached to a building or other structure.

**19.08.070 - Glare.**

"Glare" means the creation of an intense relative brightness exceeding two hundred fifty foot-lamberts, which causes difficulty in the observation of the general area around the sign.

**19.08.080 - Height.**

"Height" means the distance measured from:

A. The lowest point of elevation of the ground between the top of the sign and a point five feet distant from said sign, or

B. The lowest point of elevation of the finished surface of the ground between the top of the sign and the property boundary if it is less than five feet distant from said sign.

**19.08.090 - Hotel.**

"Hotel" means a building or portion thereof designed or used as a transient rental facility as defined in the town zoning code.

**19.08.100 - Off-premises sign.**

"Off-premises sign" means any sign, which cannot be classified as an on-premise sign.

**19.08.110 - On-premises sign.**

"On-premises sign" means a sign which displays only advertising copy specifically related to the primary lawful use of the premises on which it is located, including signs or sign devices indicating the business transacted at, services rendered, goods sold or

produced on the immediate premises, name of business person, firm or corporation occupying the premises, including signs with adjustable copy known as reader boards.

**19.08.120 - Permanent sign.**

"Permanent sign" means any sign which is erected without a restriction on the time period allowed for its display as specified in this code.

**19.08.130 - Planned shopping center (mall).**

"Planned shopping center (mall)" means a multiple-tenant retail development.

**19.08.140 - Portable sign.**

"Portable sign" means a sign which is not permanently affixed to a structure and is designed or capable of movement, except those signs explicitly designed for people to carry on their persons or permanently affixed to motor vehicles operating in their normal course of business.

**19.08.150 - Public facility.**

"Public facility" means any facility funded with public funds which provides a service to the general public, including but not limited to a public school, public library, community center, public park, government facility or similar use.

**19.08.160 - Real estate sign.**

"Real estate sign" means a sign displayed for a limited time and offering the immediate premises for sale, rent or lease.

**19.08.170 - Real estate directional sign.**

"Real estate directional sign" means an off-premises sign displayed for a limited time and offering a particular property for sale, rent or lease.

**19.08.180 - Sign.**

"Sign" means any medium, including paint or walls, merchandise or visual communication device, its structure and component parts, which is used or intended to be used to attract attention to the subject matter for advertising or identification purposes. Bulletin boards and reader boards are considered signs.

**19.08.190 - Special permission sign.**

"Special permission sign" shall mean a sign requiring a planning commission decision.

**19.08.200 - Temporary sign.**

"Temporary sign" means a sign which is erected for a limited time and may be used to advertise business, community or civic projects, real estate for sale or lease, or other special events.

**19.08.210 - Traffic markings.**

"Traffic markings" means all lines, patterns, words, colors or other devices except signs and power-operated traffic-control devices, set into the surface or, applied upon, or attached to the pavement or curbing or to objects within or adjacent to the roadway, placed for the purpose of regulating, warning or guiding traffic.

**19.08.220 - Traffic sign.**

"Traffic sign" means a device mounted on a fixed or portable support whereby a specific message is conveyed by means of words or symbols placed or erected for the purposes of regulating, warning or guiding traffic.

**19.08.230 - Uniform building code.**

"Uniform building code" means the currently adopted edition of the International Building Code.

**CHAPTER 19.12 PERMITS**

**Sections:**

- 19.12.010 Required
- 19.12.020 Application Procedure
- 19.12.030 Application for Sign Permit-Contents
- 19.12.040 Exceptions – Permits Not Required
- 19.12.050 Criteria for Granting Variances
- 19.12.060 Fees – Permanent Signs
- 19.12.070 Fees – Work Started Prior to Permit Issuance
- 19.12.080 Maintenance and Removal of Signs
- 19.12.090 Revocation

### **19.12.010 - Required.**

A. No sign needing a permit shall hereafter be erected, re-erected, constructed or altered, except as provided by this code and a permit for the same has been issued by the town acting through its building official, provided that a sign posted for purposes of giving public notice pursuant to this code shall be exempt from the requirements of this title.

B. Electrical permits shall be obtained for electrified signs through the department of labor and industries.

### **19.12.020 - Application procedure.**

Application for a sign permit shall be made in writing upon forms furnished by the town clerk's office. Such application shall contain the location of the proposed sign structure by street and number or surveyor's exhibit or legal description, as well as the name and address of the sign contractor or erector.

### **19.12.030 - Application for sign permit—Contents.**

When applying for a sign permit, a simple illustration showing how the proposed sign shall look on the site shall be submitted. A vicinity map at a scale of one inch representing two hundred feet (or larger) shall be required, showing the property on which the proposed sign is located, the street and nearest intersection. A site plan at the scale of one inch representing twenty feet (or larger) shall be required, showing the location of the sign, structures, right-of-way, easements and property lines. Elevation projections of the proposed sign shall also be submitted with the application and shall include, but not be limited to, the following: the sign's relationship to the property lines, easements, setback lines, supporting structure, colors and materials and method of illumination.

### **19.12.040 - Exceptions—Permits not required.**

The following shall not require a permit unless specifically prohibited under chapter 19.24 (these exceptions shall not be construed as relieving the owner of any responsibility of its erection and maintenance and its compliance with the provisions of this code or any other law or ordinance regulating the same).

A. The changing of the advertising copy or message on a painted or printed sign, theater marquee and similar signs specifically designed for the use of replacement copy;

B. Painting, repainting or cleaning of an advertising structure, or the changing of the advertising copy or message thereon shall not be considered an erection or alteration

which requires a sign permit unless a structural or electrical change is made of the areas or the shape of the sign is altered.

C. Temporary signs, not exceeding 30 days annually.

D. Real estate signs not exceeding four square feet in area offering the immediate premises for sale, lease, or rent.

E. Signs not exceeding four square feet in area.

F. Temporary signs denoting the architect, engineer or contractor, when placed upon work under construction and not exceeding thirty-two square feet in area.

G. Memorial signs or tablets, names of buildings, and dates of erection, when cut into any masonry surface or when constructed of bronze or other natural material.

H. Signs of utilities indicating danger and service or safety information.

I. Political signs, posters, or bills promoting or publicizing candidates for political office or issues that are to be voted upon in an election. It shall be the responsibility of the property owner to have signs, posters or bills removed. No political signs of any type are permitted to be located on any utility pole, bridge, sidewalk, or town-owned or operated vehicle, or any public property of any kind.

J. Signs of community service organizations, including notation of place and date of meetings and events.

K. Sandwich board signs that do not exceed twelve square feet and forty-eight inches in height, meet the WSDOT right-of-way setback requirements, are not placed in pedestrian walkways, and are in place during regular daily business hours and/or a period not exceeding thirty days.

#### **19.12.050 - Criteria for granting variances.**

Variance review shall be a planning commission decision pursuant to the town zoning code. The planning commission may grant a variance to the requirements of this code only if the applicant demonstrates compliance with the following criteria:

A. That the variance as approved shall not constitute a grant of special privilege which is inconsistent with the intent of this sign code, nor which contravenes the limitation uses of property specified by the zoning classification in which this property is located.



B. That the variance is necessary because of special circumstances relating to the size, shape, topography, location or surroundings of the subject property to provide it with use rights and privileges permitted to other properties in the vicinity and in the zone in which the subject property is located.

C. That the granting of the variance will not be materially detrimental to the public welfare or injurious to the property or improvements in the vicinity and in the zone in which the subject property is located.

D. That the special conditions and circumstances prompting the variance request do not result from the actions of the applicant.

E. That the variance as granted represents the least amount of deviation from prescribed regulations necessary to accomplish the purpose for which the variance is sought and which is consistent with the stated intent of this code.

F. That granting of the variance shall result in greater convenience to the public in identifying the business location for which a sign code variance is sought.

G. That the granting of the variance will not constitute a public nuisance or adversely affect the public safety.

H. The proposed variance shall not interfere with the location and identification of adjacent business buildings or activities.

#### **19.12.060 – Fees - Permanent signs.**

At the time of application for a permit to erect or install a sign or device controlled by this code, the town clerk shall collect an initial deposit of fifty dollars. This fee does not include the costs of engineering checks nor of electrical or other inspections required by the town or other appropriate agencies.

#### **19.12.070 – Fees - Work started prior to permit issuance.**

Where work for which a permit is required by this code is started prior to obtaining a permit, the fees specified in sections 19.12.060 shall be doubled, but the payment of such double fee shall not relieve any person from fully complying with the requirements of this code in the execution of the work nor from any other penalties prescribed herein.

### **19.12.080 - Maintenance and removal of signs.**

A. All signs together with their supports, braces, guys and anchors shall be kept in repair and in proper state of preservation. The surface of all signs shall be kept neatly painted or posted at all times. The ground area shall be neat and orderly.

B. The building official may order the removal or maintenance of any sign that is not maintained in a safe and orderly condition. The order for removal or maintenance of any sign shall be sent by the building official to the person to whom the sign permit was granted, or the property owner if no authorized permit was granted, by certified mail, return receipt requested. If the action requested in the order is not taken within thirty days from the date of the notice, the building official may direct the signs to be removed from the premises. The permittee or owner shall be charged an amount equal to the town cost for removal, but in no event shall the fee be less than amount shown on town fee schedule.

### **19.12.090 - Revocation.**

The building official is authorized and empowered to revoke any permit upon failure of the holder thereof to comply with any provision of this code.

## **CHAPTER 19.16 DESIGN AND CONSTRUCTION**

Sections:

### **ARTICLE I - DESIGN**

- 19.16.010 Conformance to Building Code Required
- 19.16.020 Exposed Surfaces – Appearance
- 19.16.030 Glare Prevention Required
- 19.16.040 Wall Mounted Sign
- 19.16.050 Signs Near Intersections or Visible from Vehicles

### **ARTICLE II - CONSTRUCTION**

- 19.16.060 Supports to Conform to Building Code
- 19.16.070 Materials
- 19.16.080 Electrical Wiring

### **ARTICLE I - DESIGN:**

#### **19.16.010 - Conformance to building code required.**

Signs and structures shall be designed and constructed in accordance with the requirements for structures in the International Building Code (current edition).

**19.16.020 - Exposed surfaces—Appearance.**

The exposed surfaces of all signs and sign supports shall present a neat and finished appearance, utilizing the minimum number of elements and exposed fastening devices.

**19.16.030 - Glare prevention required.**

The signs shall be illuminated or detailed in such a way that glare is not created for occupants of surrounding properties or for drivers or pedestrians using adjacent streets and right-of-way.

**19.16.040 - Wall mounted signs.**

No part of a wall-mounted sign shall extend above the top of the wall to which the signing is attached.

**19.16.050 - Signs near intersection or visible from vehicles.**

Where the sign is in the vicinity of an intersection, or where the sign is intended to be read from moving vehicles, the graphic devices and letter styles employed shall be clear and easy to read.

**ARTICLE II - CONSTRUCTION:**

**19.16.060 - Supports to conform to building code.**

Sign or sign structures shall be placed in or upon private property and shall be securely built, constructed and erected in accordance with the requirements of the latest edition of the International Building Code.

**19.16.070 - Materials.**

Materials of construction for signs and sign structures shall be of the quality and grade as specified for buildings in the latest edition of the International Building code.

**19.16.080 - Electrical wiring.**

A. All signs containing electrical wiring shall be subject to the requirements of the current code as administered by the Washington State Department of Labor and Industries.

B. Electrical service shall be located underground or otherwise concealed from view; meters and disconnects shall be integrated with the design or its support to conceal or blend with it.

## **CHAPTER 19.20 - SIGNS ON OR OVER PUBLIC RIGHTS-OF-WAY**

### **Sections:**

19.20.010 - Projections over public right-of-way.

19.20.020 - Signs on public right-of-way.

19.20.030 - Permits revocable.

19.20.040 - Hold harmless agreement.

### **19.20.010 - Projections over public right-of-way.**

A. Signs projecting over a sidewalk shall be at least 8 feet above the walkway. Signs projecting over an area of vehicular traffic shall be at least 16 feet above the travel surface.

B. Signs must comply with WSDOT standards.  
In no event shall a sign be located to create a safety hazard.

### **19.20.020 - Signs on public right-of-way.**

A. Nothing in this code shall be interpreted as controlling public and informational signs placed on the public right-of-way by any governmental agency or utility having underground or overhead installations.

B. Public facility directional signs for public buildings, such as town-owned buildings, public schools, libraries, hospitals and other similar public facilities may be placed entirely on the public right-of-way. Such signs are limited to one of the foregoing types at locations approved by the Type 2 decision-making process. Each sign must be of size, height, color, design and mounting, and so located as to comply in all respects with the Manual on Uniform Traffic Control Devices for Streets and Highways, current edition published by the U.S. Department of Transportation, Federal Highway Administration.

C. No sign may be placed in or over town utility rights-of-way or easement area, except under prior agreement between the town and the property owner.

### **19.20.030 - Permits revocable.**

All permits issued for any sign or sign supporting structures projecting over a public right-of-way shall be a mere license and revocable at any time by the town acting through its building official, upon due notice, in case the permitted use becomes insecure or unsafe or is not constructed, maintained or used in accordance with the provisions of this code. Upon revoking such permit, or at any time thereafter, the town may request the permittee to remove such sign and its supporting structure. If it is not removed as requested within the time specified, the town may remove such sign and structure, all at the expense of the permittee, payment for which may be enforced in any manner permitted by law.

### **19.20.040 - Hold harmless agreement.**

The owner and/or the permittee of any sign projecting over a public right-of-way shall agree to indemnify and hold harmless the town from loss, damage, judgments, costs or expense which the Town may incur or suffer, by reason of granting of the permit.

## **CHAPTER 19.24 - PROHIBITED SIGNS AND DEVICES**

Sections:

19.24.010 - Designated.

19.24.020 - Unauthorized signs on or over public right-of-way—Removal.

19.24.030 - Non-conforming signs.

19.24.040 - Closure and vacation of business—Time limit for sign removal.

### **19.24.010 - Designated.**

The following signs or devices are specifically prohibited:

A. Signs adjacent to state roads not complying with Washington State Department of Transportation regulations.

B. Signs obstructing the vision of public access to a road, street or alley;

C. Signs placed on or affixed to light poles, telephone poles, natural features or on lighting or traffic standards;

D. Signs placed where utility easements or corridors have been established except as specified in chapter 19.20

E. Signs that may distract or be hazardous to pedestrians or motorists;

F. Signs mounted or painted on stationary motor vehicles, trailers and related devices. This section shall not be construed to prohibit such signs on a vehicle or trailer operating during the normal course of business. The intent of this subsection is to prevent the use of signs on vehicles and trailers to otherwise circumvent the purpose and intent of this chapter.

G. Portable signs or any sign which is not permanently mounted

H. Roof-top signs.

I. Wall mounted signs extending above the parapet and/or roofline.

J. All off-premises signs

K. Signs advertising businesses outside the town of Darrington,

#### **19.24.020 - Unauthorized signs on or over public right-of-way—Removal.**

Unauthorized signs or other advertising devices either wholly or partially supported on or in the public right of way shall be removed by the building official without notice to the owner. Such signs or devices shall be held by the town clerk for a period not to exceed thirty days, during which time the owner may redeem such sign or device by payment to the town of an amount equal to the town's cost for the removal and storage, but in no event shall the fee be less than fifty dollars. After expiration of the thirty-day period, the sign not having been redeemed shall become the property of the town.

#### **19.24.030 - Non-conforming signs.**

Any non-conforming sign which was erected prior to, or which was erected legally in accordance with the provisions of the sign ordinance in effect at the time of erection, or which has a valid building permit from the town may remain in use until such time as:

A. There is a change in use of the land, building or tenant-space within a building that the sign identifies; or

B. There is a substantial alteration or enlargement to the site or building exterior upon which a non-conforming sign is located requiring issuance of a license or permit from the town.

C. There is a change in the letter style, size, color, background, message or sign structure that requires manufacturing of a new or modified sign face or structure.

Exception: Easily replaceable bills and letters as in the case of a reader board requiring no new modification. Any non-conforming permanent sign shall be brought into conformance with the requirements of this code or shall be removed.

**19.24.040 - Closure and vacation of business—Time limit for sign removal.**

Upon the closure and vacation of a business or activity, the owner of said business or activity shall have thirty days from the date of closure to remove all signs relating to the business or activity. If the owner of the property on which the signs are located fails to remove the signs within the thirty days, then the building official, upon due notice may remove the signs at the owner's expense with a fee no less than fifty dollars.

**CHAPTER 19.28 - REGULATIONS BASED ON LAND USE CATEGORIES**

Sections:

**ARTICLE I - GENERAL REGULATIONS**

19.28.010 Generally

19.28.020 Signs in Underground Utility Easements and Corridors

**ARTICLE II - RESIDENTIAL**

19.28.030 - Permitted signs in residential zones

19.28.040 - Multiple family development.

**ARTICLE III - COMMERCIAL/BUSINESS ZONES**

19.28.050 Where signs will face residential zones or multiple family or public facilities.

19.28.060 Commercial Zones Where Signs Will Face or Abut Other Commercial or Industrial Zones.

**ARTICLE IV - LIGHT INDUSTRIAL/MANUFACTURING**

19.28.070 Signs shall be as described Article III, 19.32.050 - 19.32.060

## **Article I. - General Regulations**

### **19.28.010 - Generally.**

The type, character, number, location and size of permanent signs vary with the land use category in which the signs are located. The land use categories are as established under Title 18.

### **19.28.020 - Signs in underground utility easements and corridors.**

Where underground utility easements or corridors have been established, no signs shall be located in the corridor or easement.

## **Article II. - Residential Zones**

### **19.28.030 - Permitted signs in residential zones**

Home occupation may be identified by a single, non-illuminated wall plaque of not more than four square feet.

### **19.28.040 - Multiple family development.**

Each multiple-family development may have one sign for the purpose of naming or otherwise identifying the project. Total area of the sign faces shall not exceed thirty-two square feet; maximum height above average grade, when in setback area, shall not exceed five feet, and base of the sign shall be located in landscaped area.

## **Article III. - Commercial Zones / Business Zones**

### **19.28.050 - Where signs will face residential zones or multiple family or public facilities.**

A. Approved free standing signs may have one sign for each independent business for each street upon which the property fronts; signs shall be limited to a maximum height above ground of 10 feet; each side shall be limited to a maximum of 32 square feet in area.

B. Illuminated signs shall use indirect, concealed sources or backlighted letters on an opaque background.

C. All freestanding signs must be approved by the planning commission.



Signs may be approved if the effect of the proposed sign would not contribute to a cluttered or confusing condition nor would generally degrade the physical appearance or character of the street or neighborhood.

**19.28.060 - Commercial Zones Where Signs Will Face Other Commercial or Industrial Zones.**

A. Freestanding signs: One freestanding sign shall be permitted for each independent business for each street which the property fronts.

B. Any permitted freestanding sign shall be limited in height to 25 feet, provided that no freestanding sign shall be higher than the building which it identifies.

C. Free standing sign height limit 25 feet where facing another commercial or industrial zone. Free standing sign height limit 10 feet where facing a residential or multi-family residential zone; each side shall be limited to a maximum of 32 square feet in area.

**Article IV - Light Industrial/Manufacturing Zones**

19.28.070 Signs shall be as described Article III, 19.28.050 – 19.28.060

**CHAPTER 19.32 - PENALTIES**

**19.32.010 - Penalty for Violations**

Any violation of any provision, or failure to comply with any of the requirements of this chapter, shall be subject to the terms and conditions of the Darrington Municipal Code.

**Condensed General Guidelines. (See code for specific limits and details.)**

1. Signs requiring a permit:
  - a. Greater than 4 square feet.
  - b. Free standing and permanent.
  - c. Has Electrical components.
  - d. Has Plumbing Components.
  - e. Has a complexity or structure or components that Requires Building Permit.

**2. Sign Limits:**

**a. Residential Zone**

- i. Free standing height Limit 5 feet.**
- ii. Total area of the sign faces shall not exceed 32 square feet.**

**b. Commercial or light Industrial Zone**

- i. Free standing sign height limit 25 feet where facing another commercial or industrial zone. Free standing sign height limit 10 feet where facing a residential or multi-family residential zone.**
- ii. Free standing sign area limit 32 square feet.**

**3. All Zones**

- a. Must not create a hazard.**
- b. Must not create a distraction to traffic or pedestrians.**
- c. Must be maintained to highest standard.**
- d. Must not be over vehicular area of public right of way.**
- e. Must be 8 feet above pedestrian area of right of way.**
- f. Must be 16 feet above vehicular travel area.**

**SEVERABILITY.** If any section, sentence, clause or phrase of this ordinance should be held to be invalid or unconstitutional by a court of competent jurisdiction, such invalidity or unconstitutionality shall not affect the validity or constitutionality of any other section, sentence, clause or phrase of this ordinance.

**EFFECTIVE DATE.** This ordinance shall take effect five days after publication by summary.

PASSED by the Town Council and APPROVED by the Mayor this 8<sup>th</sup> day of April, 2015.

TOWN OF DARRINGTON

BY: \_\_\_\_\_

Dan Rankin, Mayor

APPROVED AS TO FORM:

BY: Thomas H Graafstra, Town Attorney

ATTEST:

By: \_\_\_\_\_

**Sonya Blacker, Town Clerk**

