



# CITY OF SALEM

## Written Testimony

### City Council

555 Liberty St SE  
Salem, OR 97301

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**Monday, August 14, 2017**

**6:00 PM**

**Council Chambers**

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- 4.a.**    [17-382](#)                      Amendments to the Salem Revised Code (SRC) Chapter 900, Sign Code. (Ordinance Bill No. 17-17; Case No. CA16-05)

Ward(s): All Wards  
Councilor(s): All Councilors  
Neighborhood(s): All Neighborhoods

**Attachments:**    [Attachment 1 - Ordinance Bill No 17-17](#)  
                              [Attachment 2 - Exhibit A to Ordinance Bill No 17-17](#)  
                              [Attachment 3 - Planning Commission Recommendation](#)  
                              [Attachment 4 - Public Comments](#)  
                              [Attachment 5 - Written Testimony](#)  
                              [Written Testimony - 1](#)

*Add - Written Testimony*

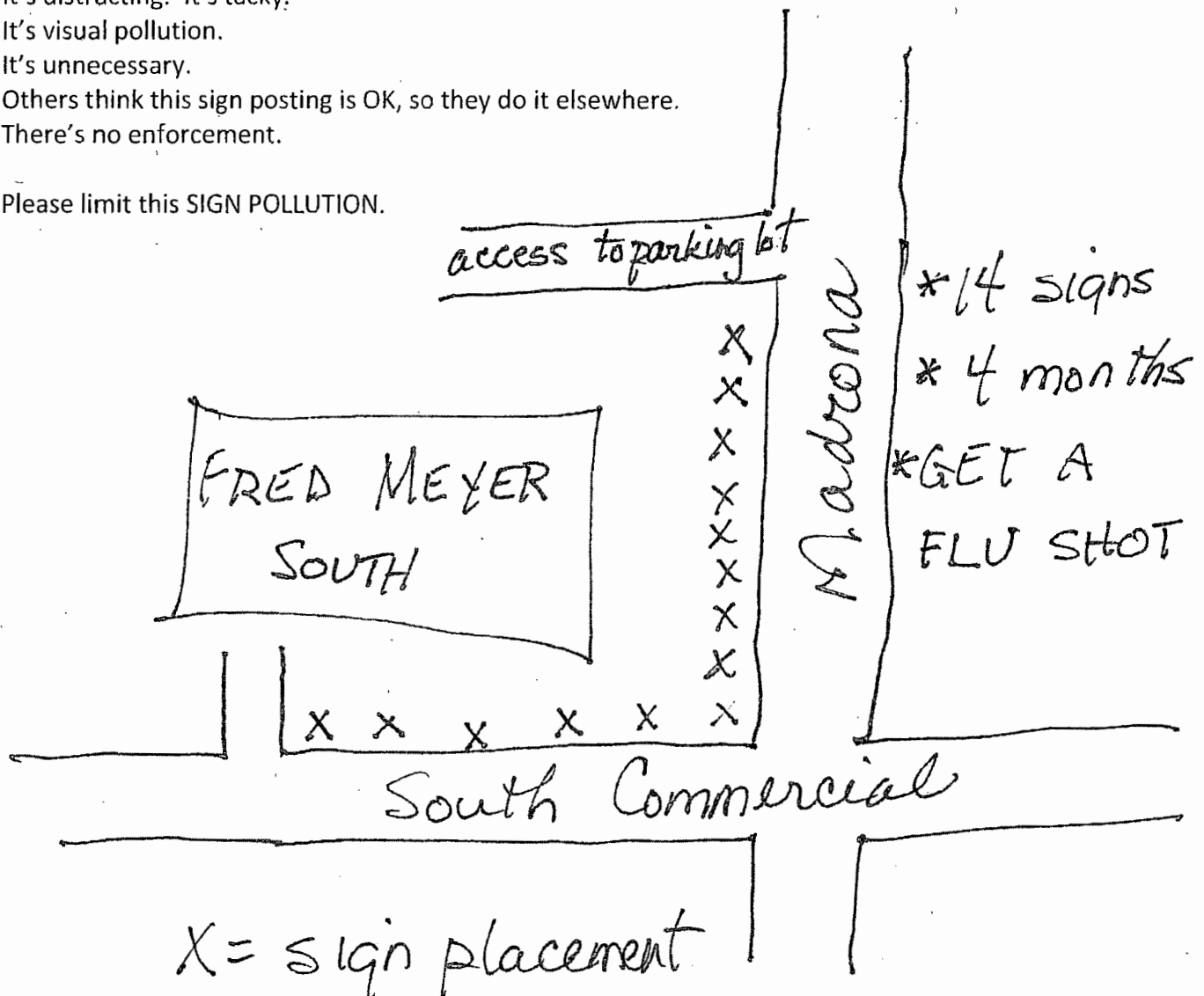
AUG 10 2017

COMMUNITY DEVELOPMENT

Over the past few years, several sign/banner businesses have opened in Salem, producing cheap signs as seen all over town.

Fred Meyer South – for four months, beginning in September or October, 2016, multiple signs:  
GET A FLU SHOT  
9 along Madrona  
turn the corner onto Commercial – 5 more.

Please limit this SIGN POLLUTION.



**Ruth Stellmacher**

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**From:** Brian Hines <brianhines1@gmail.com>  
**Sent:** Sunday, August 13, 2017 6:52 PM  
**To:** citycouncil; CityRecorder  
**Subject:** Advance testimony for sign ordinance agenda item, 8/14 City Council meeting

Here is my advance testimony for agenda item 4.a at tomorrow's City Council meeting. I'm submitting it in the form of a blog post that I just finished writing. I've been concerned about illegal signs in the public right of way for a number of years, along with many other people who want Salem to look attractive, not tacky. Please consider my suggestions for making the current sign ordinance stronger, not weaker.

Here's a link to the blog post:

<http://hinessight.blogs.com/salempoliticalsnark/2017/08/city-council-needs-to-enforce-ban-against-temporary-signs-in-public-right-of-way.html>

Brian Hines  
10371 Lake Drive SE  
Salem, OR 97306

## City Council needs to enforce ban against temporary signs in public right of way

With all the problems in our country (and the world) right now, I understand why some people feel it is wrong to get upset about the many illegal signs littering the public right of way in Salem.

OK, I understand. But I heartily disagree that this isn't important. It is!

Salem's quality of life -- along with our ability to project a positive image to visitors and people/businesses who might want to move here -- is diminished when illegal signs proliferate along our streets, making this town look like a perpetual garage sale.



Lots of the signs are placed by businesses such as Kelly's Home Furnishings. Kelly's periodically puts dozens on signs on the public right of way, getting free advertising at the public's expense. See: "Take down those illegal signs, Kelly's (and other Salem sign scofflaws)."

The current City of Salem sign ordinance requires that someone wanting to put a temporary sign in the public right of way get approval from City officials if the sign is within the city limits.

**900.100. Signs Installed Over or Within the Right-of-Way.** No sign shall be erected over or within public right-of-way unless the placement of the sign is first approved by the governmental unit having jurisdiction over the right-of-way. (Ord No. 4-12)

But revisions to the sign ordinance up for review at tomorrow's City Council meeting do away with the need for this approval, since the proposed revised ordinance eliminates SRC 900.100. The prohibition on temporary signs in the public right of way remains, though.

#### **TEMPORARY SIGNS**

##### **900.160. Temporary Signs, General Standards.**

- (a) Temporary signs shall not be attached to fences, trees, shrubbery, utility poles, or like items and shall not obstruct or obscure permanent signs on adjacent premises.
- (b) No temporary sign shall be placed within a sidewalk intersection.
- (c) Except as provided in SRC 900.100, no temporary sign shall be installed in or project over public right-of-way.

Well,

this doesn't seem like progress.

As several neighborhood associations and individuals concerned about illegal signs noted in comments on the revised ordinance, doing away with the need to get approval for temporary signs in the public right of way sends the message, "Hey, go ahead and place your illegal signs. No permit required now!"

Here's some of the comments:

#### **Northeast Neighbors neighborhood association**

At our July 18 meeting the Northeast Neighbors (NEN) Board voted unanimously to oppose CA 18-05, the proposed amendment to the sign code, for the following reasons:

- Our main concern is with eliminating permits for temporary signs. Without a permit, there would be no way to tell when a temporary sign was put up. The code retains the time limits for temporary signs but there would be no practical way to enforce them. In effect, this code amendment does away with the concept of temporary signs.

...

In short, it seems the wrong direction for the proposed amendment to eliminate temporary sign permits while ignoring gaps in its coverage of temporary signs. We suggest it's time for a more comprehensive review of the sign code if the city wants to address the visual shouting match that we see all over Salem.

**Evan White**

Amy, my one comment right now would be that it is just fine for the city to have a sign code, however I see proliferation of political and other signs in the public right of way, and nothing is being done about it by the City. I also see lots of signs by Kelly, College Pro Painting, Walk to Life, etc. I think non-enforcement of the City's sign code actually penalizes ethical political candidates and businesses that abide by the City's sign code. I do not think it would be so difficult for the City to enforce its code -- simply call the offending businesses or candidates and tell them to remove the sign "or else," and the "or else" should mean a substantive fine -- say \$100 per illegally placed sign. My two cents, and thanks for your good work.

Evan White  
Land Use Chair  
Sunnyslope NA

## South Central Association of Neighbors

SCAN has a growing concern with the proliferation of illegal signs, both on private property and in the public right-of-way. The proposed amendments do not address enforcement of the sign code, but SCAN believes enforcement is the main issue the City needs to address to provide relief from the growing visual pollution and distractions along Salem's arterial and collector streets. The visual shouting match at busy street intersections is a safety hazard.

The City is unwilling or unable to hold the business, organization, or person named on an illegal sign accountable for violating the sign code. This allows businesses or persons to violate the sign code with impunity and likely contributes to the proliferation of illegal signs. SCAN asks the City to search for a way to hold the party named on an illegal sign accountable for that violation and to enforce its sign code.

Thank you for your consideration,



Jeff Schumacher, SCAN President, 2016-17

Thus rather than enforcing the prohibition of signs in the public right of way, the City of Salem wants to make it easier to place these signs by doing away with the current requirement to get approval for such signs. Apparently the rationale is that few people are doing the right thing and requesting approval, so why not allow *anyone* to easily put up illegal signs?

I can think of several reasons.

(1) Requiring approval for temporary signs opens the door to charging a fee for such a permit. Why should Kelly's and other businesses be allowed to use the public right of way for free advertising? If Kelly's wants to put up dozens of signs advertising a sale, then Kelly's should have to pay for this privilege.

(2) Having a fee schedule for permits to place temporary signs in the right of way would generate income that could be used to pay for a Code

Enforcement person to manage the proliferation of such signs. Currently the City of Salem says it doesn't have the money to fund this position. Yet the City isn't taking any steps to generate fees from temporary sign permits -- and now is going further backwards by doing away with the requirement to get approval to put temporary signs in the public right of way,

(3) Eliminating the possibility of getting approval for a temporary sign in the public right of way via the current 900.100 means that there is no way -- none, nada, zilch -- any such sign should be in the public right of way at any time. But there is no indication that the City of Salem intends to enforce this absolute prohibition should the revised sign ordinance be approved.

Meaning, it would be one thing if the City of Salem was eliminating the possibility of getting approval for signs in the public right of way because it intends to crack down hard on sign scofflaws. However, if this is the case, City officials need to make that explicit at tomorrow's City Council meeting, explaining how they are now going to enforce an ordinance that prohibits signs in the public right of way -- now without any way to get approval to go around this prohibition.

The staff report on the proposed sign ordinance changes is confusing in this regard. It says that most illegal signs in the public right of way don't require a permit.

4. During the neighborhood association meetings, citizens expressed concerns that the proposed amendment would make it easier to install illegal signs or affect enforcement of illegal signs. The proposed amendment is to eliminate temporary sign permit. Most sign compliance issues involve temporary signs that do not require permits, such as lawn, rigid signs, or A-Frame signs in the right-of-way.

don't understand this.

Both the current and proposed sign ordinances say "no temporary sign should be installed in or project over public right of way." There is no exemption for certain types of signs, such of those mentioned above (lawn signs, rigid signs, A-Frame signs). So along with the neighborhood associations, I'm perplexed by the staff report's contention that those sorts of temporary signs don't require approval under the current sign ordinance.

It sure looks like the intent of the proposed change is to make it easier for people and businesses to place temporary signs in the public right of way without having to worry about getting a permit or paying a fine. Like I said, this would be a big step backward for Salem -- which should be working to eliminate the plethora of illegal signs rather than encouraging them.

I'll end by noting that when I visit a town that doesn't allow temporary signs in the public right of way, I'm always impressed by what a difference this makes.

For example, my wife and I frequently visit Sisters, Oregon. The town has strict zoning/appearance rules, obviously, because the commercial area looks classy, tasteful, attractive, and temporary sign-free. Ditto with where my daughter lives, Laguna Niguel, California.

Somehow both towns get along fine without temporary signs in the public right of way. In fact, both towns appear to be *prospering* without them.

Our City officials need to grasp that both quality of life and economic development flow from making a town a desirable place to live and work in. It is short-sighted to believe that allowing tacky visual sign pollution is a good thing for Salem.

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