

**ORDINANCE NO. 17  
(SERIES OF 2010)**

**AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF ASPEN,  
COLORADO, APPROVING AMENDMENTS TO THE FOLLOWING SECTION  
OF THE CITY OF ASPEN LAND USE CODE: 26.510**

**WHEREAS**, the Community Development Director of the City of Aspen initiated an application proposing amendments to the Land Use Code, pursuant to Chapter 26.210; and,

**WHEREAS**, the amendments requested relate to Section 26.510, Sign Code, of the Land Use Code of the Aspen Municipal Code; and,

**WHEREAS**, pursuant to Section 26.310, applications to amend the text of Title 26 of the Municipal Code shall be reviewed and recommended for approval, approval with conditions, or denial by the Community Development Director and then by the Planning and Zoning Commission at a public hearing. Final action shall be by City Council after reviewing and considering these recommendations; and,

**WHEREAS**, the Director recommended approval of amendments to the above listed Sections as further described herein; and,

**WHEREAS**, the Planning and Zoning Commission held a duly noticed public hearing to consider the proposed amendments described herein on May 4, 2010, took and considered public testimony and the recommendation of the Director and recommended, by a 6 - 0 vote, City Council adopt the proposed amendments.

**WHEREAS**, during duly noticed public hearings on September 27<sup>th</sup>, October 25<sup>th</sup>, and November 8<sup>th</sup>, 2010, the City Council took public testimony, considered pertinent recommendations from the Community Development Director, referral agencies, Planning and Zoning Commission, and considered the development proposal under the applicable provisions of the Municipal Code as identified herein; and,

**WHEREAS**, the Aspen City Council finds that the development proposal meets or exceeds all the applicable development standards and that the approval of the development proposal, with conditions, is consistent with the goals and elements of the Aspen Area Community Plan; and,

**WHEREAS**, the City Council finds that this ordinance furthers and is necessary for the promotion of public health, safety, and welfare.

**NOW, THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF ASPEN, COLORADO, THAT:**

**Section 1:**

Pursuant to Section 26.310 of the Municipal Code, the City of Aspen City Council hereby approves the amendments to Section 26.510, Sign, which section defines, describes, authorizes, and regulates the process for placing a sign within the City of Aspen to read as follows:

**Chapter 26.510  
SIGNS**

Sec. 26.510.010	Purpose
Sec. 26.510.020	Applicability and scope
Sec. 26.510.030	Procedure for sign permit approval
Sec. 26.510.040	Prohibited signs
Sec. 26.510.050	Sign setback
Sec. 26.510.060	Sign measurement and location
Sec. 26.510.070	Sign illumination
Sec. 26.510.080	Sign lettering, logos and graphic designs
Sec. 26.510.090	Sign types and structural characteristics
Sec. 26.510.100	Signage allotment
Sec. 26.510.110	Sign restrictions for use categories
Sec. 26.510.120	Window displays, window wraps, and interior signage
Sec. 26.510.130	Signage in place prior to December 15 <sup>th</sup> , 2010
Sec. 26.510.140	Policies regarding signage on public property

**26.510.010. PURPOSE.**

The purpose of this Chapter is to promote the public health, safety and welfare through a comprehensive system of reasonable, effective, consistent, content-neutral and nondiscriminatory sign standards and requirements.

Toward this end, the City Council finds that the City is an historic mountain resort community that has traditionally depended on a tourist economy. Tourists, in part, are attracted to the visual quality and character of the City. Signage has a significant impact on the visual character and quality of the City.

The proliferation of signs in the City would result in visual blight and unattractiveness and would convey an image that is inconsistent with a high quality resort environment. Effective sign control has preserved and enhanced the visual character of other resort communities in Colorado and other states. The City must compete with many other Colorado, national and international resort communities for tourism opportunities.

In order to preserve the City as a desirable community in which to live, vacation and conduct business, a pleasing, visually attractive environment is of foremost importance.

These sign regulations are intended to:

City of Aspen City Council  
Ordinance No. 17, Series of 2010

- A. Preserve and maintain the City as a pleasing, visually attractive environment.
- B. Enhance the attractiveness and economic well-being of the City as a place to live, vacation and conduct business.
- C. Address community needs relating to upgrading the quality of the tourist experience, preserving the unique natural environment, preserving and enhancing the high quality human existence, retaining the City's premier status in an increasingly competitive resort market, preserving the historically and architecturally unique character of the City, fostering the "village style" quality of the City and preserving and enhancing scenic views.
- D. Enable the identification of places of residence and business.
- E. Allow for the communication of information necessary for the conduct of commerce.
- F. Encourage signs that are appropriate to the zone district in which they are located and consistent with the category of use to which they pertain.
- G. Permit signs that are compatible with their surroundings and aid orientation and preclude placement in a manner that conceals or obstructs adjacent land uses or signs.
- H. Preclude signs from conflicting with the principal permitted use of the site or adjoining sites.
- I. Curtail the size and number of signs and sign messages to the minimum reasonably necessary to identify a residential or business location and the nature of any such business.
- J. Protect the public from the dangers of unsafe signs and require signs to be constructed, installed and maintained in a safe and satisfactory manner.
- K. Lessen hazardous situations, confusion and visual clutter caused by proliferation, improper placement, illumination, animation and excessive height, area and bulk of signs which compete for the attention of pedestrian and vehicular traffic.
- L. Regulate signs in a manner so as to not interfere with, obstruct vision of or distract motorists, bicyclists or pedestrians.

**26.510.020. APPLICABILITY AND SCOPE.**

This Chapter shall apply to all signs of whatever nature and wherever located within the City except for the Aspen Highlands Village PUD. Sign regulations for Aspen Highlands Village PUD were approved as City Council Ordinance 43, Series of 2003. No sign shall be allowed except as permitted by this Chapter.

## **26.510.030. PROCEDURE FOR SIGN PERMIT APPROVAL.**

**A. Permit required.** It shall be unlawful to erect, place, construct, reconstruct or relocate any sign without first obtaining a sign permit from the Chief Building Official.

**B. Signs not requiring a permit.** Ordinary preventive maintenance including repainting of a lawfully existing sign, which does not involve a change of placement, size, lighting, color or height is exempt from having to obtain a permit. Also, the following signs or sign activities shall be exempt from obtaining a sign permit. Exemptions shall not be construed as relieving the applicant and owner of the sign from the responsibility of complying with all applicable provisions of this Title. The exemption shall apply to the requirement for a sign permit under this Section.

1. Banners, pennants, streamers and balloons and other gas-filled figures. Temporary banners, pennants, streamers, balloons and inflatables shall be permitted per Section 26.510.140, policies regarding signage on public property. Non-permanent Streamers, pennants, and balloons shall be permitted in association with a retail special event or sale of limited duration not exceeding fourteen (14) days.
2. Construction signs. One (1) freestanding or wall sign along each lot line frontage on a street for a site under construction not to exceed a total of two (2) signs per site, which do not exceed six (6) square feet in area per sign, which are not illuminated and which identify individuals or companies involved in designing, constructing, financing or developing a site under construction. Such signs may be erected and maintained only for a period not to exceed thirty (30) days prior to commencement of construction and shall be removed within fourteen (14) days of termination of construction. A graphic design painted on a construction barricade shall be permitted in addition to such signs, provided it does not identify or advertise a person, product, service or business.
3. Designated public posting signs - Signs such as concert announcements, special event notifications, and grand openings can be placed on designated public posting areas such as the ACRA kiosk adjacent to the pedestrian mall.
4. Directional, instructional, or courtesy signs. Signs, not exceeding one and one quarter (1.25) square feet in area, which provide direction or instruction to guide persons to facilities intended to serve the public as required by law or necessity. Such signs include those identifying restrooms, public telephones, public walkways, public entrances, freight entrances, accessibility routes, restrictions on smoking or solicitation, delivery or freight entrances, affiliation with motor clubs, acceptance of designated credit cards and other similar signs providing direction or instruction to persons using a facility including courtesy information such as "vacancy," "no vacancy," "open," "closed," and the like. Advertising material of any kind is strictly prohibited on directional, instructional, or courtesy signs.
5. Fine art. Works of fine art which in no way identify or advertise a person, product, service or business.

6. Flags. Flags, emblems and insignia of political or religious organizations providing such flags, emblems and insignia are displayed for noncommercial purposes.
7. Garage, estate, yard sale or auction signs. On-site or off-site signs which advertise a private garage, estate, yard sale or auction provided such signs are displayed no more than twice per year per residence for a period not to exceed three days. Sign must be removed at the conclusion of the event.
8. Government signs. Signs placed or erected by governmental agencies or nonprofit civic associations for a public purpose in the public interest, for control of traffic and for other regulatory or informational purposes, street signs, official messages, warning signs, railroad crossing signs, signs of public service companies indicating danger, or aids to service and safety which are erected by or for the order of government.
9. Historic designation. Signs placed on or in front of a historic building or site identifying and providing information about a property listed on the Aspen Inventory of Historic Landmark Sites and Structures or the National Register of Historic Sites, which sign shall not exceed six (6) square feet in area, as approved by the Historic Preservation Officer.
10. Holiday decorations. Noncommercial signs or other materials temporarily displayed on traditionally accepted civic, patriotic and/or religious holidays, provided that such decorations are maintained in safe condition, do not constitute a fire hazard and that the decorations comply with Section 26.575.150, Outdoor lighting.
11. Incidental signs on vehicles. Signs placed on or affixed to vehicles or trailers where the sign is incidental to the primary use of the vehicle or trailer. This is in no way intended to permit signs placed on or affixed to vehicles or trailers which are parked on a public right-of-way, public property or private property so as to be visible from a public right-of-way where the apparent purpose is to advertise a product, service or activity or direct people to a business or activity located on the same or nearby property.
12. Interior signs. Signs which are fully located within an enclosed lobby or courtyard of any building, which are not visible from the public right-of-way, adjacent lots or areas outside the building. Also see section 26.510.120.
13. Memorial signs. Memorial plaques or tablets, grave markers, statuary declaring names of buildings and date of erection when cut into any masonry surface or when constructed of bronze or other incombustible materials or other remembrances of persons or events that are noncommercial in nature.
14. Menu signs boxes. An exterior surface mounted or pole mounted sign box which advertises and/or identifies a restaurant menu, drinks or foods offered or special activities incidental to drink and food. One (1) sign per use, with an area not to exceed four (4) square feet, with a height not to exceed the eave lines or parapet

wall of that portion of the principal building in which the use to which the sign applies is located, and which is located on or in front of the building within which the restaurant is located.

15. Movie theater and performance venue signs. Signs not to exceed thirty inches by forty-two inches (30" x 42"), located within the inner or outer lobby, court or entrance, window display, or interior or exterior poster box of a theatre or performance venue. These signs are limited to conveying information regarding movie, theater, music, or other similar artistic performances or events and shall not be used for unrelated commercial content. Variable message displays, televisions, or other forms of digital marquees which may be incidentally visible from the exterior may be used. Only one variable message display, television, or similar digital marquee may be designed to be visible exclusively from the exterior provided it is limited to a thirty-two (32) inch or smaller screen and shall not contain commercial content unrelated to the advertised events and provided that it is not mounted on the exterior of the building.
16. Political Signs. Political signs announcing political candidates seeking public office, political parties or political and public issues shall be permitted provided:
  - a. All such sign may be erected no sooner than ninety (90) days in advance of the election for which they were made.
  - b. All such signs shall be removed no later than seven (7) days after the election for which they were made.
  - c. Political signs may not be placed on publicly owned property, rights-of-way adjacent to public property, or within the State Highway 82 traffic way including the round-a-bout and traffic islands. Political signs carried or worn by a person are exempt from these limitations.
  - d. Area: No political sign for any one candidate or issue shall exceed eight (8) square feet in area. This does not preclude multiple signs on one property.
17. Property management/Timeshare identification signs. A building may have one sign with an area not exceeding two (2) square feet identifying the name and phone number of a contact person or management entity for the property and stating that it has been approved. Multi-Family buildings may have up to one (1) sign per ten (10) residential units. A building that is approved for exempt timesharing, pursuant to Section 26.590.030, Exempt timesharing, may have a wall-mounted sign with an area not exceeding two (2) square feet, stating that it has been approved for timesharing and identifying the name and phone number of a contact person or management entity for the property.
18. Public notices. Official government notices and legal notices.
19. Practical purpose signs. Practical signs erected on private property, such as lost property signs, cautionary or "beware" signs, wedding announcements,

graduation celebrations, and other signs announcing a special events or functions which do not exceed two (2) square feet and limited to one (1) per building façade or property frontage, as applicable.

20. Real estate for sale or rent sign. Real estate signs advertising the sale or rental of the property upon which the sign is located, provided:

- a. Type. A real estate for sale or rent sign shall be a freestanding or wall sign.
- b. Number. There shall not be more than one (1) real estate for sale or rent sign per unit.
- c. Area. The area of the temporary sign shall not exceed three (3) square feet. When multiple units are available, the area may be combined, but no one property shall have more than twelve (12) square feet of signage announcing the sale or rental of units.
- d. Height. The height of the temporary sign shall not exceed five (5) feet as measured from the grade at the base of the sign.
- e. Duration. The temporary sign may be used as long as the property is actively for sale or rent but must be removed within seven (7) days of the sale or rental of the real estate upon which the sign is located
- f. Location. - Real estate for sale or rent signs must be placed on private property or on rights of way adjacent to private property and not located on public property. Real estate signs placed in the public right-of-way shall be subject to removal or relocation by the Engineering Department.

21. Real estate photo boxes. Real estate offices may place descriptive images of property that is currently for sale in storefront windows or on an exterior wall.

- a. Area. Not to exceed 25% of the window surface area. Photo boxes not placed in a window shall be limited to an area of six (6) square feet. Any individual image with description shall not exceed one (1) square foot in area.

22. Regulatory signs. Regulatory signs erected on private property, such as “no trespassing,” which do not exceed two (2) square feet and limited to one (1) per building façade or property frontage, as applicable.

23. Religious symbols. Religious symbols located on a building or property used for organized religious services.

24. Residential name and address signs. Detached residential dwelling units and duplex units may have wall or freestanding signs on or in front of the building or portion thereof to identify the street address and/or names of the occupants or name of the dwelling unit. The area of the sign is not to exceed two (2) square feet per dwelling unit. For mobile home parks, subdivision entrances, and multi-

family housing, see the requirements found in Section 26.510.110.A, *Residential Use Signs*.

25. Street addresses on mailboxes.
26. Sandwich board signs carried by a person. Temporary sandwich board signs which are carried by a person and are advertising or identifying a special, unique or limited activity, service, product or sale of a limited duration or identifying a restaurant menu. There shall not be more than one (1) such temporary sign per use at any one time. Sign must not exceed six (6) square feet per side.
27. Security signs. Every parcel may display security signs not to exceed an area of six inches wide by six inches long (6" x 6"). Security signs may contain a message, logo or symbol alerting the public to the presence of a security system on the premises. Security signs shall be of a neutral color. Security signs may not be placed in the City right-of-way.
28. Temporary food vending signs. The food vending permit must include details of the intended signage including size, material and location.
29. Temporary sale signs and going-out-of-business signs. Going-out-of-business signs and temporary sale signs, announcing special sales of products and services, shall be subject to the following:
  - a. Type. The sign(s) shall be placed in the window or windows of the business holding the sale.
  - b. Number. There shall be permitted not more than one (1) temporary sign(s) in any window and a total of not more than three (3) temporary signs for each use.
  - c. Area. Each temporary sign shall not exceed three (3) square feet.
  - d. Duration. Temporary signs may be maintained for a period not to exceed ten (10) days and shall be removed at the end of the tenth (10th) day or on the day following the end of the sale, whichever shall occur first and shall not be replaced for fourteen (14) days following the removal of the sign(s).
30. Vending machine signs. Permanent, potentially internally illuminated but non-flashing signs on vending machines, gasoline pumps, ice or milk containers or other similar machines indicating only the contents of such devices, the pricing of the contents contained within, directional or instructional information as to use and other similar information. Vending machine signs that are internally illuminated must be located inside of a building or in a space that is not visible from the public right-of-way.

**C. Application.** A development application for a sign permit shall include the following information:

1. That information required on the form provided by the Community Development Director;
2. A letter of consent from the owner of the building;
3. Proposed location of the sign on the building or parcel and material;
4. The dimensions, measurements and calculations of building frontages – when applicable; information needed to calculate permitted sign area, height, type, placement or other requirements of these regulations.

**D. Determination of completeness.** After a development application for a sign permit has been received, the Community Development Director shall determine whether the application is complete. If the Community Development Director determines that the application is not complete, written notice shall be served on the applicant specifying the deficiencies. The Community Development Director shall take no further action on the application unless the deficiencies are remedied. If the application is determined complete, the Community Development Director shall notify the applicant of its completeness. A determination of completeness shall not constitute a determination of compliance with the substantive requirements of this Chapter.

**E. Determination of compliance.** After reviewing the application and determining its compliance and consistency with the purposes, requirements and standards in this Chapter, the Community Development Director shall approve, approve with conditions or deny the development application for a sign permit.

#### **26.510.040. PROHIBITED SIGNS.**

The following signs are expressly prohibited for erection, construction, repair, alteration, relocation or placement in the City.

**A. "A" frame, sandwich board and sidewalk or curb signs** except as allowed per the table under Sec. 26.510.110.D.1

**B. Permanent Banners and pennants** used for commercial purposes not associated with a special event approved by the Special Events Committee approval per Section 26.510.140.

**C. Billboards and other off-premise signs.** Billboards and other off-premise signs, including security company signs which do not comply with the regulations set forth in this Title and signs on benches, are prohibited, except as a temporary sign as provided for in Section 26.510.030(B), Signs Not Requiring a Permit.

**D. Flashing signs.** Signs with lights or illuminations which flash, move, rotate, scintillate, blink, flicker, vary in intensity, vary in color or use intermittent electrical pulsations except as permitted per Section 26.575.150, Outdoor lighting.

**E. Moving signs.** Electronically controlled copy changes, or any other signs that move or use movement to emphasize text or images shall be prohibited. Objects independent of a sign or objects on a sign that move, rotate, or revolve and do not include text or

images shall be permitted (also see Television monitors under Section 26.510.040.T and Sign illumination under Section 26.510.070).

**F. Neon and other gas-filled light tubes.** Neon lights, televisions used for advertising or information and other gas-filled light tubes, except when used for indirect illumination and in such a manner as to not be directly exposed to public view.

**G. Obsolete signs.** A sign which identifies or advertises an activity, business, product, service or special event no longer produced, conducted, performed or sold on the premises upon which such sign is located. Such obsolete signs are hereby declared a nuisance and shall be taken down by the owner, agent or person having the beneficial use of such sign within ten (10) days after written notification from the Community Development Director and upon failure to comply with such notice within the time specified in such order, the Community Development Director is hereby authorized to cause removal of such sign and any expense incident thereto shall be paid by the owner of the property on which the sign was located. That an obsolete sign is nonconforming shall not modify any of the requirements of this Subsection. Signs of historical character shall not be subject to the provisions of this Section. For the purpose of this Section, *historical signs* are defined to be those signs at least fifty (50) years in age or older.

**H. Portable and wheeled signs** except as allowed per the table under Sec. 26.510.110.D.1.

**I. Roof signs.**

**J. Search lights or beacons except as approved per Subsection 26.575.150.H, Outdoor lighting, Exemptions.**

**K. Signs causing direct glare.** A sign or illumination that causes any direct glare into or upon any public right-of-way, adjacent lot or building other than the building to which the sign may be accessory.

**L. Signs containing untruthful or misleading information.**

**M. Signs creating optical illusion.** Signs with optical illusion of movement by means of a design which presents a pattern capable of reversible perspective, giving the illusion of motion or changing of copy.

**N. Signs obstructing egress.** A sign which obstructs any window or door opening used as a means of ingress or egress, prevents free passage from one part of a roof to any other part, interferes with an opening required for ventilation or is attached to or obstructs any standpipe, fire escape or fire hydrant.

**O. Signs on parked vehicles.** Signs placed on or affixed to vehicles and/or trailers, including bicycles, which are parked on a public right-of-way, public property or private property so as to be visible from a public right-of-way where the apparent purpose is to advertise a product, service or activity or direct people to a business or activity located on the same or nearby property. However, this is not in any way intended to prohibit signs placed on or affixed to vehicles and trailers, such as lettering on motor vehicles, where the sign is incidental to the primary use of the vehicle or trailer.

**P. Signs in public right-of way.** A sign in, on, or above a public right-of-way that in any way interferes with normal or emergency use of that right-of-way. Any sign allowed in a public right-of-way may be ordered removed by the Community Development Director upon notice if the normal or emergency use of that right-of-way is changed to require its removal.

**Q. Signs on Public Buildings.**

**R. Street blimps.** Parked or traveling cars used primarily for advertising, sometimes referred to as "street blimps," are prohibited. Vehicle signage incidental to the vehicle's primary use is exempt.

**S. Strings of light and strip lighting.** Strip lighting outlining commercial structures and used to attract attention for commercial purposes and strings of light bulbs used in any connection with commercial premises unless the lights shall be shielded and comply with Section 26.575.150, Outdoor lighting.

**T. Television Monitors.** Television monitors, or any other electronic device that emits an image onto a screen, displaying commercial content unrelated to the store or business, shall be prohibited. Television monitors displaying related commercial content on a screen of thirty-two (32) inches or less in size that are placed at least fifteen (15) feet from the storefront window, and monitors displaying related commercial content installed perpendicular to the public right-of-way shall be permitted. Television monitors displaying non-commercial content, such as news, sporting events, and weather forecasts shall be permitted within fifteen feet of the storefront provided that they are not directly oriented towards the public right-of-way and are not more than thirty-two (32) inches in size.

**U. Unsafe signs. Any sign which:**

1. Is structurally unsafe;
2. Constitutes a hazard to safety or health by reason of inadequate maintenance or dilapidation;
3. Is not kept in good repair;
4. Is capable of causing electrical shocks to persons likely to come into contact with it;
5. In any other way obstructs the view of, may be confused with or purports to be an official traffic sign, signal or device or any other official government regulatory or informational sign;
6. Uses any words, phrases, symbols or characters implying the need for stopping or maneuvering of a motor vehicle or creates, in any other way, an unsafe distraction for vehicle operators or pedestrians;
7. Obstructs the view of vehicle operators or pedestrians entering a public roadway from any parking area, service drive, public driveway, alley or other thoroughfare;

8. Is located on trees, rocks, light poles or utility poles, except where required by law; or
9. Is located so as to conflict with the clear and open view of devices placed by a public agency for controlling traffic or which obstructs a motorist's clear view of an intersecting road, alley or major driveway.

**26.510.050. SIGN SETBACK**

Signs are not subject to the setback requirements of the Zone District where they are located.

**26.510.060. SIGN MEASUREMENT AND LOCATION**

*A. General.* In calculating the area allowance for signs in all Zone Districts, there shall be taken into account all signs allowed therein including window decals and signs identifying distinctive features and regional or national indications of approval of facilities. See Section 26.510.060.C, *Sign Area* for the method of measuring signs.

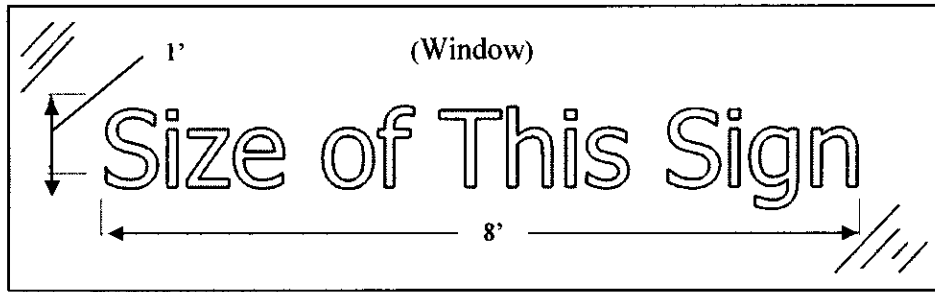
*B. Two or more faces.* Where a sign has two or more faces, the area of all faces shall be included in determining the area of the sign, except where two such faces are placed back to back and are at no point more than two feet from one another. The area of the sign shall be taken as the area of the face if the two faces are of equal area or as the area of the larger face if the two faces are of unequal area.

*C. Sign area.* Sign area shall be the area of the smallest four-sided geometric figure which encompasses the facing of a sign including copy, insignia, background and borders, provided that cut-out letter signs shall be credited toward allowable sign area at one-half (1/2) the measured area (see Figure 1 on following page).

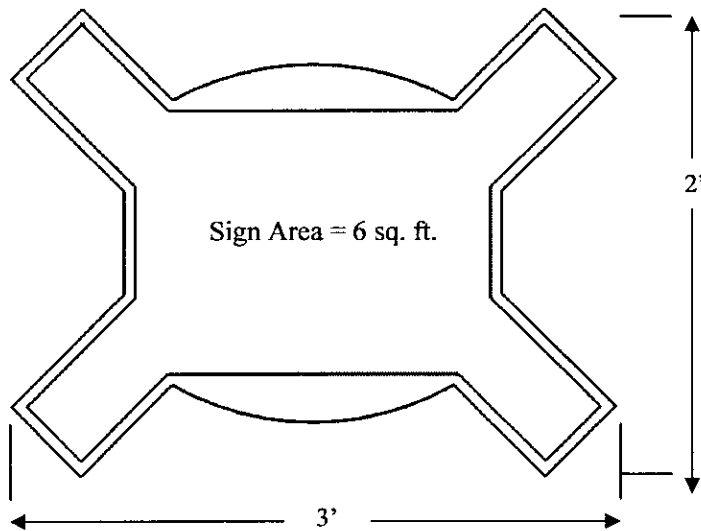
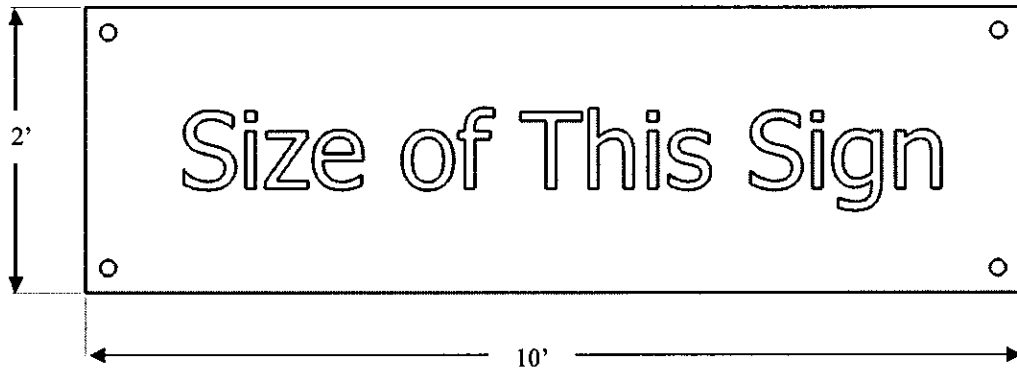
The cut-out letter sign credit is given because these types of signs encourage transparency in regards to building materials and store windows, or lessen the impact of signage on awnings. Cut-out letter signs shall include the following:

1. Cut-out wall signs made out of wood, metal, stone or glass.
2. Cut-out window signs (such as laminate adhesive lettering)
3. Lettering on awnings that use the awning's primary color for the backing, for example, white lettering placed on an awning that is completely red. The credit would not be given to white lettering in front of a black background on an awning that is otherwise completely red.

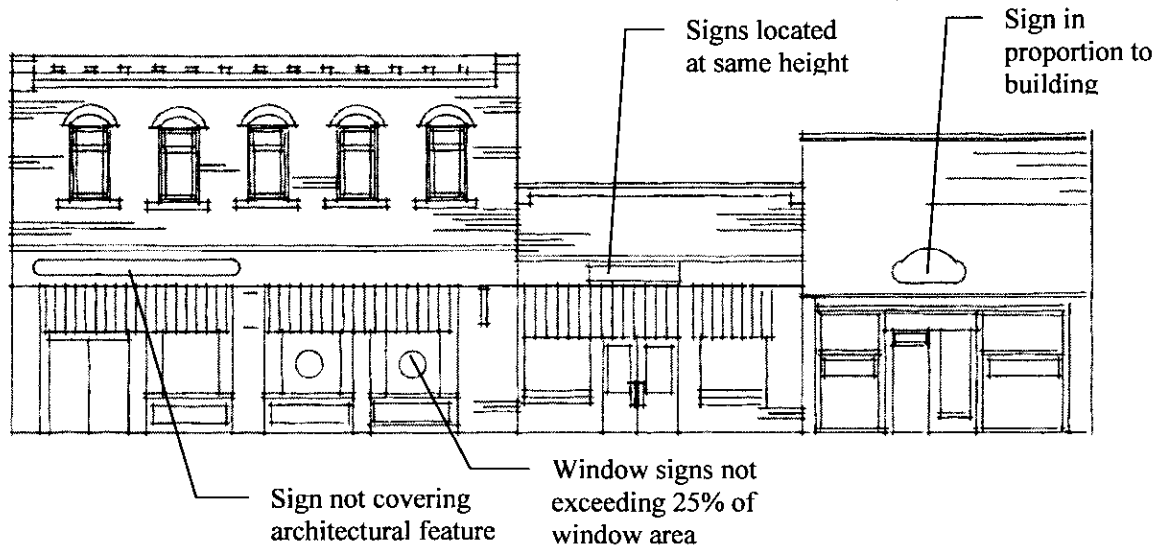
**\*\*Note:** For the purposes of calculating cut-out letter signs for compliance with Section 26.510.110, Sign Restrictions by Use-Type, the size of the cut-out letter sign shall be the final area after the reduction has been applied. For example, a two by six foot (2' x 6') cut-out letter sign shall be permitted on the wall of a retail use, given that after the reduction has been applied it is only considered a (6) square foot sign.



**Figure 1:** Above: Window sign with cut-out letters.  $(8' \times 1') \times .5 = 4$  sq. ft. total  
 Below: Window sign with solid backing.  $2' \times 10' = 20$  sq. ft. total  
 Bottom: Sign with irregular shape,  $2' \times 3' = 6$  sq. ft. total

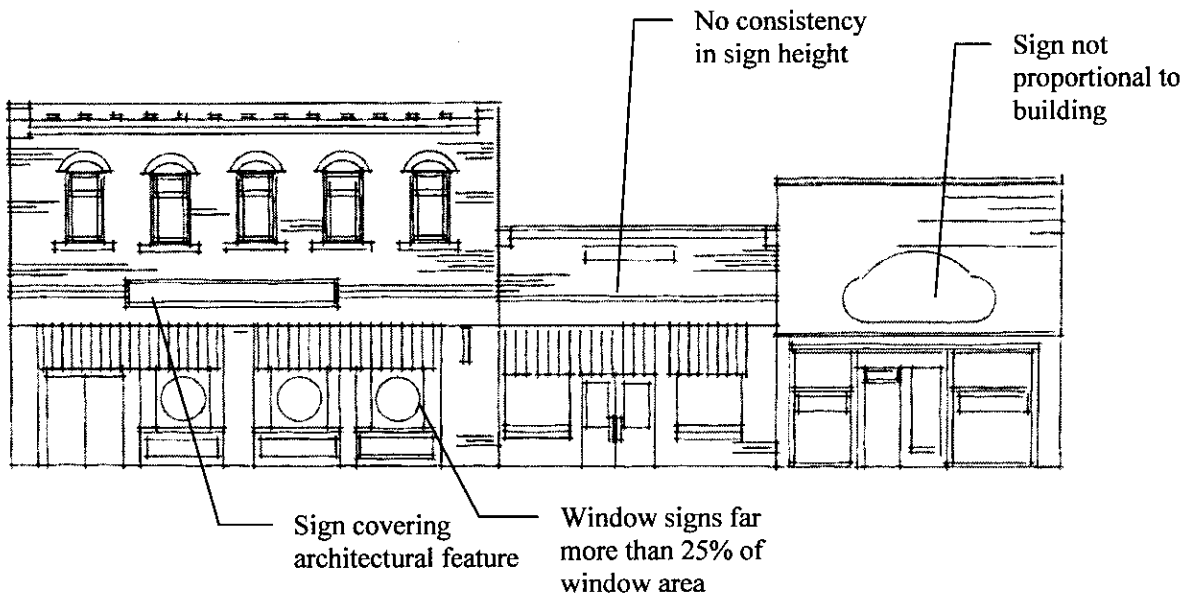


**D. Sign location and placement.** When possible, signs shall be located at the same height on buildings with the same block face. Architectural features should not be hidden by sign location. Signs should be consistent with the color, scale, and design of the building and not overpower facades. The location of a sign on a building shall correspond with the interior tenant space associated with the sign. For example, a business on the first floor of a building shall not place a sign on the third floor of the building. However, businesses on upper levels may place signage on the ground level to indicate the entrance for the business.



**Figure 2 (Above): Desired Style**

**Figure 3 (Below): Undesirable Style**



**26.510.070. SIGN ILLUMINATION.**

**A. Allowed Illumination.** Illumination of signs shall be designed, located, shielded and directed in such a manner that the light source is fixed and is not directly visible from and does not cast glare or direct light from artificial illumination upon any adjacent public right-of-way, surrounding property, residential property or motorist's vision. Illumination shall comply with Section 26.575.150, Outdoor lighting. Backlit signs are permitted, provided that the following criteria are satisfied:

1. Signs shall be lit from a source mounted on the sign or on the wall behind the proposed sign with a non-visible point-light-source. Emitted light shall not create excess glare or light trespass on adjacent properties. The sign shall be made out of a solid and non-transparent material.

**B. Prohibited illumination.** No sign shall be illuminated through the use of internal, oscillating, flickering, rear (excluding permitted backlit illumination), variable color, fluorescent illumination or neon or other gas tube illumination, except when used for indirect illumination and in such a manner as to not be visible from the public right-of-way.

**26.510.080. SIGN LETTERING, LOGOS AND GRAPHIC DESIGNS.**

**A. Lettering.** No lettering on any sign, including cut out letter signs, shall exceed twelve (12) inches in height, except that the initial letter in each word shall not exceed eighteen (18) inches in height.

**B. Logos.** No logo on any sign, including cut out letter signs, shall exceed eighteen inches in height and eighteen inches in length (18" x 18").

**26.510.090. SIGN TYPES AND CHARACTERISTICS**

**A. Freestanding signs.** Freestanding signs shall not be higher than the principal building or fifteen (15) feet, whichever is less and shall be a minimum of eight (8) feet above grade when located adjacent to a pedestrian way. Freestanding signs shall be made primarily of wood, glass, metal, or stone.

**B. Identification signs.** Signs intended to identify the name of a subdivision, multi-family residential complex, mobile home park, or business name. Identification signs shall be visible from the public right-of-way or private street.

**B. Projecting or hanging signs.** Projecting and hanging signs shall not be higher than the eave line or parapet wall of the top of the principal building, shall be a minimum of eight (8) feet above grade when located adjacent to or projecting over a pedestrian way and shall not extend more than four (4) feet from the building wall to which they are attached, except where such sign is an integral part of an approved canopy or awning. Projecting or hanging signs shall be made primarily out of wood, glass, metal, or stone. To qualify for the projecting/hanging sign exemption, the sign must be installed

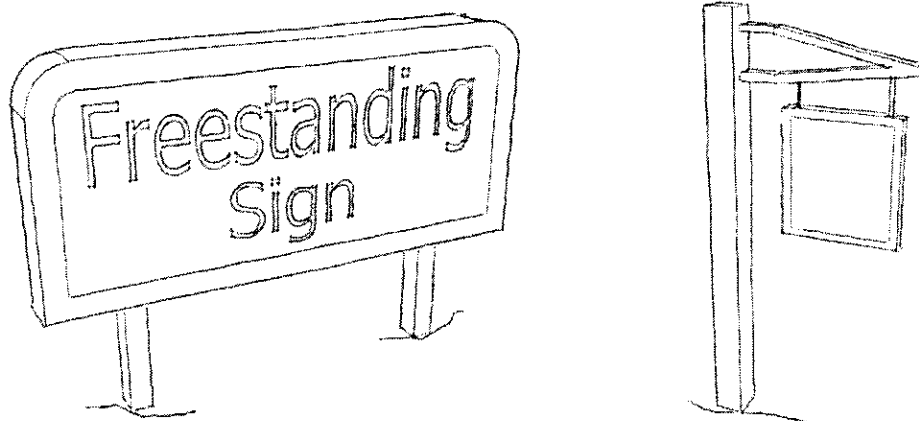
perpendicular the building frontage. When three (3) or more projecting/hanging signs are proposed above a common entry way, they shall be installed in a linked or serial fashion.

**C. Wall signs.** Wall signs shall not be higher than the eave line or parapet wall of the top of the principal building and no sign part, including cut out letters, shall project more than six (6) inches from the building wall. Wall signs shall be made primarily out of wood, glass, metal, or stone.

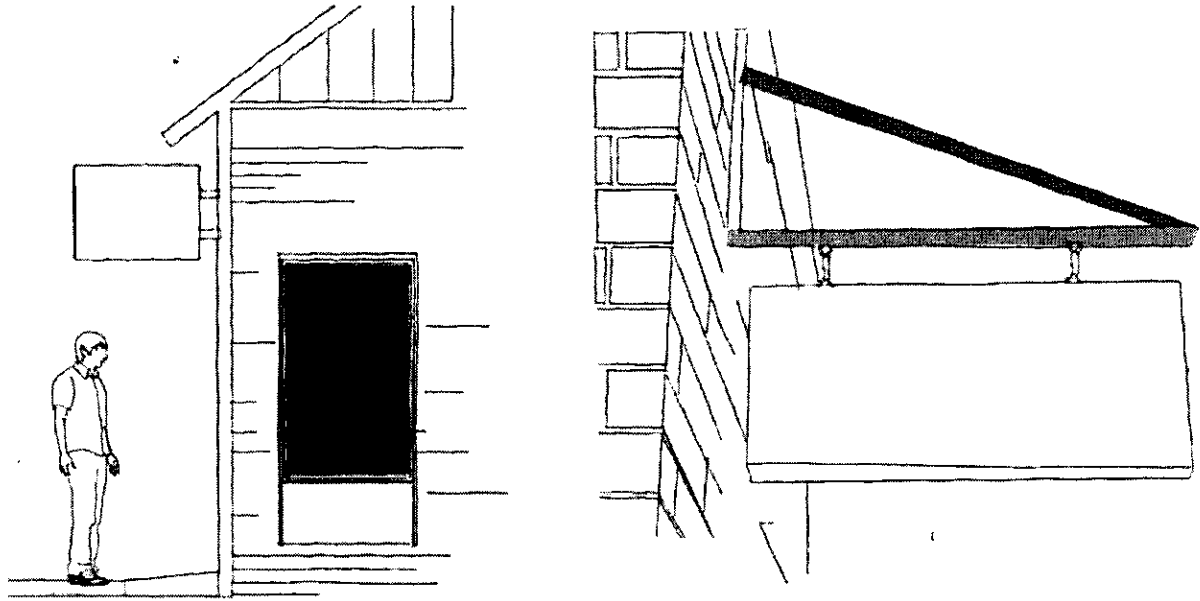
**D. Awning Signs.** No sign placed on an awning may project above, below, or off of an awning. Awning signs may only be placed on awnings that meet the definition for Awning in Section 26.104.100, Definitions.

**E. Monument Signs.** A sign which has a bottom that is permanently affixed to the ground, not a building, shall be considered a monument sign. The size and design shall meet the use requirements for that type of sign. The sign face must be directly connected to the base of the sign. Landscaping shall be provided so that the sign transitions into the ground naturally.

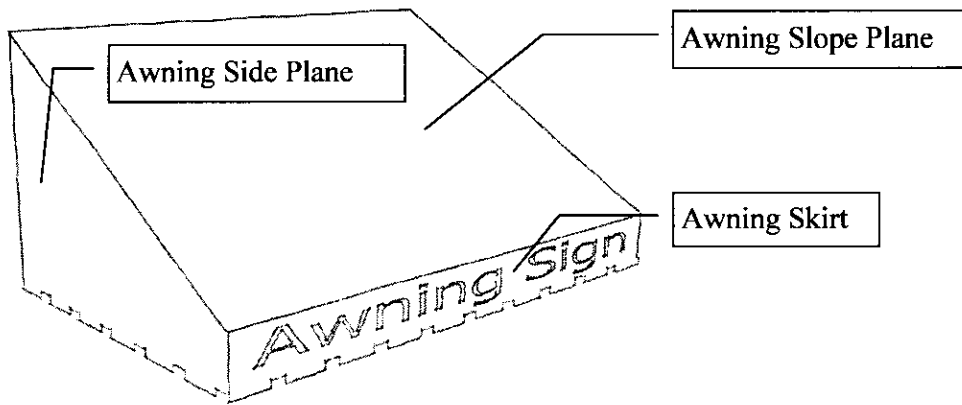
**F. Portable Sandwich Board Signs.** Sandwich board signs are two-sided self-supported a-frame signs, or any other two-sided portable sign. Sandwich board signs must be made primarily of wood or metal and must have a professional finish. Incorporated inserts must contain a fixed message or be made out of chalkboard. Dry erase boards are prohibited. Sandwich board signs shall not be used as merchandise displays. A six (6) foot travel width must be maintained on sidewalks and pedestrian malls. This does not allow for signs aligned on edge with one another, thus creating a solid line of sandwich board signs, unless the six (6) foot travel width is maintained on both sides. Shall not be left out overnight. Permits for sandwich board signs shall be revocable by the Community Development Director if the above criteria are not met, or if in the opinion of the Community Development Director, the sign creates a visual nuisance. Sandwich board signs must also comply with those requirements found within Section 26.510.110.D.1.



**Figure 4: Freestanding Signs**



**Figure 5: (Above) Projecting Sign (left) and Hanging Sign (right)  
(Below) Awning Sign**



## **SEC. 26.510.100 SIGN ALLOTMENT**

**A. *Sign Allotment.*** Frontage shall be defined as any portion of a storefront that faces the same general direction. Signage for an individual business frontage must be used on that frontage, and not combined with an allotment elsewhere. Businesses with an articulating facade along one elevation shall combine such facade to receive one signage allotment. The following list explains the allotments per individual use types:

1. Residential Use signage allotment shall be dependent upon the dwelling type and whether or not the dwelling is being used as a bed and breakfast or home occupation.
2. Arts, cultural, civic, and academic uses shall be allotted six (6) square feet of signage per individual business frontage. If a business frontage is more than thirty (30)' in length, that frontage shall receive eight (8) square feet of signage.
3. Recreational uses shall be allotted six (6) square feet of signage per individual business frontage. If a business frontage is more than (30)' in length, that frontage shall receive eight (8) square feet of signage.
4. Restaurant and Retail uses shall be allotted six (6) square feet of signage per individual business frontage. If a business frontage is more than (30)' in length, that frontage shall receive eight (8) square feet of signage.
5. Lodge uses shall be eligible for twelve (12) square feet of signage allotment per individual business frontage.
6. Office and Service uses shall be allotted six (6) square feet of signage per individual business frontage. In buildings with four (4) or more tenants with an Office or Service Use, the allotment shall be reduced to three (3) square feet of signage per individual business frontage.
7. Lot of 27,000 or more square feet with one building and one (1) tenant shall be granted twenty (20) square feet of signage per applicable frontage. The limitations for individual sign size shall match that of Lodge Use signs (26.510.110.E).
8. Buildings with four (4) or more tenants (restaurant, retail, office, or service uses) may create one (1) business directory sign for each street facing facade that grants each tenant no more than one (1) square foot for the purposes of business identification. The business directory sign shall not count towards the signage allotment for the individual tenants. The maximum area for any business directory sign shall be ten (10) square feet

**\*\* Note:** Businesses that share occupancy of a single tenant space within a portion of a building shall share the sign allotment. If businesses share occupancy, but there is a clear and definable separation between uses, than each business shall have its own signage allotment.

**SEC. 26.510.110 SIGN RESTRICTIONS BY USE-TYPE**

**A. Residential uses.** For all residential uses, only signs permitted under Section 26.510.030.B, Signs Not Requiring a Permit, and the following signs are permitted and then only if accessory and incidental to a permitted or conditional use:

<b>Type of Sign</b>	<b>Number of Signs</b>	<b>Maximum Area (Sq. Ft.)</b>	<b>Maximum Height of Freestanding Signs</b>	<b>Comments</b>
Identification Sign (wall, freestanding or monument sign)	1 per multi-family complex, subdivision entrance, or mobile home park	20	5'	The area of the sign shall not exceed two (2) square feet per dwelling unit, and shall not exceed a total of 20 square feet.
Bed and Breakfast	1 per street frontage	6 per sign	6'	Illumination permitted, must be in compliance with this Chapter and 26.575.150
Home Occupation	1 per street frontage	6 per sign	6'	Illumination is permitted only when it is identifying a home occupation of an emergency service nature

**B. Arts, cultural, civic, and academic uses.** For all arts, cultural, civic, and academic uses, only temporary signs permitted under Section 26.510.030.B, Signs Not Requiring a Permit, and the following signs are permitted and then only if necessary and incidental to a permitted or conditional use.

Type of Sign	Number of Signs	Sign Area (Sq. Ft.)	Maximum Height of Freestanding Signs	Comments
Identification Sign (freestanding, wall, projecting sign, or awning sign)	No more than one (1) Freestanding Sign per façade	Size of sign cannot exceed six (6) sq. ft.	6'	Illumination permitted, unless in a residential zone.
	No more than two (2) wall signs per business frontage	Size of sign cannot exceed six (6) sq. ft.	n/a	Sign must not go above eave point Illumination permitted, unless in a residential zone.
	No more than one (1) projecting or hanging signs per business frontage.	Size of sign cannot exceed six (6) sq. ft.	n/a	Sign must not go above eave point Illumination permitted, unless in a residential zone. Does not count towards sign allotment.
	Awning sign. 1 per awning plane.	Logos or icons on awnings cannot be larger than 1 sq. ft.	n/a	Illumination permitted. Counts towards sign allotment. Lettering or logos on awnings must be arranged in a consistent horizontal or vertical band. Only one band is permitted for each awning plane.

**C. Recreational uses.** For recreational uses, only signs permitted under Section 26.510.030.B, Signs Not Requiring a Permit, and the following signs are permitted and then only if necessary and incidental to a permitted or conditional use.

Type of Sign	Number of Signs	Sign Area (Sq. Ft.)	Maximum Height of Freestanding Signs	Comments
Identification Sign (freestanding, wall, projecting, or awning sign)	No more than one (1) freestanding sign per frontage	Size of sign cannot exceed six (6) sq. ft.	6'	Illumination permitted, unless in a residential zone.
	No more than two (2) wall signs per business frontage.	Size of sign cannot exceed six (6) sq. ft.	n/a	Sign must not go above eave point Illumination permitted, unless in a residential zone.
	No more than one (1) projecting or hanging signs per business frontage.	Size of sign cannot exceed six (6) sq. ft.	n/a	Sign must not go above eave point Illumination permitted, unless in a residential zone. Does not count towards sign allotment.
	Awning sign. 1 per awning plane.	Logos or icons on awnings cannot be larger than 1 sq. ft.	n/a	Illumination permitted. Counts towards sign allotment. Lettering or logos on awnings must be arranged in a consistent horizontal or vertical band. Only one band for each awning plane.

**D. Restaurant and Retail uses.** Only signs permitted under Section 26.510.030.B, Signs Not Requiring a Permit, and the following signs are permitted and then only if accessory and incidental to a permitted or conditional use:

Type of Sign	Number of Signs	Sign Area (Sq. Ft.)	Maximum Height of Freestanding Signs	Comments
Identification Sign (freestanding, wall, projecting/hanging, window, or awning sign)	Freestanding sign. 1 per individual business frontage.	Size not to exceed six (6) sq. ft.	6'	Illumination permitted.
	Wall sign. 2 per individual business frontage.	Size not to exceed six (6) sq. ft.	n/a	Must not go above eave point.
	Projecting or hanging sign. 1 per business frontage.	Size not to exceed six (6) sq. ft.	n/a	Sign must not go above eave point. Illumination permitted. Does not count towards sign allotment.
	Window sign. 1 per window.	Not to exceed 25% of window area.	n/a	Counts towards sign allotment. Not to exceed 25% of window
	Awning sign. 1 per awning plane.	Logos or icons on awnings cannot be larger than 1 sq. ft.	n/a	Illumination permitted. Counts towards sign allotment. Lettering or logos on awnings must be arranged in a consistent horizontal or vertical band. Only one band for each awning plane.

***Restaurant and Retail Use Signs Continued:***

<b>Type of Sign</b>	<b>Number of Signs</b>	<b>Sign Area (Sq. Ft.)</b>	<b>Comments</b>
Business directory signs	No more than two (2) business directory signs per lot.	1 sq. ft. of signage for each business using the directory sign. No directory sign shall exceed 10 sq. ft. in size.	The portion of the directory sign used for the associated business counts towards that business's sign allotment, unless using the exemption found in 26.510.100.A.8, <i>Sign Allotment per business.</i>

1. **Sandwich Board Signs:** Sandwich board signs are intended for special sales, the advertisement of unique menus or offerings at restaurant establishments, and for businesses that are difficult to locate. Only one (1) sandwich board sign is permitted per business and a permit must be obtained. The size is not to exceed six (6) square feet per side. These signs are only permitted for retail and restaurant businesses within the CC and C-1 zone districts. Restaurants may use one (1) sandwich board sign if it is located on adjacent private property. Additionally, sandwich board signs may be used continuously by those locations identified on the City of Aspen Sandwich Board Sign Location Map. Amendments to the map may be made administratively by the Community Development Director. Locations were selected using the following criteria:
  - a. Business has no portion of a storefront that is parallel to the public right-of-way,
  - b. Business is provided access through a common entryway that is not exclusively used for the said business, or
  - c. Business has a storefront that is obscured by another building, or portion thereof, on the same lot (i.e. interior courtyard)

If a sandwich board sign is permitted under a criterion listed above, and there are three (3) or more businesses that share the same means of access (i.e. exterior corridor, interior corridor, or courtyard) the businesses shall consolidate signage onto one (1) sign. Board signs do not count towards sign allotment. Sign must be located adjacent to the parcel that contains the business, but may be located on public right of way. Also see criteria under 26.510.090.F

Special sales permits for the placement of Sandwich Board Signs may be requested and granted by the Community Development Director. These permits are valid for one (1) week and no business shall receive more than eight (8) special sale sign permits within an annual year (January 1 – December 31).

**E. Lodge uses.** Only signs permitted under Section 26.510.030.B, Signs Not Requiring a Permit, and the following signs are permitted and then only if accessory and incidental to a permitted or conditional use:

Type of Sign	Number of Signs	Sign Area (Sq. Ft.)	Maximum Height of Freestanding Signs	Comments
Identification Sign (freestanding, wall, projecting/hanging, window, or awning sign)	Freestanding sign. 2 per individual business frontage.	Size not to exceed ten (10) sq. ft per sign.	6'	Illumination permitted.
	Wall sign. 2 per individual business frontage.	Size not to exceed ten (10) sq. ft. per sign.	n/a	Sign must not go above eave point. Illumination permitted.
	Projecting or hanging sign. 2 per individual business frontage.	Size not to exceed ten (6) sq. ft. per sign.	n/a	Sign must not go above eave point. Illumination permitted. One (1) projecting or hanging sign per business frontage shall be exempt from counting towards sign allotment.
	Window sign. 1 per window.	Not to exceed 25% of window area	n/a	Counts towards sign allotment. Not to exceed 25% of window
	Awning sign. 1 per awning plane.	Logos or icons on awnings cannot be larger than 1 sq. ft.	n/a	Illumination permitted. Counts towards sign allotment. Lettering or logos on awnings must be arranged in a consistent horizontal or vertical band. Only one band is permitted for each awning plane.

**F. Office and Service uses.** Only signs permitted under Section 26.510.030.B, Signs Not Requiring a Permit, and the following signs are permitted and then only if accessory and incidental to a permitted or conditional use. As stated in Section 26.510.100.A.6 of this Chapter, Office and Service uses shall be allotted six (6) square feet of signage per individual business frontage. In buildings with four (4) or more tenants with an Office or Service Use, the allotment shall be reduced to three (3) square feet of signage per individual business frontage.

Type of Sign	Number of Signs	Sign Area (Sq. Ft.)	Maximum Height of Freestanding Signs	Comments
Identification Sign (freestanding, wall, projecting /hanging, window, or awning sign)	Freestanding sign. 1 per individual business frontage.	Size not to exceed six (6) sq. ft	6'	Illumination permitted.
	Wall sign. 1 per individual business frontage.	Size not to exceed six (6) sq. ft.	n/a	Sign must go above eave point. Illumination permitted.
	Projecting or hanging sign. 1 per individual business frontage.	Size not to exceed six (6) sq. ft.	n/a	Sign must not go above eave point. Illumination permitted. Does not count towards sign allotment.
	Window sign. 1 per window.	Not to exceed 25% of window area	n/a	Counts towards sign allotment. Not to exceed 25% of window
	Awning sign. 1 per awning plane.	Logos or icons on awnings cannot be larger than 1 sq. ft.	n/a	Illumination permitted. Counts towards sign allotment. Lettering or logos on awnings must be arranged in a consistent horizontal or vertical band. Only one band is permitted for each awning plane.

***Office and Service Use Signs Continued:***

Type of Sign	Number of Signs	Sign Area (Sq. Ft.)	Comments
Business directory signs	No more than two (2) business directory signs per lot.	1 sq. ft. of signage for each business using the directory sign. No directory sign shall exceed 10 sq. ft. in size.	The portion of the directory sign used for the associated business counts towards that business's sign allotment, unless using the exemption found in 26.510.100.A.8, <i>Sign Allotment per business.</i>

**26.510.120. WINDOW DISPLAYS, WINDOW WRAPS, AND INTERIOR SIGNAGE**

Window displays: Window displays of merchandise and representations thereof are not subject to sign regulations, sign square footage and do not require a sign permit. Window displays may have minimal illumination which shall be directed inward towards the business so that there is no contribution of light pollution to adjacent streets or properties. The following types of illumination and signage are prohibited:

1. Televisions, computer monitors or other similar technological devices that create oscillating light.
2. Neon or other gas tube illumination, rope lighting or low-voltage strip lighting.
3. Backlit or internally illuminated displays or graphics.

Window wraps. A window wrap is an image placed directly on a storefront window that advertises the store or merchandise within the store. Retail businesses with five (5) or more windows on a frontage may use one (1) of these windows for a wrap that shall not count towards signage allotment. In order to qualify for this exemption, the window wrap shall contain no lettering or advertising in excess of three (3) square feet. This precludes window wraps that predominantly consist of lettering and announcement of sales and encourages window wraps that predominantly consist of a singular photographic image. No more than 25% of any other window on that frontage may be used for window advertising.

Interior signage. Interior signage placed within fifteen (15) feet of storefront windows shall be deducted from the business's signage allotment. This type of signage shall include, but is not limited to, special sale signs, names of products, official logos, and descriptions of inventory. Signage placed perpendicular to the public right-of-way or

more than fifteen (15) feet from the storefront window shall be exempt from signage calculations.

#### **26.510.130 SIGNAGE IN PLACE PRIOR TO DECEMBER 15<sup>TH</sup>, 2010**

Signage that is in place with an approved sign permit may be kept in place after the adoption of this Chapter. Existing signage without an approved sign permit may obtain a building permit before December 15<sup>th</sup>, 2011. Any existing signage lacking an approved building permit after December 15<sup>th</sup>, 2011 shall be in compliance with the regulations of this Chapter. All sandwich board signs within the City of Aspen shall be compliant with these regulations beginning on December 15<sup>th</sup>, 2010.

#### **26.510.140 POLICIES REGARDING SIGNAGE ON PUBLIC PROPERTY**

Purpose of regulations. The purpose of these regulations is to establish reasonable regulations for the posting of temporary signs, displays and banners on certain public property. The regulations herein include signage on public rights-of-way, banners and flags on light posts on Main Street, signs in City parks, displays in City parks, signs hung across Main Street at Third Street, and signs on public buildings. These regulations shall be read in conjunction with this Chapter and are not intended to supersede the regulations of signs as set forth therein.

Temporary signs and displays provide an important medium through which individuals may convey a variety of noncommercial and commercial messages. However, left completely unregulated, temporary signs and displays can become a threat to public safety as a traffic hazard and detrimental to property values and the City's overall public welfare as an aesthetic nuisance. These regulations are intended to supplement this Chapter and to assist City staff to implement the regulations adopted by the City Council. These regulations are adopted to:

1. Balance the rights of individuals to convey their messages through temporary signs or displays and the right of the public to be protected against unrestricted proliferation of signs and displays;
2. Further the objectives of this Chapter, Signs; and
3. Ensure the fair and consistent enforcement of the sign and display regulations specified below.

This Section, Signs on public right-of-ways, states: "It shall be unlawful to erect or maintain any sign in, on, over or above any land or right-of-way or on any property, including light posts, belonging to the City without the permission of the City Council." Sign permits issued by the City Manager or his or her designee, that are in conformance with these regulations shall constitute City Council permission within the meaning of this Section, Signs on public right-of-ways. Applications for sign permits that do not comply with these regulations shall be forwarded to the City Council for consideration if requested by the applicant.

City of Aspen City Council  
Ordinance No. 17, Series of 2010

**A. Definitions.**

1. Unless otherwise indicated, the definitions of words used in these regulations shall be the same as the definitions used in this Chapter, Signs. In addition, the following definitions shall apply:
2. **Banner** means any sign of lightweight fabric, plastic or similar material that is attached to any structure, pole, line or vehicle and possessing characters, letters, illustrations or ornamentations.
3. **Banner, light post** means any sign of lightweight fabric, plastic or similar material that is attached to a light post and possessing characters, letters, illustrations or ornamentations which meets the dimensional requirements for and is intended to be installed on municipal light posts.
4. **Display** means any symbol or object that does not meet the definition of a sign as defined in this Code, but like a sign is intended to convey a message to the public.
5. **Flag** means any fabric or bunting containing distinctive colors, patterns or symbols, used as a symbol of a government, political subdivision or other entity which meets the dimensional requirements and is intended to be installed on municipal light posts.
6. **Public right-of-way** means the entire area between property boundaries which is owned by a government, dedicated to the public use or impressed with an easement for public use; which is primarily used for pedestrian or vehicular travel; and which is publicly maintained, in whole or in part, for such use; and includes without limitation the street, gutter, curb, shoulder, sidewalk, sidewalk area, parking or parking strip, pedestrian malls and any public way.
7. **Sign** means and includes the definition for sign as contained in Section 26.104.100, Definitions, of this Code. The term shall also include *displays* as that term is defined above.
8. **Sign, inflatable** means any inflatable shape or figure designed or used to attract attention to a business event or location. Inflatable promotional devices shall be considered to be temporary signs under the terms of this Chapter and, where applicable, subject to the regulations thereof.

**B. Signs on public rights-of-way.**

1. Purpose: The purpose of this policy is to regulate signs permitted to be located temporarily in the public right-of-way. Temporary signs shall be permitted in public rights-of-way to advertise noncommercial special events open to the general public provided the following policies and procedures are followed.

These regulations do not apply to banners on the Main Street light posts or hanging across Main Street that are subject to different regulations and criteria.

2. Size/Number/Material: Only two signs per event/organization shall be permitted. Signs shall not exceed ten square feet each and banners shall not exceed fifty square feet. Banners must be made of nylon, plastic or similar type material. Paper signs and banners are prohibited.
3. Content: Signs authorized pursuant to this policy shall be limited to signs that advertise the name, date, time and location of a special event for noncommercial purposes. The City recognizes the success of special events often depends on commercial sponsorship. Therefore, the City shall allow signs that contain the name of the applicant and/or event, date, time, names and location of the event, as well as sponsorship names and logos; provided, however, that the total sponsorship information shall not be the most prominent information conveyed by the signs and shall take up no more the thirty percent (30%) of the total area of the individual signs.
4. Cost/Fees/Procedures: Applicants shall be required to pay the necessary fees for approval from the Special Events Committee. Any event not requiring review by the Special Events Committee shall submit a sign plan to the Community Development Department for review and approval for a fee as outlined in Chapter 2.12, Miscellaneous fee schedules, of this Code. Applications must be received a minimum of thirty days prior to the event. The applicant shall also submit a refundable security deposit as outlined in the current fee schedule to be applied to any damages, repairs or the cost of removal if not corrected/removed by the applicant within three days.
5. Eligibility: Signs authorized pursuant to this policy shall be limited to a special campaign, drive, activity or event of a civic, philanthropic, educational or religious organization for noncommercial purposes.
6. Duration: Temporary signs authorized pursuant to this Section shall be erected and maintained for a period not to exceed fourteen (14) days prior to the date of which the campaign, drive, activity or event advertised is scheduled to occur and shall be removed within three (3) days of the termination of such campaign, drive, activity or event. Small directional signs are permitted the day of the event only and must be removed immediately following said event.
7. Maintenance: All signs and banners shall be maintained in an attractive manner, shall not impede vehicular or pedestrian traffic and shall not pose a safety risk to the public.
8. Exceptions: Any exceptions from the above requirements shall require City Council review and approval.

***C. Banners and flags on Main Street light posts.***

1. **Purpose:** Banners and flags hung from light posts on Main Street have traditionally been permitted to celebrate special events of community interest. The purpose of these policies and regulations is to clarify which events may be celebrated and advertised through the use of banners or flags hung from the City-owned light posts on Main Street.
2. **Eligibility:** Banners hung from the Main Street light posts shall be permitted for anniversaries of local nonprofit organizations beginning at the organization's tenth (10th) year and for events that are considered relevant to a large segment of the local community. The United States, Colorado, Aspen or foreign country flags shall be permitted at the discretion of the City Manager.
3. **Size/number/material:** All proposed banners or flags should meet the City's specifications for size, mounting and material. Banners shall be two feet wide and four feet high (2' x 4') to be compatible with mounting system on the light posts. Banners and flags must be made of nylon, plastic or similar material. Paper is not allowed.
4. **Content:** Banners shall only contain information identifying the event, the date and time or a simple graphic/logo related to the event. Any commercial advertising shall be minimized so that any commercial content is not the most prominent information conveyed on the banner or flag and shall be limited to no more than thirty percent (30%) of the area of the sign. The City reserves the right to request changes to the design, color or content in order to assist the applicant to comply with this requirement.
5. **Cost/fees/procedures:** The cost of installation is outlined in the current fee schedule set forth at Chapter 2.12, Miscellaneous fee schedules, of this Code. A refundable security deposit as outlined in the current fee schedule shall be required to assure replacement of damaged banners and retrieval of the banners from the City (see Section g below for maintenance requirements). The applicant shall be required to submit an application to the City Manager's office showing the dimensions, design and colors of the proposed banners or flags at least three (3) months prior to the event. Flags are required to be delivered to the City Parks Department one (1) week prior to the event. Banners shall be delivered to the Utility Department on Fridays at least two (2) weeks prior to their installation.
6. **Duration:** The display of banners and flags on the Main Street light posts shall not exceed fourteen (14) days or the duration of the event, whichever is less.
7. **Maintenance:** Prior to the placement of banners or flags on City street light posts, the applicant shall provide to the City a number of replacement flags or banners to be determined by the City. These replacement flags or banners shall be used by the City to replace banners or flags that are stolen or damaged. The cost of replacing banners or flags shall be deducted from the security deposit. Once banners have been removed, the applicant shall be required to pick up the banners from the City within three (3) days.

***D. Signs in City parks related to special events in the City Park.***

1. Purpose: Unattended signs are generally prohibited in City parks. Separate regulations apply to temporary unattended signs placed in Paepcke Park (See below for those regulations.) The purpose of this policy is to regulate unattended temporary signs that are permitted in limited circumstances in City parks. The City recognizes that unattended temporary signs may be a necessary element to many special events that are permitted in City parks in order to communicate general information to the public and advertise services, products and offerings as well as sponsorship of the special event. Accordingly, temporary unattended signs are permitted, subject to these policies, when the signs are connected to a special event at a City park for which a permit has been obtained from the City. Signs in City parks are typically temporary in nature and review occurs through the Special Events Committee.
2. Size/Number/Material: Unattended temporary signs located in City parks shall be limited in size to three feet by six feet. The number of signs oriented towards the event venue shall be limited to two (2) signs per sponsor, and the number of signs oriented towards the rights-of-way shall be limited to five (5) which shall not extend more than ten (10) feet above grade. Banners must be made of nylon, plastic or similar material. Paper banners and flags are prohibited. The Special Events Committee may approve one (1) inflatable per event of no more than twenty (20) feet in height if a suitable on-site location can be provided and if there is a demonstrable community benefit.
3. Content/location: The sign's content may include general information (i.e., dates, times, locations of activities) as well as advertisement of services, products, offerings and sponsorship up to thirty percent (30%) of the area of the sign. Unattended temporary signs conveying a commercial message shall be set back at least ten (10) feet from the public right-of-way.
4. Cost/Fees/Procedures: Applicants shall be required to pay the necessary fees for approval from the Special Events Committee. Any event not requiring review by the Special Events Committee shall submit a sign plan to the Community Development Department for review and approval for a fee as outlined in the current fee schedule. The applicant shall also submit a refundable security deposit as outlined in the current fee ordinance to be applied to any damages, repairs or the cost of removal if not corrected/removed by the applicant within three (3) days. The applicant shall receive the necessary approval prior to the installation of any signs. Applications must be received no later than thirty (30) days prior to the event.
5. Eligibility: Unattended temporary signs may be located in City parks only for the following reasons: a special campaign, drive, activity or event for a civic, philanthropic, educational or religious organization for noncommercial purposes for which a special event permit has been obtained from the City. An exception

to this regulation is six inch by thirty inch (6" x 30") directional signs for commercial organizations using City parks.

6. Duration. Unattended temporary signs may be erected and maintained only for the duration of the event or forty-eight (48) hours, whichever is less. All signs must be removed immediately following the event.
7. Maintenance: All signs must be maintained in an attractive manner, shall not impede vehicular or pedestrian traffic and shall not pose a safety risk to the public. A fifty dollar (\$50.00) refundable security deposit will be required to insure compliance.
8. Exceptions: The Special Events Committee may grant exceptions to the size and number regulations if deemed an appropriate location and/or event. Included in its evaluation, the Special Events Committee shall consider if there is a demonstrable community benefit to the event. The Special Events Committee, at its discretion, may send any requests for exceptions to Subsection 26.510.140.D.8 to City Council for review and approval.

#### ***E. Unattended Temporary Signs in Paepcke Park***

1. Purpose: Unattended signs in public parks are prohibited with the exception to Paepcke Park. The purpose of this policy is to regulate the placement of unattended temporary signs in Paepcke Park that are civic, philanthropic, educational or religious in nature.
2. Size/Number/Material: Applicants are limited to one (1) sign that shall comply with the City lighting and sign codes. The sign shall not exceed fifty (50) square feet in size. A total of four (4) signs shall be permitted in Paepcke Park at any single period of time, and applications will be handled on a first come, first serve basis.
3. Content/Location: The content of the display and any signs may not be commercial in nature. The applicant shall work with the Parks Department to find an appropriate location so that there is minimal impact on the park. Displays may not be affixed on or near the gazebo and shall not obstruct the view of the gazebo from Main Street.
4. Cost/Fees/Procedures: The applicant shall pay an application fee and a refundable security deposit as outlined in the current fee schedule to cover any damages caused by the installation, maintenance or removal of the sign. The applicant shall reimburse the Parks Department for any electric fees. An application shall be submitted to the Community Development Department for review by the City Manager or his/her designee. Applications shall be received no later than thirty (30) days prior to the proposed installation of the object.

5. Eligibility: Civic, philanthropic, education or religious nonprofit organizations shall be eligible. The City reserves the right to deny any application for a sign that would interfere in City-sponsored activities in the park.
6. Duration: Applicants are permitted to maintain their signs for no more than fourteen (14) days.
7. Maintenance: All signs shall be maintained in an attractive manner, shall not impede vehicular or pedestrian traffic and shall not pose a safety risk to the public. The applicant must work with the City Parks Department regarding all maintenance issues.
8. Exceptions: Any exceptions from the above requirements shall require City Council review and approval.

***F. Signs across Main Street at Third Street.***

- 1.. Purpose: The purpose of this policy is to regulate signs permitted to be located temporarily across the Main Street right-of-way at Third Street. Temporary signs shall be permitted in this location to advertise noncommercial special events open to the general public provided the following policies and procedures are followed. These regulations do not apply to banners on the Main Street light posts or signs other than those hanging across Main Street at Third Street.
2. Size/number/material: Banners must consist of the following specifications:
  - (1) Any type of durable material;
  - (2) Semi circular wind holes in banner;
  - (3) Metal rivets at all corners and every twenty four (24) inches along the top and bottom of the banner;
  - (4) Size will be twelve (12) feet in length and three (3) feet in width.
3. Content/Location: No commercial advertising will be allowed, except in cases where a sponsoring entity's name is part of the name of the event. In such cases, the organization promoting the event may not construct the banner such that sponsoring entity's commercial name is the most overwhelming aspect of the banner and the sponsor's name and logo shall be limited to no more than thirty percent (30%) of area of the sign. Political advertising on or located in the public right-of-way on public property (even by a nonprofit organization) is prohibited per Subsection 26.510.040.P.

4. Cost/Fees/Procedures:

- (a) A Main Street banner application and banner policy and procedure form must be obtained from the City Manager's office and completed by the party making the request and returned to the City Manager's office no less than 30 days prior to the date requested to hang the banner.
- (b) The exact legend of the banner must be indicated in writing (see specific area on application form). For your benefit, it is found that banners are most visually effective when kept simple: i.e., event, date organization and logo.
- (c) A fee of \$50.00 per one-sided banner or one hundred dollars \$100.00 per double-sided banner per week, must accompany the application form and be reviewed in the City Manager's office 30 days prior to the date the banner will be hung. All organizations will be charged the same rate, accordingly.
- (d) All banners should be delivered directly to the Electric Department, which is located in back of the Post Office at 219 Puppy Smith Road, by noon the Friday prior to the Monday hang date. Any banner not delivered by noon the prior Friday is subject to an additional fifty dollar (\$50.00) charge.
- (e) Please pick up the banner from the Electric Department within 30 days after the display week(s). The City assumes no responsibility for banners, and any banners left more than 30 days may be discarded.

5. Eligibility: The City provides space to hang four (4) single-sided banners and two (2) double-sided banners across Main Street with the intent of advertising community events, be it for arts organizations or nonprofits and/or not-for-profit organizations. These six (6) spaces are reserved on a first come, first serve basis. Reservations will be taken each year on November 1<sup>st</sup> for the following year. The first organization to have their contract negotiated, signed and paid will be offered the banner space on a first come, first serve basis.

6. Duration: One (1) banner, per event, may be hung for a maximum of fourteen (14) days, as per Subsection 26.510.030.B.1. Banner approvals are not guaranteed and will only be hung upon availability of the Electric Department staff. The length of time that a banner is to be hung is not guaranteed and may be shortened at the discretion of the City. Based on his/her judgment as to the best interest of the City, the City Manager may determine which banners are to be given priority when there are multiple requests for the same time period.

7. Maintenance: All banners shall be maintained in an attractive manner.

8. Exceptions: Any exceptions from the above requirements shall require City Council review and approval.

***G. Signs on public buildings. Signs on public buildings shall be prohibited.***

**Section 3:**

A public hearing on the Ordinance was held on the 27<sup>th</sup> day of September, 2010, at 5:00 p.m. in Council Chambers, Aspen City Hall, Aspen Colorado, fifteen (15) days prior to which hearing a public notice of the same was published in a newspaper of general circulation within the City of Aspen.

**Section 4:**

This ordinance shall not affect any existing litigation and shall not operate as an abatement of any action or proceeding now pending under or by virtue of the ordinances repealed or amended as herein provided, and the same shall be conducted and concluded under such prior ordinances.

**Section 5:** The effective date of this ordinance shall be December 15<sup>th</sup>, 2010. Therefore, the Sign Code in effect at the time of this approval shall be valid until December 15<sup>th</sup>, 2010. Prior to October 1<sup>st</sup> of 2011, the City Council shall hold at least one (1) work session to assess the effectiveness of this newly created Sign Code.

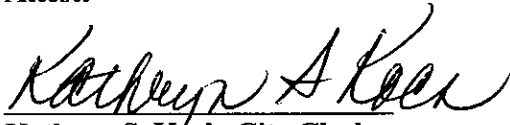
**Section 6:**

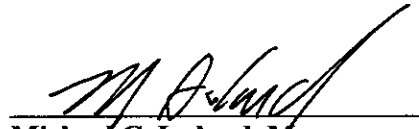
If any section, subsection, sentence, clause, phrase, or portion of this ordinance is for any reason held invalid or unconstitutional in a court of competent jurisdiction, such portion shall be deemed a separate, distinct and independent provision and shall not affect the validity of the remaining portions thereof.

**INTRODUCED, READ AND ORDERED PUBLISHED** as provided by law, by the City Council of the City of Aspen on the 26<sup>th</sup> day of July, 2010.

**{Signatures on following page}**

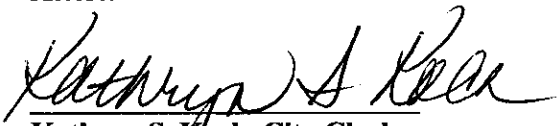
Attest:

  
Kathryn S. Koch, City Clerk

  
Michael C. Ireland, Mayor

FINALLY, adopted, passed and approved this 12<sup>th</sup> day of November, 2010.

Attest:

  
Kathryn S. Koch, City Clerk

 11-12-10  
Michael C. Ireland, Mayor

Approved as to form:

  
City Attorney