

9.5.112 Temporary Signs Excused from a Sign Permit.

a. The following temporary signs, when posted in compliance with the regulations set forth herein and the regulations of this title, are excused from the sign permit requirement. Excused temporary signs shall not be included in the total allowable sign area for a business or use as specified in Sections 9.5.128 and 9.5.130 (specific land use signs) of this title. However, if an otherwise excused temporary sign exceeds the limitations set forth herein, that sign shall be subject to a sign permit pursuant to Sections 9.5.122 and 9.5.124 (administration and entitlements) of this title.

- 1) Changes of copy on reader-board signs.
- 2) Flag, Traditional. The length or width of the flag shall not exceed one-quarter of the height of the flag pole. This does not apply to the display of the United States flag.
- 3) Governmental Agency. A temporary sign placed by a Federal or State government agency, or City, County, or local agency, including legal notices, community event/information signs, traffic signs, or similar public signs. Legal notices for public hearings shall be removed within seven days following the public hearing.
- 4) Menu signs in conjunction with a drive-through business, two menu boards not to exceed thirty (30) square feet each.
- 5) New Business and Grand Opening Signage.
 - a) Temporary banners for new businesses and grand openings within the City are exempt when the sign complies with the following regulations:
 - (1) Area. No single banner may exceed thirty-two (32) square feet.
 - (2) Duration. The signage may not be placed more than thirty (30) days prior to the initial date of the business opening, and must be removed within thirty (30) days after the initial date of the business opening.
 - (3) Number. One sign is permitted per business within the building.
 - (4) Placement. The banner must be hung from the building that is or will be occupied by the new business. No banner may be placed above the parapet or roofline of the building. The banner shall be suspended flush with the building wall.
 - (5) In addition to the signs permitted pursuant to this subsection, attention-getting devices such as search lights, balloons, flags, pennants and streamers are allowed in conjunction with the special event and shall be subject to the limitations of this section. Helium filled latex and/or mylar balloons are expressly prohibited. Any

attention-getting device may not be placed within the right-of-way and shall not create a traffic hazard.

b) Temporary A-frame signs may be allowed when the sign complies with the following regulations:

(1) Each side of sign may not exceed fifteen (15) square feet.

(2) Signs must be of professional quality and may consist of a framed chalkboard, tack board or changeable copy sign. The construction of the sign shall be of professional quality and shall be reviewed and approved by the Planning Department prior to receiving approval of an A-frame sign form.

(3) If the sign is placed on private property, the location of the sign shall not interfere with ADA accessibility, or pedestrian and vehicular traffic, as determined by the Community Development Director. Should it be determined by the City that the sign is out of compliance with this section, the City may remove the sign immediately, without notice.

(4) If the sign is located within the public right-of-way, the sign may only be located within landscaped areas that contain mulch. The sign may not be placed in any landscaped areas that contain low-lying landscaping, shrubs, or similar plantings. Signs located within the public right-of-way, excluding streets, medians and sidewalks, shall not interfere with ADA accessibility, pedestrian and vehicular traffic. The owner of the sign shall sign a form, which indemnifies the City from any liability resulting from the sign being placed within the public right-of-way.

(5) A-frame signs shall have a minimum distance of twenty (20) feet per sign.

6) Noncommercial window signs, not exceeding four square feet and limited to one per property.

7) Garage sale and yard sale signs are permitted subject to the following:

a) For each event, there shall be permitted one on-site sign and a maximum of four off-site signs, all of which shall indicate, at a minimum, the specific date(s) and location of the event.

b) The owner shall obtain the approval from the property owner of any off-site sign placed on private property.

c) Off-site signs are not allowed on any public property (including but not limited to trees within the landscaped areas, utility boxes, and utility poles) to be located within the public right-of-way, including streets, sidewalks and medians. The signs shall not

interfere with ADA accessibility or pedestrian and vehicular traffic.

d) The signs shall be portable ground signs, as defined in Section 9.5.106, with total dimensions including support stake or pole not to exceed four square feet, and shall be removed on the last date of the sale. The prompt removal of all signs shall be strictly adhered to.

e) Signs may not be posted more times than garage sale and yard sale events are otherwise allowed by Section 9.1.404(h)(5).

f) Any sign which does not comply with this section may be declared a public nuisance and be removed by the City immediately. If such sign is placed on public property, and causes damage to such structure, the City may impose an administrative citation or charge the owner of the sign the cost to repair the public property, if such owner is capable of being determined from the sign itself.

8) Private parking signs, not exceeding four square feet and provided the requirements of Section 9.1.1402 of the Oakley Municipal Code are complied with.

9) Sign twirlers are permitted subject to the following:

a) A sign twirler shall not impede pedestrian or vehicular access.

b) A sign twirler shall be subject to the sight obstruction regulation within Section 9.1.1404 of the Oakley Municipal Code.

10) Temporary On-Site Real Estate Signs. A temporary on-site sign offering a single property for sale or rent is excused from the sign permit requirement when in compliance with California Civil Code Section 173, and subject to the following requirements:

a) Number. There shall be only one temporary on-site real estate sign per street frontage;

b) Size.

(1) A temporary on-site real estate sign for a single-family or duplex residential use shall not exceed six square feet. A maximum of three rider signs may be attached to the freestanding sign and shall not count towards the sign area of the freestanding sign.

(2) A temporary on-site real estate sign for a commercial, industrial, mixed use, or multifamily residential property (with three or more units) for sale or lease shall not exceed thirty-two (32) square feet;

- c) Height. A temporary on-site real estate sign for a single-family or duplex residential use shall not exceed six feet in height. A temporary on-site real estate sign for a commercial, industrial, mixed use, or other nonresidential property for sale or lease shall not exceed eight feet in height;
 - d) Placement. No temporary on-site real estate sign shall be placed off site, or within a public or private right-of-way;
 - e) Relation to Site. An on-site real estate sign shall relate directly to the site, site design, or site construction (i.e., the name of the developer, contractor, real estate broker, for sale information, or similar site specific information); and
 - f) Duration. An on-site real estate sign shall be removed within seven days after the property is no longer for sale or lease.
- 11) Open house directional signs may be placed off the premises offered for sale or lease in accordance with the following:
- a) Signs shall not exceed four square feet in area or three feet in height.
 - b) Signs may be permitted in the public right-of-way only when adjacent to property lines in such a manner that does not interfere with ADA accessibility or interrupt the normal flow of vehicle or pedestrian traffic. Signing is prohibited in the center divider, and/or traffic islands of public streets, and landscaped areas adjacent to the sidewalk.
 - c) Signs may be displayed only during the period when the property is available for public showing. Signs shall be removed at the end of the day after each day of showing.
- 12) Public service signs, not exceeding four square feet.
- 13) Signs of public utility companies indicating danger or which serve as an aid to public safety or which show location of underground facilities or public telephones.
- 14) Temporary signs giving notice of upcoming community events, such as concerts, youth sports leagues, elections, candidacies, ballot measures, or similar events.
- a) Temporary signs allowing elections, candidacies, ballot measures to be taken down within ten (10) days of the event.
 - b) Temporary signs allowing elections, candidacies or ballot measures shall be placed no sooner than ninety (90) days prior to an election.
 - c) A statement of responsibility on a form provided by the City must be completed by any candidate for a general municipal election or any election, candidacy or ballot

measure prior to the placement of any temporary sign advertising or representing such election, candidacy or ballot measure. At minimum, the form shall name the responsible party for removal of such temporary sign, provide contact information for the responsible party and be signed by the responsible party.

15) Temporary A-frame signs used to give notice of charitable or fundraising events, such as car washes, subject to the following:

- a) The location of the on-site sign shall not interfere with ADA accessibility, pedestrian and vehicular traffic, as determined by the Community Development Director. Should it be determined by the City that the sign is out of compliance with this section, the City may remove the sign immediately, without notice.
- b) The sign may be displayed up to seven days in advance of the event.
- c) If the sign is located within the public right-of way, the sign may only be located within landscaped areas that contain mulch. The sign may not be placed in any landscaped areas that contain low-lying landscaping, shrubs, or similar plantings. Signs located within the public right-of-way, excluding streets, medians and sidewalks, shall not interfere with ADA accessibility, pedestrian and vehicular traffic. The owner of the sign shall sign a form, which indemnifies the City from any liability resulting from the sign being placed within the public right-of-way. If the sign is located within the public right-of-way, excluding streets and sidewalks, the sign shall not interfere with ADA accessibility or pedestrian and vehicular traffic. The owner of the sign shall sign a form, which indemnifies the City from any liability resulting from the sign being placed within the public right-of-way.

(Sec. 2, Ordinance No. 17-20, adopted November 10, 2020; Sec. 2(A), Ordinance No. 14-13, adopted September 24, 2013; Sec. 2, Ordinance No. 19-09, adopted September 8, 2009)