

**Town of Erie
Ordinance No. 004-2026**

An Ordinance of the Town Council of the Town of Erie Repealing and Reenacting Section 10-6-12 of the Erie Municipal Code and Amending Definitions Related Thereto, All Regarding Sign Regulations

Whereas, the Town Council desires to amend the Town's sign regulations to comply with recent United States Supreme Court decisions and to simplify the regulations.

Now Therefore be it Ordained by the Town Council of the Town of Erie, Colorado, as follows:

Section 1. Section 10-6-12 of the Erie Municipal Code is hereby repealed in its entirety and reenacted as follows:

10-6-12 – Signs.

A. *Purpose.* The purpose of this Section is to set out reasonable regulations for the design, location, installation, operation, repair, and maintenance of signs to protect the safety and welfare of pedestrians and motorists, maintain and enhance the appearance of the Town, and ensure that all signs are well constructed and maintained.

B. *Applicability:*

1. This Section shall apply to the display, construction, erection, alteration, use, location, and maintenance of any sign within the Town except as stated in subsection (2) hereof.

2. The following signs shall be exempt from this Section:

a. Any sign erected, maintained, required, or posted by the Town, State, or federal government when erected and maintained pursuant to law or in the public interest.

b. Seasonal decorations associated with any national, State, or local holiday provided they are displayed no more than sixty (60) days prior to and fifteen (15) days after the holiday, and for no longer than a total of one hundred fifty (150) days in a calendar year.

c. Signs located on school property, not located within a public right-of-way.

d. Sound trucks or other moving advertising media while operating on a public right-of-way.

e. Signs under twelve (12) inches in height which enable emergency personnel to accurately identify structures or locations.

f. Scoreboards on athletic fields.

C. *Prohibited signs.* All of the following signs are prohibited and, if located on public property, may be removed by the Town without notice:

1. Signs attached to a tree, light pole, utility pole, or bollard.
2. Signs located in the sight distance triangle or in any location where they may obstruct, impair, obscure, interfere with the view of, or be confused with, any traffic control sign, signal, or device, or where it may interfere with, mislead, or confuse traffic.
3. Signs mounted on a pitched roof or the deck of flat roof.
4. Flashing signs, signs emitting sound, rotating or moving signs boards, animated signs, signs with moving lights, or signs that create the illusion of movement. A sign that changes copy or color no more than once every thirty (30) minutes shall not be considered a flashing or moving sign.
5. Signs attached to or placed or painted on a vehicle or trailer, when the vehicle or trailer is parked on public property or on private property where the sign is visible from a public right-of-way for periods of five (5) consecutive days or longer.
6. Riders or other attachments to signs.
7. Off-premises signs.

D. *Sign permits:*

1. *Permit required.* No sign shall be painted, constructed, erected, remodeled, relocated, expanded, or altered without a sign permit issued by the Town under this Section. Maintenance of an existing sign in compliance with this Section shall not require a permit.

2. *Permit issuance.* No permit shall be issued unless the sign complies with this Code and all applicable fees are paid.

3. *Permit exceptions.* The following signs do not require a permit if the signs comply with all applicable provisions of this Section:

- a. Signs on private property not exceeding four (4) square feet in area.
- b. A-frame or sandwich board signs not exceeding six (6) square feet in area displayed on private property with authorization of the property owner.

E. *Sign standards:*

1. *General sign standards.* The following standards shall apply to all signs:

Table 6.12-1: General sign standards			
Standard	Zone District		
	AG/OS, AGH, RP1, RP2, RP3, RR, ER, SR, LR, OTR, MR, HR, and PD - agricultural, open space and residential land uses	DT and NMU (inside of Old Town)	NMU (outside of Old Town), CMU, PLI, LI, AP, CC, RC, B Districts, and PD - nonresidential land uses
Total maximum sign area for all signs on a property	32 square feet	1 square foot per each lineal foot of tenant frontage ¹	1 square foot per each lineal foot of tenant frontage with a maximum gross surface area of 228 feet ¹
Maximum sign area per individual sign face	N/A	32 square feet	N/A
Maximum monument and ground sign height	6 feet	6 feet	6 feet
Maximum sign height for all other signs	Shall not exceed the height of the principal building on which the sign is located		
Maximum number of signs ²	2 per street frontage	3 per tenant for each tenant building frontage or 2 per street frontage for vacant parcels	4 per tenant for each tenant building frontage or 2 per street frontage for vacant parcels or tenant frontages of less than 32 linear feet
<p>1. Vacant parcels and tenants with less than 32 linear feet of tenant frontage may have a maximum of 32 square feet of sign area.</p> <p>2. In addition to the number of signs permitted in each zone district, 2 temporary signs shall be permitted per tenant. Temporary signs shall remain in place for less than 30 consecutive days, and for no more than 120 days per calendar year.</p>			

2. *Illuminated signs.* Illuminated signs shall be internally illuminated or externally illuminated by a cutoff fixture. Illuminated signs shall not cast light on any adjacent property.

3. *Projecting signs.* A projecting sign or wall sign may project over public property a maximum of two (2) feet beyond the property line when a minimum clearance of at least eight (8) feet is provided between the sign and the ground. Projecting signs shall not exceed the height of the wall or façade to which the sign is attached.

4. *Monument signs.* At least forty (40) percent of monument signs shall be constructed of the same primary materials used as the

principal building. No more than one (1) monument sign may be permitted on a single lot.

5. *Wall signs.* A wall sign shall not exceed the height of the wall or façade to which the sign is attached.

F. *Measurement and calculation.*

1. *Sign area.* Sign area is calculated as the area within a continuous perimeter that encloses the limits of text and graphics of a sign, together with any frame or other material or color forming an integral part of the display or used to differentiate the sign's message from the background against which it is placed. The area excludes the structure upon which the sign is placed unless the structure is an integral part of the display or used to differentiate it, but includes any open space contained within the outer limits of the display face of a sign, or between any component, panel, strip, or figure of any kind composing the display face, whether this open space is enclosed by a frame or border or not.

2. *Sign height.* Sign height is measured from average ground level at the base of or below the sign to the highest element of the sign.

G. *Maintenance:* All signs shall be structurally sound and maintained in good repair. The display surfaces of all signs shall be kept neatly painted or posted at all times.

H. *Nonconforming signs:* Any legally established sign made nonconforming by the adoption of or amendment to this Section may continue to exist, so long as it remains otherwise lawful, subject to the following:

1. *Termination.* A sign will lose its legal nonconforming status when: it is brought into full compliance with this Chapter; it is removed; or the primary structure on the property on which the sign is located is the subject of an application for a building permit for reconstruction, remodeling, expansion, or other improvements to the primary structure, and the value of the proposed improvements total more than twenty-five percent (25%) of the replacement cost of such primary structure.

2. *Maintenance.* Legal nonconforming signs shall be maintained in safe condition at all times.

3. *Replacement.* A legal nonconforming sign shall not be replaced unless the replacement sign is in full compliance with this Section.

4. *Reconstruction.* If a legal nonconforming sign is damaged to the extent that the repair costs exceed fifty percent (50%) of the replacement cost of the sign, the sign shall be removed or brought into compliance with this Chapter.

Section 2. Section 10-11-3 of the Erie Municipal Code is hereby amended by the addition of the following definition to be inserted alphabetically:

10-11-3 – Terms defined.

* * *

Sign, off-premises: A sign that directs attention to a business, product, commodity, service, entertainment, or attraction sold, produced, offered or existing at a location other than upon the lot or parcel where the sign is located.

* * *

Section 3. Severability. If any article, section, paragraph, sentence, clause, or phrase of this Ordinance is held to be unconstitutional or invalid for any reason, such decision shall not affect the validity or constitutionality of the remaining portions of this Ordinance. The Town Council hereby declares that it would have passed this Ordinance and each part or parts hereof irrespective of the fact that any one, or part, or parts be declared unconstitutional or invalid.

Section 4. Safety. The Town Council finds that the adoption of this Ordinance is necessary for the protection of public health, safety and welfare.

Section 5. Effective Date. This Ordinance shall take effect 10 days after publication following adoption.

Introduced, Read, Passed and Ordered Published this ____ day of _____, 2026.

Andrew J. Moore, Mayor

Attest:

Debbie Stamp, Town Clerk