

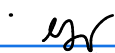
Seattle Department of Transportation

DIRECTOR'S RULE 05-2023

Signs Projecting Over Public Right-of-Way



Seattle
Department of
Transportation

Subject: Signs Projecting Over Public Right-of-Way	Page 1 of 9 Supersedes: N/A Publication: June 14, 2023 Effective: October 13, 2023
Type of Rule: Code Interpretation	Ordinance Authority: SMC 3.12.020
Code and Section Reference: Seattle Municipal Code (SMC) Chapters 15.02, 15.04, and 15.12	Approved:  Greg Spotts (Oct 13, 2023 14:33 PDT) Greg Spotts, SDOT Director

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- 1.1. Seattle Municipal Code (SMC) Chapter 15.12, Signs, Banners and Street Clocks
- 1.2. SMC Chapter 23.55, Sign Code
- 1.3. Seattle Building Code, Section 3107, Signs

- 2.1. The Seattle Department of Construction and Inspections (SDCI) reviews signs projecting from private property that have an area greater than 5 square feet or that are connected to an electrical power source, including outline and border tube lighting, issuing one-time permits for approved signs. This includes review of the structural strength, the quality of materials, and conformance with all applicable ordinances.
 - 2.1.1. Seattle Municipal Code (SMC) section 23.55.004 Signs projecting over public rights-of-way, includes right-of-way clearance and siting standards that inform the SDCI permit review and inspection of these standards.
- 2.2. As of the publication of this rule, the Seattle Department of Transportation (SDOT) also reviews signs projecting from private property over public right-of-way and issues long-term Public Space Management permits for approved signs. This includes review of conformance to clearance and siting standards in SMC section 23.55.004.
- 2.3. The purpose of this SDOT Director's Rule is to:
 - 2.3.1. Eliminate the costly duplication of review and permitting efforts by two City departments by removing the requirement for a long-term renewing SDOT permit for owners of signs that project over public right-of-way; and
 - 2.3.2. Interpret relevant SMC provisions by consolidating and highlighting applicable right-of-way requirements and siting standards for sign owners.

- 3.1. “Sign” means any medium, including structural and component parts, that is used or intended to be used to attract attention to the subject matter for advertising, identification, or informative purposes. (SMC 23.84A.036)
- 3.2. “Sign owner” means the individual or entity owning the property or business to which the projecting sign is intended to attract attention to the subject matter for advertising, identification, or informative purposes.
- 3.3. “Sign, projecting over public right-of-way” means any above-grade sign that extends from private property over public right-of-way.

Businesses may, without a long-term Public Space Management (PSM) permit, maintain a sign projecting from private property over public right-of-way providing the conditions and requirements in this section are met. Signs located entirely within public right-of-way (those that do not project from private property), are regulated by SMC Title 15 and do require a PSM permit.

4.1. REQUIREMENTS FOR OWNERS OF SIGNS PROJECTING OVER PUBLIC RIGHT-OF-WAY

- 4.1.1. The sign owner shall agree to defend, indemnify, and hold harmless the City of Seattle, its officials, officers, employees, and agents from and against any liability, claims, actions, suits, loss, costs, expense judgments, attorneys' fees, or damages of every kind and description resulting directly or indirectly from any act or omission of the permittee, its subcontractors, anyone directly or indirectly employed by them, and anyone for whose acts or omissions they may be liable, arising out of the sign owner's use or occupancy of the public place.
- 4.1.2. The sign owner shall comply with SMC Title 15; SMC Chapter 23.55; and Seattle Building Code Chapter 3107, including but not limited to:
 - 4.1.2.1. Siting standards in SMC 15.12 and SMC 23.55.004; and
 - 4.1.2.2. Prohibitions in SMC 23.55.003.
- 4.1.3. The sign owner shall maintain their signs and sign supports clean and in good repair.
- 4.1.4. The sign owner shall remove the sign from over public right-of-way when their business moves or closes at that location, or their associated property is sold, unless:
 - 4.1.4.1. The new business or property owner at that location requests in writing that the sign be left for their re-use.
- 4.1.5. For any sign that has an area greater than 5 square feet or that is connected to an electrical power source, including outline and border tube lighting, the sign owner shall obtain a sign permit from SDCI. For any sign with an area less than or equal to 5 square feet, the sign owner shall still comply with all siting standards and prohibitions (See 4.1.2 of this Director's Rule).
- 4.1.6. For any sign located adjacent to a historic landmark or within a historic district, the sign owner shall obtain a Certificate of Approval when required by that district.

- 5.1. SDOT may remove the sign, or may require the sign owner or property owner to remove the sign from over public right-of-way after providing 30 calendar days' notice; or without notice in case any use or occupation is dangerous or any structure or obstruction is insecure or unsafe; or is not constructed, maintained, or used in accordance with the provisions of SMC Title 15. [SMC 15.04.070.A. and SMC 15.04.072]

- 6.1. This rule includes language from the SMC that is effective on the date this rule was published. If SMC provisions referenced in this rule are updated and become inconsistent with the SMC provisions in this rule, the updated SMC provisions shall control.

Seattle Department of Transportation
700 5th Avenue, Suite 3800
PO Box 34996
Seattle, WA 98124-4996
(206) 684-ROAD (7623)
www.seattle.gov/transportation



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