

CITY OF BELLEVUE, WASHINGTON

ORDINANCE NO. 377

AN ORDINANCE relating to non-conforming signs; defining them; providing for their removal; and fixing penalties for the violation hereof.

WHEREAS, the Planning Commission has observed the effect of non-conforming uses, and their influence in attempting to justify new non-conforming uses; and

WHEREAS, the Planning Commission has developed a program for the amortization of certain non-conforming uses, to-wit signs, and has recommended the same to the Council; and

WHEREAS, the Council has considered the recommendation of the Planning Commission; now therefore

THE CITY COUNCIL OF THE CITY OF BELLEVUE DO ORDAIN AS FOLLOWS:

Section 1. Definition: A "non-conforming sign" is one which does not meet the requirements of the zoning, sign and other ordinances of the City of Bellevue.

Section 2. In the residential districts of the City of Bellevue: R-8.5 to R-1A, and R-A, R-2, R-3, R-3L and R-S, existing commercial signs, as defined by Ordinance No. 280 as amended, are declared non-conforming, and shall be removed on or before one year after the effective date of this ordinance.

Section 3. In the business districts of the City of Bellevue: B-N, B-1, B-2, B-W, C-1, C-2 and C-M, existing non-conforming commercial signs, as defined by Ordinance No. 280 as amended, shall be removed on or before three years after the effective date of this ordinance.

Section 4. All other existing non-conforming signs within the City of Bellevue, other than those listed above, shall be removed on or before three years after the effective date of this ordinance.

Section 5. Upon adoption of this ordinance, the Planning Officer shall inventory all non-conforming signs. Written notice describing the sign, the character of the non-conformity, the date upon which removal is to be completed, and describing the action necessary to alter the sign to conform to applicable ordinances, shall be served either personally or by registered mail upon all persons having any interest in the premises upon which the sign is located as shown upon the records of the King County Auditor's office, and upon the person or firm occupying the premises upon which the sign is located if there be such.

Section 6. Not less than forty-five days prior to the date above specified for the removal of said sign, the Planning Officer shall serve a second written notice, containing the information specified in paragraph 5 above, upon the parties and in the manner specified in said paragraph 5.

Deleted
~~Section 7. On or before the date specified for the removal of said sign, the owner thereof may file an appeal with the Board of Adjustment. The filing of such an appeal shall suspend any action by the Planning Officer until the Board has ruled on the case. The appeal may be based upon an application for a variance, or upon an appeal from an administrative decision. A prior variance granted by the Board shall not be considered per se a reason for a variance.~~

Section 7. Non-conforming signs shall be removed by their owners on or before the date specified above, or on or before the removal date specified in any ruling of the Board. Such signs standing thereafter will be removed by the City, and the cost of such removal shall be assessed, at the option of the City, either (1) against the real property upon which sign was located, or (2) against the person or firm occupying the premises upon which the sign was located. If the City removes such signs, and if the City exercises its option to assess the cost thereof against the real property upon which the sign was located, the City Treasurer shall determine the amount of the assessment due and owing, and shall certify the same to the King County Treasurer, who shall enter the amount of such assessment upon the tax rolls against the property, all in the manner provided by law.


Section 8. Administrative liability. No officer, agent or employee of the City of Bellevue shall render himself personally liable for any damage that may accrue to persons or property as a result of any act required or permitted in the discharge of his duties under this ordinance. Any suit brought against any officer, agent or employee of the City of Bellevue, as a result of any act required or permitted in the discharge of his duties under this ordinance, shall be defended by the City Attorney until the final determination of the proceedings therein.

Section 9. Violations--Penalties. That every person violating any of the provisions of this ordinance shall be punishable by a fine not exceeding Three Hundred Dollars, or by imprisonment not exceeding ninety days, or by both such fine and imprisonment, and each day's violation shall constitute a separate offense punishable under this ordinance.

Section 10. Severability. If any section, subsection, sentence, clause, phrase or portion of this ordinance is for any reason held invalid or unconstitutional by any court of competent jurisdiction, such portion shall be deemed a distinct and independent provision, and such holding shall not affect the validity of the remaining portions hereof.

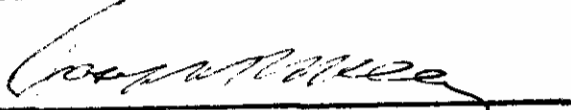
Section 11. This Ordinance shall take effect and be in force five (5) days after its passage, approval and legal publication.

PASSED by the City Council on this 3rd day of May, 1960, and signed in authentication of its passage this 3rd day of May, 1960.



Mayor

Approved as to Form:

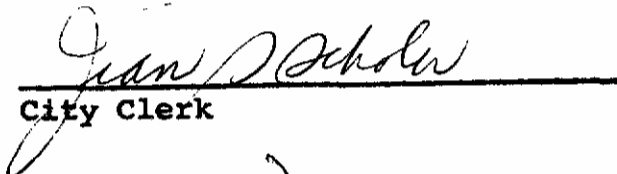


City Attorney

FILED
CITY OF BELLEVUE
DATE May 4, 1960
CITY CLERK Jean P. Scholer

(SEAL)

Attest:



City Clerk

Published May 12, 1960