

SIGN ORDINANCE No. 03-09-04, 12 A
OF SANDOVAL COUNTY, NEW MEXICO

SECTION 1. TITLE

These regulations shall be known as the "Sign Ordinance of Sandoval County New Mexico" and shall be referred to herein as "this Ordinance."

SECTION 2. PURPOSE AND INTENT

The purpose of this ordinance is to permit signs that will not, by their size, location, or construction endanger the public health and safety of individuals, or confuse, mislead, or obstruct the vision necessary for traffic safety. Furthermore, it is the purpose of this Ordinance to maintain property values and to create a more aesthetically pleasing community, through the preservation of the natural beauty and environment of Sandoval County, by preventing the over-concentration, improper placement, excessive lighting and density of signs, but keeping in mind the importance of signage to the business community, and the vital element it serves in the free enterprise system. In addition, these regulations shall be supplemental to the regulations promulgated by the New Mexico Highway Beautification Act [67-12-1 to 67-12-14 NMSA 1978] concerning the regulation of outdoor advertising along public highways.

SECTION 3. INTERPRETATION OF SANDOVAL COUNTY SIGN REGULATIONS

- A. Where there is a conflict between provisions of this Ordinance and provisions of other regulations of Sandoval County, the provisions of this Ordinance shall apply.
- B. If any court of competent jurisdiction determines any provision of this Ordinance to be invalid, such determination shall not affect any other provision of this Ordinance not specifically included in the court's judgement.
- C. If any court of competent jurisdiction determines any provision of this Ordinance to be invalid as applied to any particular sign, such determination shall not affect the application of such provision to any other sign not specifically included in the court's judgement.

SECTION 4. JURISDICTION

This Ordinance shall apply to all land within the County that is not within the jurisdiction of an incorporated municipality or Indian reservation or any municipal-county extraterritorial authority, and is not held in trust or ownership by the Federal Government or the State of New Mexico.

SECTION 5. DEFINITIONS

A. Definitions. As a used in this ordinance, the following definitions apply:

"Area of Sign" shall mean the entire area within a single continuous perimeter composed of parallelograms, circles, ellipses, trapezoids and triangles, or a combination of two (2) of the above or regular portions thereof, per sign panel which enclose the extreme limits of the advertising message, announcement, declarations, display, illustration, insignia, surface or space of a similar nature; together with any frame or other material, color or condition which forms an integral part of the display and is used to differentiate such sign from the wall or background against which it is displayed. The necessary supports or uprights on which such sign is placed are excluded from the sign area. Where a sign has two or more faces, the area of all faces shall be included in determining the area of the sign, except that only one face of a double-faced sign shall be considered in determining the sign area when both faces are parallel and the distance between faces does not exceed two feet.

Further, where a sign consists only of individual letters, numerals, symbols, or other similar components and is painted on or attached flat against the wall of a building, and where such individual components are without an integrated background definition and are not within a circumscribed framed area, the total area of the sign shall be the sum of the areas of the squares or rectangles surrounding each individual component.

Where statuary, either real or simulated, is used as a sign, the area of said sign shall be the three vertical sides of the smallest right rectangle enclosing the figure that is most visible from the public right-of-way.

"Attached Signs" shall mean any sign which is fastened, attached, connected or supported in whole or in part by an attached building or structure other than a sign structure which is supported wholly by the ground.

"Banner" shall mean a temporary sign of fabric, plastic, paper, or other light pliable material, not enclosed in a rigid frame, but mounted so as to allow movement of the sign by atmospheric movement.

"Billboard" shall mean an off-premise sign which directs the attention of the public, the business or activity conducted or product or service sold or offered at a location not on the same premises where such business sign is located.

"Building Line" shall mean a line established by Ordinance beyond which no building may extend. A building line may be a property line.

"Commission" shall mean the Planning Commission of Sandoval County.

“Construction Renovation Sign” any temporary sign erected on the premises where construction/renovation is taking place and indicating the names of the architects, engineers, landscape architects, financial institutions, contractors, or similar artisans, and the owners, sponsors, and similar individuals or firms having a role or interest with respect to the structure or project. Such sign may remain fifteen (15) days after completion of the project.

“Customary Maintenance” any activity performed on an advertising display for the purpose of actively maintaining the display in its existing approved physical configuration and size dimensions at the specific location approved on the permit application for a legally placed display, for the duration of its normal life.

“Direct Lighting” shall mean a sign designed to provide artificial light through exposed lighting on the sign face, such as neon.

“Directional Sign” shall mean a sign of non-commercial nature which indicates the location of public or educational institutions, historical areas of structures, or public parks; or which indicates access to parking and loading areas or indicates traffic circulation patterns.

“Directory Sign” shall mean a sign designed to show the relative locations of the several commercial activities within a shopping center or other multi-tenant development.

“Double-faced Sign” means any two adjacent signs on separate structures with both faces oriented in the same direction. A double-faced sign maybe referred to as a side-by-side sign.

“Fascia” shall mean a parapet-type wall used as part of the fascia of a flat roofed building and projecting not more than six (6) feet from the building face immediately adjacent thereto. Such a wall shall enclose at least three (3) sides of the projecting flat roof and return to a parapet wall or the building.

“Flashing Sign” shall mean an illuminated sign which exhibits changing light or color effect by blinking or by any other means so as to provide inconsistent illumination.

“Government Sign” any sign erected by any city, county, state, or federal agency or its designee, setting forth information pursuant to law.

“Ground Sign” and or **“Pole Sign”** shall mean any sign which is supported by structures or supports in or upon the ground and independent of support of any building.

“Illegal Sign” shall be defined as all signs except the following:

1. Allowed by this Ordinance and not requiring a permit.
2. Allowed by this Ordinance with permit and carrying a valid permit.

3. Not allowed by this Ordinance but legalized by variance and proper permit.
4. Allowed by this Ordinance, subject to a Use Permit or a Special Use Permit, providing the permit has been granted and a proper permit is in force.
5. Has been found to be a valid non-conforming sign.

"Internal Lighting" shall mean a source of illumination entirely within the sign which makes the sign content visible at night by means of light being transmitted through a translucent material, but wherein the source of the illumination is not visible.

"Legal Notices" any sign required by law or pursuant to a court order.

"Marquee" shall mean a permanent roof-like structure extending from part or all of the building facade over a public right-of-way and constructed of some durable material such as metal, glass, or plastic.

"Monument Style" sign shall mean a sign in which the width of the sign base shall be solid and equal to the sign fascia, and shall be in architectural conformity with the primary structure. Billboards shall be held to a different architectural standard outlined in this Ordinance.

"Non Conforming Sign" shall mean any sign which is not allowed under this Ordinance, but which, when first constructed, was legally allowed by Sandoval County or the political subdivision then having the control and regulation over construction of signs, and was in continuous use. To retain conforming status, such signs shall be determined to be in current and continuous use, and shall be subject to the nonconforming sign provisions of this Ordinance.

"Permanent Sign" shall mean any sign which is intended to be and is so constructed as to be of lasting and enduring condition, remaining unchanged in character, condition (beyond normal wear) and position, provided the sign is listed as a permanent sign in this Ordinance.

"Political Sign" a temporary sign pertaining to any national, state, or local election.

"Portable Sign" shall mean a freestanding sign not permanently affixed; to the ground or, structure on the premises it occupies.

"Premises" shall mean an area under a single ownership or a single lease, no part of which is separated from the other by any land under a different ownership or lease agreement.

"Roof Line" shall mean the highest point of the main roof structure, not including cupolas, pylons, projections or minor raised portions of the roof.

“ Sign” shall mean any device for visual communication that is used for the purpose of bringing the subject thereof to the attention of the public, but not including any flag, badge or insignia of any government or governmental agency, or of any civic, charitable, religious, patriotic, fraternal, or similar organization, and further not including any item of merchandise normally displayed within a show window of a merchant.

The term **“sign”** shall mean and include any display of any letter, numeral, figure, emblem, picture, outline, character, spectacle delineation, announcement or anything in part or in combination by any means whereby the same are made visible to the eye and for the purpose of attracting attention outdoors to make anything known, whether such display be made on, attached to or as a part of any other structure, surface or thing; including but not limited to, the ground or any rock, tree, or other natural object, when display is visible beyond the boundaries of the lot or parcel of property on or over which the same is made.

“Sign Face” the net geographic area enclosed by the sign, including all elements such as borders or frames, perforated or solid background, but not including the projected area of structural supports for ground signs unless it is designed in such a manner as to form an integral part of the background of the display.

“Sign Height” shall mean the vertical distance measured from the adjacent street grade or upper surface of the curb, whichever permits the greatest height, to the highest point of said sign, excluding embellishments.

“Sign Structure” shall mean the supports, uprights, braces, and framework of the sign.

“Temporary Signs” shall means any sign, banner, pennant, balance or advertising display constructed of cloth, canvass, light fabric, cardboard, wallboard or other like materials, with or without frames, intended to be displayed for a short period of time only, not to exceed a period of thirty (30) days.

“Vehicle Sign” shall mean signs mounted upon, painted upon, or otherwise erected on a trailer, truck, automobile or other vehicle so parked or placed so that the signs thereon are visible from a public street or right-of-way.

“Vision Clearance” at all road or street intersections, no obstructions to view shall be placed or maintained between three feet and eight feet above the roadway level in a triangular space at the road or street corner on a corner lot. Such triangle space shall be bounded by the corner property lines and a diagonal line connecting points that are 25 feet in distance from the property line intersection.

“V-type Sign” means two signs in the shape of the letter **“v”** when viewed from above with their faces oriented in opposite directions with more than a 45 degree angle of separation.

"Wall-Mounted" shall mean a sign mounted flat against, or painted on the wall of a building or structure with the exposed face of the sign in a plane parallel to the face of said wall. No wall-mounted sign shall be located above the plate line or project more than fifteen (15) inches from the wall.

SECTION 6. GENERAL PROVISIONS

No sign may be placed in violation of Section 131 of the title 23 of the United States Code.

- A. **Setbacks.** 10'ft. from edge of right of way including overhangs.
- B. **Size.** The maximum sign face shall not exceed 50 sq. ft., except for billboards as allowed in this ordinance.
- C. **Sign height.** The maximum sign height shall not exceed 17' feet, or as otherwise allowed in this ordinance.
- D. **Number.** One (1) freestanding and one (1) wall mounted per non-residential development or premise, except as allowed in this ordinance.
- E. **Maintenance.**
 - 1. All signs shall be kept in good repair, both structurally and in appearance and maintained in good and safe structural condition. All braces, bolts, clips, fastenings, and supporting frame shall be securely affixed to the support structure or wall and shall be free from insect infestation, rot, or other deterioration. The general area, including vicinity of any sign must be kept free and clear of materials (i.e. weeds, debris, trash and other refuse.)
 - 2. If the message portion of a sign is not maintained or if it is removed, leaving only the supporting "shell" of a sign or the supporting braces, anchors, or similar components, the owner of the sign or the owner of the property where the sign is located or other person having control over such sign shall, within four (4) months of the removal of the message portion of the sign, either replace the entire message portion of the sign or remove the remaining components of the sign. This subsection shall not be construed to alter the prohibition on the replacement of a nonconforming sign. Nor shall this subsection be construed to prevent the changing of the message of a sign.
 - 3. No sign shall be illuminated by flashing, intermittent or moving light or lights or be lighted in any way unless the lighting is so effectively shielded as to prevent beams or rays of light from being directed at any portion of the main-traveled way of the interstate or primary roadway. No sign shall be placed or

maintained if visible from any highway and displaying any red or blinking intermittent light likely to be mistaken for a warning or danger signal. Any sign, the illumination of which is not constant in intensity when in use except illuminated signs which indicate the date, time or temperature, or other public service information shall not be considered a flashing sign. No display may include any illumination which is in motion or appears to be less than four seconds, nor may the interval between messages be less than one second.

F. Maintenance and Removal.

1. Customary Maintenance is permitted and includes the following activities:
 - a. The changing of advertising message, including temporary alteration of the outside dimensions of a display in the form of add-ons or cut-outs as incident to a change in copy.
 - b. The routine replacement of border and trim.
2. Customary maintenance does not include the following (all of which acts shall be considered as 'placing' of a new advertising display):
 - a. Raising the height of the display from ground level.
 - b. Relocation of all or any portion of a display.
 - c. Adding a back-up panel facing to a single panel and display.
 - d. Increasing any dimension of any panel facing.
 - e. Any repair or refurbishing of a display that exceeds 50% of the value of the display in its pre-existing state as determined by acceptable appraisal methods shall be considered as an act of placing a new advertising display and not an act of customary maintenance. It shall be the responsibility of the permittee to provide the County Planning Department with adequate proof of the cost of such work in the form of an itemized statement of repair cost including direct and indirect costs, whenever such information is requested by the department. Detailed records from which the itemized statement is compiled shall be retained by the permittee for a period of four years from the date that the repair work is completed and shall be available for verification by the Planning and Zoning Department.
3. Signs that have been destroyed or have fallen shall be repaired, reconstructed or removed of all debris and must be completed prior to the 30th day after receipt of written notice from the County. Upon a showing of good cause, the County may extend the 30-day time period.
4. Unsafe signs:

If, in the opinion of the Planner and Zoning Director or designee, any sign becomes unsecured, unsafe, or subject to fall, the County, upon

supported findings shall give written notice of the sign's condition to the person responsible for the sign (owner or lessee). The person so notified shall correct the unsafe condition of the sign within (30) days in conformance with the provisions in this section.

- G. On corner lots non-residential uses may have the maximum allowable number and square footage of on-premise signs as permitted for each street frontage. Sign maximum allowances, however, are not transferable either in whole or in part from one street frontage to another.
- H. When a sign is erected at the street corner of a parcel, or at a building front corner, and is situated at an angle so as to be visible from both streets or both frontages, said sign and number of signs shall not exceed the maximum area and number allowed for wall signs.
- I. A free standing sign may consist of more than one sign panel, provided all such sign panels are attached to one common integrated sign structure. The total area of all such panels shall not exceed the maximum allowable sign area specified for a free standing sign on said parcel. Where a sign message consists of separate and individual letters, modules, or symbols, each portion of said sign message shall not be considered as a one-sign panel. In such cases, a continuous perimeter completely surrounding the sign message shall be used to determine its sign area.
- J. Shingle signs used to identify a business whose front is under a roof overhang, covered walkway or covered porch, may be placed either parallel to the street, and shall be adjacent to the business which it identifies. The sign shall be suspended from a roof overhang, covered walkway or covered porch. No part of a suspended sign shall extend beyond the edge of the overhang. Signs placed parallel to the street may be attached to the fascia, provided no part of the sign extends above or below the fascia. A minimum clearance of eight (8) feet shall be maintained between the bottom of the sign and the nearest grade or sidewalk.
- K. The following locational requirements shall apply to all signs:
 - 1. No sign or structure shall be erected in such a manner that any portion of its surface or supports will interfere in any way with the free use of any fire escape, exit or standpipe.
 - 2. No sign shall obstruct traffic by obstructing the vision of motorists.
 - 3. No person, firm or corporation shall erect or cause to be erected any sign which projects over any public sidewalk, street, alley or public place.

4. No sign shall be erected or maintained in the public right-of-way except as provided hereafter in this Ordinance.

SECTION 7. PROHIBITED SIGNS.

- A. No sign shall be erected or maintained within "Vision Clearance"
- B. No sign shall prevent drivers of a vehicle from having a clear and obstructed view of pre-existing official signs and approaching or merging traffic.
- C. Signs applied to trees, rocks, or other natural objects.
- D. Signs which interfere with the effectiveness of any official traffic control devices.
- E. No sign shall be erected or maintained within County public right of way, public utility easements or private roadway easements.
- F. "A" frames and portable signs of more than four (4) square feet in area.
- G. Permanent banners, pennants, fixed balloons and flags; but excluding temporary banners, pennants, fixed balloons and flags that are used for specific sales events or promotional programs, not to exceed fifteen (15) days per year.
- H. Vehicle signs, except for advertising or identification markings which are painted on or permanently or magnetically attached to a business or commercial vehicle. Vehicle with vehicle signs as authorized by this Ordinance shall not be primarily or consistently parked in a fixed location for display of sign message.
- I. Signs identifying businesses conducted out of a residence (home occupation).

SECTION 8. EXEMPT SIGNS.

The following are signs that are Permitted Uses under the Ordinances of Sandoval County and do not require a sign permit:

- A. Signs not exceeding one sq. ft. in area and bearing only property numbers, post box numbers, or names of occupants on premises.
- B. Flags and insigna of any government.
- C. Legal Notices, identification, information or directional signs erected by the government bodies.
- D. Integral decorative or architectural features of buildings, except letters, trademarks, moving parts or moving lights.
- E. Signs directing and guiding traffic and parking on private property, but not bearing advertising matter.
- F. Construction Renovation Signs
- G. Government Signs
- H. Real Estate Signs (not to exceed 10 sq. ft., no more than one (1) per property for sale.)
- I. Legal or Public Notices.
- J. Political Signs (may be erected 10 days prior to early voting but must be removed no more than 10 days after the primary and or general election)

- K. Tablets, grave markers, headstones, statuary or remembrances of persons or events non-commercial in nature.
- L. Temporary decorations or displays (banners) celebrating the occasion of traditionally accepted patriotic, religious or local holidays or events.
- M. The erection, construction, and maintenance of official traffic, fire and police signs, signals and devices and markings of the State of New Mexico and Sandoval County or other authorized public agency, or the posting of notices as required by law.
- N. Non-illuminated directional or informational signs of public or quasi-public nature which do not include directions to commercial establishments, and which do not exceed six (6) square feet.

SECTION 9. CORRIDOR STANDARDS

The following standards shall apply to all signs erected within 1000 ft of Interstate 25, US Highway 550 and State Roads 4, 14, 22, 96, 126, 165, 197, 290, 313, 314, 315, 485, 528, and 537.

- 1. Such signs shall be of the monument type, or consist of individually mounted letters on entry perimeter walls.
- 2. All free standing and wall signs shall be internally lighted. No indirect lighting of these signs shall be allowed.
- 3. Residential Districts
 - a. Permanent identification signs for Master Planned Communities or subdivisions of at least twenty (20) lots are subject to the following:
 - i. A maximum of two (2) wall mounted signs are permitted for each entry. The maximum area of such sign shall be forty (40) square feet and the maximum height shall be six (6) feet.
 - ii. The sign(s) shall be located in a landscaped area of at least two (2) square feet per each one (1) square foot of sign area.
- 4. For multi-family uses, identification signs for apartments and condominium complexes shall be allowed, subject to the following:
 - a. A free standing identification sign area, not to exceed forty (40) square feet in total area, and not to exceed ten (10) feet in width or six (6) feet in height. Such signs shall be located at least five (5) feet from any property line.

- b. In addition to (a) above, a wall-mounted identification sign shall be permitted, not to exceed forty (40) square feet in area, and not extend above the roof line.
- c. Free standing signs shall be located in a landscaped area of at least two (2) square feet for each one (1) square foot of sign area.

5. Non-Residential Districts

- a. For all commercial and industrial uses, the following identification signs shall be permitted:
 - i. Each free standing building shall be allowed one (1) wall-mounted identification signs, with a total combined sign area not to exceed a maximum of sixty (60) square feet in area, or four (4) percent of the building facade whichever is greater, not to extend above the roof line.
 - ii. One free standing identification sign, not to exceed a maximum of one hundred (100) square feet in area, and not to exceed a maximum of seventeen (17) feet in height. Two free standing identification signs shall be permitted on properties whose frontage exists on two (2) arterial streets. Such free standing identification signs shall be set back at least five (5) feet from any property line with the leading edge.
 - iii. For free standing signs, a landscaped area shall be provided at the base of the free standing sign, with said landscaped area to be a minimum of four (4) square feet for each one (1) square foot of sign area.
- b. In addition to the above provisions, an identification directory sign shall be permitted, where appropriate, not to exceed twelve (12) square feet in area and six (6) feet in height. Such directory sign shall be located behind the required front yard setback.
- c. Notwithstanding the provisions above, no more than two (2) temporary signs may be painted on or otherwise displayed from the surface of any window, for a period not to exceed thirty (30) days. The area of such signs shall not exceed twenty-five (25) percent of the area of the window on which displayed. The area of said signs shall be deducted from the total allowed sign area.

6. Special Purpose Signs

- a. Shopping centers shall be subject to the following:
 - i. One free standing identification sign per street frontage.
 - ii. The total sign area of one (1) face of a free standing identification sign shall not exceed one-hundred and fifty (150) square feet, and shall not exceed a height of twenty-four (24) feet.
 - iii. Such free standing identification sign shall identify the center only, and shall not be included as part of the total identification signage permitted individual tenants within the commercial center.
 - iv. For said free standing sign, a landscaped area shall be provided, on-premise at the street frontage at the base of the sign, which shall consist of four (4) square feet of landscaped area for each one (1) square foot of sign area.
 - v. Within a commercial center, all wall, or fascia-mounted signs for individual tenants shall be uniform in terms of colors, shapes and maximum vertical dimensions with all other such signs in the center. Each tenant shall be allowed one (1) wall mounted identification signs, not to exceed a maximum of twenty-four (24) square feet or four (4) percent of the building facade, whichever is greater, not to extend above the roof line.
- b. Sale, lease or rent signs shall be non-illuminated and not exceed six (6) square feet in area and five (5) feet in height. On properties with one (1) or more acres said sign area shall be increased to thirty-two (32) square feet, and the maximum height allowable shall be eight (8) feet. Such signs shall pertain only to the land or building upon which such sign is displayed. Such signs shall not require a sign permit.
- c. One (1) construction sign located along a street frontage and denoting architects, engineers, contractors, and other related subjects shall be permitted only until an occupancy permit for the referenced project is obtained. Said sign shall not exceed forty-eight (48) square feet and shall not exceed six (6) feet in height.

SECTION 10. BILLBOARDS.

Commission review

The Planning Commission shall have the responsibility of issuing sign permits for all billboards, subject to the following requirements:

- A. Billboards may be located along lands within Sandoval County jurisdiction, on Interstate 25 and Hwy 550 within 200 ft. of those rights of way.
- B. No two signs on the same side of the right-of-way shall be spaced less than 2, 000 ft apart.
- C. Billboards shall not exceed 35' in elevation above the grade level of the roadway which they serve or 17' above the ground level to which it is placed, whichever is lower.
- D. Two billboard faces back to back, or v-type with no more than a 45 degree angle of separation are allowed. Vertical stacking of billboards is prohibited.
- E. Billboards shall be monument in type, and made of a masonry material.
- F. The architecture of the monument sign shall be harmonious with the surrounding landscape of the area to which it is located.
- G. Billboards as attached signs are prohibited.
- H. No billboard may exceed 300 sq. ft. of total "sign area".
- H. May not be illuminated by any means.
- I. A maximum of two faces, parallel back-to-back is permitted, provided, both faces are of the same size and attached to the same support structure.
- J. Billboards shall be set back a minimum of thirty (30) feet from the property line fronting along Highways and Interstates.

SECTION 11. NONCONFORMING SIGNS

- A. Any nonconforming sign, as defined in this Ordinance, may be continued in use, and reasonable repair and maintenance shall be made to same.
- B. If it is damaged or destroyed to the extent of more than 50% of its assessed value, the sign must be removed.
- C. If a nonconforming sign is damaged or vandalized (less than 50% of value), such sign must be restored in a like manner within sixty (60) days, or it shall lose its nonconforming status and it shall be removed at the owner's expense; or the nonconforming signage shall be replaced with sign(s) that are in compliance with this Ordinance.

SECTION 12. SIGNS AUTHORIZED WITHOUT PERMITS

- A. Permits shall not be required for the following signs or situations, provided, however, that such signs shall be subject to any and all applicable provisions of this Ordinance.
 - 1. Name plates for residential use less than four (4) square feet or less in sign area not otherwise prohibited by this Ordinance.
 - 2. Any signs four (4) square feet or less in sign area not otherwise prohibited by this Ordinance.
 - 3. Standard sign maintenance other than the changing of sign wording or composition (except changeable copy signs).

4. Sign relocation as required by the County.
5. Signs erected on site as identification of temporary sales areas.

SECTION 13. SIGN PERMITS AND APPLICATION.

- A. **Permit Required:** A permit shall be applied for and received from the County before erecting, placing, rebuilding, reconstructing, or moving any sign.
- B. **Application:** An application for a sign permit shall be obtained by the Planning and Zoning Director.
- C. **Submittals Required:** For a sign permit including the following:
 1. A scaled line drawing showing the design, height and dimensions of the sign;
 2. a site plan or line drawing drafted to scale, showing the proposed location of the sign on the site, and all easements;
 3. said plan or drawing shall include the scale, design and location of all other existing signs maintained on the premises on which the applicant's sign is proposed.
- D. **Restrictions:** Sign permit applications for free standing signs and billboards exceeding twenty (20) feet in height measured from ground level, shall be accompanied by an engineer's design drawing showing the appropriate calculations. Said drawing shall be stamped by an engineer certified in the State of New Mexico.
- E. **Review:** The submittals and application shall be reviewed for compliance with these sign regulations by the Planning and Zoning Director or designee pursuant to procedures set forth in this Ordinance and shall be submitted with the preliminary development plan, if applicable.

SECTION 14. PERMITTED USE.

Notwithstanding any other provision of the Ordinances of Sandoval County, Signs for which an application for a sign permit has been approved shall be a conforming use of the property in compliance with the ordinances of Sandoval County.

SECTION 15. VARIANCES.

- A. Any request for a variance shall be submitted with filing fee to the Planning and Zoning Director or designee on a prescribed application form obtainable from the Planning and Zoning office. The Director shall transmit the application and any supplementary material within 90 days.
- B. The Planning and Zoning Commission may impose necessary requirements in approving a variance to assure that the requested variance:
 1. Will cause no significant hazard, annoyance, or inconvenience to the owners or occupants of nearby property; and

2. Will not significantly change the character of the neighborhood or reduce the value of nearby property.

SECTION 16. FEE SCHEDULE: (Based on total "Sign Face" and is a one time fee)

\$1.00 per square foot

(Fees shall be collected for each separate structure used in the erection of v-type signs)

SECTION 17. APPEALS

Right of Appeal. Anyone aggrieved by a decision of the Planning & Zoning Director or the Zoning Commission in carrying out the provision of this Ordinance may appeal such decision in accordance with Section 21 of the Sandoval County Comprehensive Zoning Ordinance. Such appeal must set forth specifically wherein it is claimed there was an error or an abuse of discretion, or where the decision was not supported by evidence in the matter.

SECTION 18. PENALTIES

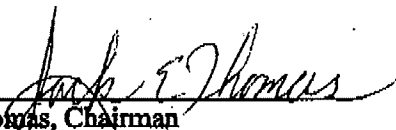
In addition to other remedies allowed by law, anyone violating any of the provisions of this Ordinance shall upon conviction be subjected to fine not exceeding \$300.00 or imprisonment for a period not exceeding 30 days after conviction shall be prosecuted and treated as a separate offense.

SECTION 19. SEVERABILITY

If any of the provisions of this Ordinance is declared illegal, void or unenforceable, the remaining provision will not be affected and shall remain in full force and effect.

SANDOVAL COUNTY BOARD OF COMMISSIONERS

Approved and Passed this ____ day of _____, 2003



Jack Thomas, Chairman



Daymon Ely, Vice Chairman

SANDOVAL COUNTY

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Elizabeth Johnson
Elizabeth Johnson, Member

William Sapien
William Sapien, Member

David Bency
David Bency, Member

ATTEST:

ATTEST AS TO FORM:

Victoria S. Dunlap^{clerk}
Victoria Dunlap, County Clerk

David Mathews
David Mathews, County Attorney