

Chapter 15.16

CANOPY CONSTRUCTION

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15.16.010 Canopies and awnings permitted.

A. Canopies, awnings and like structures may be constructed or installed over the public right-of-way extending out from a building in a B-1 zoning use district, or for churches in any zoning district, if constructed, installed and maintained in accordance with the requirements of this Chapter and all other applicable City regulations.

B. A person desiring to construct or install any such structure shall submit an application to the City, including, if required by applicable regulations, the application for a building permit or any permits or licenses as may be required by City historical preservation regulations, public property design standards or other such regulations.

C. Construction may not proceed until a building permit and other applicable approvals and permits are approved by the City. (Ord. 9, §1(part), 1987)

15.16.020 Construction standards.

A. All canopies, awnings and other such structures shall be designed and constructed so that they do not impede or obstruct vehicular or pedestrian traffic and do not create site barriers which result in traffic hazards.

B. All structures shall be designed, installed and constructed in accordance with good engineering and construction practices and all applicable code requirements to insure that no safety hazard is created. The City may require certification by a registered professional engineer or architect of the structural integrity of any proposed design.

C. The lowest portion of any such structure, other than supports, shall be at least eight feet above the grade of sidewalk or right-of-way.

D. Unless otherwise approved, all canopies, permanent awnings or like structures in the B-1 zoning district may extend no closer than six feet from the curblineline. Canopies, permanent awnings or like structures in other zoning use districts may extend no closer than twenty-four inches from the curblineline. (Ord. 9, §1(part), 1987)

15.16.030 Design standards.

A. All structures to be installed and maintained above public property shall comply with applicable design standards as adopted by the City from time to time, including historical preservation regulations and other regulations.

B. All canopies, awnings and other similar structures shall be designed to be consistent and compatible with and to promote the historical architectural features of the buildings to which they are attached and, for those in the B-1 district, with the character of the B-1 district in general as such may be described in more detail in historical preservation or other City regulations. Such provisions shall apply to the materials used and the design to be approved. (Ord. 9, §1(part), 1987)

15.16.040 Maintenance requirements.

A. All canopies, awnings and other structures approved pursuant to these provisions or erected pursuant to prior provisions shall be maintained in good repair and in safe condition. Repairs or modifications shall be done only in accordance with the provisions of this Chapter as amended from time to time.

B. Advertising placed upon any canopy or awning shall be only as allowed by City sign and other regulations. (Ord. 9, §1(part), 1987)

15.16.050 Termination of right to maintain a canopy.

A. Canopies, awnings or other structures which do not meet the requirements of this Chapter and the design standards specified pursuant to 15.16.030, as such may be amended from time to time, may be maintained as is over City property if they were lawfully erected and maintained in accordance with applicable prior regulations subject to the following terms and conditions:

1. A permit is required pursuant to 15.16.010 for any material alteration in the structure and shall only be allowed if the alteration reduces the nonconforming features. Minor maintenance shall be allowed without a permit.

2. If a nonconforming canopy, awning or other such structure is damaged or destroyed, and the cost of repairing or replacing it exceed 50% of the value of the entire structure

after repair, such repair or replacement shall comply fully with the requirements of this Chapter.

3. If any canopy, awning or other similar structure is removed other than temporarily in the course of maintenance, it may be replaced only with a conforming structure.

B. No canopy, awning or other structure, whether approved pursuant to prior regulations or not, may be maintained over City property if it creates any traffic hazard or safety hazard or is not maintained in good repair and safe condition.

C. The City Manager, following reasonable notice and hearing, may terminate the right to maintain any canopy, awning or other structure over City property upon the determination that the structure is not being maintained or was not constructed in accordance with the applicable requirements of this Chapter or other City regulations. (Ord. 9, §1(part), 1987)