



February 2023

**City/County
Planning Division**

**Billings
Metropolitan
Planning
Organization**

2825 3rd Ave. N
Billings, MT 59101
4th Floor
P 406.247.8676

Planning Staff
Sign Companies
Applicants, Agents

RE: Code Interpretation/ Clarification – Alterations in reference to Code Section 27-1403-Nonconforming Signs – Definition and Limitations

It has come to the attention of the Zoning Coordinator that the definition of “alterations” in the zoning code at Section 27-1803 (Terms and Definitions) does not provide guidance related to signs, especially for wall signs on multi-tenant buildings that may be nonconforming to the current wall sign area limitation for the entire structure (Sec 27-1407.B through F.)

This letter is an official **Code Interpretation** issued by the Zoning Coordinator and will be the official interpretation of this part of the sign code from this date forward, unless or until code amendments are adopted by the City Council that make this interpretation moot or contrary to new code.

The code has defined in Section 27-1403.B the two types of nonconforming signs – major and minor. Code section 27-1403.C and 27-1403.D describes and limits alterations to these existing legally nonconforming signs.

It is the interpretation of the Zoning Coordinator, that alteration of either a major or minor nonconforming sign is allowed so long as the alteration does not include an increase in any nonconforming element of the sign. For existing tenants in multi-tenant structures, alterations include updating signage – either letters or logos or entire sign cabinets – so long as those alterations are done for the existing business or entity and do not increase any nonconforming element of the original sign. The definition of Alterations for existing legal nonconforming signs will include the following:

Allowed alterations of either a major or minor nonconforming sign includes a change or rearrangement of the structural parts of the existing sign elements for an existing business or entity, so long as the alteration does not increase an existing nonconforming element or elements or create a new nonconforming element for the sign. Alterations of this type are only allowed for existing business or entities. Alterations will not include changes that remove a sign of a previous business or entity and replace it with a sign for a new business or entity. Alterations allowed for major or minor nonconforming signs will also include the removal and replacement of a sign face as described in Section 27-1402.B(3). This allowance for a sign face change is not limited to existing businesses or entities.

If the existing sign does not include a defined surface area for the placement of text, symbols or images, then an exempt “sign face change” is not allowed. Examples of non-surface area signs include individual letters, symbols or images attached directly to the building façade or on a raceway, or wireway attached to the building façade. These types of signs do not have a “sign face” that can be changed under the limitations of the code. Please see Section 27-1404.B.3(c). Measurement and calculation for how wall signs without borders are measured.

Relevant existing Code Sections:

Section 27-1402.B(3)

Sign permit exemptions. The following activities shall not require a sign permit, provided that these exemptions shall not be construed as relieving the owner from the responsibility to comply with the provisions of this zoning code or any other law or ordinance, including the city's adopted building code(s), and any related state sign regulations:

- (a) Changing of the advertising copy or message on an existing approved painted or printed sign, marquee, changeable copy sign or a similar approved sign whether electrical, illuminated, electronic changing message display or non-illuminated painted message which are all specifically designed for the use of replaceable copy;*
- (b) Painting, repainting, cleaning or other normal maintenance and repair of a sign not involving structural changes. Replacement of or a change of a plastic sign face will be included as an exempt operation;*
- (c) Changes in the content of show window displays and permitted temporary signs.*

Section 27-1404.B.3(c)

Wall signs.

(1) Wall sign with border. The sign area is entire area within any type of perimeter or border which may enclose the outer limits of the sign face.

(2) Wall sign without border. The area of the sign that does not have a perimeter or border shall be computed by enclosing the entire area with parallelograms, triangles, or circles of the smallest size sufficient to cover the entire area of the sign and computing the area of these parallelograms, triangles or circles. The area computed shall be the maximum portion or portions which may be viewed from any one direction.

A sign face is defined as follows in **Section 27-1803**:

Sign face: The surface area of the sign that is designed for the placement of text, symbols, or images.
(emphasis added)