

APPENDIX N SIGNS

Insert new Appendix N in the Building Code to read as follows:

SECTION

N101 General

N101 GENERAL

N101.1 General. This section shall govern the erection, hanging, placing, painting, display, and maintenance of outdoor display signs and other forms of exterior advertising. Except as otherwise specifically provided, signs bearing non-commercial statements of fact, belief, or personal or political opinion posted on private property are not subject to the provisions of this section.

N101.2 Definitions. The following words and terms shall, for the purposes of this section and as used elsewhere in this code, have the meanings shown herein.

BILLBOARD. This term includes billboards and poster panels.

N101.3 Permits. No sign subject to the provisions of Section 101 that exceeds 1 square foot (0.093 m²) in area, unless exempted by Section 101.3.5, shall be erected, made a part of a building, painted, repainted, placed, replaced, hung, re-hung, altered, repaired structurally, changed in color, made to flash, or maintained, without a permit issued in accordance with this section by the code official.

101.3.1 Application for permit. Application for sign permit shall be made upon a form provided by the code official. Application for a permit to install a sign shall be accompanied by drawings in triplicate, drawn to scale showing details of construction dimensions, lettering, and method of attachment of the sign.

101.3.2 Dimensions of the premises. The application shall contain a statement of width of premises or width and height of the building, or any other dimensions deemed necessary by the code official to determine the allowable area of the sign.

101.3.3 Materials specifications. The applicant shall furnish specifications or other information covering type and thickness of materials for the sign and its support.

N101.3.4 Permits for electrical signs. Any sign on or in which lighting of any type is to be used, or which will be illuminated by artificial means, or which will contain other electrical features, shall be designed in accordance with Chapter 27 of this code and

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require the issuance of a separate electrical installation permit.

N101.3.5 Exemptions from permit. The types of signs and advertising specified in Sections N101.3.5.1 through N101.3.5.7 do not require permits unless located within areas requiring review by the Commission of Fine Arts.

N101.3.5.1 Theater bills and changeable copy signs. The changing of bills of acts and features of theaters on established frames at such theaters, and the changing of the copy of any authorized changeable copy sign, the wording of which does not conflict with the provisions of this section.

N101.3.5.2 Billboard advertising. Changing of matter advertised on authorized billboards and poster panels included in the official list of billboards.

N101.3.5.3 Signs within a building. Any sign located within a building, not attached directly or painted on a window, and not located within 18 inches (457 mm) of a window or entrance.

N101.3.5.4 Signs on windows. Signs upon a show window, or upon any other window abutting on, or overlooking a street or public way, within the Commercial and Industrial Districts as fixed by the *Zoning Regulations*, which signs advertise only the name of the occupant of the building, office, or store, the business conducted or products sold therein, when the aggregate area of those signs does not exceed 20 percent of the area of the window upon which they are displayed.

N101.3.5.5 Small unilluminated signs. Unilluminated signs located outside of and unattached to buildings in areas zoned Commercial or Industrial, otherwise complying with Section N101.6, when such signs do not exceed three (3) per record lot, when each such sign does not exceed 3 feet (914 mm) in its maximum dimension and 4 square feet (0.371 m²) in area, and when each of such signs is located more than 20 feet (6096 mm) back of the building line or of the building restriction line. Such signs shall be allowed in addition to those for which a permit is required under this section.

N101.3.5.6 Real estate signs. Real estate signs not exceeding 6 square feet (0.557 m²) in area.

N101.3.5.7 Vacated property. One sign not to exceed 6 square feet (0.557 m²) in area, giving the name, business, and new address of the former occupant, is permitted to be displayed for not more than 60 days.

N101.3a Notwithstanding the limitations and exemptions stated in Section N101.1 and N101.3.5, a permit is required for the erection, painting, repainting, placement, replacement, hanging,

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replacing, alteration, repair, or change of a sign larger than one (1) square foot in size on the outside of a building on historic property or located within the first eighteen (18) inches inside a glazed opening of a building on historic property.

N101.3a.1 Permits shall be issued or denied for signs on historic property bearing non-commercial statements of fact, belief, or personal or political opinion that would otherwise be excluded from regulation under this section pursuant to Section N101.1, and for signs on historic property that would otherwise be exempt from the permit requirement pursuant to Section 3103.5, based solely on their compliance with the requirements of 10A DCMR, Chapter 25.

N101.3b Notwithstanding the limitations stated in Section N101.1 a permit is required for the erection, painting, repainting, placement, replacement, hanging, re-hanging, alteration, repair, or change of a sign bearing a non-commercial statement of fact, belief, or personal or political opinion that would otherwise be excluded from regulation under this section pursuant to Section N101.1, if the sign is subject to review by the Commission of Fine Arts under Section N101.4. Permits shall be issued or denied for these signs based solely on their compliance with Section N101.4 and applicable Commission of Fine Arts requirements.

N101.4 Commission of Fine Arts submission. The provisions of Sections N101.4.1 through N101.4.2.9 shall govern applications for review of signs to be made to the Commission of Fine Arts.

N101.4.1 Shipstead-Luce Act area submissions. All applications to erect signs on buildings or land within the area controlled by An Act To regulate, the height, exterior design, and construction of private and semipublic buildings in certain areas of the National Capital (“Shipstead-Luce Act”), approved May 16, 1930 (46 Stat. 366; D.C. Official Code § 6-611.01 *et seq.* (2012 Repl.)), shall be submitted to the Commission of Fine Arts for review before a permit is issued. In addition to compliance with all other applicable provisions of this section, signs within the meaning of the Shipstead-Luce Act shall comply with the requirements of Sections N101.4.1.1 through N101.4.1.9.

N101.4.1.1 Billboards, roof signs, projecting and revolving signs. Billboards as described in Section N101.7.6, roof signs as described in Section N101.7.2, projecting signs as described in Section N101.7.1, and revolving signs as described in Section N101.7.11, shall not be permitted.

N101.4.1.2 Permissible signs. Single-faced signs, only, shall be permitted upon the exterior walls of buildings, and all signs shall be stationary. The maximum sign projection allowed shall not exceed 12 inches (305 mm) beyond the building or building restriction lines.

N101.4.1.3 Illuminated signs. Illuminated signs shall consist of freestanding,

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back-lighted, opaque letters, illuminated by steady light. Exposed sources of sign illumination shall be prohibited.

N101.4.1.4 Sign dimensions. The aggregate area of all signs advertising any one business on a building or premises shall be limited to 25 sq. feet (2.322 m²) per street frontage.

N101.4.1.5 Sign copy. Copy on signs shall be limited to the address or name of the establishment, or both, and the type of business conducted, as indicated by the Certificate of Occupancy issued for the premises involved.

N101.4.1.6 Number of colors on sign. No more than two colors, nor more than one color in addition to black or white, shall be used for any sign, including the illumination of such sign.

N101.4.1.7 Signs on awnings. Signs on awnings shall be limited to the valance and shall otherwise comply with other applicable requirements of this section.

N101.4.1.8 Show window lettering. Lettering of signs limited to a show window, or any other window, abutting on or overlooking a street or public way, shall cover an aggregate area of not more than 25 square feet (2.322 m²), per business, nor more than 20 percent of the area of the window, whichever is less.

N101.4.1.9 Nonconforming signs. Despite the limitations imposed by the requirements above, when the Commission of Fine Arts finds that the sign or the conditions surrounding it justify granting a variance from or exception to any of the requirements of Sections N101.4.1.1 through N101.4.1.8 and the Commission finds that granting such a variance or exception will not impair the intent and purpose of this section or of the Shipstead-Luce Act, the code official is authorized to approve an application to erect a sign not conforming to the said requirements.

N101.4.2 Old Georgetown Act area submissions. All applications to erect signs on buildings or land within the area controlled by An Act To regulate the height, exterior design, and construction of private and semipublic buildings in the Georgetown area of the National Capital (“Old Georgetown Act”), approved September 22, 1950 (64 Stat. 903; D.C. Official Code § 6-1201 *et seq.* (2012 Repl.)), shall be submitted to the Commission of Fine Arts for review before a permit is issued. In addition to compliance with all other applicable provisions of this section, signs within the meaning of the Old Georgetown Act shall comply with the requirements of Sections N101.4.2.1 through N101.4.2.9.

N101.4.2.1 Billboards, roof signs, projecting and revolving signs. Billboards

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as described in Section N101.7.6, roof signs as described in Section N101.7.2, and revolving signs as described in Section N101.7.11, shall not be permitted. Projecting signs as described in Section N101.7.1, shall be allowed upon favorable recommendation by the Commission of Fine Arts, which shall include the maximum allowable projection of the sign.

N101.4.2.2 General restriction. All signs shall be stationary.

N101.4.2.3 Illuminated signs. Illuminated signs shall consist of freestanding, back-lighted, opaque letters, illuminated by steady light. Exposed sources of sign illumination shall be prohibited.

N101.4.2.4 Sign dimensions. The aggregate area of all signs advertising any one business on a building or premises shall be limited to 25 square feet (2.322 m²) per street frontage.

N101.4.2.5 Sign copy. Copy on signs shall be limited to the address or name of the establishment, or both, and the type of business conducted, as indicated by the Certificate of Occupancy issued for the premises involved.

N101.4.2.6 Number of colors on sign. No more than two colors, nor more than one color in addition to black or white, shall be used for any sign, including the illumination of such sign.

N101.4.2.7 Signs on awnings. Signs on awnings shall be limited to the valance and shall otherwise comply with other applicable requirements of this section.

N101.4.2.8 Show window lettering. Lettering of signs limited to a show window, or any other window, abutting on or overlooking a street or public way, shall cover an aggregate area or not more than 25 square feet (2.322 m²), per business, nor more than 20 percent of the area of the window, whichever is less.

N101.4.2.9 Nonconforming signs. Despite the limitations imposed by the requirements above, when the Commission of Fine Arts finds that the sign or the conditions surrounding it justify granting a variance from or exception to any of the requirements of Sections N101.4.2.1 through N101.4.2.8 and the Commission finds that granting such a variance or exception will not impair the intent and purpose of this section or of the Old Georgetown Act, the code official is authorized to approve an application to erect a sign not conforming to the said requirements.

N101.5 Marking of signs. Every sign for which a permit is required shall be marked with letters not less than 1 inch (25.4 mm) in height, giving the permit number and date of permit issuance.

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N101.5a Signs on Historic Property. Signs on historic property shall comply with the requirements of 10A DCMR Chapter 25.

N101.6 Character of Advertising. No sign subject to the provisions of Section N101 shall be erected, hung, rehung, placed, replaced, painted, repainted, repaired, or maintained upon any structure or upon any wall or roof, or upon any premises, unless such sign advertises a bona fide business conducted on the premises, and for which business a Certificate of Occupancy has been issued. The change of sign copy on any sign other than an authorized “Changeable Copy Sign” shall require issuance of a new sign permit.

Exceptions:

1. Signs covered by Sections N101.3.5.1 through N101.3.5.3, N101.3.5.5 through N101.3.5.8, billboards as described in Sections N101.7.6 through N101.7.6.7.15, and temporary signs as described in Section N101.8.
2. When buildings are under construction or alteration for a specific use, the code official is authorized to issue a permit for the construction or erection of a sign complying with these regulations, if such building or alteration has progressed to the satisfaction of the code official for its projected use, and application for Certificate of Occupancy has been filed.

N101.6.1 Area use restriction. Not more than 50 percent of the area of any sign shall be used to advertise products or commodities actually sold on the premises.

Exception: Devices indicating only time, temperature, or both, shall not be required to comply with this restriction.

N101.6.2 Removal of signs. Any sign subject to the provisions of Section N101 that was erected, hung, re-hung, placed, replaced, painted, repainted, or maintained and which no longer advertises a bona fide business conducted upon the premises as specified in Section N101.6, is not permitted pursuant to N101.6a, or is not an authorized billboard or poster panel, shall be taken down, removed, or obliterated within five (5) days upon notification by the code official or such longer time as may be designated by the code official, and failure to so comply on the part of the owner, occupant, agent, or person having beneficial use of any building or premises upon which such sign may be found, shall subject the owner to the fines provided for in Section 4 of An Act To regulate the erection, hanging, placing, painting, display and maintenance of outdoor signs and other forms of exterior advertising within the District of Columbia, approved March 3, 1931 (46 Stat. 1486; D.C. Official Code § 1-303.23 (2012 Repl.)), or to civil fines, penalties, and fees pursuant to Titles I-III of the Department of Consumer and Regulatory Affairs Civil Infractions Act of 1985, effective October 5, 1985 (D.C. Law 6-42; D.C. Official

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Code § 2-1801.01 et seq. (2012 Repl.).

N101.6.3 Street clocks. No lettering or advertising matter shall be placed on any street clock or part thereof, except that the name of the manufacturer of the clock is permitted to be displayed on the dial in small letters not to exceed one-twentieth of the height of the dial.

N101.6.4 Signs on vacant property. Display of any sign, poster, or other advertising medium on or in any part of a vacant building, store, or premises, visible from the street or public way, other than real estate signs, complying with Section N101.16 and authorized billboards or poster panels, is prohibited.

Exception: One sign not more than 6 square feet (0.557 m²) in area giving the name, business, and new address of the former occupant is permitted to be displayed for not more than 60 days on the vacated premises.

N101.6.5 Directional signs. Directional signs shall not be allowed except as permitted under Section N101.7.6 for billboards or poster panels, under Section N101.6.4 on vacated property, and their temporary display for the purpose of indicating the availability of real estate for sale or lease and the holding of an open house at a particular property.

Exception: Signs not more than 6 square feet (.557 m²) in area indicating the location of parking facilities for patrons shall be allowed under permit.

N101.6.6 Special permits. The code official is authorized to issue a permit to erect and maintain a sign not conforming with this section if the code official finds that such sign or conditions surrounding such sign are unusual in character, of a type infrequently encountered, and that approval of the permit will provide an equitable application of this section basically in keeping with its purpose and intent. The code official in each such special permit is authorized to impose such terms and conditions as he or she may deem necessary. Any sign erected under a special permit shall be removed at or prior to the time specified in the permit for the removal of such sign. If no time is specified, then such sign shall be removed not later than ten (10) days after notice from the code official to do so.

N101.6.6.1 Temporary decorations for buildings. The code official is authorized to approve permits for temporary decorations on the fronts of buildings or on legal projections from buildings in the spirit of a holiday period, inauguration, or similar occasion. Temporary decorations are permitted to include greetings, symbols, pictures, and other markings appropriate to the occasion. Any structures, framework, and fastenings shall be subject to the usual requirements. Authority is not granted in this section to approve applications for decorations on,

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over, along, or across any street or highway, except as provided for in Section N101.6.6.2. Permits for temporary decorations shall be issued for periods not exceeding 40 days.

N101.6.6.2 Temporary decorations for streets. Temporary street decorations shall not be installed on, over, along or across any street or highway until a special permit has been issued by the Director of the Department of Transportation. Street decorations are a privilege, not a right, and the Director of the Department of Transportation is authorized to deny the corresponding permit or impose such conditions as may be deemed necessary, in the interest of public safety or welfare. Street decorations shall comply with the following conditions:

1. Street decorations shall not contain any advertising or any form of explicit or implicit reference to commercial businesses or products.
2. Street decorations shall be substantially related to an event or seasonal festivity of a civic or religious nature, not occurring more frequently than once a year.
3. Street decorations shall be stationary and shall be substantially supported structurally.
4. Street decorations containing electrical wiring or systems shall comply with Chapter 27.

N101.6a Substitution of Content. Any non-commercial message may be substituted for the content of any commercial sign allowed under this section.

N101.7 Types of signs. The provisions of this section shall apply to types of signs and requirements for all signs subject to the provisions of Section N101.

N101.7.1 Projecting signs. Signs projecting from or beyond a building line or building restriction line shall be allowed in Commercial and Industrial Districts, as defined in the *Zoning Regulations*, when supported on iron or steel brackets and stayed securely, or affixed in an approved equivalent manner, subject to the limitations imposed by Sections N101.7.1.1 through N101.7.1.3.

N101.7.1.1 Sign projection restrictions. No sign shall project more than 42 inches (1067 mm) beyond the building line or building restriction line, on the street frontage of a building. Hooded lights are permitted to be placed on projecting signs solely to illuminate such signs, but the hoods of such lights shall not project more than an additional 6 inches (152 mm). No part of projecting signs shall have less than 8 feet (2438 mm) clearance above the surface of a

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sidewalk or any other space used by the public, nor less than 15 feet (4572 mm) clearance above the surface of any driveway in public space. No portion of a sign shall extend over public space closer than 18 inches (457 mm) from the curb lane. No sign, including illumination, shall project more than 6 inches (152 mm) beyond the building line, in alleys.

N101.7.1.2 Double-faced projecting signs. Double-faced projecting signs on the front of buildings shall not extend above the roof or parapet a distance of more than one-third of the height of the sign nor more than 4 feet (1219 mm). Such signs are permitted to return over the roof or parapet not over 18 inches (457 mm) back of the face of the wall.

N101.7.1.3 Rigid attachment of signs. No sign projecting over public space shall be so erected or hung as to swing, sway, or revolve in any manner, except banners or flags. The supports for banners and flags shall also be installed so as to be rigid.

N101.7.2 Roof signs. Roof signs shall not be erected above the height limit established by the *Zoning Regulations*. The base of a roof sign shall not be less than 6 inches (152 mm) nor more than 18 inches (457 mm) above the roof parapet wall on which it is erected or affixed. The height of a roof sign shall not exceed half of the width of its base. In no case shall such sign exceed the maximum area fixed by Section N101.10.

N101.7.2.1 Attachments. All roof signs shall be securely braced and fastened with lag screw expansion bolts, anchor plates, or by another approved structurally sound method, to prevent accidents in high winds. Roof signs shall not be erected or hung so as to swing, sway, or revolve in any manner. Complete structural plans indicating roof construction, method of attachment, and sign framing shall be provided with all applications for roof sign permits.

N101.7.2.2 Height limit. Lettering, advertising, or display of any character, other than religious symbols, is prohibited above the limit of height established by the *Zoning Regulations*, on spires, towers, domes, minarets, pinnacles, penthouses, ventilation shafts, chimneys, smokestacks, water storage tanks, cooling towers, or on any other support media extending above said height limit.

N101.7.3 Signs supported by projecting construction. Signs are permitted to be supported by canopies, marquees, porticos, and roofs of show windows constructed so as to safely support the weight of the sign or signs, in addition to the required snow and wind loads. Such signs shall not extend more than 42 inches (1067 mm) beyond the building line, except as provided for in Section N101.7.1.

N101.7.4 Signs on awnings or similar projections. One horizontal line of letters, each

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letter not to exceed 12 inches (305 mm) in height, is permitted to be placed or painted on the vertical faces of valances, or on top of or hung from a canopy, marquee, portico, or awning. Where the line of letters is placed on top or hung from a marquee, canopy, portico, or awning, it shall be constructed in the so-called “skeleton” design, composed of separate letters without background or border. The line of letters shall designate only the street number of the premises and the name of the occupant or building or trade name. Such signs shall also be permitted in Residential Districts and Special Purpose Districts for apartment houses and hotels only. Signs on awnings, marquees, and canopies located on historic property shall comply with the requirements of 10A DCMR, Chapter 25.

N101.7.5 Banner signs and flags. No banner, sign or flag used for advertising purposes shall be erected, hung, attached, or affixed to any pole, staff, or other appurtenance, unless a permit for it has been issued, nor shall such banner, sign, or flag extend over public space more than 42 inches(1067 mm), or be hung or maintained less than 14 feet above a public parking, sidewalk or roadway.

N101.7.5.1 Barber poles. Barber poles on public space attached to a building shall not project more than 42 inches (1067 mm) from the building line and provide not less than 8 feet (2438 mm) clearance above the sidewalk or existing ground level.

N101.7.6 Billboards. The provisions of this section shall govern billboards in the District of Columbia.

N101.7.6.1 Authorized list. Only those billboards which were in existence as of January 1, 1972, that are contained in the “Authorized List of Billboards, Three-sheet Poster Boards, and Wall Signs,” dated November 30, 1931, as amended through December 31, 1971, are authorized to remain in place, subject to the conditions in Sections N101.7.6.1 through N101.7.6.7.15.

N101.7.6.2 Existing authorized billboards. Any existing billboard contained in the authorized list referred in Section N101.7.6.1 shall be permitted to be maintained, repaired, altered, or rebuilt under authority of permits issued by the code official. No change in size or location is authorized and the maintenance and repair requirements of Section N101.7.6.5 shall be met.

N101.7.6.3 Unauthorized billboards. Billboards which were not included in the authorized list referred in Section N101.7.6.1 are without authority, unless erected in accordance with Sections N101.7.6.6 through N101.7.6.7. All unauthorized billboards shall be removed by the owner. No such billboard shall be replaced in any form or in any location, unless a new permit is issued in accordance with Sections N101.7.6.6 through N101.7.6.7.

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N101.7.6.4 Razed billboards. Any billboard which is included in the authorized list referred in Section N101.7.6.1 and which is razed, demolished, or obliterated, shall be stricken from the authorized list. No such billboard shall be replaced in any form or in any location, unless a new permit is issued in accordance with Sections N101.7.6.6 through N101.7.6.7.

N101.7.6.5 Maintenance and repair. Whenever the code official finds that any billboard on the authorized list referred to in Section N101.7.6.1, or erected under a permit issued in accordance with Sections N101.7.6.6 through N101.7.6.7, is not maintained in good repair and has not deteriorated more than 50 percent of its replacement value, the code official shall notify the owner thereof and order him to repair the billboard within a specified time but not less than 10 calendar days. If the code official finds that the billboard has deteriorated more than 50 percent of its replacement value, or is not repaired within the time specified in the repair notice, the code official shall notify the owner of the billboard and the owner of the real property on which said billboard is located to remove the billboard from the property within a specified time. All billboards ordered to be removed shall be stricken from the authorized list when the time limit set in the removal notice ends. Failure to comply shall subject said owners, upon conviction or adjudication, to the fines provided for in Section 4 of An Act To regulate the erection, hanging, placing, painting, display and maintenance of outdoor signs and other forms of exterior advertising within the District of Columbia, approved March 3, 1931 (46 Stat. 1486; D.C. Official Code § 1-303.23), or to civil fines, penalties, and fees pursuant to Titles I-III of the Department of Consumer and Regulatory Affairs Civil Infractions Act of 1985, effective October 5, 1985 (D.C. Law 6-42; D.C. Official Code § 2-1801.01 *et seq.*).

N101.7.6.6 Permit required. No billboards shall be erected, placed, maintained or relocated within the District of Columbia unless an application for permit is approved by the code official.

1. **Permit applications.** Permit applications shall be made upon forms provided by the code official. Permit applications shall be accompanied by four (4) sets of drawings showing details of construction, foundations, lighting, location of the billboard in relation to property lines, and relation to any other billboards located within 500 feet (152 400 mm) of the billboard for which the application is submitted. A separate electrical permit is required for billboards containing any electrical features.
2. **Permit fee.** The permit application must be accompanied by a fee pursuant to Section 108.
3. **Zoning compliance.** Billboard permit applications shall comply with the

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Zoning Regulations. However, where a billboard is to be located in an area, which, in the judgment of the Zoning Administrator is not permitted, the Zoning Administrator shall notify the applicant in writing that the application for permit is denied for failure to conform to the Zoning Regulations, indicating the applicable provisions of the Zoning Regulations. The Zoning Administrator's decision may be appealed to the Board of Zoning Adjustment as prescribed by its rules.

4. **Shipstead-Luce Act and Old Georgetown Act areas.** Where a billboard is to be located in an area covered either by the Shipstead-Luce Act or the Old Georgetown Act, the application and supporting material shall be transmitted to the Commission of Fine Arts for review under Sections 6-611.01 and 6-1202 of the D.C. Official Code (2001).
5. **Permit denial.** If the code official denies a billboard permit, the basis for the denial shall be stated in writing, including references to the statutory or regulatory provisions that would be violated if the permit were granted. The code official shall notify the applicant in writing with the reasons for denial of the permit.

N101.7.6.7 Design standards. Billboard permit applications shall comply with items 1 through 15 below, before a permit shall be issued:

1. The billboard shall not contain any moving parts, except where such moving parts are used to convey public service information such as time, temperature, date, weather, or similar information.
2. The billboard shall not contain flashing, intermittent, moving, or neon lights; the billboard shall not be lighted so as to permit beams of light to be directed at any portion of a public right-of-way, which beams of light are of such intensity or brilliance as to cause glare or impair the vision of any driver, or otherwise interfere with the driver's operation of a motor vehicle; the billboard shall not obstruct or undermine the traffic information systems of signs and lights.
3. The billboard shall not be located on lots of less than 50 feet (15 240 mm) of street frontage, nor shall billboard length be more than half the street frontage of the lot where it is proposed to be erected.
4. The billboard shall not be located within 200 feet (60 960 mm) of an existing billboard.
5. When located along an Interstate Highway or a controlled Access Primary

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Roadway within the Federal Aid Primary Urban Extension System as designated by the D.C. Department of Transportation, the billboard shall not be located less than 500 feet (152 400 mm) from an existing billboard.

6. The billboard shall not be located on lots within 200 feet (60 960 mm) of any Residential District, as defined by the *Zoning Regulations*.
7. The billboard shall not be located within 200 feet (60 960 mm) of any park or building owned or under the control of the government of the District of Columbia or of the Federal Government.
8. The billboard shall not be located within 300 feet (91 440 mm) of any Historic Landmark or in or within 300 feet (91 440 mm) of any Historic District as listed in the District of Columbia Inventory of Historic Sites.
9. The billboard shall not be visible from the nearest right-of-way line of any Interstate Highway or Federal Aid Primary Urban Extension System route, as designated by the D.C. Department of Transportation, or on any surface or elevated right-of-way of the Washington Metropolitan Area Transit Authority system, except as authorized under item 10 of this section.
10. Where permitted by the *Zoning Regulations*, billboards shall be permitted that do not comply with item 9 of this section, provided such billboards are located more than 200 feet (60 960 mm) from any of the right-of-ways mentioned therein.
11. The billboards shall be set back from each property line of the lot where it is proposed to be erected, a distance of at least one (1) foot (305 mm) for each foot (305 mm) of overall billboard height.
12. The billboard shall not have a net advertising area in excess of 300 square feet (27.9 m²) for each sign face. For the purpose of this section, net area shall be considered exclusive of any border, trim, ornamental base, apron supports or other structural members.
13. The billboard shall be designed and installed so as to maintain a minimum clearance of 8 feet (2438 mm) from the ground, as measured from the adjacent grade.
14. The billboard shall not exceed 25 feet (7620 mm) in overall height as measured from grade at the center line of the billboard to the level of the highest point of the billboard.

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15. The billboard shall conform to Section N101.11.

N101.7.7 Signs on side walls. Where no sign or signs exist on the side wall of any building or structure, no permit shall be issued for the erection, hanging or painting of a sign or signs on such side wall, except as provided in Sections N101.7.7.1 and N101.7.7.2.

N101.7.7.1 Corner buildings and alleys entrances. The code official shall be authorized to issue permits to erect, hang, or paint a sign or signs on those side walls of a corner building which abut a public street, or on those side walls of buildings which have a public entrance opening for business purposes upon an alley, when such signs comply with the provisions of this section.

N101.7.7.2 Walls facing parking lots. A building with adjoining parking lots used in connection with such building shall be permitted to have side wall signs facing over such parking lots toward a street or alley fronting on such lots.

N101.7.8 Signs on public space. No structure or standard used as a sign, bulletin, or advertisement of any sort shall be built, placed, erected, hung, maintained, or left in or upon any street, avenue, alley, highway, footway, sidewalk, parking or other public space in the District of Columbia, unless specifically approved by the code official, including the use of directional signs as described in Section N101.6.5, in accordance with provisions of this section.

N101.7.9 Transported signs or banners. No advertising sign or banner shall be carried or transported on or over any public space. The provisions of this section shall not apply to signs displayed on vehicles and advertising the bona-fide business of the owner. This section shall not be construed to apply to banners or signs carried by members of any labor organization or similar body, whether employers or employees, publicizing the existence of or facts about any labor dispute or to any other sign bearing non-commercial statements of fact, belief, or personal or political opinion.

N101.7.10 Commercial advertising on WMATA vehicles. Despite the provisions of Section N101.7.9, or any other law, the sale and use of commercial revenue advertising space on the rear and side exteriors, or entire exterior surfaces of Metrobus public transit vehicles under the control and operation of the Washington Metropolitan Area Transit Authority (WMATA) shall be permitted for such vehicles operating on public space within the District of Columbia, subject to the conditions of Sections N101.7.10.1 through N101.7.10.2.

N101.7.10.1 Observance of the law. No advertisement shall be accepted by WMATA which violates this code or any other District of Columbia or federal law.

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N101.7.10.2 Public service announcements. The rear and side exterior advertising space on at least 10 percent of the total number of Metrobus vehicles available for public transit operations shall be reserved for free public service announcements and advertisements regarding community, art, cultural, educational, and similar events.

N101.7.11 Revolving signs. Revolving signs shall be permitted in Commercial and Industrial Districts as defined in the *Zoning Regulations*, when located entirely upon the land of the owner and not projecting beyond the building line, subject to the conditions of Sections N101.7.11.1 through N101.7.11.7. As used in this section, “revolving sign” includes a sign that displays 3-D, moving, animated, or periodically-changing images or text.

N101.7.11.1 Location restriction. Revolving signs shall not be permitted on the roofs of buildings or structures.

N101.7.11.2 Application requirement. Complete details of erection and operation of revolving signs shall be submitted with the sign permit application.

N101.7.11.3 Color and electrical features. The color and electrical features of revolving signs shall be approved by the Department of Transportation before issuance of a revolving sign permit.

N101.7.11.4 Revolving speed. Revolving signs shall not revolve faster than 5 revolutions per minute.

N101.7.11.5 Dimensions. The area of revolving signs shall not exceed 40 square feet (3.72 m²) per face, and the maximum dimension shall not exceed 3 feet (914 mm).

N101.7.11.6 Clearance and height. Revolving signs shall have not less than 8 feet (2438 mm) clearance above the adjacent ground level, and the total height of the sign above grade shall not exceed 20 feet (6096 mm).

N101.7.11.7 Illumination. Exposed lights or tubing shall be prohibited on revolving signs, and illumination shall be from indirect or internal sources.

N101.7.11.8 Vehicular Traffic Safety. No revolving sign may be installed or maintained if the Department of Transportation has determined that the sign location, size, or height above grade is objectionable with regard to vehicular traffic safety.

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N101.7.12 Commercial Advertising on Taxicabs. Despite the provisions of Section N101.7.9, or any other law, the sale and use of commercial revenue advertising space on the exterior rooftops of taxicabs shall be permitted, subject to the conditions of Sections N101.7.12.1 through N101.7.12.4.

N101.7.12.1 Advertising dimensions. Exterior rooftop advertising on taxicabs shall not exceed a size eighteen (18) inches in width, seventeen (17) inches in height or fifty-six (56) inches in length.

N101.7.12.2 Illuminated signs. Exterior rooftop advertising signs on taxicabs may be equipped with fluorescent illumination. However, flashing, intermittent, moving, or neon lights or parts are prohibited.

N101.7.12.3 Signs violating law. No advertisement shall be permitted that violates any District or federal law, including, but not limited to, Sections 28-3901 through 28-3908 of the DC Code.

N101.7.12.4 Public service announcements. Those taxicabs carrying exterior rooftop advertising pursuant to this section shall devote ten percent (10%) of their yearly rooftop advertising to free public service announcements and advertisements regarding health, safety community, art, cultural, educational, or similar subjects or events.

N101.8 Temporary signs during construction. The code official is authorized to issue permits for the erection, painting, or affixing of signs on premises where building operations are being conducted, giving the name and address of the engineers, architects, contractors, financing institutions, and identifying the project or purpose of the building. Such signs shall comply with all requirements of this section, and any sign so erected, painted, or affixed shall be removed upon completion of the building operations, or at any time before completion of building operations, when ordered by the code official in the interest of public safety, health and welfare.

N101.8.1 Signs in public space. Permits shall be issued for temporary construction signs, as described in Section N101.8 to be erected on temporary barricades, covered walkways, construction offices or public space between the building line and such structures, subject to the conditions of Section N101.8.

N101.8.2 Dimensions. The total area of signs erected on public space pursuant to Sections N101.8 through N101.8.2 shall be limited to 2 square feet (0.186 m²) for each foot of street frontage of the lot, with a maximum sign area of 40 square feet (3.72 m²) for residentially zoned property, and 200 square feet (18.58 m²) for commercially zoned property. An additional 5 square feet (0.465 m²) of sign area shall be permitted on barricades to identify each adjoining premises or business.

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N101.9 Residential or Special Purpose District limitations. This section shall govern signs subject to the provisions of Section N101 posted in residential or special purpose districts.

N101.9.1 General Residential District limitation. No sign or signs shall be permitted in any Residential District, as fixed by the *Zoning Regulations* unless a permit is issued by the code official in accordance with the provisions of this section. The exemptions from the permit requirement stated in Section N101.3.5 shall not apply to signs in Residential Districts. Signs posted in Residential Districts that bear non-commercial statements of fact, belief, or personal or political opinion are not subject to the provisions of this section and shall not require a permit unless the sign is posted on historic property or is subject to review by the Commission of Fine Arts and a permit is required pursuant to Section N101.3a or N101.3b.

Exemption. A permit shall not be required for a nameplate not exceeding 1 square foot (0.093 m²) in area, to advertise a home occupation, and bearing only the name and occupation of the occupant of the building.

N101.9.2 Zoning restrictions. Nothing within this section shall be construed to grant any greater area nor any greater illumination than limited by specific order of the Board of Zoning Adjustment or Zoning Commission. If such a specific order prohibits any signs or illumination, such specific order shall take precedence over the provisions of this section.

N101.9.3 Location restrictions. Residential district signs subject to the provisions of Section N101 shall be located entirely on private property and shall be located on the portions of the building or premises occupied by the use for which the signs are authorized.

N101.9.4 Illumination. Residential District signs shall be allowed to be illuminated by steady white lighting only. No fluctuating, pulsating, or moving lights or lighting designed to change appearance in any manner shall be permitted in any Residential District. Where illumination of signs located in any Residential District is by gas tubes, these tubes shall not be visible but shall be allowed to be so arranged as to provide indirect light.

N101.9.5 Authorized signs. The code official is authorized to issue a permit for signs complying with any of Sections N101.9.5.1 through N101.9.5.7.

N101.9.5.1 Temporary automobile parking lots. On temporary automobile parking lots approved by the code official for such use, the total area of signs shall not exceed 20 square feet (1.86 m²) facing each street upon which the lot has a vehicular entrance, in addition to separate signs authorized under Section N101.9.5.7.

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N101.9.5.2 Nonconforming uses. Signs advertising a nonconforming use as defined in the *Zoning Regulations*, shall be limited to a total area not to exceed, for each use, the limits permitted by Section N101.10 or 40 square feet (3.72 m²), whichever is less. Separate signs authorized under Section N101.9.5.7 shall be counted towards the limits of this section.

N101.9.5.3 Church bulletins. Church bulletins shall not exceed 20 square feet (1.86 m²) in area for each church. When approved by the code official, church bulletins shall be allowed to be placed on public parking upon recommendation of the Public Space Committee.

N101.9.5.4 Non-profit organization. Signs for each school, college, hotel, philanthropic institution, non-profit organization, hospital, residential care facility or church, shall be limited to a total area not to exceed 40 square feet (3.73 m²).

1. **Non-profit organization nameplates.** When approved by the code official, a nameplate or nameplates, each such plate not more than 6 square feet (0.56 m²) in area, shall be allowed to be placed on the public parking at entrance driveways, upon recommendation of the Public Space Committee. The area of such nameplates shall not be counted towards the limits on total sign area specified in Section N101.9.5.4.

2. **Sign supports.** Signs pursuant to Section N101.9.5.4 shall be allowed to be supported on posts or pilasters where permits have been secured for posts or pilasters, but shall not be so placed as to extend over any walkway or roadway unless there is at least 8 feet (2438 mm) clearance above such walkway or 15 feet (4572 mm) clearance above such roadway.

N101.9.5.5 Apartment house signs. For apartment houses, signs shall be limited to the name and house number of the building. Such signs shall only be permitted when facing the street or streets upon which entrances to the building are located. Such signs shall not exceed for each building frontage, the limits set forth in Table N101.9.5.5. Signs placed on a marquee, canopy, or awning, as permitted under Section N101.7.4, shall not be counted towards the area limitation given in Table N101.9.5.5. For purposes of this section, a group building erected under a covenant shall be considered as a single building.

TABLE N101.9.5.5 **APARTMENT HOUSE SIGNS**

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<u>STREET FRONTAGE (feet)^a</u>	<u>MAXIMUM ALLOWABLE SIZE OF SIGN ON STREET FRONTAGE (square feet)^b</u>
<u>Up to 45</u>	<u>4</u>
<u>45 to 50</u>	<u>5</u>
<u>50 to 55</u>	<u>6</u>
<u>55 to 60</u>	<u>7</u>
<u>60 to 65</u>	<u>8</u>
<u>65 to 70</u>	<u>9</u>
<u>70 to 75</u>	<u>10</u>
<u>75 to 80</u>	<u>11</u>
<u>80 to 85</u>	<u>12</u>
<u>85 to 90</u>	<u>13</u>
<u>90 to 95</u>	<u>14</u>
<u>95 to 100</u>	<u>15</u>
<u>100 to 105</u>	<u>16</u>
<u>105 to 110</u>	<u>17</u>
<u>110 to 115</u>	<u>18</u>
<u>115 to 120</u>	<u>19</u>
<u>120 and above</u>	<u>20</u>

Note a. 1 foot = 304.8 mm

Note b. 1 square foot = 0.093 square meters

N101.9.5.6 Office buildings, commercial or industrial uses. For buildings or premises approved by the Board of Zoning Adjustment or Zoning Commission for office buildings and commercial or industrial uses, the total area of signs, for each such building or premises, shall not exceed the limit prescribed in Section N101.10, or 40 square feet, (3.73 m²), or such other limitation as may have been imposed by the Board of Zoning Adjustment or Zoning Commission, whichever is less. Such signs shall be attached flat against the wall of the building, unless they conform to Section N101.9.5.6.1.

N101.9.5.6.1 Signs beyond the wall. Signs pursuant to Section N101.9.5.6 shall be permitted on canopies, marquees, porticos, and awnings located entirely on private property, where placed or painted in the manner and with the limitations described in Section N101.7.4. Signs so placed shall be counted towards the maximum allowable area of signs.

N101.9.5.7 Parking rate signs. Where Section 612 of DCMR 24, “Public Space and Safety” requires that a schedule of auto parking charge rates be posted, a separate sign setting forth such schedule, not more than 20 square feet (1.86 m²)

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in area, shall be allowed in addition to the areas otherwise permitted in Sections N101.9.5.1 and N101.9.5.2.

N101.9.6 Signs in Special Purpose Districts. For buildings or premises located in a Special Purpose District, as defined in the *Zoning Regulations*, the total area of signs subject to the provisions of Section N101 shall not exceed the limits set forth in Table N101.9.6, nor those imposed by any specific order of the Board of Zoning Adjustment or Zoning Commission.

TABLE N101.9.6
SIGNS IN SPECIAL PURPOSE DISTRICTS

<u>STREET FRONTAGE</u> <u>(feet)^a</u>	<u>MAXIMUM ALLOWABLE</u> <u>SIZE OF SIGN ON</u> <u>STREET FRONTAGE</u> <u>(square feet)^b</u>
<u>Up to 40</u>	<u>40 ft²</u>
<u>40 to 100</u>	<u>1 ft² per foot of frontage</u>
<u>Over 100</u>	<u>100 ft² plus</u> <u>0.5 ft² per foot of frontage</u> <u>over 100</u>

Note a. 1 foot = 304.8 mm

Note b. 1 square foot = 0.093 square meters

N101.10 Maximum size of signs. In any district other than Residential or Special Purpose Districts, the total area of sign or signs subject to the provisions of Section N101 and attached to, displayed from, or erected upon any building, lot, or parcel of land, shall not exceed the limits prescribed in Sections N101.10.1 through N101.10.7.

N101.10.1 One story buildings. Two square feet (0.19 m²) for each foot of width of front of building occupied by the business or profession to be advertised, such signs or signs to be placed on the front under consideration within the limits of the portion of the front in which the business advertised is located. Roof signs shall not exceed 100 square feet (9.29 m²) facing any one street frontage.

N101.10.2 First floor stores or businesses in multi-story buildings. The provisions of Section N101.10.1 shall apply, except that such signs shall be kept within a height of 20 feet (6096 mm) above the sidewalk.

N101.10.3 Upper stories of multi-story buildings. The total area of all signs above the 20-foot height specified in Section N101.10.2 shall not exceed the limits set forth in Table N101.10.3, for each street frontage.

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TABLE N101.10.3
SIGNS ABOVE THE FIRST STORY

<u>AREA OF WALL ABOVE 20 FEET ABOVE THE SIDEWALK, ON STREET FRONTAGE (square feet)^a</u>	<u>MAXIMUM ALLOWABLE AREA OF SIGNS ABOVE 20 FEET ABOVE SIDEWALK ON STREET FRONTAGE</u>
<u>Up to 1600</u>	<u>40 ft²</u>
<u>1600 to 4000</u>	<u>1/40 of area of wall above 20 ft height</u>
<u>Over 4000</u>	<u>100 ft² roof signs, or 1/40 of area of wall above 20 ft height for signs below roof</u>

Note a. 1 square foot = 0.093 square meters

N101.10.4 Single occupancy buildings. Where an entire building over one story in height is occupied by one business, store or occupant, the total area of all signs on each street frontage shall not exceed the limits set forth in Table N101.10.4.

TABLE N101.10.4
SIGNS ON SINGLE-OCCUPANT MULTI-STORY BUILDINGS

<u>AREA OF WALL ON STREET FRONTAGE (square feet)^a</u>	<u>MAXIMUM ALLOWABLE AREA OF SIGNS ON STREET FRONTAGE</u>
<u>Up to 4000</u>	<u>100 ft²</u>
<u>Over 4000</u>	<u>1/40 of area of wall, of which not more than 100 ft² above the roof</u>

Note a. 1 square foot = 0.093 square meters

N101.10.5 Unimproved lots or lots with a small office. Where a business is conducted on an unimproved lot or a lot with a small office, 2 square feet (0.19 m²) of sign area for each foot of street frontage shall be allowed, but not more than 150 square feet (13.95 m²) per frontage under consideration. The area of the signs of such buildings shall not exceed that permitted under Section N101.10.1.

N101.10.6 Parking rate signs. Where Section 612 of DCMR 24, “Public Space and Safety” requires that a schedule of auto parking charge rated be posted, a sign setting

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forth such schedule, not more than 20 square feet (1.86 m²) in area shall be allowed in addition to the areas otherwise permitted in Sections N101.10.1 through N101.10.5.

N101.10.7 Exemptions. Signs exempted from permit pursuant to Sections N101.3.5 through N101.3.5.8 and signs not subject to the provisions of Section N101 shall not be counted towards the total sign area permitted under Sections N101.10.1 through N101.10.5.

N101.11 Structural and materials requirements. All signs subject to the provisions of Section N101 and their supports, including signs exempted from permit, shall comply with all structural and materials requirements of this section and other applicable sections of this code.

N101.11.1 Wind load. Signs shall be designed and constructed to withstand wind pressure as provided for in Chapter 16.

N101.11.2 Seismic load. Signs designed to withstand wind pressures shall be considered capable of withstanding earthquake loads, except as provided for in Chapter 16.

N101.11.3 Working stresses. The allowable working stresses shall conform with the requirements of Chapter 16. The working stresses of wire rope and its fastenings shall not exceed 25 percent of the ultimate strength of the rope or fasteners.

Exceptions:

1. The allowable working stresses for steel and wood shall be in accordance with the provisions of Chapter 22 and Chapter 23.
2. The working strength of chains, cables, guys or steel rods shall not exceed one-fifth of the ultimate strength of such chains, cables, guys or steel.

N101.11.4 Attachment. Signs attached to all structures shall be safely and securely fastened by means of metal anchors, bolts or approved expansion screws of sufficient size and anchorage to safely support the loads applied. Structure to which signs are attached shall be designed to support the loads applied. Signs shall not be attached to or supported by unbraced parapet walls.

N101.11.5 Lateral bracing assumptions. For design of lateral bracing in the direction of the length of the sign, the wind shall be assumed at an angle of 45 degrees with the front or back of the sign, and the bracing designed for the force on the projected area perpendicular to the wind.

N101.11.6 Ground supports. Ground supports for signs shall comply with Sections N101.11.6.1 through N101.11.6.2.

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N101.11.6.1 Wood materials. Where wood is embedded in the soil, the wood shall be pressure treated with an approved preservative.

N101.11.6.2 Metal materials. Metal materials shall be protected from corrosion.

N101.11.7 Combustible materials. Plastic materials shall burn at a rate no faster than 2.5 inches per minute (64 mm/min) when tested in accordance with ASTM D 635.

N101.11.8 Incombustible materials. Signs as specified in Sections N101.11.8.1 through N101.11.8.5 shall be of incombustible material except that sign cappings, decorations, lettering, and moldings may be of combustible materials.

N101.11.8.1 Wall signs. Wall signs exceeding 40 square feet (3.72 m²) in area, flat against, or supported not more than 15 inches (381 mm) away from the wall.

N101.11.8.2 Projecting signs. Projecting signs exceeding 2.5 square feet (0.23 m²) in area.

N101.11.8.3 Ground-supported signs. Ground-supported signs over 15 feet (4572 mm) in height or located 6 feet (1828 mm) or less from any building.

N101.11.8.4 Roof signs. Roof signs, irrespective of height or area.

N101.11.8.5 Electrical signs. Signs using electricity.

N101.11.9 Use of glass. Glass in signs shall be double-strength plain glass, plate glass, or wired glass. Glass shall be designed per Table N101.11.9, except that no panel of more than 10 square feet (0.93 m²) of glass other than wired glass shall be used in signs projecting over public space.

TABLE N101.11.9
SIZE, THICKNESS AND TYPE OF GLASS PANELS IN SIGNS

<u>MAXIMUM SIZE OF EXPOSED PANEL</u> <u>(square feet)</u>		<u>MINIMUM THICKNESS OF GLASS</u>	<u>TYPE OF GLASS</u>
<u>Any dimension (inches)</u>	<u>Area (square inches)</u>	<u>(inches)</u>	
<u>30</u>	<u>500</u>	<u>1/8</u>	<u>Plain, plate or wired</u>
<u>45</u>	<u>700</u>	<u>3/16</u>	<u>Plain, plate or wired</u>
<u>144</u>	<u>3,600</u>	<u>1/4</u>	<u>Plain, plate or wired</u>

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>144	>3,600	1/4	Wired glass
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For SI: 1 inch = 25.4 mm, 1 square inch = 645 mm²

N101.12 Alteration or relocation of signs. No sign erected before the adoption of these regulations shall be altered structurally or relocated, unless it is brought into compliance with the requirements of all applicable regulations for new signs.

N101.13 Dangerous signs. When any sign, including signs bearing non-commercial statements of fact, belief, or personal or political opinion posted on private property, now or hereafter erected, hung, attached, or maintained becomes structurally unsafe or otherwise dangerous to the safety of any building or premises, or to the public, the code official shall order the same to be taken down, removed, or made safe, and such order shall be complied with by the owner, occupant, agent, or person having the beneficial use of any building or premises upon which said dangerous sign may be erected, hung, attached, or maintained. Any such person failing to comply with the orders issued pursuant to this section shall, upon conviction or adjudication, be subject to the fines provided for in the Act of March 3, 1931, 46 Stat. 1486, as amended, D.C. Code Section 1-303.23 (2001 ed.), or to civil fines, penalties, and fees pursuant to Titles I-III of the Department of Consumer and Regulatory Affairs, Civil Infractions Act of 1985, D.C. Law 6-42, Section 457.

N101.14 Obstructive signs. No sign, including signs bearing non-commercial statements of fact, belief, or personal or political opinion posted on private property, shall be so erected, hung, or attached as to obstruct any window, door, fire escape, balcony, platform, stairway, ladder, stack, vent pipe, or egress from any building.

N101.14.1 Removal of obstructive signs. Signs in violation of Section N101.14 shall be removed or relocated to conform with this code.

N101.15 Display of license or permit. The provisions of this section shall govern licenses, permits and penalties for sign work.

N101.15.1 Display of license. Any person, persons, firm, or corporation engaged in the business of painting, repainting, placing, replacing, hanging, erecting, or maintaining signs within the meaning of this section shall have at his, her, their, or its principal place of business within the District of Columbia the license issued by the Department, available for inspection by the code official or by any member of the Metropolitan Police Department, at all appropriate times.

N101.15.2 Display of permit. A permit for the erection, repair, painting, repainting, or as otherwise provided in this section, of a sign shall be kept on the premises where such sign is being erected repaired, painted, repainted, or as otherwise provided in this section, and shall be displayed by the permittee when ordered to do so by the code official or by any member of the Metropolitan Police Department, at all appropriate times.

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N101.15.3 Penalties. Any person failing to comply with these regulations shall, upon conviction or adjudication, be subject to the fines provided for in the Act of March 3, 1931, 46 Stat. 1486, as amended, D.C. Code Section 1-303.23 (2001 ed.), or to civil fines, penalties, and fees pursuant to Titles I-III of the Department of Consumer and Regulatory Affairs Civil Infractions Act of 1985, D.C. Law 6-42, Section 457.

N101.16 Real estate signs. The provisions of this section shall govern real estate signs.

N101.16.1 Public space restrictions. No sign or advertisement relating to the sale, rent, or lease of land or premises shall be located on the sidewalk or parking of any street, avenue, or road in the District of Columbia.

N101.16.2 Number, location and size of sign. One (1) painted or printed sign or advertisement for the sale, rent, or lease of land or premises shall be allowed with the written consent of the owner or the owner's agent to be placed, by any one of not more than three (3) real estate agents, on any lot, piece, or parcel of land abutting on a street, avenue, or road in the District of Columbia, or attached to the exterior of any building fronting on them, provided permits are secured for such sign in accordance with Section N101.16.4. The area of any such sign shall not exceed 40 square feet (3.716 m²) if located within a Residential district, or 60 square feet (5.58 m²) if located within an unsubdivided outlying section of the District of Columbia. This section shall not apply to the temporary placement of directional signs relating to the sale or lease of real estate which indicate the holding of an open house, or a sign attached to the one painted or printed sign allowed by Section N101.3.5.6 which indicates that the premises have been sold, leased, or placed under contract.

N101.16.3 Additional restrictions. Real estate signs shall be located on the premises advertised. Directional signs shall not be permitted.

N101.16.4 Permit for real estate signs. Under the provisions of the Act of March 4, 1913, 37 Stat. 974, a permit shall be issued to erect, hang, place, paint, or display any sign advertising the sale, rent or lease of real estate, or which in any manner pertains to land or buildings, unless exempted by Section N101.3.5.6. No permit shall be required for the temporary placement of directional signs which indicate the holding of an open house at a particular property.

N101.16.5 Penalties. The code official is authorized to require the removal of any sign or advertisement in violation of this section and to institute proceedings against persons violating this section, and upon, conviction or adjudication, such persons shall be subject to the fines provided for in D.C. Official Code § 1-303.23 (2012 Repl.), or to civil fines, penalties, and fees pursuant to Titles I-III of the Department of Consumer and Regulatory Affairs Civil Infractions Act of 1985, D.C. Official Code §§ 2-1801 *et seq.* (2012 Repl.).

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N101.17 Rules for Special Signs. The code official is authorized to issue a permit for a “Special Sign,” as defined in Section N101.17.1. Special Signs shall be subject to the rules of this section and not to the rules in this chapter pertaining to billboards, poster panels, wall signs, and other specific types of signs. The rules of this section shall apply only to Special Signs.

N101.17.1 Definitions. As used in this section, the following definitions apply:

Special Sign: A sign which meets the standards listed in Section N101.17.5, that is erected, hung, placed, posted, painted, displayed or maintained on an outdoor or exterior wall or surface of a building pursuant to a Special Sign Permit issued by the Director of the Department. A Special Sign shall only include signs that are erected, hung, placed, painted, displayed or maintained on an outdoor or exterior wall or surface that is not self-standing, except as provided in this section. A Special Sign shall be one of the thirty-two special signs approved by the Director pursuant to the Rules for Special Signs adopted September 22, 2000 (47 D.C. Register 7695 – 7700).

Exception: The twelve (12) self-standing special signs approvals, existing as of January 1, 2004, shall be allowed to remain and/or be transferred within the area specified in Section N101.17.7(b); provided that transfers of existing self-standing signs to a new self-standing location are subject to the following additional conditions: (i) that transferred self-standing signs are permitted only as temporary signs for a two (2) year time period beginning on the latter of the dates of issuance of the transfer permit or the date of issuance of the associated building permit for the special sign structure; and (ii) that the location to which the self-standing sign is transferred is a future construction site to be developed in the foreseeable future, as demonstrated by development plans, marketing materials, or ongoing administrative processes to develop the site. Sign support structures that are either attached to an adjacent building wall or within twelve (12) inches of an adjacent building wall (to ensure that the wall is not damaged) are not considered “self-standing” for the purposes of the special sign regulations.

Call to Action: An explicit, specific or blatant message to consumers from the sponsor that asks consumers to take action by purchasing, using, utilizing or considering the use of a sponsor’s product and/or service, including without limitation providing price or value information (e.g., “affordable” or “5% interest rate available”) and inducements to act (e.g., “one month’s free service when you buy”).

Logo: The symbol, emblem, typeface, or other visual device used by the sponsor to identify itself and to distinguish itself from others in the marketplace.

Permit Holder: The individual or entity who or which holds a Special Sign Permit validly issued and in good standing in accordance with the requirements of this section

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and with all other applicable terms and conditions of Chapter 31, and who or which makes such Special Sign available for sponsorship or community service as provided herein.

Sponsor: The entity that contracts with the Permit Holder for the use of a Special Sign to display the Sponsor’s artwork that meets the visual and text standards of Section 3115.4.2.5.

N101.17.2 Special Sign Permit. No Special Sign may be erected, hung, placed, posted, painted, displayed, or maintained in the District of Columbia without the owner of such Special Sign first obtaining a Special Sign Permit from the Department in accordance with Section N101.17.3 and approval of the artwork in accordance with Section N101.17.5. A Special Sign Permit authorizes the sign’s location and particular artwork.

N101.17.3 Special Sign Permit Application. An application for a Special Sign Permit shall be submitted by the owner to the Director of the Department, or his designee, on a form provided by the Department, and shall include the following:

1. Identification of: (1) the applicant; (2) the proposed location of the Special Sign, by the street address of the building or premises and the face direction of the wall or surface (e.g., “northern-facing”); (3) the proposed linear dimensions of the Special Sign; and (4) a list of all existing Special Signs, identified by the address of the premises, located within a radius of one thousand feet (1000 ft) of the center of the proposed Special Sign;
2. An affidavit signed by the applicant or his duly authorized representative, certifying that the applicant is in compliance with the Clean Hands Before Receiving a License or Permit Act of 1996 (“Clean Hands Act”), effective May 11, 1996, D.C. Law 11-118 (D.C. Official Code § 47-2861 *et seq.* (2012 Repl. and 2013 Supp.).
3. A permit fee in the amount of one dollar (\$1.00) per square foot of the Special Sign. The permit fee may be paid by check made payable to the order of the “D.C. Treasurer.” The permit fee may be refunded to the applicant if the permit is not issued, in accordance with the provisions of Chapter 1 for the refund of unused permit fees.

N101.17.3.1 Applicant Qualifications. The applicant who or which submits an application for a Special Permit shall be licensed to do business in the District of Columbia as a business engaged in outdoor advertising, shall be a business in good standing at the time the application is submitted and for the duration of the permit, as evidenced in the Department’s records. The applicant shall not owe more than one hundred dollars (\$100) in taxes or delinquent fines to the District

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of Columbia at the time the application is submitted, as evidenced in the records of the District of Columbia Office of Tax and Revenue, and shall be in compliance with the Clean Hands Act.

N101.17.4 Review, Approval and Denial of Permit Applications. The Director of the Department, or his or her designee, shall review and approve or deny a Special Sign Permit application within twenty (20) days of its submission. Special Sign Permits shall be issued in the name of the applicant and shall pertain solely to the Special Sign location identified on the permit, subject to the transferability provisions of Section N101.17.7.

N101.17.4.1 Denial of Application. If the Director denies a Special Sign Permit, the denial shall be in writing to the applicant and shall state the statutory or regulatory basis for the denial. The applicant shall have ten (10) business days from receipt of the denial to correct any defect in the application.

N101.17.5 Approval of Special Sign Artwork. Prior to the erection, hanging, placement, posting, painting, or displaying of any Special Sign artwork, the applicant shall obtain approval of such Special Sign artwork from the Department. The applicant shall submit the Special Sign artwork for approval with the original permit application or obtain approval for the Special Sign artwork subsequent to the issuance of the Special Sign Permit. Special Sign artwork shall be submitted to the Director of the Department or his or her designee, who shall review and act on the Special Sign artwork submission within ten (10) days of the submission. No Special Sign artwork shall be accepted by the Department which violates the D.C. Official Code or any other District of Columbia law or municipal regulation, or federal law. No Special Sign artwork shall be approved by the Department unless:

1. Identification of the Sponsor of the Special Sign, when provided, is limited to the bottom center, bottom right or bottom left corner of the Special Sign artwork, and shall be limited to the words “Sponsored by [Name and/or Logo of Sponsor]”. This Sponsor identification shall be no higher than one-tenth (1/10) of the maximum vertical dimension of the face of the sign, and no wider than one-third (1/3) of the maximum horizontal width of the face of the sign.
2. The copy of the Special Sign shall be predominantly pictorial and non-verbal, with textual matter on no more than 25% of the display area of the sign. The space occupied by any sponsor identification shall not be counted against the 25% limitation. Any textual matter or words contained in the pictures of products on the signs, such as the labeling on soft drink cans, etc., shall be considered pictorial and shall not count in the calculation of the percentage of textual matter.
3. Any words included in the body of the Special Sign artwork shall not directly or indirectly identify the Sponsor or any of the Sponsor’s recognizable campaign

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slogans, or serve as a direct “Call to Action” on behalf of the Sponsor.

4. The Department of Transportation determines that the sign location, size, and height above grade is not objectionable with regard to vehicular traffic safety.
5. The Department determines that the sign location is compatible with any existing park or building under the control of either the District of Columbia or the Federal government, pursuant to applicable laws and regulations.
6. The distance between horizontal projection of the center of the new proposed sign and the horizontal projection of the center of any other existing Special Sign within a one thousand feet (1000 ft) radius is at least five (5) times the sum of the diagonals of the two signs. This provision shall not affect existing Special Signs but shall apply to all new Special Signs and to the proposed relocation of any existing Special Sign.
7. Subject to the limitations placed on the permitted transfer of self-standing signs in Section N101.17.1, the height of special signs installed as self-standing signs shall not exceed thirty (30) feet and shall provide eight (8) feet of clearance from the ground, as measured from the adjacent grade.

N101.17.5.1 Submission of Color Copies. Color copies of the proposed Special Sign artwork shall be submitted to the Department for approval, in duplicate. The color copies shall be legible. Once Special Sign artwork is approved, the two (2) copies shall be stamped “approved” by the Department; one copy shall be placed in the applicant’s permit file with the Department and be made available for inspection by the Department, for as long as the sign shall remain on display, and one copy shall be returned to the applicant reflecting the approval of the Department.

N101.17.6 Changing Special Sign Copy. A Special Sign permit holder may change the Special Sign artwork at the permit location by submitting the new artwork for approval in accordance with the provisions of Section N101.17.5. A “change copy” fee in the amount of five hundred dollars (\$500) must be paid before each new Special Sign artwork can be approved and changed. The \$500 change copy fee in this section is refundable if the request to change the Special Sign artwork by the permit holder is not approved by the Director. Changing the copy of a permitted Special Sign shall not entail an increase of any of the linear dimensions of the sign.

N101.17.7 Transferability of Special Sign Locations. A Special Sign Permit shall be transferable to a new location only under the following conditions:

1. Except for transfers from locations presently lying outside the area defined in

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Paragraph (b) of this section, the transfer is for cause, which only means that: (1) the lease for the location of the Special Sign is cancelled, terminated, or otherwise invalid; (2) the Special Sign is partially or totally obstructed; or (3) the location of the Special Sign is or would be no longer feasible because of construction or development.

2. The new location is within the Central Business District (C-4), as defined by Title 11 of the District of Columbia Municipal Regulations; the commercial or industrial portions of the New York Avenue corridor, areas zoned industrial (M, C-M), as defined in Chapter 8 of Title 11 of the District of Columbia Municipal Regulations (11 DCMR § 800 *et seq.*); facilities within the jurisdiction of the District of Columbia Sports Commission as of November 1, 2001; or the following areas within the Central Employment Area which are bounded as follows:

1. Beginning at the corner of F Street, N.W. and 17th Street, N.W., west along F Street, N.W. to 20th Street, N.W., north along 20th Street, N.W. to Pennsylvania Avenue, N.W., west along Pennsylvania Avenue, N.W. to 21st Street, N.W., north along 21st Street, N.W. to M Street, N.W., east along M Street, N.W. to 20th Street, N.W., north along 20th Street, N.W. to N Street, N.W., east along N Street, N.W. to 19th Street, N.W., south along 19th Street, N.W. to G Street, N.W., east along G Street, N.W. to 17th Street, N.W., south along 17th Street, N.W. to F Street, N.W.;

2. Beginning at the corner of Rhode Island Avenue, N.W. and M Street, N.W., northeast along Rhode Island Avenue, N.W. to Massachusetts Avenue, N.W., east along Massachusetts Avenue, N.W. to 15th Street, N.W., south along 15th Street, N.W. to M Street, N.W., west along M Street, N.W. to 16th Street, N.W., south along the east side of 16th Street, N.W. to Eye Street, N.W., north along the west side of 16th Street, N.W. to M Street, N.W., west along M Street, N.W. to Rhode Island Avenue, N.W.;

3. Beginning at the intersection of Massachusetts Avenue, N.W. and 14th Street, N.W., east along Massachusetts Avenue, N.W. to 9th Street, N.W., north along 9th Street, N.W. to N Street, N.W., east along N Street, N.W. to 7th Street, N.W., south along 7th Street, N.W. to K Street, N.W., east along K Street, N.W. to 3rd Street, N.W., south along 3rd Street, N.W. to Massachusetts Avenue, N.W., west along Massachusetts Avenue, N.W. to Eye Street, N.W., west along Eye Street, N.W. to 9th Street, N.W., south along 9th Street, N.W. to H Street, N.W., west along H Street, N.W. to 11th Street, N.W., north along H Street, N.W. to Eye Street, N.W., west along Eye Street, N.W. to 12th Street, N.W., north along 12th Street, N.W.

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to L Street, N.W., west along L Street, N.W. to 14th Street, N.W., north along 14th Street, N.W. to Massachusetts Avenue, N.W.;

4. Beginning at the intersection of Massachusetts Avenue, N.W. and H Street, N.W., east along H Street, N.W. to the closed alley (formerly Smith Court) in the mid-block between 1st Street, N.W. and North Capitol Street, south along that closed alley line to G Street, N.W., east along G Street, N.W., to North Capitol Street, south along North Capitol Street, N.W. to Massachusetts Avenue, N.W., northwest on Massachusetts Avenue, N.W. to H Street, N.W.;
 5. Beginning at the intersection of Florida Avenue, N.E. and North Capitol Street, southeast along Florida Avenue, N.E. to 4th Street, N.E., south along 4th Street, N.E. to M Street, N.E., west along M Street, N.E. to 3rd Street, N.E., south along 3rd Street, N.E. to K Street, N.E., west along K Street, N.E. to 1st Street, N.E., south along 1st Street, N.E. to G Place, N.E., west along G Place, N.E. to North Capitol Street, north along North Capitol Street to Florida Avenue, N.E.;
 6. Beginning at the corner of M Street, S.E. and South Capitol Street, east along M Street, S.E., to 1st Street, S.E., south along 1st Street, S.E., to Potomac Avenue, S.E., west along Potomac Avenue, S.E., to South Capitol Street, north along South Capitol Street to M Street, S.E.; and
 7. Beginning at the intersection of Maryland Avenue, S.W. and Maine Avenue, S.W., east along Maryland Avenue, S.W. to 9th Street, S.W., south along 9th Street, S.W. to Interstate 395, west along Interstate 395 to Maine Avenue, S.W.
3. The Special Sign in its new location is approved by the Department in accordance with all other applicable provisions of Section N101.17.
 4. The permit holder pays a “change location” fee in the amount of \$500. The \$500 change location fee shall be refundable if the transfer of the Special Sign permit to a new location is not approved. If the relocation of the Special Sign is made at the request of the Department, a change location fee shall not be required.
 5. If the Special Sign is painted or drawn onto an existing structure, the method of removal shall be that the existing structure where the Special Sign has been placed shall be made neutral prior to the relocation.
 6. If a current Special Sign permit for a location that is not in the zone of transferability, as defined in Paragraph (b) of this section, is transferred to another

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location under this section, the Department shall ensure that the current Special Sign has been removed prior to the relocation and no subsequent Special Sign shall be permitted to be erected in the former location or area outside the zone of transferability.

7. No Special Sign shall be installed so as to extend above the lowest portion of the roofline of an existing building's dimensions.

N101.17.8 Installation of Special Signs. The installation of a Special Sign shall be done in a workmanlike manner and in accordance with the standards of the industry. Special Signs shall be subject to the structural provisions of Section N101.11. Special signs shall not be installed upon building walls so as to cover any existing windows. A Special Sign shall only be installed upon a building and no part of either it or its supporting structure may protrude above the wall upon which it is installed. The topmost point of a Special Sign or of its supporting structure shall not be higher than the allowable height for a new building at the premises, under the *Zoning Regulations*.

N101.17.9 Illumination of Special Signs. Special Signs within five hundred feet (500 ft) of a residential zone, as established in the *Zoning Regulations*, shall not be illuminated. Other Special Signs may be indirectly illuminated by projecting artificial light on the surface of the sign, but shall not be internally illuminated nor be constructed of or incorporate neon, or any other type of gas or vapor lights. Special Signs shall not contain movable parts, or highly reflective or fluorescent materials, nor shall they contain 3-D, moving, animated, or periodically-changing images or text.

N101.17.10 Limitations on Special Sign Permits. The Department shall not issue any new permit, whether as an initial permit, for changes to artwork pursuant to Section N101.17.5, or for transfer to a new location pursuant to Section N101.17.7, for any Special Sign to be displayed upon buildings or land located in any of the following areas:

- 1 In or within one hundred feet (100 ft) of a Residential District, as defined in the *Zoning Regulations*, or within one hundred feet (100 ft) of a school or church with a valid certificate of occupancy for such use, or within one hundred feet (100 ft) of a federal or District of Columbia park or monument.
- 2 Between one hundred and two hundred feet (100 ft - 200 ft) of a Residential District, as defined in the *Zoning Regulations*, unless the sign faces away from the residential district and is placed at an angle of forty-five degrees (45°) or less with the closest residential zoning district boundary line.
- 3 In or within sixty feet (60 ft) of any Historic District or Historic Landmark or site listed on the most current edition of the "District of Columbia Inventory of Historic Sites" as amended from time to time, unless the Special Sign is located

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outside a Residential District, on a side-wall or back-wall of the building or site and historic preservation approval is granted if necessary. Special signs in any Historic District or on a Historic Landmark or site shall be removed within six months of its erection, hanging, placement or display.

- 4 In or within one hundred feet (100 ft) of premises within the area controlled by the Shipstead-Luce Act (D.C. Official Code § 6-1201.01 (2001 ed.).
- 5 In or within one hundred feet (100 ft) of premises within the area controlled by the Old Georgetown Act (D.C. Official Code § 6-1201 *et seq.* (1 ed. 2006).
- 6 In a waterfront district (W) and pursuant to specific prohibitions as may be contained in the *Zoning Regulations*, as amended from time to time.

N101.17.11 Enforcement of Regulations and Removal of Special Signs. Any unauthorized Special Sign (including a Special Sign without a permit, or a permitted Special Sign with unauthorized artwork) shall be taken down, removed, or obliterated within ten (10) days after receipt of written notification of violation from the Department. The code official is authorized to bring enforcement actions on behalf of the Department, which may include the authorization to use the police or other governmental authority to order removal of, or to remove, the unauthorized Special Sign and the imposition of civil fines of no more than three dollars (\$3) per square foot of sign, per day that the unauthorized Special Sign fails to be taken down, removed or obliterated. Both the owner of the premises upon which the Special Sign is displayed and the permit holder are responsible for taking down, removing or obliterating the sign upon notification by the Department to do so, and both may be held responsible for any penalties or fines imposed for the violation. Additional enforcement measures may be taken pursuant to, and consistent with, the provisions of Section 113, “Violations and Infractions.”

N101.17.12 Moratorium on Issuance of Special Signs. Other than for changes in artwork pursuant to Section N101.17.5, or for transfers of location pursuant to Section N101.17.7, no new Special Sign Permits shall be issued after November 9, 2000.

N101.18 Rules for Gallery Place Project Graphics. The code official is authorized to issue a permit for Gallery Place Project Graphics, as defined in Section N101.18.1. Gallery Place Project Graphics shall be subject to the rules of this section and not to the rules in this chapter pertaining to billboards, poster panels, wall signs, Special Signs, and other specific types of signs, except those specific types of signs indicated below. Gallery Place Project Graphics shall not be subject to Section N101.10 or other similar provisions of this chapter that limit the maximum size or height of signs, other than the limitations stated or incorporated into this section. All other provisions of this chapter shall apply, including, but not limited to, Sections N101.3.4 (permits for electrical signs), N101.7.1 (projecting signs), N101.7.2 (roof signs), N101.7.3 (signs supported by projecting construction), N101.7.4 (signs on awnings or similar projections),

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N101.7.8 (signs on public space), N101.11 (structural and materials requirements), N101.13 (dangerous signs), and N101.14 (obstructive signs).

N101.18.1 Definitions. As used in this section, the following definitions apply:

GALLERY PLACE PROJECT: (a) The project described in D.C. Official Code § 47-2005(30)(B), except that the lots comprising the project have been combined and are now known as Lot 50 in Square 454; (b) the private alley located between the project and the property known as the Verizon Center, Square 455, Lot 47, and (c) the northern facade of the Verizon Center.

GALLERY PLACE PROJECT GRAPHICS: The outdoor graphics and visuals for the Gallery Place Project and the private alley located between the Gallery Place Project and the property known as the Verizon Center, including, but not limited to, banners, digital screens, digital video monitors, theater marquees, fixed and animated signs for commercial establishments located within the project, projectors for projecting static and moving images onto the Gallery Place Project, interactive kiosks, and images projected onto the facade of the Gallery Place Project.

N101.18.2 Additional Requirements and Restrictions. In addition to all other applicable provisions of this chapter not exempted by this Section N101.18, Gallery Place Project Graphics and those graphics and visuals located in the public space immediately adjacent to the Gallery Place Project shall be designed, located, erected, hung, placed, posted, painted, displayed, and maintained in compliance with the specifications, drawings, limitations, and requirements set forth in Illustrations 1 through 6 (“Illustrations”), which are incorporated by reference into this section and are available in the office of the code official.

N101.18.2.1 Flexibility on Character of Advertisement. Notwithstanding Section N101.6, Gallery Place Project Graphics located in those areas identified in the Illustrations as the “Corner Heroic Sign Area” or the “Additional Signage Area” may advertise businesses not located on the premises, including the goods and services sold at such business, provided that the businesses so advertised are located within the Gallery Place Project.

N101.18.2.2 Displays of Video, Flashing, or Animation. Only that portion of a graphic or visual which is permitted by Section N101.6.1 to advertise products or commodities may display video, flashing, or animation.

N101.18.2.3 Intensity or brilliance of signs. No Gallery Place Project Graphic shall have such intensity or brilliance as to cause glare or impair the vision of any driver, otherwise interfere with the driver’s operation of a motor vehicle, or

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adversely impact an owner's enjoyment of residential property located within the Gallery Place Project.

N101.18.2.4 Projection at certain locations. Notwithstanding Section N101.7.1.1, the following specific rules apply to projecting Gallery Place Project Graphics:

N101.18.2.4.1 No Gallery Place Project Graphic located in any area shown as crosshatched in the Illustrations shall project more than 8 inches (203.2 mm) beyond the facade of the structure.

N101.18.2.4.2 Gallery Place Project Graphics located in the "Storefront Signage Areas" depicted on the Illustrations may project no more than 48 inches (1219.20 mm) beyond the building line or building restriction line, on the street frontage of a building.

N101.18.2.5 Revolving Signs. Notwithstanding Section N101.7.11, revolving signs shall be permitted in the private alley located between the project and the property known as the Verizon Center, Square 455, Lot 47, subject to the conditions of Sections N101.7.11.1 through N101.7.11.7.

N101.18.2a Gallery Place Project Graphics Displays in Private Alley. A single, stationary Gallery Place Project Graphic may be erected and maintained in the private alley located between the Gallery Place Project and the property known as the Verizon Center; provided that it complies with the following specific requirements, in addition to the provisions in Sections 3107.18.2 (Additional Requirements and Restrictions) and 3107.18.2.3 (Intensity or Brilliance of Signs):

N101.18.2a.1 The Gallery Place Project Graphic in the private alley shall consist of one (1) stationary stanchion to support two (2) digital displays, each measuring no more than two hundred and eighty-five square feet (285 sq. ft.) and neither of which shall have any audio or sound, other than *de minimis* sounds caused by general operation. The lowest portion of the digital displays shall have at least nine feet and seven inches (9 ft. 7 in.) of clearance from the sidewalk, and the highest point of the digital displays shall not exceed a height of twenty-nine feet and ten inches (29 ft. 10 in.) as measured from the sidewalk. The width of the digital displays shall not exceed fourteen feet (14 ft.). No portion of the Gallery Place Project Graphic may project more than forty-two inches (42 in.) beyond the building restriction line. The maximum distance between the faces of the portions of the two (2) digital displays that are located in public space shall not exceed forty-two inches (42 in.). There shall be ten feet (10 ft.) of clearance in every direction around the stanchion in order to allow for unobstructed pedestrian movement. The sign and stanchion of the Gallery Place Project Graphic shall be

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innovative and sculptural with regard to its overall shape and structural design.

N101.18.2a.2 In addition to other reviews authorized by this section, after installation of the displays, the brilliance, illumination, and use of full-motion video, if any, shall be subject to review by the District Department of Transportation to determine whether the Gallery Place Project Graphic in the private alley creates a risk for vehicular traffic safety.

N101.18.2a.3 Any commercial advertising messages on the Gallery Place Project Graphic digital displays in the private alley shall be for businesses, goods, or services located within the Gallery Place Project.

N101.18.2a.4 Each Gallery Place Project Graphic digital display in the private alley shall operate only between the hours of 6:00 a.m. and midnight or no more than thirty (30) minutes after the end of an event at the Verizon Center, whichever is later, and shall show a minimum of six (6) minutes per hour of public service content.

N101.18.2a.5 The permittee shall act promptly to make any necessary changes to the displays to ensure compliance with federal law or the Federal-District Agreement to control outdoor advertising on federal-aid routes, in the event there is a representation by the federal government that the Gallery Place Project Graphics digital displays are not in compliance with such law or agreement.

N101.18.2a.6 The Gallery Place Project Graphic in the private alley shall be subject to the permit requirements of Sections 3107.18.4 through 3107.18.8; provided, that the permit fee for the Gallery Place Project Graphic digital displays shall be three dollars (\$3) per square foot of each of the digital displays; provided further, that the reviews for the initial permit by the District Department of Transportation and the Office of Planning under Section 3107.18.5 (Permit Application Referrals) shall be conducted within fourteen (14) days of the referral date; and provided further, that the initial permit shall be valid for three (3) years and shall be renewable annually thereafter. Each application for renewal shall be submitted on or before the anniversary of the permit's original issuance and shall be subject to review for compliance with Sections 3107.18.4 (Gallery Place Project Graphics Permit Application), 3107.18.5 (Permit Applications Referrals), 3107.18.6 (Effect of Adverse Report), 3107.18.7 (Review, Approval, and Denial of Permit Applications), and other applicable laws or regulations.

N101.18.3 Gallery Place Project Graphics Permit. No Gallery Place Project Graphics may be erected, hung, placed, posted, painted, displayed, or maintained without the owner of such Gallery Place Project Graphic first obtaining a Gallery Place Project Graphics Permit from the Department in accordance with Section N101.18.4. A Gallery

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Place Project Graphics Permit authorizes the location, size, and design of the graphic or visual.

N101.18.4 Gallery Place Project Graphics Permit Application. An application for a Gallery Place Project Graphics Permit shall be submitted by the owner to the Director of the Department, or his or her designee, on a form provided by the Department, and shall include the following:

1. Identification of:
 - (a) The applicant;
 - (b) The proposed location of the Gallery Place Project Graphics by the street address of the building or premises and the face direction of the wall or surface (e.g., northern-facing);
 - (c) The proposed linear dimensions of the Gallery Place Project Graphics; and
 - (d) Such other information as the Director may require.
2. An affidavit signed by the applicant or his or her duly authorized representative, certifying that the applicant is in compliance with Subchapter II of Chapter 28 of Title 47 of the District of Columbia Official Code.
3. A permit fee in the amount of one dollar (\$1.00) per square foot of the Gallery Place Project Graphics. The permit fee may be paid by check made payable to the order of the "D.C. Treasurer." The permit fee may be refunded to the applicant if the permit is not issued, in accordance with the provisions of Chapter 1 for the refund of unused permit fees.

N101.18.5 Permit Applications Referrals. The Director of the Department, or his or her designee, shall refer all permit applications to the District Department of Transportation and the Office of Planning. The agencies shall have sixty (60) days from the referral date to submit a written report to the Director of the Department, except that the Director may allow for an extension of this period of up to thirty (30) days for good cause.

N101.18.6 Effect of Adverse Report. No permit shall be granted if, within the time period provided in Section N101.18.5:

1. The Director of the Department of Transportation reports in writing that the location, size, or height above grade of the visual or graphic is objectionable with regard to vehicular traffic safety; or

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2. The Director of the Office of Planning reports in writing that the proposed graphic or visual:
 - (a) Does not comply with the specifications, drawings, limitations and requirements of the Illustrations; or
 - (b) Would adversely impact the character and integrity of the Gallery Place Project.

N101.18.7 Review, Approval, and Denial of Permit Applications. The Director of the Department, or his or her designee, shall review and approve or deny a Gallery Place Project Graphics Permit application within twenty (20) days of after the expiration of the time period provided in Section N101.18.5. Gallery Place Project Graphics Permits shall be issued in the name of the applicant and shall pertain solely to the Gallery Place Project Graphics location identified on the permit.

N101.18.7.1 Denial of Application. If the Director denies a Gallery Place Project Graphics Permit, the denial shall be in writing to the applicant and shall state the statutory or regulatory basis for the denial. The applicant shall have ten (10) business days from receipt of the denial to correct any defect in the application.

N101.18.8 Applicability of Other Laws and Regulations Unaffected. Other than the exempted provisions of this chapter, the Gallery Place Project shall continue to be subject to all applicable rules and regulations, including, but not limited to, Chapter 24 of Title 10 (Chinatown Design Review Procedures).

N101.18.9 Enforcement of Regulations and Removal of Gallery Place Project Graphics. Any unauthorized Gallery Place Project Graphic (including Gallery Place Project Graphics without a permit) shall be taken down or removed within ten (10) days after receipt of written notification of violation from the Department. Following the expiration of this time period, the code official is authorized, through personnel of the Department or the Metropolitan Police Department, to remove or take down the unauthorized Gallery Place Project Graphic and to impose civil fines of no more than three dollars (\$3) per square foot of sign, per day that the unauthorized Gallery Place Project Graphic fails to be taken down or removed. Both the owner of the premises upon which the Gallery Place Project Graphic is displayed and the permit holder are responsible for taking down or removing the graphic or visual upon notification by the Department to do so, and both may be held responsible for any penalties or fines imposed for the violation. Additional enforcement measures may be taken pursuant to, and consistent with, the provisions of Section 113, “Violations and Infractions.”

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N101.18.10 Maintenance and repair. Whenever the code official finds that any Gallery Place Project Graphic is not maintained in good repair and has not deteriorated more than 50 percent of its replacement value, the code official shall notify the owner thereof and order him to repair the Gallery Place Project Graphic within a specified time, but not less than 10 calendar days. If the code official finds that the Gallery Place Project Graphic has deteriorated more than 50 percent of its replacement value, or is not repaired within the time specified in the repair notice, the code official shall notify the owner of the Gallery Place Project Graphic and the owner of the real property on which said Gallery Place Project Graphic is located to remove the Gallery Place Project Graphic from the property within a specified time. Failure to comply shall subject said owners, upon conviction or adjudication, to the fines provided for in Section 4 of An Act to regulate the erection, hanging, placing, painting, display, and maintenance of outdoor signs and other forms of exterior advertising within the District of Columbia, approved March 31, 1931 (46 Stat. 1486; D.C. Official Code § 1-303.23 (2012 Repl.)), or to civil fines, penalties, and fees pursuant to Titles I through III of the Department of Consumer and Regulatory Affairs Civil Infractions Act of 1985, effective October 5, 1985 (D.C. Law 6-42; D.C. Official Code § 2-1801.01 *et seq.* (2012 Repl.)). The code official may extend the time periods stated in this section upon the owner's written showing of good cause.

N101.18.11 Rulemaking Authority. Notwithstanding Section 10 of the Construction Codes Approval and Amendments Act of 1986, effective March 21, 1987 (D.C. Law 6-216; D.C. Official Code § 6-1409 (2012 Repl.)), the Director may amend the provisions of this section and the specifications, drawings, limitations, and requirements of the Illustrations by rulemaking pursuant to Section 6 of the District of Columbia Administrative Procedure Act, approved October 21, 1968 (82 Stat. 1206; D.C. Official Code § 2-505 (2012 Repl.)), without submission of the proposed rules to the Council for its prior review and approval.

N101.19 Rules for Verizon Center Graphics. The *code official* is authorized to issue a permit for each of up to nine (9) "Verizon Center Graphics" as defined in Section N101.19.1. The Verizon Center Graphics shall be subject to the provisions of Sections N101.19 to N101.19.16 and the following provisions, as applicable: Sections N101.3.4 (Permits for electrical signs), N101.7.1 (Projecting signs), N101.7.2 (Roof signs), N101.7.3 (Signs supported by projecting construction), N101.7.4 (Signs on awnings or similar projections), N101.7.8.1 (Signs on public space), N101.11 (Structural and materials requirements), N101.13 (Dangerous signs), and N101.14 (Obstructive signs) except as applied to windows. The Verizon Center Graphics shall not be subject to any other provision of this chapter or any provision of Titles 10 or 12 pertaining to the permitting, approval, erection, placing, painting, display, or maintenance of billboards, poster panels, wall signs, special signs, and any other types of outdoor signs, including, without limitation, Section N101.10 (Maximum size of street signs) or any other provision of this chapter that limits the maximum size or height of signs, other than the limitations stated or incorporated into this section. Nothing in this section shall prevent the operation of Sections N101.3.5 (Exemptions from permit) or N101.6.6.1 (Temporary decorations for buildings) with respect to

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the Verizon Center.

N101.19.1 Definitions. As used in Sections N101.19 to N101.19.16, the following definitions apply:

“Department” means the Department of Consumer and Regulatory Affairs.

“Director” means the Director of the Department or his or her designee.

“Verizon Center” means the property and structure currently known as the Verizon Center, located at Square 455, Lot 47, including, without limitation, the Gallery Place Metro entrance on the corner of 7th and F Streets, N.W.

“Verizon Center Graphics” means outdoor signs, visuals, digital displays, and static canvas displays placed on the Verizon Center, which were not existing on the Verizon Center as of June 11, 2012, consisting of:

1. Two (2) separate digital displays on the western side of Verizon Center, each measuring no more than 1,200 square feet, which would replace two (2) static canvas displays on the western side of Verizon Center as they existed on June 11, 2012;
2. One (1) digital display that forms a right angle around the southwest corner of the Verizon Center with each display panel of the digital display forming a right angle measuring no more than twenty-four (24) feet in height and forty-three (43) feet in width with the top of each panel of the digital display starting at the top of the glass windows on the Verizon Center as they existed on June 11, 2012;
3. Two (2) separate digital displays, each measuring no more than three (3) feet in height and eighteen (18) feet in width, mounted on the exterior of the top of the western and southern entrances to the Gallery Place Metro stat on at the corner of 7 and F Streets, N.W.;
4. Up to two (2) digital displays or static canvas displays in the interior space above and around the escalators in the Metro station identified in Paragraph 3 of this section.
5. One (1) static canvas display that forms a right angle around the southeast corner of the Verizon Center with each panel forming a right angle measuring no more than twenty-four (24) feet in height and forty-three (43) feet in width with the top of each such panel starting at the top of the glass windows on the Verizon Center as they existed on June 11, 2012; and

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6. Up to two (2) separate static canvas displays on the eastern side of the Verizon Center, each measuring no more than 1,200 square feet.

N101.19.2 Intensity or Brilliance of Graphics. None of the Verizon Center Graphics shall have such intensity or brilliance as to create an unreasonable risk for vehicular traffic safety as determined by the Director of the District Department of Transportation pursuant to Section N101.19.8.

N101.19.3 No Sound. None of the Verizon Center Graphics shall have an audio or sound other than any de minimis sounds caused by general operation.

N101.19.4 Digital Displays. No digital display shall be placed on the exterior of the Verizon Center that is parallel to any residential building existing as of June 11, 2012.

N101.19.5 Verizon Center Graphics Permit. No Verizon Center Graphics may be erected, installed, hung, placed, posted, painted, displayed, or maintained without the owner of Verizon Center or the owner's designee first obtaining a Verizon Center Graphics permit from the Department in accordance with this chapter. A Verizon Center Graphics Permit authorizes the location, size, and structural design of the Verizon Center Graphics and shall be valid for three (3) years with no limitation on the number of renewals of the permit. Each renewal of the Verizon Center Graphics permit shall require a review under Section N101.19.10 if substantive changes to the permit application merit such review and payment under Section N101.19.6.

N101.19.6 Verizon Center Graphics Permit Application. An application for a Verizon Center Graphics Permit shall be submitted by the owner, or the owner's designee, of the Verizon Center to the Director and shall include the following:

1. Identification of:
 - (a) The applicant with contact information including the applicant's telephone number, e-mail address, and mailing address;
 - (b) The proposed type and location of the Verizon Center Graphics and the face direction of the wall or surface;
 - (c) The proposed linear dimensions of the Verizon Center Graphics and its projection from the Verizon Center facade;
 - (d) The proposed structural design of the Verizon Center Graphics;
 - (e) The proposed intensity or brilliance of the Verizon Center Graphics;

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- (f) The potentially affected Advisory Neighborhood Commissions; and
 - (g) Any use on the digital displays constituting Verizon Center Graphics that the applicant may provide for public service announcements and advertisements regarding community, art, cultural, educational and similar events, including public services notices that the District of Columbia government may want to post.
2. An affidavit signed by the applicant, or his or her duly authorized representative, certifying that the applicant is in compliance with Subchapter II of Chapter 28 of Title 47 of the District of Columbia Official Code, and has consulted with or attempted in good faith to consult with the potentially affected Advisory Neighborhood Commissions about the permit application.
 3. A permit fee in the amount of three dollars (\$3.00) per square foot of the Verizon Center Graphics; provided, that this permit fee may be amended by rulemaking or act consistent with permit fees for similar signs. The permit fee may be paid by check made payable to the order of the “D.C. Treasurer.”
 4. Five (5) copies of the application and all illustrations; and
 5. Any other information required by the Director to assist in reviewing the permit application.

N101.19.7 Permit Application Referrals. The Director shall refer all Verizon Center Graphics permit applications to the District Department of Transportation and the Office of Planning within ten (10) days of receipt of the permit application by the Department. The District Department of Transportation and the Office of Planning shall have seventy (70) days from the date the Department receives the permit application to submit a written report to the Director, except that the Director may allow for an extension of this period of up to thirty (30) days for good cause.

N101.19.8 Effect of Adverse Report. No Verizon Center Graphics permit shall be approved by the Department if:

1. The Director of the Department of Transportation reports in writing with a detailed statement of reasons that the location, size, height above grade, brilliance, or illumination of the Verizon Center Graphics would create an unreasonable risk for vehicular traffic safety;
2. The proposed Verizon Center Graphics would violate applicable federal or District of Columbia laws or regulations; or

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3. The Director of the Office of Planning reports in writing with a detailed statement of reasons that the proposed Verizon Center Graphics would adversely impact the character and integrity of the Verizon Center as a sports and entertainment arena or the character and integrity of the surrounding neighborhood as a whole for residential, business, and recreation uses.

N101.19.9 Advisory Neighborhood Commission Notification. The Director shall notify in writing potentially affected Advisory Neighborhood Commissions of the submission of an application for Verizon Center Graphics within ten (10) days of receipt of such application and invite the submission of any written comments within forty-five (45) days of the date of such notice.

N101.19.10 Review, Approval, or Denial of Verizon Center Graphics Permit Applications. The Director shall review and either approve or deny a Verizon Center Graphics permit application within twenty-one (21) days after the expiration of the time period provided in Section N101.19.7. The approval or denial of the permit application shall be based on the following:

1. Whether the permit application meets the requirements set forth in this chapter; and
2. Whether an adverse report has been issued by either the District Department of Transportation or the Office of Planning pursuant to Section N101.19.8.

A Verizon Center Graphics permit shall be issued in the name of the applicant and shall pertain solely to the specific Verizon Center Graphic and specific location identified in the permit.

N101.19.11 Denial of Application. If the Director denies a Verizon Center Graphics permit application, the denial shall be issued in writing to the applicant and shall explain in detail the basis for the denial. The applicant shall have thirty (30) days from receipt of the denial to:

1. Correct any defect in the application identified by the Director and submit a corrected Verizon Center Graphics application to the Department; or
2. Seek review of the permit denial at the Office of Administrative Hearings.

If the applicant timely submits a corrected Verizon Center Graphics application to the Department, the Director, within five (5) days of receipt of the permit application, shall refer the permit application to the District Department of Transportation and the Office of Planning and each agency shall provide a report required under Section N101.19.7 within fourteen (14) days. The Director shall review and either approve or deny the corrected

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permit application within thirty (30) days of receipt of the corrected permit application. If the Director denies the corrected permit application, the applicant shall have thirty (30) days from receipt of the denial to file a notice with the Office of Administrative Hearings for adjudication.

N101.19.12 Static Canvas Display Changes. As part of a Verizon Center Graphics permit application, the owner of the Verizon Center or the owner's designee may apply to the Director for a change in the number, location, and size of the static canvas displays as defined in the definition of Verizon Center Graphics in Section 3107.19.1, but shall not do so for digital displays. The Director shall grant such application if:

1. The total number of permits for Verizon Center Graphics does not exceed nine (9);
2. The display size of any one (1) static canvas display does not exceed 1,200 square feet;
3. The Verizon Center Graphics are deemed to be in compliance with applicable federal or District of Columbia laws or regulations; and
4. All other requirements applicable to the Verizon Center Graphics set forth in this Appendix N are met.

N101.19.13 Enforcement of Regulations and Removal of Verizon Center Graphics. Any unauthorized Verizon Center Graphics, including Verizon Center Graphics without a permit or Verizon Center Graphics that are not in full compliance with provisions of the District of Columbia Official Code, District of Columbia Municipal Regulations, or federal law, including D.C. Official Code § 1-303.21 *et seq.* and this chapter, that become effective within one (1) year of the issuance of the permit authorizing the Verizon Center Graphics permitted under this chapter, shall be taken down or removed within fourteen (14) days after receipt of written notification of violation from the Mayor directing that the Verizon Center Graphics be removed or taken down. Further, the Mayor shall impose civil fines of no more than \$5 per square foot of sign, per day, if the unauthorized Verizon Center Graphics are not taken down or removed after the specified 14-day period. The permit holder, at its sole cost and expense, shall be responsible for taking down or removing unauthorized Verizon Center Graphics upon notification by the Mayor to do so and shall be solely and exclusively responsible for any expense incurred by the District of Columbia if the Mayor removes the unauthorized Verizon Center Graphics as described herein. The permit holder shall also be held solely and exclusively responsible for any penalties or fines imposed by this violation. Any changes made to sign and advertising requirements under District of Columbia law after the issuance of a Verizon Center Graphics permit shall not apply to the Verizon Center Graphics for the life of the permit or three (3) years from the issuance of the permit, whichever is shorter.

The *District of Columbia Building Code* (2013), referred to as the "*Building Code*," consists of the 2012 edition of the *International Building Code* as amended by the *District of Columbia Building Code Supplement* (2013)(12 DCMR A). The *International Building Code* is copyrighted by the International Code Council and therefore is not republished here. However, a copy of the text may be obtained at: <http://publicecodes.cyberregs.com/icod/ibc/2012/index.htm?bu=IC-P-2012-000001&bu2=IC-P-2012-000019>.

N101.19.14 Maintenance and Repair. Whenever the code official finds that any of the Verizon Center Graphics are not maintained in good repair and have not deteriorated more than fifty percent (50%) of their replacement value, the code official shall notify the Verizon Center owner and permit holder and order the repair of the Verizon Center Graphics within a specified time, but not less than ten (10) days. If the code official finds that any of the Verizon Center Graphics are not maintained in good repair and have deteriorated more than fifty percent (50%) of their replacement value, or are not repaired within the time specified in the repair notice, the code official shall order the Verizon Center owner and permit holder to remove such Verizon Center Graphics within a specified period of time, but not less than five (5) days. Failure to comply with such order shall subject the Verizon Center owner and the permit holder, upon adjudication, to civil fines, penalties, and fees pursuant to Titles I through III of the Department of Consumer and Regulatory Affairs Civil Infractions Act of 1985, effective October 5, 1985 (D.C. Law 6-42; D.C. Official Code § 2-1801.01 *et seq.* (2012 Repl.)). The code official may extend the time periods stated in this section upon written showing of good cause by the Verizon Center owner and permit holder.

N101.19.15 Existing Verizon Center Signs. Any outdoor graphics, signs, visuals, digital displays, and static canvas displays existing on the Verizon Center as of June 11, 2012 shall be deemed to be approved under District of Columbia law and a permit shall be issued by the Department for each sign after the applicable permit fee is paid by the owner of the Verizon Center.

N101.19.16 Rulemaking Authority. Notwithstanding Section 10 of the Construction Codes Approval and Amendments Act of 1986, effective March 21, 1987 (D.C. Law 6-216; D.C. Official Code § 6-1409 (2012 Repl.)), the Director of the Department may amend the provisions of Sections N101.19 through N101.19.16 by rulemaking pursuant to Section 6 of the District of Columbia Administrative Procedure Act, approved October 21, 1968 (82 Stat. 1206; D.C. Official Code § 2-505 (2012 Repl.)), upon review and active approval by the Council.

The *District of Columbia Building Code* (2013), referred to as the “*Building Code*,” consists of the 2012 edition of the *International Building Code* as amended by the *District of Columbia Building Code Supplement* (2013)(12 DCMR A). The *International Building Code* is copyrighted by the International Code Council and therefore is not republished here. However, a copy of the text may be obtained at: <http://publicecodes.cyberregs.com/icod/ibc/2012/index.htm?bu=IC-P-2012-000001&bu2=IC-P-2012-000019>.

All persons desiring to comment on these proposed regulations should submit comments in writing to Paul Waters, Deputy Director, Department of Consumer and Regulatory Affairs, 1100 Fourth Street, SW, Room 5100, Washington, D.C. 20024, or via e-mail at ConstructionCodes@dc.gov, not later than noon (EST) on Friday, October 18, 2013.

Comments should clearly specify which subtitle, chapter, and section of the proposed District of Columbia Construction Codes they are related to.

Persons with questions concerning this Third Notice of Proposed Rulemaking should call (202) 442-4400. Copies of the proposed rules can be obtained from the address listed above. A copy fee of one dollar (\$1.00) will be charged for each copy of the proposed rulemaking requested.

Free copies of these proposed regulations are available on the DCRA website at <http://dcra.dc.gov> by going to the “About DCRA” tab, clicking on “News Room”, and then clicking on “Rulemaking”. Additionally, the DCRA website will list links to each of the ICC and NFPA 70 codes.

The *District of Columbia Building Code* (2013), referred to as the “*Building Code*,” consists of the 2012 edition of the *International Building Code* as amended by the *District of Columbia Building Code Supplement* (2013)(12 DCMR A). The *International Building Code* is copyrighted by the International Code Council and therefore is not republished here. However, a copy of the text may be obtained at: <http://publiccodes.cyberregs.com/icod/ibc/2012/index.htm?bu=IC-P-2012-000001&bu2=IC-P-2012-000019>.