



District of Columbia Association of REALTORS®
Comments and Recommendations
on
“Proposed Rulemaking: Sign Regulations”
to
The District Department of Transportation
Office of Policy, Planning and Sustainability Administration
55 M Street, S.E., 5th Floor
Washington, DC 20003
and
The District Department of Consumer and Regulatory Affairs
1100 4th Street SW
Washington, DC 20024

The District of Columbia Association of REALTORS® (DCAR) serves as the state-level association representing more than 2,400 residential and commercial REALTORS®, property managers, title attorneys and other real estate professionals who are licensed in the District of Columbia. Considering that the August 17th, 2012 Proposed Sign Regulations (*hereinafter collectively referred to as “Regulations” or “Rules”*) directly affect nearly all our members, we would like to offer a number of comments and recommendations.

First, DCAR commends the various District regulatory agencies that came together to compile all of the District’s rules related to signs into one comprehensive Title 13 of DCMR. The vitality of the real estate industry is dependent on owners being able to properly market their properties.

DCAR has extensively reviewed the Regulations and identified a number of sections that we have specific comments and recommendations on (*highlighted in red*). These are mostly related to temporary real estate signs on public space, real estate signs on private property and commercial real estate signs. Additionally, we have outlined a number of general comments and recommendations where we believe additional information or clarification is needed.

DCAR’s comments and recommendations are based on feedback we solicited from our entire membership (both residential and commercial). Our members have a great deal experience with various types of real estate signage throughout the District and DCAR urges you to take all of them into serious consideration. We would be glad to answer any questions you may have.

GENERAL COMMENTS AND RECOMMENDATIONS

- Overall, the Regulations are too complicated for the average real estate licensee, much less REALTOR® or real estate professional to comprehend. The current law pertaining to real estate signs is mainly confined to two (2) pages in Title 24-108 of DCMR, while the proposed eighty (80) pages of new Title 13 are considerably lengthier. Anything that can be done to condense redundant language would be extremely helpful.
- Chapter 700 is the only chapter of the Regulations that specifically mentions real estate signs (with the exception of a reference in Chapter 300 and the schedule of infractions and fines in Chapter 1200), however, other sections of the Regulations could be applied to real estate signs (temporary open house signs on public property would fall under Chapter 600 and signs under the jurisdiction of the Historic Preservation Board would fall under Chapter 400.) DDOT and DCRA, the main enforcement agencies for real estate signs, should create either a pamphlet or brochure that clearly organizes all of the rules that could be related to real estate signs in a way that the general public can understand. DCAR believes this could greatly help promote compliance.
- There are no grandfathering provisions within the Regulations. Some type of grandfathering provision is essential for existing signs. Additionally, since it will be difficult to monitor which signs existed before the Regulations come into effect, all of the enforcement agencies with enforcement authority should actively inform the public of the new Regulations.
- The Regulations only discuss Residential, non-Residential and Special Purpose Districts as defined in the Zoning Regulations with regards to real estate signs. They do not account for signs in Mixed Use (Commercial Residential) Districts. The Rules for properties in Mixed Use Districts need to be clarified. As an alternative, properties should be classified by whether they are commercial or residential, as opposed to which Zoning District they are located in given the growth and desire for mixed use developments.
- Major changes to the current Regulations should be clearly noted on government websites. The public at-large should be made aware of these major changes well in advance so they can take appropriate measures to comply. Continued outreach by government officials is necessary.
- There are multiple agencies in charge of enforcement and permitting for real estate signs. This needs to be streamlined to avoid fines by multiple agencies.
- Enforcement has been anything but consistent for the current Regulations. If government officials intend to strengthen enforcement, such actions should not unduly punish those who have been unaware of the current Regulations and in good faith believed they were in compliance.

SUMMARY OF CHAPTER SPECIFIC COMMENTS AND RECOMMENDATIONS

- **Size Requirements for Real Estate Signs on Private Property are Too Restrictive**
 - The six square feet (6 sq. ft.) permit exception is smaller than standard for sale, rent or lease real estate signs. It should be increased across the board to at least ten square feet (10 sq. ft) on single family detached dwellings.
 - The permit exception size limit should be increased on real estate signs on properties greater than four (4) stories.
 - The size limit for real estate signs in Residential Districts should be increased for properties greater than four (4) stories.
 - The size limit for real estate signs in non-Residential Districts should be increased for buildings greater than four (4) stories.
- **Limit of Number of Real Estate Signs on Private Property is Too Restrictive**
 - There is a general restriction of one real estate sign per property (both in non-Residential and Residential Districts), which is far too restrictive. There are many typical residential properties located on corners or odd angles that would require at least two signs for proper visibility. Large multi-thousand square feet commercial buildings would also require more than one sign for visibility.
 - This provision would be more easily classified based on whether a property is a commercial or residential building, not which Zoning District it is in.
 - The number of real estate signs allowed on private properties should be based on the total area of signs related to the size of the property (i.e., allowing a larger total square footage limit for multi-story buildings), as opposed to a limit based on the specific number of signs.
- **Size and Time Limits for Open House Signs are Too Restrictive (*Public and Private Property*)**
 - Current business practices for real estate open house signs are larger than the general one square foot (1 sq. ft.) permit exception in the Regulations. It would appear in the Regulations that this limit does not apply to temporary open house directional signs on public property, which DCAR supports.
 - The requirement that open house signs must be posted the day of an event and removed within one hour of an event on private property gives very limited flexibility for real estate professionals. It would be much more efficient to allow such signs to be posted and removed up to twenty-four (24) hours before and after an event concludes. Considering temporary event signs on public property are allowed to stay up until thirty (30) days after an event concludes, makes this more than reasonable for such signs on private property.
 - As an alternative, real estate professionals should at least be able to their open house directional signs up from 8:00am the morning of an event and remove it until 9:00 pm the day of.
- **Permitting Process and Fees Associated**
 - Permit costs for signs on private property need to be clarified.
 - There should be a simple online application process for real estate signs to promote compliance. It would be reasonable to have a permit system per agent or brokerage with a flat yearly fee.
 - Property owners should not be fined if the tenant is the violator.

- There should be a provision that if a real estate sign permit approval is not granted within a certain time frame the permit is deemed approved.
- **Sign Removal**
 - Real estate signs should have at least sixty days (60) for removal after a property is sold, rented or leased.

CHAPTER SPECIFIC COMMENTS AND RECOMMENDATIONS

CHAPTER 1 PURPOSE AND SCOPE

- 100.3 The purpose of this title is to establish reasonable and impartial Regulations for all signs, whether exterior signs or interior signs intended to be visible from the outside, on public space or on private property. These Regulations regulate the display of signs to convey information; maintain the health, safety, convenience, and welfare of residents and businesses of the District; and improve the overall visual appearance of outdoor space throughout the District.
- 100.5 These regulations are further intended to:
- (a) Reduce the traffic hazards caused by signs that may distract, confuse, or impair the vision of motorists and pedestrians, and ensure the effectiveness of traffic signs and signals;
 - (b) Protect property values by ensuring the compatibility of signs with the property surrounding them;
 - (c) Provide an attractive visual environment throughout the District;
 - (d) Allow for the reasonable promotion of commerce and expression of business identification;
 - (e) Provide for distinctive signage in areas of the city that have been identified for this type of sign through District planning documents because they are major entertainment areas, when not in conflict with this title or any other federal or local law;
 - (f) Ensure compliance with federal laws and Federal Highway Administration regulations and memoranda;
 - (g) Protect the public investment in streets, highways and other public improvements; and
 - (h) Protect and improve the public health, safety, and general welfare.
- 100.6 The regulations in this title advance these governmental interests and objectives and are the minimum amount of regulation necessary to achieve them.

DCAR Comments and Recommendations

The Regulations are intended to be “reasonable” and “impartial,” however, the size and time restrictions for real estate signs are generally unreasonable. They are also treated inconsistently throughout the Regulations.

For example, § 605.4 (*Temporary Signs on Public Space*) states “[a] temporary sign that is related to a specific event shall be removed no later than thirty (30) days following the event to which it is related.” § 706.2 (*Temporary Signs on Private Property*) then goes on to state “[t]emporary directional signs indicating the holding of an event or a real estate open house at a particular property may be displayed without a permit; provided that these signs are first posted on the day of the event and are removed within one (1) hour after the event concludes.”

The above is not a fair treatment of real estate signs. There is no reason why a temporary open house sign on PRIVATE property should be treated so much more restrictively than a temporary event sign on public space (which technically could be an open house sign.)

In light of the above, temporary directional signs indicating the holding of an event or open house on private property should be allowed to stay up AT LEAST twenty four (24) hours after the event concludes. Additionally, § 706.2 states that such signs must be posted on the day of the event and there is no similar requirement for temporary signs on public space. Temporary directional signs on private property should, therefore, be allowed to be posted AT LEAST twenty four (24) hours before an event. This would give real estate professionals, who are already extremely consumed by client needs on days of open houses, added flexibility to properly market their properties.

While § 100.5 and § 100.6 qualify the District's overall goals of safety and aesthetics, the extreme variation in time limits between temporary event signs on public space and open house signs on private space is extreme.

CHAPTER 2 GENERAL PROVISIONS

200 PERMITTING AND ENFORCEMENT OFFICIALS

200.1 Unless otherwise specifically stated, the permitting and enforcement officials responsible for issuing permits and enforcing the rules for signs subject to this title shall be the persons designated in the chapters governing the particular types of signs, or their designees.

201 PERMIT REQUIRED

201.1 Unless specifically exempted in this title, no sign shall be displayed without a permit issued in accordance with this title. Signs with an area no greater than one square foot (1 sq. ft.) shall be exempt from the permit requirement.

DCAR Comments and Recommendations

§ 201.1 is inconsistent with § 605.7, which states “[t]emporary signs authorized by § 605.3 [signs unrelated to the sale of goods or services] do not require a permit” and § 706.2 then goes on to state “[t]emporary directional signs indicating the holding of an event or a real estate open house at a particular property may be displayed without a permit; provided that these signs are first posted on the day of the event and are removed within one (1) hour after the event concludes.” § 702.1 even qualifies that “[a]ll signs on private space shall require a permit except signs governed by [§ 706.2].

Both § 605.7 and § 706.2 could be interpreted to mean that the aforementioned examples of temporary open house directional signs would NOT be subject to size limitations on neither private nor public space.

As most open house directional signs are generally larger than the one square foot (1 sq. ft.)

permit exception as specified in § 201.1, DCAR believes it is fair to exempt such signs from the permit requirement. Most existing open house directional are at least two square feet (2 sq. ft.) and it is not uncommon, especially for tent signs, for open house directional to be closer to three and a half square feet (3.5 sq. ft.). Such signs have not proven problematic enough to require the time and expense of a permit.

- 201.2 Every sign for which a permit is issued shall be marked with the permit number and the date of the permit's issuance in letters not less than one inch (1 in.) in height. This information shall be displayed in the lower right corner of the sign.

DCAR Comments and Recommendations

Having to display the permit number and date on every sign is an extremely onerous provision for REALTORS®. DCAR's members spend a fair amount of time and money designing and paying for the production of signage. The technical specificities are too detailed to promote compliance and the fine for misplacing the permit number is too high (*\$500 for failing to display the permit number.*) If a real estate professional goes through the effort of obtaining a permit, they should be allowed more leeway with regards to specific permit display rules for their signage.

A way to ensure more consistency and compliance of the above section would be to allow individual real estate agents and/or brokerages to have one permit with a flat yearly fee that they could use for multiple properties. As long as the signs are all conforming, this would be a reasonable provision. In fact, many REALTORS® use the same sign in their advertisements and this would be a very helpful rule.

202 PERMIT APPLICATION PROCESS

- 202.1 A permit application shall be made in a form required by the permitting official and in accordance with the chapters governing the particular types of signs in this title.

DCAR Comments and Recommendations

There should be a simple online permit application option for all signs and, particularly, for real estate signs. Real estate professionals are constantly putting up signs to sell, rent or lease their properties. An online application process would promote compliance and would be more expedient than having to go through the trouble of submitting a written application each time one has a new listing. The District generates a great deal of revenue from recordation and transfer taxes each time a property is sold, so it would be in the government's best interest to encourage a speedy application process.

203 ACTION ON A PERMIT APPLICATION

- 203.1 The permitting official shall approve or deny the permit application within the time frames stated in the applicable chapters of this title or within such period as the applicant and the permitting official may agree to establish for the review.

DCAR Comments and Recommendations

The timeframe for review under most of the chapters is at least thirty (30) days. While this may be reasonable for a large billboard or illuminated sign that poses significant safety hazards to the community at large, it could significantly stall typical real estate transactions.

Practically, real estate professionals have limited notice of when a property goes on the market. Due to the possible long lengths of time a real estate transaction could take between the time a property goes on the market and closing, it is essential to immediately market a property. Holding up a permit for a real estate sign would be extremely detrimental to our members' businesses. Applications for real estate sign permits should be approved within twenty-four (24) hours or one business day.

204 COMPLIANCE WITH CONSTRUCTION CODES

- 204.1 No sign may be displayed unless it complies with the most currently adopted version of the District of Columbia Construction Codes, Title 12 DCMR. Compliance may require that, in addition to the permits required by this title, a permit be obtained from the Construction Codes code official.

DCAR Comments and Recommendations

It clearly states in the intent of Title 13 that it is meant to compile all of the District's rules related to signs into one place. Which rules related to signs are still in the Construction Codes needs to be clarified.

CHAPTER 3 SIGNS SUBJECT TO REVIEW BY THE COMMISSION OF FINE ARTS

300 APPLICABILITY

- 300.1 This chapter shall govern signs that are subject to review by the Commission of Fine Arts (Commission).

302 PERMIT REQUIRED

- 302.1 Signs in areas subject to review by the Commission shall require a permit, except temporary signs on public space, real estate signs, and non-commercial signs pursuant to §§ 602, 706.2, 706.3, and 713.1.

DCAR Comments and Recommendations

While § 302 specifically exempts qualified real estate signs from permitting, Chapters 400 (Signs Subject to Review by the Historic Preservation Board), 500 (*Chinatown District Review Procedures*) and 600 (*Sign on Public Space*) do not. Chapter 700 (*Signs on Private Property*) goes on to state there are permitting requirements for qualified real estate signs (§ 713.1, “[a] permit is not required for [real estate] signs under six square feet...”)

The above could be read to mean there are no permitting requirements for general situations, but permits could be required under Chapters 400, 500 and 600. The exemption for real estate signs

should be made clear in all parts of the Regulations.

CHAPTER 4 SIGNS SUBJECT TO REVIEW BY THE HISTORIC PRESERVATION REVIEW BOARD

400 APPLICABILITY

400.1 This chapter shall govern signs:

- (a) On buildings or land within a historic district designated by the Historic Preservation Review Board (HPRB);
- (b) On buildings or land designated as a historic landmark by the HPRB[.]

401 PERMITTING AND ENFORCEMENT OFFICIALS

401.1 The permitting and enforcement official responsible for issuing permits and enforcing the provisions of this chapter for signs on private property subject to review by the HPRB shall be the Director of DCRA.

401.2 The permitting and enforcement official responsible for issuing and enforcing the provisions of this chapter for signs on public space subject to review by the HPRB shall be the Director of DDOT.

DCAR Comments and Recommendations and Recommendations

There should be a specific exception for real estate signs in Chapter 400, such as the exception in Chapter 300. The permit application process in Chapter 400 is much too in depth for a standard real estate sign.

CHAPTER 5 CHINATOWN DISTRICT REVIEW PROCEDURES

500 APPLICABILITY

500.1 This chapter shall govern signs on buildings or land within Chinatown, being that area bounded by Mount Vernon Square, Massachusetts Avenue, NW, 5th Street, NW, G Street, NW, and 8th Streets NW, as defined by Title 10-B DCMR Chapter 24.

500.2 Signs subject to this chapter shall be subject to the review and recommendations of the Office of Planning (OP).

501 PERMITTING AND ENFORCEMENT OFFICIALS

501.1 The permitting and enforcement official responsible for issuing permits and enforcing the provisions of this title for signs on private property in Chinatown shall be the Director of DCRA.

- 501.2 The permitting and enforcement official responsible for issuing permits and enforcing the provisions of this title for signs on public space in Chinatown shall be the Director of DDOT.

DCAR Comments and Recommendations

There should be a specific exception for real estate signs in Chapter 500, such as the exception in Chapter 300. The permit application process in Chapter 500 is much too in depth for a standard real estate sign.

CHAPTER 6 SIGNS ON PUBLIC SPACE

600 APPLICABILITY

- 600.1 This chapter shall govern all temporary and permanent signs on public space in the District, except those an authorized District government agency installs for public safety, traffic management, parking regulation, or another regulatory purpose.

601 PERMITTING AND ENFORCEMENT OFFICIALS

- 601.1 The permitting official responsible for issuing permits for signs on public space shall be the Director of DDOT. The enforcement officials responsible for enforcing the provisions of this title for signs on public space shall be the Director of DDOT, and for violations of §§ 605.1 through 605.7 and 606, the Director of the Department of Public Works (DPW).

DCAR Comments and Recommendations

The fact that there are two agencies in charge of enforcement of these provisions is confusing. If one agency issues a violation, then the question remains if the other can issue a violation as well. This needs to be streamlined so that people are not fined multiple times for the same violation.

602 PERMIT REQUIRED

- 602.1 All signs on public space shall require a permit except temporary signs governed by § 605 that are not subject to review by the HPRB or HPO pursuant to section § 405.1.

603 PERMIT APPLICATION PROCESS

- 603.1 An application for a permit under this chapter shall be made in a form required by the permitting official and shall be accompanied by:
- (a) The name, address, telephone number, and email address of the applicant and the adjacent property owner;

- (b) The size of the sign, the location where the sign will be placed, and whether any lights will be used to illuminate the sign, including electronic signs or lights embedded in the sign; and
- (c) Any other material required by this title, DDOT, or the Public Space Committee.

603.3 In addition to the permit application requirements stated in § 603.1, an applicant for a banner permit shall:

- (a) Send copies of all proposed banners electronically to the permitting official;
- (b) Specify whether the applicant intends to install banners for another group, organization, or business and, if so, list the other entities;
- (c) Provide banner design, mounting hardware specifications, and décor rigger information with the application. Mounting hardware specifications shall include cast 535 almag or 356-T6 aluminum with a facing plate that will accommodate square, round, or fluted pole shapes. The mounting hardware shall be constructed of corrosion-resistant material;
- (d) Secure a public space electrical permit if electrical service is required. All electrical work shall comply with the most currently adopted version of the District of Columbia Construction Codes, Title 12 DCMR;
- (e) Secure an agreement with the electric supplier for energy usage and present it with the application;
- (f) Provide a site map or plan showing the location of poles, including pole numbers, where the applicant proposes to mount banners; and
- (g) Show proof of insurance to indemnify the District for property damage and personal injury resulting from the installation or removal of the banners.

DCAR Comments and Recommendations

The definition for a banner is generally unclear. In Chapter 99 (*Definitions*), a banner is defined as “a hanging sign, typically of fabric, that can be hung perpendicular or parallel to the face of a building.” Certain real estate signs could technically be considered banners under this definition.

605 TEMPORARY SIGNS ON PUBLIC SPACE

605.1 It shall be unlawful to affix a temporary sign to any fixture on public space, or to display a sign on public space, except as provided in this section.

605.2 No temporary sign that relates to the sale of goods or services shall be affixed to a fixture on public space or displayed in any manner on public space.

DCAR Comments and Recommendations

The phrase “goods and services” is very vague and is not clearly defined in the definitions section. “Goods and services” should be clearly defined to promote compliance.

605.3 A temporary sign that is not prohibited by § 605.2 may be affixed to a fixture on public space or displayed on public space for no more than one hundred eighty (180) days. Signs allowed under this section shall not be displayed in a public parking by anyone other than an owner or occupant of the adjacent building.

605.4 A temporary sign that is related to a specific event shall be removed no later than thirty (30) days following the event to which it is related. This does not extend the time limit designated in § 605.3.

DCAR Comments and Recommendations

It is unclear whether § 605.4 extends to temporary open house directional signs, which it should.

605.5 Temporary signs authorized by § 605.3 shall:

(a) Be no larger than six square feet (6 sq. ft.)

605.7 Temporary signs authorized by § 605.3 do not require a permit. Each of these signs shall contain the date upon which it was initially affixed to a fixture on public space or displayed on public space.

DCAR Comments and Recommendations

This section specifically states that certain temporary signs as authorized by § 605.3 do not require a permit and it should also extend to § 605.4, which appears to cover open house directional signs. It is also not clear whether the one square foot (1 sq. ft.) permit exception applies to such temporary signs or if they must only comply with the six square feet (6 sq. ft.) requirement. This also needs clarification.

607 BANNERS

607.1 No banner shall be displayed on public space without a permit. Banners attached to private property that extend over public space must be approved by all relevant permitting officials.

607.2 Banners shall not extend over public space more than forty-two inches (42 in.), or be maintained less than fourteen feet (14 ft.) above public space or a public parking.

DCAR Comments and Recommendations

The front yards of many building are technically considered public space. If, in fact, the

definition of banner would apply to certain real estate signs, it would be extremely onerous to add the additional permitting requirements for banners.

§ 607 is also not entirely consistent with § 708.9 (*Projecting Signs on Private Property*) which states, “No banner, sign, or flag used for advertising purposes shall be displayed on any building, wall, fence, pole, or structure unless a permit for it has been issued, nor shall any banner, sign, or flag extend over public space more than forty-two inches (42 in.).” § 708.9 seems to indicate that all “banners” on private space require permits, while § 607 would only require a permit for that that extend onto public space.

CHAPTER 7 SIGNS ON PRIVATE PROPERTY

700 APPLICABILITY

700.1 This chapter shall govern the display and maintenance of outdoor display signs and other forms of exterior advertising.

701 PERMITTING AND ENFORCEMENT OFFICIALS

701.1 The permitting and enforcement official responsible for issuing permits and enforcing the provisions of this title for signs on private property shall be the Director of DCRA.

702 PERMIT REQUIRED

702.1 All signs on private space shall require a permit except signs governed by §§ 706.2, 706.6, and 713.1.

DCAR Comments and Recommendations

This section would seem to exempt most real estate signs from requiring a permit, regardless of their size. § 706.2 makes no reference to size, however, § 713.1 requires a permit for real estate signs over six square feet (6 sq. ft.). This inconsistency needs clarification.

703 PERMIT APPLICATION PROCESS

703.1 An application for a permit under this chapter shall be made in a form required by the permitting official and shall include:

- (a) The name, address, telephone number, and email address of the applicant, sign company, and property owner;
- (b) Construction documents indicating the size of the sign, the location where the sign will be placed, the height of the sign, materials, and all electrical and structural details;

- (c) Unless submitted electronically, four (4) sets of plans on at least eleven inch by seventeen inch (11 in. x 17 in.) paper.

DCAR Comments and Recommendations

§ 703.1(b)-(c) is particularly onerous for standard temporary real estate sale, rent or lease signs. These documents may not even be readily available and could significantly stall a property from being sold, rented or leased. Signs governed by § 706.2 and § 713.1 should be exempt from this requirement.

704 ACTION ON A PERMIT APPLICATION

- 704.1 The permitting official shall review the permit application within thirty (30) days of submission.

DCAR Comments and Recommendations

Given the far-reaching scope of these new Regulations, it is difficult to imagine that DCRA will be able to handle the volume of the required reviews in the timeframes called for in § 704.1. Given the speed of real transactions and the revenue a completed transaction brings to the District, real estate permit applications should have an approval timeframe of twenty-four (24) hours or one business day.

Specifically, leasing signs by nature are temporary, and usually cannot be placed until a space is vacant. The requirement to wait up to thirty (30) days in order to secure a permit before placing a for lease sign would have the effect of adding to a landlord's already expensive downtime.

- 704.2 In addition to DCRA technical review and zoning review, the permit application may be subject to review by DDOT, OP, the Commission, or the National Capital Planning Commission (NCPC).

DCAR Comments and Recommendations

The number of agencies in this provision is too onerous for real estate signs requiring a permit. Real estate signs should be reviewed by a maximum of two (2) agencies—namely, DCRA for signs on private property and DDOT for signs on public property.

- 704.5 Upon approval of all reviewing agencies, a sign permit application will be approved and a permit issued. All permits shall be valid for one (1) year, unless otherwise noted on the permit.

DCAR Comments and Recommendations

In the real estate industry, it is common for agents to be advertising multiple properties. It would be practical to allow agents to obtain one permit that could be used for multiple properties. It would be even more practical to allow brokerages to be able to obtain one permit that all of their agents could use. Having a flat yearly fee would save brokerages and agents the time and expense of having to fill out an application each time they have a new property, especially if the signs are structurally the same.

705 GENERAL REQUIREMENTS AND RESTRICTIONS

- 705.5 All signs shall be maintained in a structurally sound condition. Any sign that is unsafe or not properly maintained shall be subject to removal.

DCAR Comments and Recommendations

There should be an exception that protects against damage or loss of a permitted sign. If a sign is damaged or requires replacement before the permit expiration (i.e., due to inclement weather, vandalism) the permit holder should be allowed to replace the sign under the existing permit at no extra cost.

- 705.6 All signs displayed without a required permit shall be deemed unauthorized and shall be subject to removal.

DCAR Comments and Recommendations

Removal of certain large signs can be extremely costly. As the enforcement of the existing sign Regulations has not been consistent, § 705.6 should allow a reasonable time for abatement, such as thirty (30) days. This would give the owner of the sign time to obtain the proper permit, as stipulated in § 704.1.

706 TEMPORARY SIGNS ON PRIVATE PROPERTY

- 706.1 Temporary sales or leasing signs indicating the availability of the new property on which they are displayed for sale or lease may be displayed subject to a permit for no more than one hundred eighty (180) days and shall contain the date of the sign's initial display.

DCAR Comments and Recommendations

In today's constantly fluctuating real estate market, it is not uncommon for certain properties to stay on the market for longer than one hundred eighty (180) days. This should be increased to within sixty (60) days of a property being sold, rented or leased.

- 706.2 Temporary directional signs indicating the holding of an event or a real estate open house at a particular property may be displayed without a permit; provided that these signs are first posted on the day of the event and are removed within one (1) hour after the event concludes.

DCAR Comments and Recommendations

§ 605.4 specifically allows temporary signs on public property to be removed within thirty (30) days of an event. It is too restrictive to then require real estate open house or event signs on PRIVATE property to be posted the day of the event and removed within such a short timeframe.

Current business practices are that agents will put up an open house sign the night before the event, as the day of can be extremely busy for all parties involved. The hours following an event can also be extremely busy. Real estate open house or event signs should be allowed to be posted

AT LEAST a day before the event. As a practical suggestion, requiring them to be removed by 9:00pm the day of the event would also be reasonable.

This section also does not stipulate the one (1 sq. ft.) square foot permit exception and can be read to mean that such signs can be any size as long as they conform to the time limitations. DCAR believes this is reasonable.

Finally, §706.2 states that no permit is required for signs on private space, however, since most front lawns actually considered to be government owned, this permit exception needs to be clarified.

706.3 Temporary business identification signs may be displayed, subject to a permit, on premises where building operations are being conducted. Permits shall be issued for these signs if they will be erected on temporary barricades, covered walkways, construction offices, or the public space between the building and the structure.

706.5 Banners attached to a building shall require a permit.

DCAR Comments and Recommendations

Whether this provision would apply to certain real estate signs on large commercial or multi-dwelling residential properties is unclear and needs clarification.

706.6 Non-commercial signs may be displayed on residential property or in a public parking by the owner or occupant of the property, or the owner or occupant of the property adjacent to the public parking, without a permit; provided, that:

- (a) The sign complies with the structural requirements stated in chapter 11 of this title;
- (b) The sign is not:
 - (1) A roof sign;
 - (2) A variable message sign;
 - (3) A projecting sign;
 - (4) A billboard;
 - (5) Illuminated; or
 - (6) Audible; and
- (c) The sign is not more than twenty square feet (20 sq. ft.) in area.

DCAR Comments and Recommendations

The definition of a “non-commercial sign” as used in these Regulations is unclear and needs clarification.

709 SIGNS ON ROOFS

709.1 Signs on roofs are allowed if:

- (a) They are not erected above the height limit established by the Zoning Regulations;
- (b) The base of the sign is not less than six inches (6 in.) nor more than eighteen inches (18 in.) above the roof parapet wall on which it is erected or affixed;
- (c) The height of the sign does not exceed half of the width of its base; and
- (d) The maximum area of the sign does not exceed one hundred square feet (100 sq. ft.) unless specifically allowed by the permitting official.

709.2 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.

709.3 Roof signs shall not be erected or hung so as to swing, sway, or revolve in any manner.

709.4 Complete structural plans indicating roof construction, method of attachment, and sign framing shall be provided with all applications for permits for signs on roofs.

713 REAL ESTATE SIGNS

DCAR Comments and Recommendations

§ 713 only discusses signs in Residential and non-Residential Districts. It does not specifically discuss signs in Mixed Use Districts—which is key sector of the real estate community.

713.1 One (1) sign for the sale, rent, or lease of land or premises may be placed on private property or attached to the exterior of any building with the written consent of the owner or the owner's agent. A permit is not required for signs under six square feet (6 sq. ft.).

DCAR Comments and Recommendations

Only allowing one (1) sign for the sale, rent, or lease of land or premises is much too restrictive. It is unreasonable for a multi-thousand square foot commercial property. There are also residences located on odd angles that require multiple signs for proper visibility.

This limit on number of signs should be based on the total area of signs related to the size of the property (i.e., allowing a larger total square footage limit for multi-story buildings), as opposed to a limit based on the specific number of signs. For example, in § 713.7, it states that in non-Residential District, an owner or occupant of a building more than four (4) stories tall the total square footage of all real estate signs shall not exceed eight hundred square feet (800 sq. ft.). Buildings in all Districts larger than four (4) stories should be allowed multiple signs across the board require for proper visibility.

The general six square feet (6 sq. ft.) permit exception for real estate signs is too small even for single family detached dwellings. Standard real estate signs (with riders) often could be closer to ten square feet (10 sq. ft.). For larger properties, this ensures visibility. It is in the District's best interest that properties are sold as they generate a great deal of revenue. Increasing the permit exemption size to at least ten square feet (10 sq. ft.) for real estate signs for single family detached residences falls in line with current practices. The permit exception should be also be much larger for real estate signs on properties greater than four (4) stories.

713.2 The area of a real estate sign shall not exceed twenty square feet (20 sq. ft.) if located within a residential district, or sixty square feet (60 sq. ft.) if located outside a residential district.

DCAR Comments and Recommendations

The above referenced size requirement seem to be driven by a typical single family home. While that may be appropriate for a residence, it is not necessarily appropriate sizing for a four hundred thousand square feet (400,000 sq. ft.) office building. The size limit for real estate signs in Residential Districts and non-Residential Districts should be increased for all properties greater than four (4) stories.

§ 713.2 also does not account for Mixed Use Districts. This provision would be more easily classified based on whether a property is a commercial or residential building, not which Zoning District it is in.

713.3 Real estate signs shall be located on the premises advertised.

DCAR Comments and Recommendations

§ 713.3 calls into question the definition of premises. For example, if the fourth (4th) floor of an office building is vacant, § 713.3 should not require that the sign be placed at the level of the fourth (4th) floor. Instead, it should allow the sign to be placed anywhere on the building. Also related to premises, if there are three vacant retail spaces on the first floor of an office building, § 713.1 should clarify that one sign per vacant space is allowed anywhere on the building.

713.4 A real estate sign exceeding six square feet (6 sq. ft.) shall require a permit and shall be subject to the time limitations in § 706.1.

DCAR Comments and Recommendations

Again, DCAR wants to reiterate that standard, existing sale, rent or lease signs could be significantly larger than six square feet (6 sq. ft.). With standard riders, current business practices

have today's real estate signs closer to 10 square feet. § 713.4 is too restrictive. The permit exception should be increased to at least ten square feet (10 sq. ft.) for single family detached dwellings and significantly more for properties over four (4) stories.

713.5 In a Residential District, as defined in the Zoning Regulations, one (1) sign for the sale, rent, or lease of land or premises may be placed on private property or attached to the exterior of the building with the consent of the owner or the owner's agent; provided, that if the sign exceeds six square feet (6 sq. ft.), it shall require a permit and shall not exceed twenty square feet (20 sq. ft.).

DCAR Comments and Recommendations

Notwithstanding that this provision significantly stifles an owner's private property rights to treat their property as they see fit, it is unreasonable to only allow one (1) sign for the sale, rent, or lease. There are many properties that are located on corners or odd angles that would need at least two signs for proper visibility.

The one (1) sign limit is particularly restrictive for larger properties over four (4) stories. Such properties should also be allowed multiple signs for proper visibility.

Additionally, depending on the size of the property, the twenty square feet (20 sq. ft.) limit is also too restrictive. If one is advertising a larger multi-story building in a Residential District, the size limits should also be correlated to the size of the buildings, as they are in §713.6 and §713.7. For example, a twenty square feet (20 sq. ft.) would not allow for proper visibility on twenty story condo building, nor an eighteen story mixed use building.

713.6 In a non-Residential District, an owner or occupant of a building up to four (4) stories tall may display one (1) sign for the sale, rent, or lease of land or premises on private property or attached to the exterior of the building with the consent of the owner or the owner's agent; provided, that if the sign exceeds six square feet (6 sq. ft.), it shall require a permit and shall not exceed sixty square feet (60 sq. ft.).

DCAR Comments and Recommendations

On a building up to four (4) stories tall, an owner or owner's agent should be allowed to have more than one (1) sign for sale, rent or lease for proper visibility.

The below §713.7 allows for signs greater than four (4) stories to have a total square footage for all signs of eight hundred square feet (800 sq. ft.). Therefore, it would be reasonable to increase the number of signs allowed, as well as the square footage requirements for each particular sign.

713.7 In a non-Residential District, an owner or occupant of a building more than four (4) stories tall may display signs for the sale, rent, or lease of land or premises to be placed on private property or attached to the exterior of the building with the consent of the owner or the owner's agent; provided, that if a sign exceeds six square feet (6 sq. ft.), it shall require a permit and the total square footage of all real estate signs shall not exceed eight hundred square feet (800 sq. ft.).

DCAR Comments and Recommendations

On a building of this size and with total signage allowed up to eight hundred square feet (800 sq. ft.), the permit requirement should be increased. Additionally, §§ 713.6 and 713.2 state that in a non-Residential District, a sign shall not exceed sixty square feet (60 sq. ft.), however, the above section would imply the sixty square feet (60 sq. ft.) size exception does not apply to buildings over four (4) stories in a non-Residential District. This exception should be consistently stated throughout Chapter 700.

714 MAXIMUM SIZE OF SIGNS

- 714.1 In any district other than a Residential or Special Purpose District, the total area of sign or signs subject to the provisions of this chapter and attached to, displayed from, or erected upon any building, lot, or parcel of land, shall not exceed the limits prescribed in §§ 715 through 719.

DCAR Comments and Recommendations

The size limits prescribed in §§ 715 through 719 are unclear. Some of them would appear to increase the limit of sixty square feet (60 sq. ft.) for real estate signs in non-Residential Districts, as well as the twenty square feet (20 sq. ft.) limit for real estate signs in Residential Districts. These sections need to be streamlined with the rest of the Regulations to promote compliance.

715 ONE-STORY BUILDINGS

- 715.1 Signs on one-story buildings shall be no larger than two square feet (2 sq. ft.) for each foot of width of the front of the building. The sign shall only advertise the business or profession of the owner or an occupant of the building, and the signs shall be placed on the front within the limits of the portion of the front in which the advertised business is located. Roof signs shall not exceed one hundred square feet (100 sq. ft.) facing any one street frontage.

716 FIRST FLOOR STORES OR BUSINESSES IN MULTI-STORY BUILDINGS

- 716.1 The provisions of § 715 shall apply, except that signs for first floor stores or businesses in multi-story buildings shall be no higher than twenty feet (20 ft.) above the sidewalk.
- 716.2 The total area of all signs above the twenty foot (20 ft.) height specified in § 716.1 shall not exceed the limits set forth in Table 716, for each street frontage.

**TABLE 716
SIGNS ABOVE THE FIRST STORY**

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

717 SINGLE-OCCUPANCY BUILDINGS

- 717.1 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 717.

**TABLE 717
SIGNS ON SINGLE-OCCUPANT MULTI-STORY BUILDINGS**

AREA OF WALL ON STREET FRONTAGE (square feet)	MAXIMUM ALLOWABLE AREA OF SIGNS ON STREET FRONTAGE
Up to 4000	100 sq. ft.
Over 4000	1/40 of area of wall, of which not more than 100 sq. ft. is above the roof

722 APARTMENT HOUSE SIGNS

- 722.1 For apartment houses, signs shall be limited to the name and house number of the building. These signs shall only be permissible if they face the street or streets upon which entrances to the building are located. Apartment house signs shall not exceed the limits set forth in Table 722 for each building frontage. Signs placed on a marquee, canopy, or awning, as allowed under § 406, shall not be counted towards the area limitation given in Table 722. For the purposes of this section, a group building erected under a covenant shall be considered a single building.

**TABLE 722
APARTMENT HOUSE SIGNS**

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

723 OFFICE BUILDINGS, COMMERCIAL, OR INDUSTRIAL USES

- 723.1 For buildings or premises approved by the Board of Zoning Adjustment or Zoning Commission for office, commercial, or industrial uses, the total area of signs for each building or premises shall not exceed the lesser of the limit prescribed in §714.1, or forty square feet (40 sq. ft.), or such other limitation imposed by the Board of Zoning Adjustment or Zoning Commission. These signs shall be attached flat against the wall of the building unless they are governed by § 720.
- 723.3 Signs marketing new residential units for rent or lease shall be allowed for a maximum of one hundred eighty (180) days from date of issuance of the first certificate of occupancy. Size shall be subject to the limitations in § 722.

DCAR Comments and Recommendations

§ 723 seems to only apply to office buildings, commercial, or industrial uses, however § 723.3 specifically references real estate signs marketing new residential units for rent or lease. It is unclear which size requirements apply. Many properties also stay on the market for longer than one hundred eighty days, while many are sold much quicker. A simpler rule would be requiring removal of a sign within sixty (60) days of when a property is sold, rented or

leased.

724 RESIDENTIAL OR SPECIAL PURPOSE DISTRICT LIMITATIONS

- 724.1 No sign or signs shall be allowed in any Residential District, as fixed by the Zoning Regulations, unless the permitting official issues a permit in accordance with this section.
- 724.3 Residential District signs on private property shall be located on the portions of the building or premises occupied by the use for which the signs are authorized.
- 724.5 For buildings or premises located in Special Purpose Districts, as defined in the Zoning Regulations, the total area of signs subject to this section shall not exceed the limits set forth in Table 724, nor those imposed by any specific order of the Board of Zoning Adjustment or Zoning Commission.

**TABLE 724
SIGNS IN SPECIAL PURPOSE DISTRICTS**

STREET FRONTAGE (feet)	MAXIMUM ALLOWABLE SIZE OF SIGN ON STREET FRONTAGE (square feet)
Up to 40	40 sq. ft.
Over 40 up to 100	1 sq. ft. per foot of frontage
Over 100	100 sq. ft. plus 0.5 sq. ft. per foot of frontage over 100

- 724.6 A permit shall not be required for a nameplate to advertise a home occupation; provided, that it is one square foot (1 sq. ft.) or less in area and bears only the name and occupation of the occupant of the building.

1201 SCHEDULES OF INFRACTIONS AND FINES

- 1201.1 The civil infractions and their respective fines stated in the following schedule shall apply to violations of this title:

DCAR Comments and Recommendations

The schedule of fines does not represent “reasonable” and “impartial” standards. Fines range from \$100 to \$2000, representing a 2000% increase to seemingly similar violations under the same Title 13. A \$2000 fine could significantly harm a small business and this high of a fine should not be applied to any violation that does not involve a significant risk of harm or damage

to the community. The fines are not meant to be a revenue generator for the District and should not be treated as such.

Additionally, fines should be assessed on whoever is the violator. If a tenant is a violator, then the property owner should not be fined. An example of this is if a retail tenant continues to post non-permitted signage in its windows. The landlord should not have to incur expensive costs if it is the tenant who is violating the Regulations.

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SCHEDULE OF INFRACTIONS AND FINES

Infraction (DCMR Citation)	Abatement <u><i>DCAR Comments and Recommendations</i></u> Exactly how long one has for abatement needs to be clarified.	Occurrence within 60 days	Service Hours	Fine
Displaying a permitted sign without the permit number and the date of the permit's issuance. (13 DCMR § 201.2)	No <u><i>DCAR Comments and Recommendations</i></u> This violation should have an abatement for the first violation. The fine is too high to be considered "reasonable" without an abatement.			\$ 500
Displaying a sign that does not comply with the DC Construction Codes. (13 DCMR § 204.1) <u><i>DCAR Comments and Recommendations</i></u> A fine for this type of violation is only reasonable if the sections that must comply with the DC Construction Codes are clearly spelled out, which they are not.	Yes			\$ 1000 <u><i>DCAR Comments and Recommendations</i></u> This fine does not fall in line with the "reasonable" and "impartial" standard outlined above in §100.3.
Displaying a sign without approval by the Commission of Fine Arts where such approval is required. (13 DCMR § 302.1)	Yes			\$ 2000 <u><i>DCAR Comments and Recommendations</i></u> This fine does not fall in line with the "reasonable" and "impartial" standard outlined above in §100.3. If one is unaware that they are in a Fine Arts District, they could innocently violate this provision.

Infraction (DCMR Citation)	Abatement <u><i>DCAR Comments and Recommendations</i></u> Exactly how long one has for abatement needs to be clarified.	Occurrence within 60 days	Service Hours	Fine
Displaying a sign without approval by the Mayor's Agent, Historic Preservation Review Board, or Historic Preservation Office, where such approval is required. (13 DCMR §§ 402.1, 402.7)	Yes			\$ 2000 <u><i>DCAR Comments and Recommendations</i></u> This fine does not fall in line with the "reasonable" and "impartial" standard outlined above in §100.3. If one is unaware that they are in a Historic Preservation District, they could innocently violate this provision.
Displaying a sign subject to review by the HPRB with lettering or logos greater than twelve inches (12 in.). (13 DCMR § 406.2)	Yes			\$ 2000 <u><i>DCAR Comments and Recommendations</i></u> This fine does not fall in line with the "reasonable" and "impartial" standard outlined above in §100.3. This violation is much too specific and nuanced to have such a high fine.
Displaying a sign on public space without a permit. (13 DCMR § 602.1)	Yes			\$ 2000 <u><i>DCAR Comments and Recommendations</i></u> This fine does not fall in line with the "reasonable" and "impartial" standard outlined above in §100.3.
Displaying a sign on public space relating to the sale of goods or services. (13 DCMR § 605.2) <u><i>DCAR Comments and</i></u>	Yes	First Offense	8	\$ 150
		Second Offense	16	\$ 300
		Third Offense	32	\$ 600
		Fourth Offense	100	\$2000

Infraction (DCMR Citation)	Abatement <u><i>DCAR Comments and Recommendations</i></u> Exactly how long one has for abatement needs to be clarified.	Occurrence within 60 days	Service Hours	Fine
<u><i>Recommendations</i></u> The definition of “good or services” needs to be made clear in the definitions section.				
Failure to securely display a temporary sign on a public fixture or in public space. (13 DCMR § 605.5) <u><i>DCAR Comments and Recommendations</i></u> This violation should have an exception for inclement weather.	Yes	First Offense	8	\$ 150
		Second Offense	16	\$ 300
		Third Offense	32	\$ 600
		Fourth Offense	100	\$2000
Displaying a banner on public space without a permit. (13 DCMR § 607.1)	Yes			\$ 2000 <u><i>DCAR Comments and Recommendations</i></u> This fine does not fall in line with the “reasonable” and “impartial” standard outlined above in §100.3. The definition of banner is not clear enough to warrant such a high fine.
Displaying a banner that extends into public space more than forty-two inches. (42 in.). (13 DCMR § 607.2)	Yes			\$ 500 <u><i>DCAR Comments and Recommendations</i></u> This fine is too high for such a specific technicality.
Displaying a banner less than fourteen feet (14 ft.) above the public space. (13 DCMR § 607.2)	Yes			\$ 500 <u><i>DCAR Comments and Recommendations</i></u> This fine is too high for such a specific technicality.
Failure to notify the permitting official when a banner has been removed. (13 DCMR § 607.13)	No			\$ 500 <u><i>DCAR Comments and Recommendations</i></u> This violation does not warrant such a high

Infraction (DCMR Citation)	Abatement <u><i>DCAR Comments and Recommendations</i></u> Exactly how long one has for abatement needs to be clarified.	Occurrence within 60 days	Service Hours	Fine
				fine—the intent of requiring notification for the REMOVAL of a sign is unclear.
Displaying a sign on private property without a permit. (13 DCMR § 702.1)	Yes (DC Code § 42-3131.01 <i>et seq.</i>)			\$ 2000 <u><i>DCAR Comments and Recommendations</i></u> This fine does not fall in line with the “reasonable” and “impartial” standard outlined above in §100.3.
Failure to maintain a sign in structurally sound condition. (13 DCMR § 705.5)	Yes (DC Code § 42-3131.01 <i>et seq.</i>)			\$ 1000 <u><i>DCAR Comments and Recommendations</i></u> This fine does not fall in line with the “reasonable” and “impartial” standard outlined above in §100.3. Inclement weather conditions could damage a sign.
Failure to securely brace and fasten a roof sign. (13 DCMR § 709.2)	Yes (DC Code § 42-3131.01 <i>et seq.</i>)			\$ 1000 <u><i>DCAR Comments and Recommendations</i></u> This fine does not fall in line with the “reasonable” and “impartial” standard outlined above in §100.3. Inclement weather conditions could damage a sign.

Infraction (DCMR Citation)	Abatement <u><i>DCAR Comments and Recommendations</i></u> Exactly how long one has for abatement needs to be clarified.	Occurrence within 60 days	Service Hours	Fine
Installing a real estate sign that exceeds twenty square feet (20 sq. ft.) if located within a residential district, or sixty square feet (60 sq. ft.) otherwise. (13 DCMR § 713.2) <u><i>DCAR Comments and Recommendations</i></u> These limits should be increased based on the size of the buildings. Both size limits are much too restrictive for large multi-thousand square foot properties.	Yes (DC Code § 42-3131.01 <i>et seq.</i>)			\$ 100
Locating real estate sign on premises other than those being advertised. (13 DCMR § 713.3) <u><i>DCAR Comments and Recommendations</i></u> What constitutes premises could cause confusion on multi-unit properties. For example, if there is a vacancy on the first floor, would advertising for sale, rent or lease on the roof not be considered the premises? The premises should be defined as the entire property.	Yes (DC Code § 42-3131.01 <i>et seq.</i>)			\$ 100
Displaying a sign on private property in excess of the size limitations specified for each sign. (13 DCMR § 714.1)	Yes (DC Code § 42-3131.01 <i>et seq.</i>)			\$ 2000 <u><i>DCAR Comments and Recommendations</i></u> This fine does not fall in line with the “reasonable” and “impartial” standard outlined above in §100.3. The fines for a violation of §713.2 and §713.3 are \$100. The violation for §714.1 should not be 2000%

Infraction (DCMR Citation)	Abatement <u><i>DCAR Comments and Recommendations</i></u> Exactly how long one has for abatement needs to be clarified.	Occurrence within 60 days	Service Hours	Fine
				more than the other sections applicable to real estate.
Using sign posts for signs on private property that extend over any walkway or roadway unless there is at least eight feet (8 ft.) clearance above the walkway or fifteen feet (15 ft.) clearance above the roadway. (13 DCMR § 721.1)	Yes (DC Code § 42-3131.01 <i>et seq.</i>)			\$ 2000 <u><i>DCAR Comments and Recommendations</i></u> This fine does not fall in line with the “reasonable” and “impartial” standard outlined above in §100.3.
Failure to locate a Residential District sign entirely on private property or on the portion of the building or premises occupied by the use for which the sign is authorized. (13 DCMR § 724.3)	Yes (DC Code § 42-3131.01 <i>et seq.</i>)			\$ 100 <u><i>DCAR Comments and Recommendations</i></u> The general public is unaware that most front lawns of single family homes are actually public property. This needs to be publicly clarified to warrant a violation likely made in good faith.

1201.2 Any person violating any provision of this title for which a specific penalty is not provided shall be punished by a fine of not more than five hundred dollars (\$500).

DCAR Comments and Recommendations

Since this fine is not even associated with a specific violation, it should be on the lowest end of spectrum of fines between \$100 and \$200.

CHAPTER 13 SCHEDULE OF PERMITTING FEES

1300 SCHEDULE OF PERMIT APPLICATION FEES

1300.1 The fees stated in the following schedule shall apply to permit applications submitted pursuant to this title:

Signs on Public Space

Application Fee	\$50
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Permit Fees

Freestanding sidewalk sign (\$606 - A-frame, sandwich board or other portable unlit sign)	\$50
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Banners (§ 607)	\$50 per light pole
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Permanent signs (§608)	\$135
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DCAR Comments and Recommendations

This section only spells out very specific application and permit fees for certain signs on public space. The application and/or permit fees should be clarified for ALL signs. The cost should be based on the application process of the sign. For example, billboards have a much longer permit application process than a real estate sign exceeding certain size limitations. Additionally, real estate signs advertising the sale, lease or rent of a private property should have a lower fee because they are encouraging community growth and development.

CHAPTER 99 DEFINITIONS

9900.1 As used in this title, the following terms shall have the meaning ascribed:

Banner – a hanging sign, typically of fabric, that can be hung perpendicular or parallel to the face of a building.

Directional Sign – a sign providing information, either written or visual, that helps direct a person to a destination.

Event – an occurrence, happening, activity, or series of activities, specific to an identifiable time and place, if referenced on the sign itself or reasonably determined from all circumstances by the enforcement official.

Permit Holder – the person, organization, or other entity issued a sign permit by the Director of DCRA or DDOT.

DCAR Comments and Recommendations

Brokerages should be allowed to be permit holders and each individual agent should be allowed to use the brokerages' permit. As noted above, this could be in the form of a flat yearly fee. Alternatively, agents could have their own permits that they could use for multiple properties for a flat yearly fee. Both of these recommendations would promote compliance.

Real Estate Sign – a sign announcing the sale, rent, or lease of land or premises.