

**NEWBERG ELECTRONIC SIGN  
AD HOC COMMITTEE AGENDA  
3-5 p.m., Thursday, June 3, 2010  
Newberg City Hall, Permit Center Conference Room  
414 E. First Street, Newberg, Oregon**

- I. ROLL CALL**
- II. OPEN MEETING**
- III. MEETING MINUTES – approve May 6, 2010 minutes**
- IV. Electronic sign code amendments/ final recommendation**
- V. OTHER BUSINESS**
- VI. NEXT STEP: Present recommendation to City Council – July 6, 2010 (tentative)**
- VII. ADJOURN**

FOR QUESTIONS PLEASE STOP BY, OR CALL 537-1240, PLANNING & BUILDING DEPT. - P.O. BOX 970 - 414 E. FIRST STREET

***ACCOMMODATION OF PHYSICAL IMPAIRMENTS:***

*In order to accommodate persons with physical impairments, please notify the City Recorder's office of any special physical accommodations you may need as far in advance of the meeting as possible and no later than 48 hours prior to the meeting. To request these arrangements please contact the city recorder at (503)537-1283. For TTY service please call (503)554-7793.*

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**NEWBERG ELECTRONIC SIGN  
AD HOC COMMITTEE MINUTES  
3-5 p.m., Thursday, May 6, 2010  
Newberg City Hall, Permit Center Conference Room  
414 E. First Street, Newberg, Oregon**

**I. ROLL CALL:**

Present: Nick Tri, Chair            Michael Sherwood, Vice Chair  
          Stephen McKinney        Claudia Stewart  
          Dennis Lewis             Fred Gregory

Absent: Loni Parrish (unexcused)     Julie Want (unexcused)  
          Kristin Horn (unexcused)

Staff Present: Barton Brierley, Building and Planning Director  
                  Steve Olson, Associate Planner  
                  Dawn Karen Bevill, Recording Secretary

Others Present: Dan Rouse, Walgreens Manager, arrived at 4:03 p.m.

**II. OPEN MEETING:**

Chair Nick Tri opened the meeting at 3:07 p.m. and asked for roll call.

**III. MEETING MINUTES:**

<p><b>MOTION #1: Sherwood/Stewart</b> moved to approve the April 1, 2010 minutes as submitted. (6 Yes/ 0 No/ 3 Absent [Parrish, Want, Horn]) Motion carried.</p>
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**IV. WORKSHOP: Electronic sign code amendments/recommendation:**

Steve Olson began by reviewing the items there appeared to be consensus on at the previous meeting: Sign maintenance, sign brightness, include non-code items in the recommendation (awards for public service messages, low-interest loans for sign upgrades), code enforcement, downtown signs – status quo for now, but review animated signs as part of downtown coalition work, do not want to make more signs non-conforming, do not allow flashing, rapid scrolling except <10 square foot signs, as currently allowed in the code, do not allow mobile animated signs, stadium scoreboards allowed to be large but have time limits before and after events, increase maximum size from 30 square feet to 50 square feet for all signs for schools and other institutions in residential zones, as well as larger electronic message boards if setback farther for attached or freestanding signs; and require signs to be turned off at night.

Stephen McKinney asked about existing signs that currently do not possess the ability to dim at night. Steve Olson replied he does not believe it will affect any of the large existing signs but stated a change in language may be needed to cover some of the small older signs that may not have dimmers. Mr. McKinney stated “no strobing” must be in the language and he would like for schools to be able to utilize electronic message centers, as well as the University, advertising upcoming events, etc.

The committee discussed allowing school/institutional signs up to 50 square feet without a site element review and not allow above 50 square feet. The committee thought that if a review is needed, make the process as non-discretionary as possible so it could be reviewed by staff and not need Planning Commission or a Sign Review Commission to do so.

Steve Olson showed the committee a video of the Chuck Colvin Ford electronic sign located in McMinnville, Oregon. He believes it is 24 square feet, which is the maximum the code allows there. The City of McMinnville Sign Code was adopted in 2008. They have an eight-year non-conforming window. They allow one EMC per commercial site as part of a larger sign. Max height is 12 feet; set at least 10 feet from all property lines. The area of electronic message centers is calculated at two times that of other signs. They are allowed in commercial zones. Electronic message centers are not allowed in the downtown historic district. No temporary signs are allowed on a commercial site if the electronic message center can display more than 12 characters at one time or more than five characters in a row. No video is allowed.

Steve Olson went back to the consensus items and referred to Table 1 on page 9 of the official meeting packet and reviewed the definitions on page 11. The language under the flashing section was borrowed from Young Electronic Sign Company's model code. Flashing refers to blinking flashing lights. The language does not include strobing but could be added to this section. Claudia Stewart suggested strobing be listed as another item stating "strobing is prohibited" in order to clarify it correctly. Steve Olson will add it to item number six under the Electronic Message Center display methods instead of listing it in the table on page nine. Ms. Stewart also asked about the language regarding signage on cars and buses. In response, Steve Olson referred to Section 151.597.5. Stephen McKinney stated a waiver could be obtained for a special event such as a grand opening or for the Old Fashioned Festival. Ms. Stewart had a prior conversation with the Athletic Director and asked him about timeframes and turning off the sign. He did not think it unreasonable to turn the sign off one hour after an event. Generally, upcoming events are shown on the scoreboard during events when the public is in attendance. Dennis Lewis asked if the sign would be prohibited from use at any other time. Steve Olson stated that it would in the current draft. The draft code does not prevent them from having a monument sign near the street, as well. If the scoreboard is used as a sign, then the impact on residential areas has to be considered. Dennis Lewis asked if the committee is limiting themselves from potential resources, although he does not disagree with a curfew, but to say it cannot be used unless it is right before and after an event is limiting a community asset. Claudia Stewart believes the only place that would be affected is the George Fox University fields, including the complex on Villa. Dennis Lewis stated the scoreboard sign could be visible from Villa Road, so it could become a community asset. Steve Olson noted that the reason all signs are size-limited in residential zones is because of the impact on immediate neighbors. Mr. Lewis believes there needs to be a collaborative effort between the schools, university and the City on this issue.

Steve Olson referred to the table on page nine, number 12 regarding Site Element Review. One item that was discussed was allowing larger signs if there was a greater setback. Dennis Lewis would like to delete the 10 square feet or less category; flashing or rapidly scrolling or strobing should be treated the same regardless of the size. Fred Gregory would also like to omit the 10 square feet or less category all together. Stephen McKinney stated flashing is not necessarily movement. He believes staff did a good job at defining flashing or scrolling. Newberg Inn will be the only one non-conforming sign and will need to slow down the sign. The consensus was to not allow flashing or rapid scrolling in any of the categories.

Steve Olson referred to page 10 of the meeting packet and asked the committee about the site element review. The consensus was that it should be a type one process. Another idea discussed was to require a sign to have different design elements. Design elements are listed under freestanding signs on page 10. Barton Brierley stated they would allow a bigger sign if you meet certain elements. Stephen McKinney would be more comfortable if the existing signs will be able to satisfy the three criteria and would like to see no signs in non-compliance. The committee reviewed the signs in the pilot program to see how they would/would not receive site element design points. In the Institutional Category the site element review would be on signs larger than 50 square feet.

The committee reviewed additions/subtractions on the site element review. Stephen McKinney stated the criteria have a purpose. The only negative is the high cost to create these structures and he does not want to create a huge expense for business owners. However, he does like the idea of beautifying the structures and wants to recognize those who have gone out of their way to have nice looking signs. Dennis Lewis stated the design elements are an important factor and if low-interest loans were available for having those things, they may encourage owners to update their signs. Michael Sherwood believes this makes sense; merchants do not always understand that beautification is part of everyone doing business together as a city. Claudia Stewart suggested encouraging strip malls to use signs that could represent three or more businesses. Dennis Lewis suggested architecture as a design element as well as lighting. Steve Olson stated staff will come back with updated design elements, and ideas on incentives.

**V. OTHER BUSINESS:** No other business was brought forward.

**VI. NEXT MEETING –** The next scheduled meeting is June 3, 2010.

**VII. ADJOURN:** Meeting adjourned at 5:15 p.m.

**Approved by the Electronic Sign Ad Hoc Committee on this 3<sup>rd</sup> day of June, 2010.**

**AYES:**

**NO:**

**ABSENT:**

**ABSTAIN:**

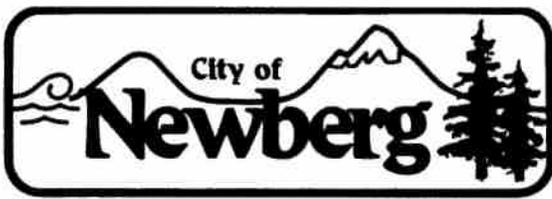
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Recording Secretary

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Electronic Sign Ad Hoc Committee Chair

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## Planning and Building Department

P.O. Box 970 • 414 E First Street • Newberg, Oregon 97132  
503-537-1240 • Fax 503-537-1272 • www.ci.newberg.or.us

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# Memorandum

**To:** Electronic Sign Ad Hoc Committee  
**From:** Steve Olson, Associate Planner  
**CC:** Barton Brierley, Dan Danicic, Mayor Bob Andrews  
**Date:** May 27, 2010  
**Re:** June 3 final recommendation

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The committee has considered many different issues relating to electronic signs, and is now trying to make a final recommendation on what kind of electronic signs should be allowed where, and under what conditions. The following is a draft recommendation based on the discussion at the last meeting. Please review for our discussion on June 3<sup>rd</sup>.

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### **DRAFT RECOMMENDATION:**

The Electronic Sign Ad Hoc Committee believes that electronic signs provide a valuable means of communication for the community to give and receive information about business products, events, and current conditions. The committee believes that the City could allow more flexibility to use electronic signs, depending on the zone and the sign size, while protecting the livability of residents. The committee recommends that the City Council initiate a development code amendment to allow more flexibility to use electronic signs in most zoning districts. The committee also recommends that the prohibition on animated signs in the C-3 downtown district be revisited in the future as part of the downtown coalition process. The committee further recommends that the City consider other options, such as annual sign awards or low-interest loans for sign upgrades, to encourage better signs in Newberg.

### **I. RECOMMENDED DEVELOPMENT CODE AMENDMENT**

#### **A. Add the text and table below:**

##### **§ 151.597.5 ELECTRONIC MESSAGE CENTERS**

Electronic message center (EMC) signs are permitted subject to the limitations below.

Electronic message centers are not permitted on vehicles, on trailers, as portable signs, or for residential uses in residential zones, unless otherwise permitted by this code. EMCs used on a bus to display the destination or route are permitted.

(see table on next page)

**Table 1: Electronic Message Center Standards by Display Method, Size, Zoning, and Review Process**

Zoning	Size of EMC [1]	Display Method				
		Static Message	Alternating Message	Animated Message	Extended Video Message	Flashing or rapid scrolling
Portland Road Commercial and Industrial (C-2, M-1, M-2, M-3, M-4); other zones not listed	Up to 30 sq. ft.	Allowed	Allowed	Allowed	Allowed	Prohibited
	> 30 sq. ft. up to 50 sq. ft.	Allowed	Allowed	Allowed[2] or Site element review	Site element review	Prohibited
	> 50 sq. ft. up to 100 sq. ft.	Allowed	Allowed	Site element review	Prohibited	Prohibited
Downtown (C-3) Zone	Up to 30 sq. ft.	Allowed	Prohibited	Prohibited	Prohibited	Prohibited
	> 30 sq. ft. up to 100 sq. ft.	Allowed	Prohibited	Prohibited	Prohibited	Prohibited
Institutional (I), Neighborhood Commercial (C-1), and Residential-Professional (R-P)	Up to 30 sq. ft.	Allowed	Allowed	Allowed	Prohibited	Prohibited
	> 30 sq. ft. up to 50 sq. ft.	Allowed	Allowed	Allowed[2] or Site element review	Prohibited	Prohibited
	> 50 sq. ft. up to 100 sq. ft.	Allowed	Site element review	Site element review	Prohibited	Prohibited
All Residential Zones (Including R-1, R-2, & R-3) [3]	Up to 30 sq. ft.	Allowed	Allowed	Allowed	Prohibited	Prohibited
	> 30 sq. ft. up to 50 sq. ft.	Allowed[2]	Allowed[2]	Allowed[2]	Prohibited	Prohibited

[1] Maximum size of EMC is limited by the maximum size of sign allowed in that zone. Therefore, EMCs of the size shown may or may not be allowed.

[2] Allowed if setback from front property line is greater than 30 feet.

[3] Must be turned off between the hours of 11 p.m. and 6 a.m.

**Review process:**

The table above lists the zones where EMCs are allowed, based on the display method, size, and review process. EMCs that are allowed in the zone will use the standard Type I administrative review process. EMCs that require Site element review will use the process described below.

1. Site element review process: A Type I process with a decision by the Planning Director.
  - a. Criteria: The review body must find that the sign will be compatible with surrounding uses, based on all of the following factors:
    - i. Proposed sign operation complies with code.
    - ii. Sign does not shine on bedroom windows in residential districts.
    - iii. Setback: at least 15 feet from front property line
    - iv. Hours of operation: must be turned off between the hours of 11 p.m. and 6 a.m. if sign is visible from a residential district.
    - v. Site landscaping is maintained and is up to code. If the site is nonconforming and cannot be brought up to code then efforts have been made to bring the site as close to code as practical.
    - vi. Freestanding signs include 3 of the following design elements:
      - a. Includes prominent brickwork, masonry, naturally-finished wood, or naturally-finished metal in frame or supports.
      - b. Includes neon type tube lighting.
      - c. Uses 2 support poles or a full-width support structure.
      - d. Outline or top of the frame is predominantly non-rectangular or curved.
      - e. Includes landscaping around the base equal in area to the size of the sign.
      - f. Less than 80% of sign is EMC.
      - g. Height is 20% lower than required.
      - h. Setback is 20% greater than required.
      - i. Sign will be used by 3 or more businesses on site.
  - b. Appeals: All appeals of the site element review process shall be heard by the Planning Commission.
2. Size incentive: If any freestanding EMC sign includes 4 of the design elements in 1.a.(vi) above then the allowable sign area is increased by 10%. If any freestanding EMC sign includes 5 or more of the design elements in 1.a.(vi) above then the allowable sign area is increased by 20%.

**Electronic Scoreboards (committee needs to choose one option)**

**Option A (Treated as sign if visible from public right of way)** Electronic scoreboards with electronic message centers in stadiums or at sports fields are not considered signs or limited in size or display method if they are not visible from the public right of way. If the scoreboard is visible from the public right of way then when an event is not taking place at the site the scoreboard display must meet the requirements (display method and size) for an electronic message center in that zoning district.

*or*

**Option B (No size limit but has a curfew)** Electronic scoreboards with electronic message centers in stadiums or at sports fields are not considered signs or limited in size or display method if they are oriented inward to the playing field. If the scoreboard is visible outside the property, then the scoreboard shall not be used prior to two hours before an event at the stadium or field, or used longer than one hour after an event has ended.

*or*

**Option C (No size limit or curfew – could operate as an electronic billboard before or after events).** Electronic scoreboards with electronic message centers in stadiums or at sports fields are not considered signs or limited in size or display method if they are oriented inward to the playing field.

**Sign maintenance:** All electronic message centers shall be kept in a good state of repair. Any burned out lights or LEDs shall be replaced as soon as possible.

**Brightness:** Each electronic message center shall be equipped with dimming technology that automatically varies the brightness of the electronic message display according to ambient light conditions. **This standard shall only apply to signs approved after \_\_\_\_\_ (insert date code revision adopted).**

**B. Add the following to the existing Definitions section:**

**§ 151.003 DEFINITIONS**

**ELECTRONIC MESSAGE CENTER (EMC).** A sign that is capable of displaying words, symbols, figures or images that can be electronically or mechanically changed by remote or automatic means.

**ELECTRONIC MESSAGE CENTER DISPLAY METHODS:**

1. **Static message.** The display on the entire electronic message center stays constant for a period of at least ten minutes, and does not appear to change, move, scroll, vary color, or vary light intensity.
2. **Alternating message.** The display on the entire electronic message center is held constant for a period of at least 5 (five) seconds, and does not appear to change, move, scroll, vary color, or vary light intensity during that period, and where the image transitions to another image instantly or in a transition of less than ½ second.
3. **Animated message.** The display on all or part of the electronic message center changes or appears to move, scroll, vary color, or vary light intensity. *Animated message* excludes static messages, alternating messages, extended video messages and flashing or rapid scrolling.
4. **Extended video message.** A display on an electronic message center that contains images that vary in a continuous, non repeating fashion, similar to television viewing. It includes messages or patterns of images that repeat in segments over ten seconds in duration. It excludes images that serve as a background display, where a foreground display comprising at least 50 percent of the EMC surface is held constant for continuous one second intervals. It also excludes flashing or rapid scrolling displays.
5. **Flashing or rapid scrolling.** *Flashing* means a display that includes a pattern of sudden alteration (less than ½ second) between an illuminated EMC face and a face without illumination, or an EMC face where the copy color and the background color alternate or reverse color schemes rapidly (in less than ½ second). *Rapid scrolling* means any letter or character in a message moves or appears to move across an EMC face faster than 10 feet in two seconds. *Flashing or rapid scrolling* excludes a transition of less than ½ second between messages on an alternating message display. **Flashing or rapid scrolling is prohibited.**
6. **Strobe lights.** *Strobe lights* are high intensity flashing lights that may impair vision. Strobe lights are prohibited on signs.

**C. Make the changes below in the existing code sections (deletions are ~~struck through~~, additions are underlined.)**

**151.593 GENERAL REQUIREMENTS; ALL SIGNS.**

(C) ~~No animated sign shall exceed ten square feet in area.~~ In the C-3 Zone, animated signs are prohibited.

**151.594 MAJOR FREESTANDING SIGNS.**

(B) Size.

(1) Residential Zones: No major freestanding sign shall be larger than 0.2 square foot per foot of street frontage, up to a maximum of ~~30~~ 50 square feet. At least six square feet of signage will be allowed. Major freestanding signs are not allowed on lots containing only one single family dwelling or duplex.

**151.596 MAJOR ATTACHED.**

(B) Size:

(1) R-1, R-2, and R-3 Zones: The total of all major attached signs on any building frontage shall not exceed 0.2 square foot for each foot of building frontage. At least six square feet of signage will be allowed up to a maximum of ~~30~~ 50 square feet. Major attached signs are not allowed on lots containing only one single family dwelling or duplex.

**151.599 TEMPORARY SIGNS FOR EVENTS.**

In addition to the portable signs otherwise permitted in this code, a lot may contain temporary signs in excess of the number and size allowed by § 151.598 above, during events as listed below:

(A) Grand opening event: A grand opening is an event of up to 30 days duration within 30 days of issuance of a certificate of occupancy for a new or remodeled structure, or within 30 days of change of business or ownership. No lot may have more than one grand opening event per calendar year. The applicant shall notify the city in writing of the beginning and ending dates prior to the grand opening event. If there are no freestanding signs on a frontage after the grand opening event, one of the temporary signs may remain on the property for the 60 days immediately after the end of the grand opening event. A temporary electronic message center may be used during a grand opening event.

(B) Election event: An election event begins 90 days prior to and end 14 days after any public election. During this event a lot may contain up to two additional temporary signs not to exceed 12 square feet total area for both signs. These signs shall not be located in the public right-of-way.

(C) Other events: A lot may have two other events per calendar year. The events may not be more than eight consecutive days duration, nor less than 30 days apart. A temporary electronic message center may be used during the event.

(D) Flag displays: One flag display is permitted on each street frontage. An unlimited number of displays is permitted on any legal holiday or Newberg City Council designated festival.

**II. RECOMMENDED NON-CODE OPTIONS**

**Non-code options**

The Electronic Sign Ad Hoc Committee also believes that there are other actions that can be taken outside of the sign code to improve signs in Newberg. The committee recommends that the City Council encourage a community-based group to create an annual award for signs that show public service messages. The committee also recommends that the City Council consider creating a low-interest loan fund for sign upgrade projects in Newberg.

End of recommendation.

## Test Cases for discussion:

**Existing signs:** One way to evaluate the draft recommendation above is to test how existing signs and businesses would fare under it.

Location	Size of EMC	Total size of sign	Percent of sign that is EMC
Walgreens	28 sf	85.3 sf	33%
Lewis AV	21 sf	49 sf	43%
Storage Place	20.8 sf	50.8 sf	41%
Mtview MS	15 sf	26 sf	58%
Newberg Dodge	23 sf	93 sf	25%

- Walgreens: C-2 zone, under 30 sq. ft. Allowed under a standard review to use static messages, alternating messages, animated messages, and extended video messages. Prohibited from flashing or rapid scrolling.
- Lewis Audio-Video: Same.
- Storage Place: Same.
- Newberg Dodge: Same.
- Best Western Newberg Inn: Same.
- Mountain View Middle School: Residential zone, 15 sq. ft. Allowed under a standard review to use static messages, alternating messages, and animated messages. Prohibited from using extended video messages, flashing, or rapid scrolling.

## Possible sign scenarios:

- Sherwin Williams: C-2 zone, not near residential.
  - If they replaced the lower part of their sign (approx. 30 sf) with an EMC they would be allowed under a standard review to use any display method except flashing and rapid scrolling.
  - If they replaced their entire sign with a 100 sf EMC then under a standard review they could display static messages and alternating messages. If they wanted to display animated messages they would need to apply under the site element review process. Extended video messages, flashing, and rapid scrolling would be prohibited.
  - Site element review for a 100 sf EMC: The sign is not near a residential district, so there is no concern about shining on bedroom windows, and no need to limit hours of operation. The sign is setback 15 feet from the front property line, so it meets that standard. The sign will be used by 3 or more businesses. The site landscaping is new and up to code. Under design elements, the sign would get credit for landscaping around the base, and for multiple business users. The sign is rectangular, on a single support pole, all metal/plastic, and at the maximum size and minimum setback. They would need to modify the sign to include one other design element. Options include: adding a curved top to the sign, enclosing the support pole in brick, widening the support pole to a full-width structure, decreasing the size of the EMC to 80 sf, or lowering the sign from 15 feet to 12 feet.
  - Size incentives: If the freestanding sign incorporates 4 design elements the maximum sign size would increase to 110 square feet. If the sign incorporates 5 design elements the maximum size would increase to 120 square feet.

- Muchas Gracias/KFC: C-2 zone, not near residential. If they replaced their sign with a 100 sf EMC then under a standard review they could display static messages and alternating messages. If they wanted to display animated messages they would need to apply under the site element review process. Extended video messages, flashing, and rapid scrolling would be prohibited.
  - Site element review for a 100 sf EMC: The sign is not near a residential district, so there is no concern about shining on bedroom windows, and no need to limit hours of operation. The sign is setback 20 feet from the front property line, so it meets that standard. The site landscaping is nonconforming, as it does not have a 10 foot deep landscaped front yard. The only way to meet the front yard landscaping standard would be to remove the drive through lane, which is not a practical solution for the business. The owner would need to make other landscaping improvements on the site, and bring the site as close to conformance as practical. The sign does not include any of the design elements, as it is rectangular, on a single support pole, all metal/plastic, and at the maximum size and minimum setback. They would need to modify the sign to include three design elements. Options include: adding a curved top to the sign, adding landscaping around the base, enclosing the support pole or base in brick, widening the support pole to a full-width structure, decreasing the size of the EMC to 80 sf, or lowering the sign from 20 feet to 16 feet.
  - Size incentives: If the freestanding sign incorporates 4 design elements the maximum sign size would increase to 110 square feet. If the sign incorporates 5 design elements the maximum size would increase to 120 square feet.
  
- Bizeau Dental: C-1 neighborhood commercial, across the street from residential. Corner of College and Foothills. If they added a 50 sf EMC it could display alternating messages under a standard review. If they wanted to show animated messages they would either need to set the sign back over 30 feet or apply under site element review. They could have up to a 100 sf EMC at this site, but would need to apply for site element review to show alternating or animated messages.
  - Site element review for a 100 sf EMC: They would have difficulty getting approval under site element review if the sign faced a residential area (west or north), but could probably place it on the south face of the building, setback 15 feet from the front property line. They would need to turn the sign off at night (between 11 p.m. and 6 a.m.). The site landscaping is up to code. If the sign was a rectangular wall sign then it could be approved. If it was a freestanding sign then it would need to be designed to include at least 3 of the design elements (the size incentive would apply if it included 4 or more design elements).
  
- The Armory: R-2 residential, surrounded by residential. If they added a 30 sf EMC they could be approved under a standard review and display static messages, alternating messages, and animated messages. Extended video messages, flashing and rapid scrolling would be prohibited. They could instead add a 50 sf EMC under a standard review, but would have to set it back at least 30 feet from the front property line. The size incentives would apply if this was a freestanding sign.
  
- Grace Baptist Church: R-1 residential, with residential to the south, a church to the west, and commercial north and east. If they added a 30 sf EMC they could be approved under a standard review and display static messages, alternating messages, and animated messages. Extended video messages, flashing and rapid scrolling would be prohibited. They could instead add a 50 sf EMC under a standard review, but would have to set it back at least 30 feet from the front property line. The size incentives would apply if this was a freestanding sign.