

ARTICLE 5  
SIGN REGULATIONS

**Section 5-1 PURPOSE**

This Article establishes comprehensive regulations for the control of signs and other street graphics in order to preserve, protect, and promote the public health, safety, and general welfare. More specifically, this Article is intended to assist in achieving the following objectives:

- A) To foster high quality commercial and industrial development, and to enhance the economic vitality of existing businesses/industries by promoting the reasonable, orderly, and effective display of street graphics;
- B) To encourage sound street graphics display practices, and to mitigate the objectionable effects of competition in respect to the size and placement of street graphics;
- C) To protect pedestrians and motorist from any damage or injury that might result from the improper construction, placement, or use of street graphics;
- D) To protect the public investment in streets and highways by reducing the obstructions and distractions which might cause traffic accidents;
- E) To preserve the value of private property by assuring the compatibility of street graphics with nearby land uses.

**Section 5-2 INTERPRETATION**

Every provision of this Article shall be construed liberally in favor of this municipality, and every requirement herein shall be deemed minimal. Whenever the requirements of this Article differ from the requirements of any other lawfully adopted ordinance or regulation, the more stringent requirement shall apply.

**Section 5-3 CONSTRUCTION OF TERMS**

In construing the intended meaning of terminology used in this Article, the following rules shall be observed:

- A) Unless the context clearly indicates otherwise, words and phrases shall have the meaning respectively ascribed to them in Article 2. The definition assigned to words in this Article apply only to this Article, and will revert back to the definition assigned in Article 2 for any other article.
- B) The word “sign” shall be understood to include the phrase “street graphic.”

## **Section 5-4 SELECTED DEFINITIONS**

**Alter:** To change the size, shape, height, or other similar characteristic of a sign.

**Animated Sign:** Any sign that uses movement or change of lighting to depict action or create a special effect or scene.

**Banner:** Any sign of lightweight fabric or similar material that is permanently mounted to a pole or building by a permanent frame at one or more edges. National flags, state or municipal flags, or the official flag of any institution or business shall not be considered banners.

**Beacon:** Any light with one or more beams directed into the atmosphere or directed at one or more points not on the same lot as the light source; also, any light with one or more beams that rotate or move.

**Billboard:** Any single or double-faced sign that is permanently fixed or placed on a particular premises that is used for the display of messages or advertising not associated with the establishment located on said premises. A billboard typically has provision for changing the message/advertising thereon.

**Building Marker:** Any sign indicating the name of a building and date and incidental information about its construction, which is cut into a masonry surface or made of bronze or other permanent material.

**Building Sign:** Any sign attached to any part of a building, as contrasted to a freestanding sign.

**Canopy Sign:** Any sign that is a part of or attached to an awning, canopy, or other fabric, plastic, or structural protective cover over a door, entrance, window, or outdoor service area.

**Changeable Copy Sign:** A sign with characters, letters, or illustrations that can be changed or rearranged without altering the face or the surface of the sign. A sign on which the message changes more than eight times per day shall be considered an animated sign and not a changeable copy sign. A sign on which the only copy that changes is an electronic or mechanical indication of the time and temperature shall be considered a "time and temperature" portion of a sign and not a changeable copy sign.

**Commercial Message:** Any sign wording, logo, or other representation that, directly or indirectly, names, advertises, or calls attention to a business, product, service, or other commercial activity.

**Flag:** Any fabric, banner, or bunting containing distinctive colors, patterns, or symbols, used as a symbol of government, political subdivision, or other entity.

**Free-Standing Sign:** Any sign supported by structures or supports that are placed on, or anchored in, the ground and that are independent from any building or other structure.

Frontage: The lineal extent of the structure abutting a street or public roadway, or the lineal extent of the structure abutting a public parking area if the building has no street frontage.

Incidental Sign: A sign, generally informational, that has a purpose secondary to the use of the zone lot on which it is located, such as "No parking," "Entrance," and other similar directives. No sign with a commercial message legible from a position off the zone lot on which the sign is located shall be considered incidental.

Lot: Any tract of land occupied or intended for occupancy by a use permitted in this ordinance and having its principal frontage upon a street or upon an officially approved place. The term lot may or may not be synonymous with lot of record.

Non-conforming Sign: Any sign which existed on the effective date of this ordinance (or amendment thereto), and does not comply with the regulations set forth herein.

Off-Site Directional Sign: A sign that provides directional assistance to access an establishment conveniently and safely. Such signs shall be limited by the Administrator in size, height, and placement as justified.

Pennant: Any lightweight plastic, fabric, or other material, whether or not containing a message of any kind, suspended from a rope, wire, or string, usually in series, designed to move in the wind.

Portable Signs: Any sign not permanently attached to the ground or other permanent structure, or a sign designed to be transported, including, but not limited to, signs designed to be transported by means of wheels; signs converted to A- or T- frames; menu and sandwich board signs; balloons; and signs attached or painted to vehicles parked and visible from the public right-of-way, unless said vehicle is used in the normal day-to-day operations of the business.

Projecting Sign: Any sign which is supported by an exterior wall of a building or suspended beneath any awning, canopy, or marquee with the exposed face of said sign in a plane approximately perpendicular to the plane of the wall, etc. and projecting more than twelve (12) inches.

Roof Line: The edge of the roof or the top of the parapet, whichever forms the top line of the building silhouette, on the side of building where the sign is located.

Roof Sign: Any sign erected and constructed wholly on and over the roof of a building, supported by the roof structure, and extending vertically above the highest portion of the roof.

Roof Sign, Integral: Any sign erected or constructed as an integral or essentially integral part of a normal roof structure of any design, such that no part of the sign extends vertically above the highest portion of the roof and such that no part of the sign is separated from the rest of the roof by more than 12 inches.

Shopping Center Identification Sign: Any sign identifying a building or group of buildings that is under single ownership or control, that provides common off-street parking facilities, and that is occupied by two or more retail sales establishment.

Sign: Any object, device, display, or structure or part thereof that is used to advertise, identify, display, or attract attention to any object, person, institution, organization, business, product, service, or event related to the premises on which the sign is situated by any means including words, letters, figures, designs, symbols, fixtures, colors, or illumination.

Sign Permit: A permit issued by the Administrator to regulate the erection, expansion, alteration, relocation, or reconstruction of signs in all parts of this municipality.

Street Frontage: See "Frontage"

Suspended Sign: A sign that is suspended from the underside of a horizontal plane surface and is supported by such surface.

Temporary Sign: Any sign which will last or is intended to be used for a short period of time, not to exceed thirty days, and is not debited against the allowance for an establishment. Only one temporary sign permit shall be issued to the same person or business for the same zone lot in any calendar year.

Wall Sign: Any sign attached parallel to, but within twelve inches of, a wall, painted on the wall surface of, or erected and confined within the limits of an outside wall of any building or structure, which is supported by such wall or building, and which displays only one sign surface.

Window Sign: Any sign visible from the exterior of a building which is painted on, affixed to, or suspended immediately in front of or behind or on a window.

Zone Lot: A parcel of land in single ownership that is of sufficient size to meet minimum zoning requirements for area, coverage, and use, and that can provide such yards and other spaces as required by the zoning regulations.

## **Section 5-5 CALCULATION OF SIGN DIMENSIONS**

The following principals shall control the computation of sign area and height:

- A) If a sign is enclosed by a box, circle, triangle, or other type of outline, the total area (including the background) within that outline shall be deemed the sign area;
- B) If a sign consists of individual letters, parts, or symbols, the area of the one imaginary shape that would completely enclose all the letters, parts, or symbols shall be deemed the sign area;

- C) Only one side of any double-faced sign shall be counted in determining the total sign area;
- D) The area of signs with multiple faces or unusual shapes shall be calculated by taking one-half of the total of the exposed surfaces as the sign area;
- E) The height of a sign shall be computed as the distance from the base of the sign at normal grade to the top of the highest attached component of the sign. Normal grade shall be construed to be the lower of (1) existing grade prior to construction of the sign or (2) the newly established grade after construction, exclusive of any filling, berming, mounding, or excavating solely for the purpose of locating the sign.

**Section 5-6 PERMITTED SIGNS & SIGN AREA ALLOWANCE**

The permitted sum of the area of all individual signs on a zone lot is given below for each zoning district. Lots fronting on two or more streets are allowed the permitted sign area for each street frontage. However, the total sign area that is oriented toward a particular street may not exceed the portion of the lot's total sign area allocation that is derived from the lot, building, or wall area frontage on that street. The Administrator shall determine the number of streets a zone lot has frontage on.

For any sign which could be classified under more than one category, the more stringent restrictions shall apply to such sign. The Administrator shall clarify and determine the applicability of restrictions to any particular sign.

A) The following signs shall be allowed in BD & B-1 District only.

- 1) Signs must be constructed of wood, metal and/or plastic
- 2) Maximum size 2' x 3'
- 3) One sign per lot, not to impede traffic
- 4) No off-site advertising
- 5) Displayed only during daylight business hours of the establishment

B) Car dealerships located in B-3 Districts and consisting of 1 acre or more will be allowed the following:

- 1) Avenue Flags – A maximum of five flags per establishment positioned a minimum of ten feet (10') apart may be displayed for maximum of 60 days cumulatively per calendar year. Each avenue flag shall not exceed forty-five (45) square feet in area.
- 2) Sky Buster Balloons – One floating device tethered to the ground and maintained up to one hundred feet (100'); provided that such device is set back from the lot line a distance equal to or greater than the height of such device. Such device shall be displayed for a maximum of ten (10) days cumulatively per calendar year.
- 3) Temporary Banners - Such banners shall not exceed 50 square feet in aggregate. Banners may be displayed for maximum of forty five (45) days cumulatively per calendar year.
- 4) All flags, sky buster balloons and temporary banners used in accordance with this Section 5-6 b) shall be confined to the Lot on which the business enterprise is located and shall be mounted and secured properly to ensure the public health and safety.
- 5) Annual Permit – In lieu of individual permits for signage authorized in Section 5-6 b), an aggregate permit for all proposed supplemental signage authorized in this section may be issued by the City subject to a single sign application fee per year of \$150.00. (Am. Ord. 08-17, passed 12-15-08)

**5-6.1 R-1,R-2, MR-3, MH Districts**

The maximum total amount of signage a zone lot is permitted in the R-1, R-2, MR-3, and MH districts shall be eight square feet. The maximum area for individual types of signs are listed below:

| Permitted Signs             | Maximum Total Area in Sq. Ft. | Required Setbacks from Property Line (Ord. 99-1) | Height in ft.        | Number Permitted Per: |              |
|-----------------------------|-------------------------------|--|----------------------|-----------------------|--------------|
|                             |                               |  |                      | Zone Lot              | Street Front |
| Signs not requiring permits | As listed                     | Determined by Administrator                      | N/A                  | N/A                   | N/A          |
| Freestanding                | 6                             | 2  | Max. - 5             | 1                     | 1            |
| Off-Site Directional        | 3                             | N/A  | Min. - 6<br>Max. - 8 | 1                     | 1            |
| Suspended                   | 8                             | N/A  | Min. - 8 clearance   | 1                     | 1            |
| Wall                        | 8                             | N/A  | N/A                  | N/A                   | N/A          |

Institutional uses, such as schools, churches and funeral homes, that are permitted in the above districts may exceed the limits stated above. These uses shall comply with the following restrictions:

- A) Freestanding signs shall not exceed 40 square feet in area nor 12 feet in height. The setbacks from a public right-of-way for freestanding signs shall be 5 feet, and only one freestanding sign is permitted per lot.
- B) The maximum area a wall or any other type of sign may be is 10 square feet.

**5-6.2 MR-4, MR-5 District**

The maximum total amount of signage a zone lot is permitted in the MR-4 and MR-5 districts shall be the most restrictive of the two options listed below:

- A) Two-hundred square feet; or
- B) One-half square foot of signage per linear foot of building frontage.

No combination of permitted signs shall exceed the maximum total amount of signage permitted.

No sign that is permitted within the district shall exceed the maximum area for the individual types of signs listed below:

| Permitted Signs             | Maximum Total Area in Sq. Ft. | Required Setbacks from Property Line (Ord. 99-1) | Height in ft.         | Number Permitted Per: |              |
|-----------------------------|-------------------------------|--|-----------------------|-----------------------|--------------|
|                             |                               |  |                       | Zone Lot              | Street Front |
| Signs not requiring permits | As listed                     | Determined by Administrator                      | N/A                   | N/A                   | N/A          |
| Canopy                      | 25% of vertical surface       | N/A  | Min. - 9<br>Max. - 12 | 1                     | 1            |
| Freestanding                | 40                            | 5  | Max. - 12             | 1                     | 1            |
| Off-Site Directional        | 3                             | N/A  | Min. - 6<br>Max. - 8  | 1                     | 1            |
| Suspended                   | 20                            | N/A  | Min. - 9 clearance    | 1                     | 1            |
| Wall                        | 200                           | N/A  | N/A                   | N/A                   | N/A          |

**5-6.3 BD District**

The maximum total amount of signage a zone lot is permitted in the Downtown Business district shall be the most restrictive of the three options listed below:

- A) Three-hundred square feet; or
- B) Three square feet of signage per linear foot of building frontage; or
- C) Ten percent of the ground area of the principal building.

No combination of permitted signs shall exceed the maximum total amount of signage permitted. No sign that is permitted within the district shall exceed the maximum area for the individual types of signs listed on the following page:

| Permitted Signs             | Maximum Total Area in Sq. Ft. | Required Setbacks from Property Line | Height in ft.         | Number Permitted Per: |              |
|-----------------------------|-------------------------------|--------------------------------------|-----------------------|-----------------------|--------------|
|                             |                               |                                      |                       | Zone Lot              | Street Front |
| Signs not requiring permits | As listed                     | Determined by Administrator          | N/A                   | N/A                   | N/A          |
| Canopy                      | 25% of vertical surface       | N/A                                  | Min. - 8<br>Max. - 12 | 1 per building        | 1            |
| Changeable Copy             | 25                            | 15                                   | N/A                   | 1                     | 1            |
| Off-Site Directional        | 3                             | N/A                                  | Min. - 6<br>Max. - 8  | 1                     | 1            |
| Projecting*                 | 24                            | 2                                    | Min. - 8<br>Max. - 12 | 1 per building        | 1            |
| Suspended                   | 20                            | N/A                                  | Min. - 9 clearance    | 1 per building        | 1            |
| Temporary                   | 20                            | 8                                    | N/A                   | 1                     | 1            |
| Time/Temperature            | 25                            | 15                                   | N/A                   | 1                     | 1            |
| Wall                        | 10% of wall area              | N/A                                  | N/A                   | N/A                   | N/A          |
| Window                      | 25% of window area            | N/A                                  | N/A                   | N/A                   | N/A          |

\* - Projecting signs shall not extend more than five feet from the building to which it is attached.

All signs located within the downtown redevelopment district will be required to comply with the intentions of the Appearance Review Guidelines adopted by the City for this area. A copy of the guidelines and a description of the area located within this district can be obtained from the Administrator. (Ord. 99-1)



**5-6.4 B-1 District**

The maximum total amount of signage a zone lot is permitted in the Neighborhood Business district shall be the most restrictive of the three options listed below:

- A) Three-hundred square feet; or
- B) Two square feet of signage per linear foot of building frontage; or
- C) Ten percent of the ground area of the principal building.

No combination of permitted signs shall exceed the maximum total amount of signage permitted. No sign that is permitted within the district shall exceed the maximum area for the individual types of signs listed below:

| Permitted Signs             | Maximum Total Area in Sq. Ft. | Required Setbacks from Property Line (Ord. 99-1) | Height in ft.         | Number Permitted Per: |              |
|-----------------------------|-------------------------------|--|-----------------------|-----------------------|--------------|
|                             |                               |  |                       | Zone Lot              | Street Front |
| Signs not requiring permits | As listed                     | Determined by Administrator                      | N/A                   | N/A                   | N/A          |
| Canopy                      | 25% of vertical surface       | N/A  | Min. - 8<br>Max. - 12 | 1 per building        | 1            |
| Changeable Copy             | 25                            | 25   | N/A                   | 1                     | 1            |
| Freestanding                | 60                            | 5  | Max. - 20             | 1                     | 1            |
| Off-Site Directional        | 3                             | N/A  | Min. - 6<br>Max. - 8  | 1                     | 1            |
| Projecting                  | 24                            | 2  | Min. - 8<br>Max. - 12 | 1 per building        | 1            |
| Suspended                   | 20                            | N/A  | Min. - 9 clearance    | 1 per building        | 1            |
| Temporary                   | 25                            | 12   | N/A                   | 1                     | 1            |
| Time/Temperature            | 25                            | 25   | N/A                   | 1                     | 1            |
| Wall                        | 10% of wall area              | N/A  | N/A                   | N/A                   | N/A          |
| Window                      | 25% of window area            | N/A  | N/A                   | N/A                   | N/A          |

**5-6.5 B-2, B-3 District**

The maximum total amount of signage a zone lot is permitted in the Community and Highway Business districts shall be the most restrictive of the three options listed below:

- A) One-thousand square feet; or
- B) Four square feet of signage per linear foot of building frontage; or
- C) Eight percent of the ground area of the principal building.

No combination of permitted signs shall exceed the maximum total amount of signage permitted.

No sign that is permitted within the district shall exceed the maximum area for the individual types of signs listed below:

| Permitted Signs             | Maximum Total Area in Sq. Ft. | Required Setbacks from Property Line (Ord. 99-1) | Height in ft.         | Number Permitted Per: |              |
|-----------------------------|-------------------------------|--|-----------------------|-----------------------|--------------|
|                             |                               |  |                       | Zone Lot              | Street Front |
| Signs not requiring permits | As listed                     | Determined by Administrator                      | N/A                   | N/A                   | N/A          |
| Billboard                   | 200                           | 50   | Max. - 20             | 1                     | 1/500'       |
| Canopy                      | 25% of vertical surface       | N/A  | Min. - 8<br>Max. - 12 | 1 per building        | 1            |
| Changeable Copy             | 25                            | 25   | N/A                   | 1                     | 1            |
| Freestanding                | 160                           | 8  | Max. - 30             | N/A                   | 1/200'       |
| Integral Roof (Ord. 99-1)   | 60                            | N/A  | N/A                   | N/A                   | N/A          |
| Off-Site Directional        | 3                             | N/A  | Min. - 6<br>Max. - 8  | 1                     | 1            |
| Projecting                  | 24                            | 2  | Min. - 8<br>Max. - 12 | 1 per building        | 1            |
| Suspended                   | 20                            | N/A  | Min. - 9 clearance    | 1 per building        | 1            |
| Temporary                   | 50                            | 15   | N/A                   | 1                     | 1            |
| Time/Temperature            | 25                            | 15   | N/A                   | 1                     | 1            |
| Wall                        | 20% of wall surface           | N/A  | N/A                   | N/A                   | N/A          |
| Window                      | 25% of window area            | N/A  | N/A                   | N/A                   | N/A          |

**5-6.6 Industrial District**

The maximum total amount of signage a zone lot is permitted in the Industrial district shall be the most restrictive of the two options listed below:

- A) One-thousand square feet; or
- B) Two square feet of signage per linear foot of building frontage.

No combination of permitted signs shall exceed the maximum total amount of signage permitted. No sign that is permitted within the district shall exceed the maximum area for the individual types of signs listed below:

| Permitted Signs             | Maximum Total Area in Sq. Ft. | Required Setbacks from Property Line (Ord. 99-1) | Height in ft.         | Number Permitted Per: |              |
|-----------------------------|-------------------------------|--|-----------------------|-----------------------|--------------|
|                             |                               |  |                       | Zone Lot              | Street Front |
| Signs not requiring permits | As listed                     | Determined by Administrator                      | N/A                   | N/A                   | N/A          |
| Billboard                   | 800                           | 50   | Max. - 40             | 1                     | 1/500'       |
| Canopy                      | 25% of vertical surface       | N/A  | Min. - 8<br>Max. - 12 | 1 per building        | 1            |
| Changeable Copy             | 25                            | 25   | N/A                   | 1                     | 1            |
| Freestanding                | 80                            | 10   | Max. - 40             | N/A                   | 1/200'       |
| Integral Roof (Ord. 99-1)   | 60                            | N/A  | N/A                   | N/A                   | N/A          |
| Off-Site Directional        | 3                             | N/A  | Min. - 6<br>Max. - 8  | 1                     | 1            |
| Projecting                  | 24                            | 2  | Min. - 8<br>Max. - 12 | 1 per building        | 1            |
| Suspended                   | 20                            | N/A  | Min. - 9 clearance    | 1 per building        | 1            |
| Temporary                   | 100                           | 15   | N/A                   | 1                     | 1            |
| Time/Temperature            | 25                            | 25   | N/A                   | 1                     | 1            |
| Wall                        | 5% of wall surface            | N/A  | N/A                   | N/A                   | N/A          |
| Window                      | 25% of window area            | N/A  | N/A                   | N/A                   | N/A          |

### **5-6.7 CR District**

Because of the unique uses of the CR district, all sign requirements will be determined by the Administrator. Regardless of the type of sign installed, no single sign installed in the CR district shall exceed 300 square feet.

### **5-6.8 BPE District**

The regulation of all signs in the BPE district shall fall under the guidelines established in the design guidelines for this district. These guidelines can be obtained from the Planning & Zoning Administrator. The regulations and stipulations listed in the design guidelines shall supersede the restrictions established in this Article. The general requirements in this Article shall apply to the signs in this district, unless superseded by the design guidelines. Any discrepancies or uncertainties shall be decided by the Administrator.

### **5-6.9 Agricultural District**

Because of the variety of uses permitted in the A district, all sign requirements will be determined by the Administrator. No single sign installed will exceed 100 square feet, and the total signage for an individual zone lot shall not exceed 300 square feet.

## **Section 5-7 SIGNS NOT REQUIRING PERMITS**

Every sign enumerated below that complies with the indicated requirements may be erected in any zoning district of this municipality without a permit. The area of said signs shall not be debited against the displaying establishment's sign area allowance.

- A) Construction Signs identifying the architects, engineers, contractors, and other individuals or firms involved with the construction, and/or announcing the character or purpose of the building, but not advertising any product. Such signs shall not exceed thirty-two square feet in area, shall be confined to the site of the construction, and shall be removed within fourteen days after the intended use of the project has begun;
- B) Incidental Signs erected for the convenience of the public, such as signs identifying entrances, exits, parking areas, no-parking areas, restrooms, walkways and similar features or facilities. Such signs shall not exceed five square feet in area;
- C) Flags of any country, state, or unit of local government;
- D) Garage Sale Signs advertising a garage sale or yard sale on private residential property. Such signs shall not exceed four square feet in area, shall be confined to the premises on which the sale is conducted and shall not be posted for longer than three days;
- E) Governmental, Utility or Public Safety Signs such as traffic control signs, railroad crossings, legal notices, signs that serve as an aid to public safety or that show the location of public telephone, underground cables, etc. or any sign that the municipality deems appropriate to place on city property or right-of-way;

- F) Holiday Decorations such as Christmas lights and ornaments, provided that such decorations must be removed within a reasonable time after the holidays;
- G) Home Occupation Signs identifying only the name and occupation of the resident. Home occupation signs shall be non-illuminated and wall-mounted, and shall not exceed four square feet in area;
- H) House Numbers and/or Name of Occupant Signs located on the lot to which the sign pertains. Such signs shall not exceed three square feet in area for single-family dwelling nor six square feet for multiple-family dwellings;
- I) Institutional Signs for a public, charitable, or religious institution. Such signs shall be located on the premises of the institution and shall not exceed twenty-four square feet in area. Only one such sign is permitted per zone lot;
- J) Interior Signs located in the interior of any building or within any enclosed lobby or court of any building or group of buildings, provided such signs are not visible from the exterior of said building;
- K) Political Campaign Signs announcing candidates seeking public office and/or political issues and other pertinent information. Such signs shall be confined to private property. Political campaign signs shall not exceed thirty-two square feet. Political campaign signs shall be removed within seven days after the election to which they pertain;
- L) Property Regulation Signs such as no trespassing, no hunting, no fishing, etc. Such signs shall not exceed three square feet in area;
- M) Public Interest Signs publicizing a charitable or non-profit event of general public interest. Such signs shall be erected only on private property. In any residential district, such signs shall not exceed sixteen square feet in area; elsewhere, such signs shall not exceed thirty-two square feet in area. Public interest signs shall be permitted only for fourteen days before and seven days after the event;
- N) Real Estate Signs indicating the sale, rental, or lease of the premises on which they are located. Such signs on residential property shall not exceed four square feet in area; on other property, such signs shall not exceed sixteen square feet. Not more than one real estate sign per street front shall be erected on any lot. Such signs shall be removed within seven days after the sale, rental, or lease;
- O) Residential Development Identification Structure at major entrances designed to identify a residential subdivision, apartment complex, or planned unit development, containing no commercial advertising; and not exceeding forty square feet in area;
- P) Street Banners advertising a public entertainment, event or program. Such banners may be placed only in locations approved by the Administrator and for a duration as established by the Administrator.

**Section 5-8 GENERAL RESTRICTIONS**

Any sign that is installed within this municipality shall conform to the following guidelines:

- A) No sign shall revolve, rotate, or mechanically move in any manner.
- B) Illumination of signs is permitted, subject to the following requirements:
  - 1) Only white light is permitted in residential districts;
  - 2) No red, yellow, green or other colored light shall be used at any location in such a manner as to confuse or interfere with vehicular traffic;
  - 3) No sign shall have blinking, flashing, or fluttering lights or other illuminating devices which have a changing light intensity, brightness, or color. This provision shall not apply to any message on any electronically-operated changeable copy sign, an animated sign, or a time-temperature sign. Beacon lights and illumination by flame are prohibited;
  - 4) The light from any illuminated sign shall be shaded, shielded, or directed so as to avoid the creation or continuation of any nuisance or traffic hazard;
  - 5) No exposed reflective type bulb or incandescent lamp shall be used on the exterior surface of any sign in such a manner as to expose the face of the bulb, light, or lamp, to any public street or to any adjacent property.
- C) No sign shall be erected or maintained so as to prevent free access or egress from any door, window, fire escape or driveway.
- D) No sign shall be erected in such a manner that it interferes with, obstructs the view of, or is likely to be confused with any authorized traffic sign, signal, or device. Accordingly, no sign shall contain the words "stop", "go", "caution", "danger", "warning", or similar words.
- E) All persons involved in the maintenance, installation, alteration, or relocation of signs near or upon any public right-of-way of property shall agree to hold harmless and indemnify the City, its officers, agents and employees, against any and all claims of negligence resulting from such work insofar as this Article has not specifically directed the placement of a sign.

All persons involved in the maintenance, installation, alteration, or relocation of signs in a public right-of-way shall maintain all required insurance and shall file with the City a satisfactory certificate of insurance to indemnify the State, County, or City against any form of liability.
- F) Signs located in corner lots shall not be placed in an area where it may impair full view of pedestrian and vehicular traffic. This area is established as the triangular portion of the corner lot that is bounded by the street lines and a line joining the two street lines at points on the street lines which are thirty feet from the point of intersection. Any sign

placed in this area shall not exceed two feet above curb grade. Freestanding signs located within this area must have at least ten feet clearance to curb grade and shall not have a support pole larger than twelve inches in diameter.

G) No sign shall be located in the public right-of-way except for the following:

1) Off-site directional signs, which may only be placed in locations approved by the Administrator and the Public Services Director.

2) Projecting, Suspended, and Canopy signs in the BD district where the building is located up to the property line.

Signs shall not be placed closer to a property line than the required setback distance given for that type of sign. If no setback is given, a determination of the needed setback shall be made by the Administrator. Setbacks for signs shall be measured from the property line to the closest edge of the sign. (Ord. 99-1)

#### **Section 5-9 RESTRICTIONS FOR INDIVIDUAL TYPES OF SIGNS**

A) Wall Signs: Wall signs, for aesthetic and safety reasons, are the preferred type of sign in this municipality. Any wall sign erected within the municipality shall comply with the following:

1) No wall sign shall project more than twelve inches from the wall or surface to which it is attached. If the wall/surface to which the sign is attached is not vertical, the projection shall be measured from the closest point of the wall/surface to the sign;

2) No wall sign shall extend above the roof of the building to which it is attached.

B) Projecting Signs: No establishment in any zoning district shall display more than one projecting sign on any street front. All projecting signs shall comply with the following guidelines:

1) No projecting sign shall project more than six feet from the building to which it is attached;

2) Projection signs shall not extend above the roof line of the building to which it is attached.

C) Canopy Signs: Signs located on awnings shall be regulated as a canopy sign. Any sign hanging from a canopy or awning will be regulated as a suspended sign.

D) Freestanding Signs: Not more than one freestanding sign shall be allowed for a zone lot unless the zone lot has sufficient street frontage to fulfill the requirements listed in the tables for each district. All freestanding signs shall comply with the following regulations:

1) No part of any freestanding sign shall intrude into or project over any public right-of-way;

2) No freestanding sign shall be erected closer than ten feet to a front lot line and twenty-five feet to any side or rear lot line. All freestanding signs shall conform to the required setbacks from the public right-of-way.

E) Temporary Signs: The height restrictions for temporary signs shall be that of the type of sign most similar to the temporary sign. Determinations for the anchoring, attaching, or displaying of the temporary sign shall be determined in the same manner.

F) Changeable Copy Signs: These signs cannot be used as the primary advertising source. They shall only be used as accessory advertising space and cannot exceed twenty-five percent of the primary identification.

G) Billboards: Information regarding the construction of the billboard must be submitted to the Administrator before a sign permit will be issued. Any billboard that is erected shall comply with the following guidelines:

1) No billboard shall be stacked on top of another billboard;

2) No billboard shall be located closer than fifty feet to any public right-of-way;

3) No billboard will be located closer than five-hundred feet to any other billboard on the same side of the roadway;

4) All billboards will comply with the applicable height restrictions except as follows: Any freestanding billboards within two-hundred feet of a controlled freeway including entrances and exits may be installed to a height of 75 feet or twenty-five feet above freeway grade, whichever is less. The principal purpose of such signs must be to address freeway traffic. Where conditions warrant (such as visual impairment or other unusual conditions) the Administrator may allow the maximum height to be increased to one hundred feet.

5) Any person erecting or maintaining a billboard or billboards shall obtain a license therefor. Each license application shall be filed with the City Clerk and shall list the location or locations of the billboard.

H) Window Signs: Any establishment which on a regular basis posts temporary banners or sale signs in the establishment's windows shall have the banners and signs counted as part of the establishment's signage. It shall be determined that the posting of window signs is an integral part of the signage plan for that establishment, and twenty-five percent of all window surface area shall be debited to the total signage allowed.

#### **Section 5-10 STRUCTURAL & MAINTENANCE REQUIREMENTS**

A) Every sign shall be designed and constructed in conformity with the applicable provisions of the Building Code, and shall be free of any exposed extra bracing, angle iron, guy wires, cables, etc.

B) The electrical component of any illuminated sign shall conform to the applicable requirements of the National Electrical Code.



C) Every sign shall be maintained in a neat and attractive condition by its owner. The sign supports shall be kept painted/treated to prevent rust or deterioration. The Administrator shall have the right to order the repair or removal of any sign that is defective, damaged, or substantially deteriorated.

D) Removal of defunct signs must be within ninety days after discontinued use or closure of the business. This shall included the removal of posts, supports, or other attachments which are above grade.

### **Section 5-11 STRICTLY PROHIBITED SIGNS**

The following street graphics are strictly prohibited everywhere in this municipality:

A) Mobile/Portable Sign: If an establishment does not have an existing sign, they may use a mobile/portable sign for a period not to exceed thirty days from the first day of business.

B) Pennants, Streamers, ribbons, strings of light bulbs or neon lights, and spinners are hereby strictly prohibited with the following exception - Automotive dealers located in the B-3 district will be allowed to place pennants on the antennas of any vehicle located on their lot that is for sale. The pennants will be restricted solely to the antennas of cars on hand, and no other form of pennants, streamers, ribbons, or strings of lights may be placed on the premises. Any other business or organization in any district wishing to incorporate the above referenced type of signage into their master signage plans must request and receive a variance from the Board of Zoning Appeals. (Ord 97-14)

C) Signs attached to trees, fences, or public utility poles, other than warning signs issued by public utilities.

D) Roof-mounted Signs

E) Off-Site Advertising: No street graphic in any district shall be used for off-site advertising with the exception of billboards which are in compliance with the requirements of this ordinance. Signs shall be used strictly for on-site advertising of products and services. (Ord. 97-14)

F) Human or Mascot: No human, either dressed as a mascot or an animal or in plain clothing or costume can be used as a sign, to hold a sign, or post a sign. (Ord. 20-04)

### **Section 5-12 APPLICATION FOR SIGN PERMIT**

Upon the effective date of this ordinance, each permanent and temporary sign except those listed in Section 5-7 shall not be erected, expanded, altered, relocated, and reconstructed without first receiving a permit issued by the Administrator.

Every applicant for a sign permit shall submit to the Administrator, in narrative and graphic form, all of the items of information listed under the requirements for Master and Common Signage plans.

### **Section 5-13 MASTER AND COMMON SIGNAGE PLANS**

No permit shall be issued for an individual sign requiring a permit unless and until a Master Signage Plan or a Common Signage Plan for the zone lot on which the sign will be erected has been submitted to the Administrator and approved by him as conforming with this section.

#### **5-13.1 Master Signage Plan**

For any zone lot on which the owner proposes to erect one or more signs requiring a permit, unless such zone lot is included in a Common Signage Plan, the owner shall submit to the Administrator a Master Signage Plan containing the following:

- A) Name, address, and telephone number of the applicant and of the owner of the zone lot on which the sign is to be installed.
- B) An accurate plot plan of the zone lot, at such scale as the Administrator may reasonably require. The plot plan will list the amount of street frontage, as well as the relation and location of nearby traffic control devices.
- C) Location and dimensions of buildings, parking lots, driveways, and landscaped areas on such zone lot. Description shall include the square footage of the building, as well as the square footage of the exterior facades.
- D) An accurate indication on the plot plan of the proposed location of each present and future sign of any type, whether requiring a permit or not. The description of the signs shall include dimensions, area, overall height, method of illumination, and the method of support or attachment.

Upon receiving the above information, the Administrator shall compute the maximum total sign area for the zone lot, the maximum area for individual signs, and the height of signs and the number of free-standing signs allowed. The Administrator shall have five business days to review the submitted application. If the application complies with applicable laws and regulations of the City, the Administrator shall issue the required permit.

If the application does not comply with the laws and regulations of the City, the Administrator shall deny the permit. A verbal explanation of the reasons leading to the denial shall be given to the applicant. A written notice explaining the reasons for denial will be given upon request by the applicant. The Administrator may suspend or revoke an issued permit for any false statement or misrepresentation of fact in the application.

If any sign is installed or placed on any property prior to the receipt of a permit, the specified permit fee shall be increased per the City Code. However, payment of the increased fee shall not relieve any person of any other requirements or penalties described in this ordinance. (Ord 20-04)

#### **5-13.2 Common Signage Plan**

If the owners of two or more contiguous (disregarding intervening streets and alleys) zone lots or the owner of a single lot with more than one building (not including any accessory building) file with the Administrator for such zone lots a Common Signage Plan conforming with the

provisions of this section, a 25% increase in the maximum total sign area shall be allowed for each included zone lot. This bonus shall be allocated within each zone lot as the owner(s) elects.

The Common Signage Plan shall contain all of the information requested for a Master Signage Plan and shall also specify standards for consistency among all signs on the zone lots affected by the Plan with regard to:

- Color scheme;
- Lettering or graphic style;
- Lighting;
- Location of each sign on the buildings;
- Material; and
- Sign proportions.

A Common Signage Plan or Master Signage Plan that includes window signs may simply indicate the areas of the windows to be covered by signs. The general type of the window signs being install should be specified. The plan need not specify the exact dimensions or nature of every window sign.

The Common Signage Plan, for all zone lots with multiple uses or multiple users, shall limit the number of free-standing signs to a total of one for each street on which the zone lots included in the plan have frontage and shall provide for shared or common usage of such signs. The usage of space on the freestanding sign shall be determined by the owner(s).

The Master or Common Signage Plan shall be signed by all owners or their authorized agents in such form as required by the Administrator. Such plans shall be included in any development plan, site plan, planned unit development plan, or other official plan required by the City for the proposed development. The signage plan shall be processed simultaneously with such other plan. The Master or Common Signage Plan may be amended by filing a new signage plan that conforms with all requirements of the ordinance then in effect.

If any new or amended Common Signage Plan is filed for a property on which existing signs are located, it shall include a schedule for bringing into conformance, within three years, all signs not conforming to the plan. After approval of a Master or Common Signage Plan, no sign shall be erected, placed, painted, or maintained, except in conformance with such plan.

#### **Section 5-14 NON-CONFORMING SIGNS**

A non-conforming sign that does not pose an important peril to life or property may remain and be maintained by ordinary repairs, but shall not be:

- A) Altered or enlarged in such a way as to increase its non-conformity;
- B) Replaced by another non-conforming sign;
- C) Relocated unless it is made to conform with this Article;
- D) Reconstructed after incurring damage in an amount exceeding fifty percent of its market value at the time of loss as determined by the Administrator.

**Section 5-15 PERMIT FEES**

All fees indicated below shall be paid to the City Clerk. Said fees are intended to defray the administrative cost connected with the processing/conducting of the listed permits/procedures; they do not constitute a tax or other revenue raising device.

| <b>Permit/Procedure</b> | <b>Fee</b>   |
|-------------------------|--|
| Sign Permit             | Temporary Sign - \$20.00<br>1 - 100 sq. ft. signage - \$30.00<br>101 - 200 sq. ft. signage - \$40.00<br>201 - 300 sq. ft. signage - \$50.00<br>Signs over 300 sq. ft. in area - \$50 + \$1 for every 10 sq. ft. over 300 |
| Billboard License       | \$100.00 per billboard   |
| Appeal                  | \$250.00   |
| Variance                | \$250.00   |
| Amendment               | \$300.00   |
| Supplemental Signage    | \$250.00   |

(Am. Ord. 08-17, passed 12-15-08; Am. Ord. 20-04, passed 2-3-2020)

These fees may be adjusted at any time by the City Council. The fee schedule shown here only indicates the fees charged at the time this ordinance was adopted. Any changes made by the City Council regarding these fees will not be reflected in this Zoning Ordinance. A listing of the current fees are available at the City Clerk's office.

