

CHAPTER 154: SIGNS

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§ 154.01 PERMIT REQUIRED.

It shall be unlawful for any person to erect or place any business sign or awning on, in or over any sidewalk, street or public property in the city without obtaining a permit from the Council. Such permit shall state the size and location of the sign. The application for the permit shall be made to the City Clerk, who shall refer it to the Council for its consideration. The Council shall have the power to regulate the size, materials used and general design of the sign and to approve or disapprove each application on its merits. Any permitted sign or awning shall be at least eight feet above any sidewalk, street or public property under the sign or awning.

(2002 Code, § 18-341) Penalty, see § 10.99

§ 154.02 WHERE PROHIBITED.

No person shall erect, construct, place or maintain, or cause to be erected, constructed, placed or maintained, any sign, structure or obstruction of any nature that in any manner interferes with pedestrian or vehicular traffic, including the visibility of such pedestrian or vehicular traffic.

(2002 Code, § 18-342) Penalty, see § 10.99

§ 154.03 STREET DECORATIONS.

No person, as principal, agent or otherwise, shall bring or suspend any street banner, flag, pennant or street decoration over and above any street or other public thoroughfare or cause such action to be

done unless application to do so has first been approved by the City Clerk and a permit in writing has been issued by the City Clerk; and such banner, flag, pennant or street decoration must be safely suspended not less than 20 feet above such public thoroughfares. Such sign shall not remain in place for a period longer than 30 days from the date of the permit given by the City Clerk.

(2002 Code, § 18-343) Penalty, see § 10.99

§ 154.04 APPROVAL BY STATE.

(A) As to any sign or awning that requires the approval of the state before the erection or replacing of any such sign or awning, approval of the state must be obtained by the person desiring to erect or replace such sign or awning before a permit for erecting or replacing such sign or awning will be granted by the city. Such approval of the state shall be filed with the application for a permit from the city.

(B) The requirements set forth in division (A) above shall be in addition to all presently existing requirements made by the city for such permits. The fact that the state has approved an application for erecting or replacing a sign or awning does not, in and of itself, bind the city to issue the city's permit for such sign or awning.

(2002 Code, § 18-344)

§ 154.05 PURPOSE.

The sign regulations provide standards for communicating information in the environment of the city and its jurisdiction. The regulations recognize the need to protect public health, safety and welfare; to maintain the city's attractive appearance; to provide for adequate business identification, advertising and communication of information; and to encourage the fair enforcement of sign regulations.

(2002 Code, § 18-345) (Ord. 2001-4, passed 6-12-2001)

§ 154.06 DEFINITIONS.

For the purpose of this chapter, the following definitions shall apply unless the context clearly indicates or requires a different meaning. The following definitions shall be used for terms contained in this article that are not otherwise defined in Ch. 152 of this code.

ABANDONED/DISCONTINUED SIGN. A sign, including sign face and supporting structure, which refers to a discontinued business, profession, commodity, service or other activity or use formerly occupying the site; or which contains no sign copy on all sign faces for a continuous period of 12 months.

AT GRADE. For purposes of sign definition, shall be any height or clearance less than six feet of immediate ground elevation to bottom most edge of sign.

ATTACHED SIGN. A sign that is structurally connected to a building or depends upon that building for support.

AWNING and **AWNING SIGN.** A temporary or movable shelter supported entirely from the exterior wall of a building and composed of non-rigid materials, except for a supporting framework. An **AWNING SIGN** is a message printed on such a shelter.

BANNER. Any sign of lightweight fabric or similar material with a printed message or graphic attached secured or mounted temporary or permanently from a structure in such a way as to allow wind movement.

BILLBOARD. Shall be any freestanding or attached structure with a face larger than 150 square feet, that advertise the sale or lease of property or advertise goods and/or services for sale on- or off-site shall be considered a **BILLBOARD** and shall only be allowed in an area outside the corporate limits of the city.

BUSINESS CENTER IDENTIFICATION SIGN. A sign that identifies a building or group of commercial buildings in single ownership or control, sharing parking and access.

BUSINESS IDENTIFICATION SIGN. A sign that identifies a business located on the same premises upon which the sign is located.

CANOPY. A projecting non-movable structure cantilevered or suspended from a building, supported by the main structural members to which it is attached and used as a protective cover over a door, window, entrance or outdoor service area,

CANOPY SIGN. A sign that is attached or made an integral part of a canopy.

CLEARANCE. The distance from the bottom most edge of a sign face perpendicular to the grade below.

DETACHED SIGN. A sign that is self-supporting and structurally independent from any building.

DIRECTIONAL SIGN. A sign that serves solely to designate the location or direction of any area or place.

DOUBLE-FACED SIGN. A sign consisting of no more than two faces, no more than 42 inches apart at its widest point and supported by a single structure.

FREESTANDING SIGN. Any sign erected on a support structure other than a building. All freestanding and incidental signs greater than 20 square feet are subject to a plan submittal to the Building Official and/or a building permit.

FRONTAGE. The length of a property line of any one legal description abutting and parallel to a public street.

GARAGE SALE. A sale of used household items, clothing and/or personal property held at the home of the seller.

ILLUMINATION. Lighting sources installed for the primary purpose of lighting a specific sign or group of signs.

INCIDENTAL SIGN. A sign that is incidental to and aids these functioning of a use, but which does not provide primary identification for the use. Examples of **INCIDENTAL SIGNS** include entrance and exit signs, directions to traffic, ATM or reader board, of which two **INCIDENTAL SIGNS** shall be allowed per primary sign structure. **INCIDENTAL SIGNS** to be attached to existing primary sign poles shall have in writing by reputable licensed sign company, verification of adequacy of pole and footings to support additional signage.

LEGAL NON-CONFORMING. Any sign or sign face already erected or standing that exceeds this chapter in size, height or dimension, shall be considered a **LEGAL NON-CONFORMING SIGN**; providing, it was compliant to all ordinances in place when constructed or erected.

MARQUEE. A permanent roofed structure attached to and supported by a building and extending over public right-of-way.

MAXIMUM PERMITTED SIGN AREA. The maximum permitted combined area of all signs allowed on a specific property.

MONUMENT SIGN. An on-premises freestanding sign with the appearance of a solid base.

MOVING SIGN. A sign that conveys its message through rotating, changing or animated elements

NON-CONFORMING SIGN. Any non-conforming sign in each residential, commercial, industrial or agricultural zone, that has been increased in size, had lights added or had its location changed shall lose its legal non-conforming rights and the city shall require the sign to be removed or reconstructed to meet current zoning regulations. A sign that was legally erected prior to the adoption of this section, but which violates the regulations of this chapter shall be considered as legal **NON-CONFORMING**.

ON-SITE. A sign which advertises the sale or lease of property upon which the sign is located or that advertises the sale of goods and services available on that property.

OFF-SITE. A sign that advertises a service or product obtainable at a location other than the premises that the sign is located on and shall only be allowed outside the city limits.

POLE SIGN. A sign built on a freestanding frame, mast or pole(s) with a ground clearance greater than six feet.

PORTABLE SIGN. Any sign supported by frames or posts rigidly attached to bases not permanently attached to the ground or a building and capable of being moved from place to place.

PREMISES IDENTIFICATION SIGN. Any sign which pertains to the non-residential use of a premises and which contains information about the owner or operator of that use; the type of business being conducted or the principal brand name of a commodity sold on the premise; and other information relative to the conduct of the use.

PREMISES. A tract of one or more lots or sites that are contiguous and under common ownership or control.

PRIMARY SIGN. Any business, premises or other identification sign, located on-site, that advertises goods, services or other items for sale, rent or lease, of which there shall only be one primary sign allowed per premises and/or business establishment.

PROJECTING SIGN. A sign other than a wall sign that is attached to and projects from a building face.

READER BOARD. Display sign face with changeable alphanumeric characters and shall be no greater than 32 square feet.

RESIDENTIAL SIGN (HOME OCCUPATION SIGN). A small wall sign mounted flat against the wall of the principle residential structure, conveying a message lawfully communicated by the owner of the property or used to identify home occupations, block parents, the name of the premises or the occupants thereof. **RESIDENTIAL SIGNS** are non-illuminated and non-reflecting signs and shall not exceed six square feet in area.

SIGN. A symbolic, visual device fixed upon a building, vehicle, structure or parcel of land which is intended to convey information about a product, business, activity, place, person, institution, candidate or political idea.

SIGN TYPE. A functional description of the use of an individual sign. Includes owner identification, advertising, directional, electronic message and temporary.

TEMPORARY SIGNS. A sign, flag, banner, pennant or valance constructed of lightweight materials which is not permanently attached to building or land, and which is intended for display for a period of time of no more than 14 days.

WALL SIGN. A sign attached to and parallel with the side of a building.
(2002 Code, § 18-346) (Ord. 2001-4, passed 6-12-2001)

§ 154.07 GENERAL SIGN AND STREET GRAPHICS REGULATIONS.

(A) *Compliance.* Each sign or part of a sign erected within the zoning jurisdiction of the city must comply with the provisions of this section and of other relevant provisions of this chapter. Any sign

erected greater than 50 square feet, other than window or wall, shall be required to obtain a building permit before the sign is erected.

(B) *Resolution of conflicting regulations.* This section is not meant to repeal or interfere with enforcement of sections of the code. In cases of conflicts between the code, this section or state or federal regulations, the more restrictive regulations shall apply.

(C) *Prohibited signs.* The following signs are prohibited in all zoning districts:

- (1) Signs painted on or attached to rocks, trees or other natural objects;
- (2) Signs or sign structures which resemble or conflict with traffic-control signs or devices, which mislead or confuse persons traveling on public streets, or which create a traffic hazard;
- (3) Signs on public property, including permanent, temporary and exempt signs, unless specifically authorized by the appropriate public agency;
- (4) Signs, which create a safety hazard by obstructing the clear view of pedestrians or vehicles, or which obscure official signs or signals;
- (5) Abandoned/discontinued signs. Any sign must be removed within 12 months of date of abandonment by property owner(s);
- (6) Signs advertising activities that are illegal under federal, state or local laws and regulations;
- (7) Signs that are not clean or in substantial good repair, or are not affixed to a sound structure;
- (8) Signs which move or have animated or moving parts that are visible from the traveled highways of present and designated future alignments of State Highway 35 and State Highway 15;
- (9) Signs in officially designated scenic areas or parkland visible from the traveled way; and
- (10) Signs with wiring not in accordance with the National Electrical Code adopted and incorporated by reference in this code.

(D) *Permitted signs.* The following signs are permitted in any zoning district:

- (1) Real estate signs not exceeding six square feet. Real estate signs include signs advertising a property for sale or for rent; or displaying the name of the managing agency of a rental property;
- (2) Official signs authorized by a government or governmental subdivision that give traffic, directional or warning information;
- (3) Seasonal decorations for display on private or public property;

(4) On-premises construction signs;

(5) Works of graphic art painted or applied to building walls that contain no advertising or business identification messages;

(6) Residential signs under six square feet in size;

(7) Street numbers;

(8) On-premises signs that advertise the sale of goods or services, provided in accordance with §§ 154.08 and 154.09 of this chapter, and in conformance with the State Department of Roads' rules and regulations (§ 154.08 of this chapter);

(9) Off-site signs in accordance with § 154.08 of this chapter, and size and height limitations specified in § 154.09 of this chapter outside of the city limits; and

(10) Incidental signs shall be no greater than two when attached to a primary sign structure subject to § 154.06 of this chapter.

(E) *Temporary and civic signs.*

(1) Temporary or portable signs for grand openings, sales, and special events are permitted in commercial and industrial zoning districts, subject to the following requirements:

(a) Such signs are subject to the building permit procedures set forth in this section;

(b) No more than one such sign is permitted at any single premises; and

(c) Temporary signs may be present at any single premises for a maximum of 14 consecutive days and a maximum of 30 days per year.

(2) Temporary signs for non-profit civic campaigns or events, political campaigns or other non-commercial events are permitted in any zoning district and are exempt from other provisions of this chapter, subject to the following requirements:

(a) Such signs are subject to the building permit procedures set forth in this section;

(b) Such signs are installed no earlier than 30 days before the date of the event or election and removed no later than seven days after the date of the event or election; and

(c) Such signs shall be not more than ten square feet when located in residential districts and no more than 80 square feet in other zoning districts.

(3) Temporary signs for garage sales are only permitted on private property in any zoning district, subject to the following requirements:

(a) Such sign shall not be posted more than 48 hours before the sale and must be removed within 24 hours following the closing of the sale; and

(b) The duration of the sale shall be no longer than 72 consecutive hours from the start of the sale to the closing of the sale.

(2002 Code, § 18-347) (Ord. 2001-4, passed 6-12-2001)

§ 154.08 BASIC DESIGN ELEMENTS FOR ON-SITE AND OFF-SITE PREMISES SIGNS.

(A) *On- and off-site signs of interstate or federal-aid primary highways.* The erection or maintenance of any advertising sign, display or device which is visible to the traveled way of the National System of Interstate and Defense Highways, and the system of federal-aid primary roads of the state as defined by the State Department of Roads, is hereby prohibited unless in compliance with the regulations set forth within rules and regulations relating to the control of advertising in areas adjacent to the interstate and federal-aid primary highways; as amended, adopted and published by the State Department of Roads and made a part of these zoning regulations by reference.

(B) *Wall signs and graphics.* Wall signs and graphics are subject to the following general regulations.

(1) A wall sign must be parallel to the wall to which it is attached.

(2) A wall sign may not extend beyond the corner of the wall to which it is attached, except where attached to another wall sign, it may extend to provide for the attachment.

(3) A wall sign may not extend beyond its buildings roofline.

(4) For the purpose of calculating permitted sign areas pursuant to this chapter, signs painted on the walls of buildings shall be considered wall signs.

(2002 Code, § 18-348) (Ord. 2001-4, passed 6-12-2001) Penalty, see § 10.99

§ 154.09 OTHER DESIGN ELEMENTS.

(A) *Illuminations.*

(1) Lighting, when installed, must be positioned in such a manner that light is not directed onto an adjoining property or onto a public street or highway.

(2) Lighted signs in direct vision of a traffic signal shall not be illuminated in red, green or amber.

(B) *Marquees and marquee signs.* Signs placed on, attached to or constructed on a marquee are subject to the maximum projection and clearance regulations of projecting signs.

(C) *Banners.*

(1) A banner sign projecting from a building may not exceed the wall height of the building.

(2) Maximum projection for any banner is five feet.

(3) Each banner sign must maintain at least the following vertical clearances:

(a) Eight feet, six inches over sidewalks;

(b) Ten feet for signs located outside of driveways or parking areas, but within three feet of such areas; or within 50 feet of the right-of-way lines formed by the intersection of two or more streets;

(c) Fourteen feet over parking lots; and

(d) Sixteen feet, six inches over alleys or driveways.

(4) Maximum size of a banner is 120 square feet.

(5) A banner must be removed within three days after event ends.

(D) *Clocks.* For the purpose of this chapter, clocks are not considered a moving sign.

(E) *Sign area, height and location of on-site signs.*

(1) Sign area includes the entire area within the perimeter enclosing the extreme limits of the sign, excluding any structure essential for support or service of the sign, or architectural elements of the building.

(2) The area of double-faced signs is calculated on the largest single face only.

(3) Each primary sign shall have a maximum surface area of 150 square feet.

(4) The highest point of any sign on or along a federal-aid primary road of the state as defined by the State Department of Roads, shall not extend more than 40 feet measured from ground level at its supports.

(5) Each sign shall not be closer than 50 feet of a street intersection at grade, or within the sight triangle. (Refer to § 152.130 of this chapter.)

(F) *Height.* The height of a sign is measured from the average grade level below the sign to the topmost point of the sign or sign structure, and shall not extend more than 40 feet to the highest point. This height shall only be allowed when sign is along or adjacent to a federal-aid primary highway of the state.

(G) *Setback.* The setback of a sign is measured from any property line to a line projected onto the ground of any component of the sign nearest such property line. All setbacks shall comply with standards established by the Federal Highway Administration and the State Department of Roads, along interstate or federal-aid primary highways, or established setbacks as outlined in zone erected.

(H) *Permit expiration.* If a sign is not constructed in accordance with an approved building permit within six months of the date of approval, such building permit shall lapse.
(2002 Code, § 18-349) (Ord. 2001-4, passed 6-12-2001)

§ 154.10 REPAIR OR MODIFICATION OF NON-CONFORMING SIGNS.

(A) *Non-conforming signs; modifications.* All permanent signs in place and in existence on the effective date of this section shall be considered as legal non-conforming signs. The copy area of such signs may be changed or the copy thereon replaced; provided, however, the sign area shall not be enlarged beyond the sign area of said sign on the effective date of this section.

(B) *Replacement of damaged non-conforming signs.* Any non-conforming sign which presently is or becomes structurally damaged or deteriorated, or is altered by more than 50% of its original size, shall be either removed or altered so as to comply with this section.

(C) *Freestanding sign.* No more than one freestanding sign allowed on the premises.
(2002 Code, § 18-350) (Ord. 2001-4, passed 6-12-2001) Penalty, see § 10.99