

Chapter 18

SIGNS

10-18-1: PURPOSE:

The purpose of these sign regulations is: to minimize the possible adverse effect of signs on nearby public and private property; to encourage the effective use of signs as a means of communication in the city; to maintain and enhance the aesthetic environment and the city's ability to attract sources of economic development and growth; to improve pedestrian and traffic safety; and to enable the fair and consistent enforcement of these sign restrictions. This sign ordinance is adopted under the zoning authority of the city in furtherance of the more general purposes set forth in this zoning ordinance. (Ord. C-203, 6-21-1994)

10-18-2: DEFINITIONS:

The following words, terms and phrases, when used in this chapter, shall have the meanings ascribed to them in this section, except where the context clearly indicates a different meaning:

ABANDONED SIGN: A sign that identifies: a) an establishment which no longer exists, or b) goods or services which are no longer provided or no longer exist, or c) an event or time which has already occurred, or passed, or d) a purpose which no longer exists.

ADMINISTRATIVE OFFICER: Member of the city administrative staff designated by the city council to enforce this chapter.

AREA: Total exposed surface devoted to a sign message, including ornamentation, embellishment and symbols, but excluding supporting members. If a sign is double faced, its sign area shall be computed as the area of a single faced sign.

AWNING: A device made of cloth, metal or other material attached to a building when the same is so erected as to either permit its being raised or retracted to a position against the building when not in use, or to provide shade to a window.

BILLBOARD: Any sign that advertises or displays goods, products, services or facilities which are located elsewhere than on the premises upon which the sign is displayed.

CANOPY: A structure, other than an awning, made of cloth, metal or other materials with a frame attached to a building and supported by the ground or sidewalk underneath.

CHANGEABLE COPY SIGN: A sign whereupon provision is made for letters or characters to be placed in or upon the surface area either manually or electronically to provide a message or picture.

DIRECTIONAL SIGN: Any sign that directs the movement or placement of pedestrian or vehicular traffic without reference to the name of a product sold or service performed.

FREESTANDING SIGN: A detached sign which is supported by one or more columns, uprights or braces extended from the ground or from an object on the ground or a detached sign which is erected on the ground; provided that no part of the sign is attached to any part of any building structure or other sign.

GHOST SIGN: A sign painted on a building that has faded, is not current, and does not constitute effective advertising. Said sign may be of historical significance identifying past businesses or products.

HISTORIC LANDMARK SIGNS: Signs created by the historic preservation commission that are similar in shape and mold to each other and which designate historically significant properties.

HOME OCCUPATION, COTTAGE BUSINESS SIGNS: A sign that identifies the location of a home occupation or cottage business.

ILLEGAL SIGN: A sign failing to conform provisions to the requirements of this chapter.

MAINTAIN: To preserve, keep in repair, or continue.

NAMEPLATE: A sign indicating the name and address of a building or the name of the occupant thereof.

OFF SITE ADVERTISING SIGN: A sign relating to products, services or uses not located on the same lot as the sign.

OWNER: The purchaser of a sign, or of the copy on a sign, including any assignee of the purchaser; the fee titleholder of the real estate upon which the sign is located, including any lessee or assignee, of the fee titleholder.

PERMANENT SIGN: A sign which is permanently affixed or attached to the ground or to a structure.

PORTABLE SIGN: A sign which is not permanently affixed or attached to the ground or to a structure or which is mounted upon, painted upon, or otherwise erected upon a vehicle, van, track, automobile, bus, railroad car or other vehicle in operating condition.

PREMISES: The real estate where a sign exists, defined by a legal description, and including, but not limited to, the primary structure, any parking facilities, and any private roadway thereon.

PROJECTING SIGN: Any sign, other than a wall sign, which projects outward from a wall or building, more than twelve inches (12") and is supported by a wall or building.

ROOF SIGN: Any sign erected, constructed and maintained wholly upon or over the roof of a building.

SIGN: Any object, device, display or structure or part thereof situated outdoors which is used to advertise, identify, display, direct or attract attention to an object, person, institution, organization, business, product, service, event or location by any means, including words, letters, figures, designs, symbols, fixtures, colors, motion, illumination or projected images. The term "sign" includes, but is not limited to, every projecting sign, ground sign, pole sign, window sign, vehicle sign, awning, canopy, marquee, changeable copy sign, illuminated sign, flashing sign, animated sign, temporary sign, portable sign, pennant, banner, streamer or any other attention getting device or other display, whether affixed to a building or separate from a building.

TEMPORARY SIGN: A banner, pennant, poster or advertising display constructed of cloth, canvas, plastic sheet, cardboard, wallboard or other like materials or a sign mounted on a trailer or other moveable device which is intended to be displayed for a limited period of time. These signs include, but are not limited to, garage sale signs, political, construction, and special event signs.

WALL SIGN: A sign attached to, painted on or erected against a wall of a building or structure which extends no more than twelve inches (12") from the wall surface upon which it is attached and whose display surface is parallel to the face of the building.

WINDOW SIGN: A sign located indoors and visible through a window of a building or structure. (Ord. C-203, 6-21-1994; amd. Ord. C-354, 11-20-2001)

10-18-3: PERMITTED SIGNS; RESIDENTIAL DISTRICT:

No sign shall be permitted in any residential district except the following:

A. Nameplates: No nameplates shall project higher than seven feet (7') above ground level.

1. For one- and two-family dwellings, there shall not be more than one nameplate, not exceeding one square foot in area, for each dwelling unit, indicating the name or address of the occupant. Historical identification signs will not be considered as the one nameplate for the property.
2. For multiple-family dwellings, for apartment hotels, and for buildings other than dwellings, a single identification sign not exceeding twelve (12) square feet in area and indicating only the name of the building and the name of the management thereof may be displayed. Historical identification signs will not be considered as the nameplate for the above properties.

B. Historic Landmark Signs: Historic landmark signs are permitted in all zoning districts. Historical identification signs will all be made of similar material and of an identical mold. These signs may not be located within five feet (5') of any right of way or within three feet (3') of any property line. These signs may be freestanding or may be attached directly to

a home or structure. Permits will be given by the historic preservation commission to homes or buildings included in a historic district or on the local historic register. The permits will not be subject to the fee requirements found in this chapter.

- C. Subdivision Signs: Signs to identify a subdivision will require a sign permit. The applicant must provide the city with a sketch of the proposed sign. No part of a subdivision sign shall encroach on a public right of way. A subdivision sign may not project higher than seven feet (7') above curb level and may not exceed thirty (30) square feet in area.

- D. Signs Accessory To Parking Areas: Signs designating entrances or exits to or from a parking area are limited to one sign per entrance or exit and to a maximum size of three (3) square feet per sign. One sign per parking area designating the conditions of use or identity of such parking area and limited to a maximum size of eight (8) square feet shall be permitted, provided, that on corner lots two (2) such signs, one facing each street, shall be permitted. (Ord. C-203, 6-21-1994)

- E. Church Bulletin Signs: There shall not be more than one church bulletin sign per lot, except on a corner, two (2) signs, one facing each street, shall be permitted. The sign shall not be more than thirty two (32) square feet in area. No sign shall be closer than eight feet (8') to any other zoning lot. No sign shall project higher than seven feet (7') above the curb level or beyond the property line into the public right of way. (Ord. C-433, 4-4-2006)

- F. For Sale And To Rent Signs: There shall be not more than one for sale or to rent sign per lot except that on a corner lot two (2) signs, one facing each street, shall be permitted. No sign shall exceed eight (8) square feet in area nor be closer than eight feet (8') to any other zoning lot. No sign shall project higher than seven feet (7') above the curb level or beyond the property line into the public way.

- G. Temporary Signs: Temporary signs are not permitted in the city right of way. They must remain on private property and can be located off premises, with the permission of the property owner. Special event signs can be erected two (2) weeks prior to an event and must be removed within three (3) days after the event. Garage sale signs may be displayed three (3) days prior to the sale and must be removed one day after the sale. Construction signs can be displayed during the actual construction, but must be removed upon completion. Political signs can be displayed for any length of time but must be removed no later than three (3) days following the election to which the sign pertains. Auction signs may be permitted as provided in subsection I of this section.

- H. Ghost Signs: Ghost signs may be rehabilitated in any zoning district. A request to rehabilitate any ghost sign will be reviewed by the historic preservation commission. If the commission determines that the sign should be reestablished, the zoning administrator will issue a permit with no fee. Ghost signs will not be considered abandoned signs in the event they describe goods and services no longer provided on the premises.
- I. Auction Signs: Auction signs, used primarily for the direction of traffic, will be allowed in the right of way provided that:
1. Said signs are no larger than five (5) square feet.
 2. Said signs will be located in city owned right of way on the date of the sale only. (Ord. C-203, 6-21-1994)
- J. Cottage Business Signs: Every permitted cottage business will be allowed to have one sign, which must meet the following standards:
1. Sign can be no larger than one square foot.
 2. Sign may be displayed through a window or it can be located in the front, side or rear yard area.
 3. Sign will not be permitted in the city right of way.
 4. Sign cannot be internally or externally lighted. (Ord. C-224, 11-1-1994)

10-18-4: PERMITTED SIGNS; BUSINESS AND INDUSTRIAL DISTRICTS:

No signs shall be permitted in any business or industrial district except the following:

- A. Signs And Nameplates: All signs and nameplates permitted in the residential districts.
- B. Permanent Signs: Permanent signs can set on any type of standard or support and must be placed entirely within the property lines of the premises upon which it is located and no part of the sign or standard shall have a height of greater than thirty feet (30'). Height is to be measured from the level of the street upon which the sign faces or above the adjoining ground level if such ground level is above street grade. (Ord. C-203, 6-21-1994)

C. Off Site Advertising Signs: Off site advertising signs are subject to the following:

1. Only one single face off site sign permitted per lot.
2. Display surface shall not exceed one hundred (100) square feet.
3. No closer than two hundred feet (200') from any residential zone, park, school, cemetery, church, or structure on the National Register of Historic Places.
4. Roof signs are prohibited.
5. No part of the sign shall have a height greater than thirty feet (30').
6. Off site portable signs are prohibited.

Portable signs along U.S. Highway 61/State Highway 2 are prohibited. All signs located along U.S. Highway 61/State Highway 2 must be secured by concrete or rods driven through the feet of the sign and into the base surface. (Ord. C-354, 11-20-2001)

7. Portable signs along U.S. Highway 61 and State Highway 2 are not permitted if attached to or placed upon a licensed motor vehicle or any trailer apparatus or are situated within a state right of way area. Portable signs must be secured or anchored either to an appropriate base, to the ground or to a structure in a fashion able to withstand up to approximately forty five (45) mile per hour winds. Portable signs must consist of semidurable materials such as aluminum, wood, plywood, hard plastic or fiberglass. Permits are required for portable signs but no fee will be charged. Portable signs can remain in place for no longer than one hundred eighty (180) calendar days. After the expiration of one hundred eighty (180) days, such signs must be either removed or permanently anchored or secured. (Ord. C-438, 10-3-2006)

D. Signs On Marquees, Canopies Or Awnings: Signs on marquees, canopies or awnings must be nonflashing. Said signs will be allowed to project over the sidewalk in a B-1 zoning district. The bottom of such signs shall be no less than ten feet (10') above the finished grade of the sidewalk. If said sign has standards which meet the sidewalk, such standards can be no closer than twenty four inches (24") to the curb line and an encroachment agreement must be approved by the city council. Signs may project seventy two inches (72") beyond the building line but in no case project closer than twenty four inches (24") to the curb line. In business districts other than B-1, awnings, canopies and marquees may only project to the property line.

E. Traffic Or Directional Signs: Traffic or directional signs designating entrances, exits and conditions of use of parking facilities accessory to the main use of the premises, may be maintained provided they are located within the property lines of the subject lot.

- F. Permanent Changeable Copy Signs: Permanent changeable copy signs cannot encroach on city right of way. Changeable copy signs must be located in such a manner as not to impede vision of pedestrians or vehicles. Said signs can be no larger than forty (40) square feet on each plane and must be secured in concrete.
- G. Portable Changeable Copy Signs: Portable changeable copy signs will only be permitted at the opening of a new business for a period not to exceed thirty (30) days and for special promotional purposes for a period not to exceed ten (10) days per month.
- H. Banners: Banners may be used as temporary signs in all business districts and shall be governed by the requirements for temporary signs found in section [10-18-3](#) of this chapter. Banners must be adequately secured to a building, or standards, located on the premises where the banner is located. (Ord. C-203, 6-21-1994)

10-18-5: SIGN REQUIREMENTS:

- A. Business And Industrial District: All signs in business and industrial districts shall meet the following requirements:
1. Area: The gross area in square feet of all signs on a zoning lot shall not exceed three (3) times the linear feet of frontage of such zoning lot. The gross area of all flashing signs shall not exceed two (2) times the linear frontage of such lot. If a sign is double faced, its area shall be calculated as the area of a single faced sign.
 2. Fee: Each application for a sign permit shall be accompanied by the applicable fees, which shall be established by the city council from time to time by resolution.
 3. Projection: Signs suspended from any building shall not project more than seventy two inches (72") beyond the building line but in no case project closer than twenty four inches (24") to the curb line. The bottom of such sign shall not be less than ten feet (10') above the finished grade of the sidewalk. (Ord. C-203, 6-21-1994)
 4. Illumination: Signs must not be illuminated so as to shine on residential properties. Signs may have electronic areas that display: drawings, streaming video; symbols or logos; scrolling text messages; shrinking or enlarging lettering; changing shapes and figures; recreated photographs; or flash at reasonable, readable intervals. Signs with very rapidly flashing messages, i.e., strobe lighting effects will not be permitted. Any graphically enhanced (LED) electronic signs as described above shall be limited to a maximum height of thirty feet (30') and the graphic display surface shall cover no more than forty five (45) square feet in total area.

Signs as described in this subsection A4 shall not be permitted within the boundaries

of any duly and formally recognized local, state or national historic district. (Ord. C-446, 3-6-2007)

5. Power Line Clearance: Signs shall be located in such a way that they maintain horizontal and vertical clearance of all overhead electrical conductors in accordance with the national electrical code specifications, depending on voltages concerned. However, in no case shall a sign be installed closer than twenty four inches (24") horizontally or vertically to any conductor or public utility guy wire. (Ord. C-203, 6-21-1994)

B. B-1 Limited Retail District: Placement of commercial signs on all property within a B-1 limited retail district zoning designation shall be allowed as follows:

1. Temporary signs are permitted in compliance with the requirements and provisions of subsection [10-18-3G](#) of this chapter.
2. Signs may be placed in city public right of way areas under the following conditions:
 - a. Only one sign shall be permitted in a right of way per each twenty five feet (25') of lot frontage on the adjacent street(s).
 - b. The size of each such sign shall be limited to no more than twenty (20) square feet and shall stand no taller than thirty six inches (36") above the immediately adjacent ground elevation.
 - c. Signs shall be placed no closer than twenty four inches (24") from a street curb line on an interior lot.
 - d. Signs shall be placed no closer than thirty six inches (36") from a street curb line on a corner lot.
 - e. Each lot shall at all times maintain an unobstructed pedestrian travel corridor with a minimum width of forty eight inches (48"). Such corridor shall be located at some point between the front building facade and street curb. (Ord. C-446, 3-6-2007)

10-18-6: ABANDONED SIGNS; DISPOSITION AND REMOVAL:

A. Any sign that is abandoned and remains abandoned for a period of ninety (90) days shall be removed by the owner within forty five (45) days unless the historic preservation commission has made a determination that the sign is fifty (50) years or older and/or has historical significance, has made written recommendation to the zoning administrator to allow the sign to remain and the zoning administrator has approved it. The zoning administrator or said designee shall notify the preservation commission within sixty (60) days of the sign being abandoned.

- B. Any sign not removed within the required time period, shall be considered a public nuisance, punishable as a municipal infraction. (Ord. C-203, 6-21-1994)

10-18-7: VIOLATIONS:

Any violation of this chapter or of the following requirements, shall subject the violator to penalties provided in the zoning code:

- A. No person, firm or corporation shall install, create, erect, or maintain any sign in a way that is inconsistent with any plan or permit governing such sign or the zoning lot on which the sign is located;
- B. No person, firm or corporation shall install, create, erect, or maintain any sign requiring a permit without such a permit; (Ord. C-203, 6-21-1994)
- C. No person, firm or corporation shall fail to remove any sign that is installed, created, erected or maintained in violation of this chapter or to continue any such violation. Each day a violation exists is a separate violation. (Ord. C-203, 6-21-1994; amd. Ord. C-354, 11-20-2001)

10-18-8: VARIANCES:

- A. The board of zoning adjustments and appeals may upon consideration of specific cases and after a public hearing, vary regulations of this chapter in harmony with their general purpose and intent where the board makes findings of fact in accordance with the standards prescribed in section [10-20-5](#) of this title and further finds that there are practical difficulties or unnecessary hardships in the way of carrying out the literal provisions of this chapter.
- B. Variances to be considered under this chapter shall be strictly limited to either the actual size or height of a sign. (Ord. C-433, 4-4-2006)

