

DIVISION 5. - SIGNS

Sec. 30-601. - Definitions.

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

Awning means a retractable or fixed shelter constructed of nonrigid materials on a supporting framework that project from the exterior wall of a building.

Awning and canopy signs means a sign attached to the surface of an awning or canopy, or painted or printed upon the surface of an awning or canopy.

Balloon sign means a sign composed of a nonporous bag of material filled with air.

Banner sign means a fabric, plastic or other sign made of nonrigid material without an enclosing structural framework.

Billboard means any structure, including the wall of a building, on which lettered, figured or pictorial matter is displayed for the purpose of advertising a business, service or entertainment which is not conducted on the land upon which the structure is located or products not primarily sold, manufactured, processed or fabricated on such land.

Business center means any two or more businesses (other than within the C-2 district), which are located on a single parcel of property; are connected by common walls, partitions, canopies or other structural members to form a continuous building or group of buildings; share a common parking area; or otherwise present the appearance of a single, contiguous business area.

Business center sign means a freestanding sign which identifies the name of a business center and/or one or more individual businesses within the center.

Canopy means a fixed shelter constructed of rigid materials on a supporting framework that project from the exterior wall of the building.

Construction sign means a temporary sign which identifies the owners, financiers, contractors, architects and engineers of a project under construction.

Directional sign means a sign which gives directions, instructions or facility information for the use on the lot on which the sign is located, such as parking or exit and entrance signs.

Freestanding sign means a sign, not attached to a building or wall, supported on poles or supports, with a minimum ground clearance of eight feet to permit an unobstructed view for motorists and pedestrians.

Government sign means a temporary or permanent sign erected by the city.

Ground sign means a sign, the bottom of which is no more than 24 inches from the ground and not more than five feet above grade, which rests directly on the ground or is supported by short poles or a base and is not attached to a building or a wall.

Highway sign means a temporary or permanent sign erected by the city or federal government within or adjacent to the road right-of-way for the purpose of directing or controlling traffic on a public street, road or highway.

Institutional identification sign/bulletin board means a ground sign upon which is displayed the name of a church, school, library, community center or similar public or quasi-public institution located on the property and which may contain a space for a reader board in order to announce the services, events or activities of such institution.

Marquee means a permanent structure constructed of rigid materials that projects from the exterior wall of a building.

Marquee sign means a sign affixed flat against the surface of a marquee.

Memorial sign means a nonilluminated sign, table or plaque, which commemorates a person, event, structure or site.

Mural means a design or representation painted or drawn on a wall which does not advertise an establishment, product, service or activity.

Off-premises sign means a sign which relates to or advertises an establishment, product, merchandise, good, service or entertainment which is not located, sold, offered, produced, manufactured or furnished at the property on which the sign is located, including, but not limited to, billboards.

Placard means a sign not exceeding two square feet which provides notices of a public nature, such as "No Trespassing," "No Hunting," "Closed," or "Open" signs.

Political sign means a temporary sign used in connection with an official local government, school district, county, state or federal election or referendum.

Political sign means a double-faced sign attached to a building or wall that extends more than 12 inches, but not more than 48 inches, from the face of the building or wall.

Projecting sign means any sign other than a wall, awning, canopy or marquee sign, which is affixed to a building and is supported only by the wall on which the sign is mounted.

Reader board means a portion of a sign on which copy is changed manually.

Real estate sign means nonilluminated, temporary sign pertaining to the sale, rent or lease of the property upon which the sign is located.

Residential subdivision sign means a permanent ground sign identifying a recognized platted subdivision, site condominium project, multifamily development or other residential development, which has been approved by the city.

Roof sign means a sign erected above the roofline of a building.

Roofline means the highest point of a flat roof and the lowest point of a pitched roof, excluding any cupolas, chimneys or other minor projections.

Sidewalk sign means a portable sign of A-frame construction used during hours a business is open and stored inside when not in use.

Sign means any display, figure, painting, drawing, placard, poster or other device visible from the public way which is designed, intended or used to convey a message, advertise, inform or direct attention to a person, institution, organization, activity, place, object or product. A sign may be a structure, or part thereof, painted on or attached directly or indirectly to a structure.

Special event sign means a temporary sign containing a public message concerning a special event sponsored by a governmental agency or nonprofit organization.

Temporary sign means a display, informational sign, banner or other advertising device, with or without a structural frame, which is intended for a limited period of display, including seasonal produce sales, decorative displays for holidays or public demonstrations.

Wall sign means a sign painted or attached directly to and parallel to the exterior wall of a building and extending no greater than 12 inches from the exterior face of the wall to which it is attached.

Window sign means a sign installed inside a window and intended to be viewed from the outside.

(Ord. No. 556, § 1, 5-14-2005; Ord. No. 570, § 1, 2-25-2008)

Editor's note— Ord. No. 535, § 1, adopted Jan. 8, 2001, repealed § 30-601 in its entirety. The former § 30-601 pertained to definitions pertaining to signs and derived from Ord. No. 453, § 401, adopted Dec. 8, 1986; Ord. No. 534, § II, adopted Nov. 27, 2000.

Cross reference— Definitions generally, § 1-2; Streets, sidewalks and other public places, ch. 46.

Sec. 30-602. - Intent.

The sign regulations set forth in this division are intended to protect and further the health, safety and welfare of the residents of the city; to maintain and improve the appearance of the city; to conserve community character; to prevent traffic hazards; to provide safer conditions for pedestrians; and to promote economic development by regulating the construction, alteration, repair, maintenance, size, location and number of signs. It is further determined that to allow signs of excessive number and size in the city would

unduly distract pedestrians and motorists, create a traffic hazard and reduce the effectiveness of signs needed to direct the public. The regulations set forth in this division are intended to serve as a means of advertising.

(Ord. No. 534, § I, 11-27-2000; Ord. No. 570, § 1, 2-25-2008)

Sec. 30-603. - General requirements.

- (a) No sign shall be placed in, upon or over any public right-of-way, alley or other public place within the city, except for permitted highway and government signs and signs permitted in the B-2 district, which may project from a building wall over a public way.
- (b) No light pole, utility pole or other supporting member shall be used for the placement of any sign unless it is specifically designed and approved for such use.
- (c) No sign shall be erected in any place where it may, by reason of its position, shape, color or other characteristic, interfere with, obstruct the view of or be confused with any authorized traffic sign, signal or device, or constitutes a nuisance.
- (d) No commercial vehicle which, in the opinion of the zoning administrator, has the intended function of acting as a sign, shall be parked in any area abutting a street unless no other parking area is available.
- (e) No sign shall contain any moving or animated parts, nor have the appearance of having any moving or animated parts, except as provided within this division.
- (f) All ground, freestanding and wall signs may contain reader boards within the maximum size limits permitted for the sign.
- (g) No wall sign shall extend beyond the edge of the wall to which it is affixed, nor extend above the roofline of the building to which it is attached.
- (h) Subject to constitutional limitations, all signs shall pertain only to the business or activity conducted on the premises, except political signs, special event signs and billboards.
- (i) Nonilluminated real estate signs shall be permitted in any zoning district within the city but shall be removed within 30 days after completion of the sale or lease of the property.
- (j) Construction signs shall be permitted within any zoning district within the city subject to the following regulations:
 - (1) Such signs shall not be larger than 32 square feet, shall be located no closer than ten feet from the street right-of-way line and shall not be higher than ten feet.
 - (2) In residential developments, any construction sign shall be removed when a permanent subdivision sign is erected, final plat approval is obtained or a certificate of occupancy is issued for any dwelling in the development, whichever comes first.
 - (3)

In nonresidential developments, any construction sign shall be removed upon issuance of a certificate of occupancy for the building.

- (4) Such signs shall be erected no more than 45 days prior to the issuance of a building permit. If the construction project does not commence by the forty-fifth day, the sign permit may be revoked by the city. It will then be the responsibility of the permit holder to promptly remove the construction sign.
- (k) Community special event signs are permitted in any zoning district within the city, subject to the following restrictions:
- (1) Such signs may be located either on or off the lot on which the special events are held.
 - (2) The display of community special event signs shall be limited to the ten days immediately preceding the special event which is being advertised.
 - (3) Such signs shall have a maximum size of 32 square feet in area, and a maximum height above ground level of six feet and shall be set back a minimum of two feet from any property line.
 - (4) Such signs shall be removed within 48 hours of the conclusion of the special event which is being advertised.
- (l) Directional signs are permitted in any zoning district within the city subject to the following restrictions:
- (1) Such signs shall not exceed two square feet in area, or exceed three feet in height, and shall be set back at least two feet from any property line.
 - (2) Such signs may contain a commercial logo or trademark not exceeding one-third of the sign's size but shall not contain a business name or commercial message.
- (m) Temporary signs shall be permitted in any zoning district within the city subject to the following restrictions:
- (1) Such signs shall only be displayed upon receipt of a permit issued by the zoning administrator, unless such sign is exempted from the permit requirement under section 30-604.
 - (2) Such signs shall not be displayed on any lot or parcel for more than 30 consecutive days for any one permit, and not more than two permits shall be issued for any lot or parcel during any calendar year.
 - (3) Upon expiration of a temporary sign permit, the permit holder shall remove such sign.
 - (4) Such signs shall not exceed 32 square feet in area.
 - (5) Only one temporary sign shall be permitted on a lot or parcel.
 - (6) Such signs shall not be closer than five feet from any property line fronting on a public street.
 - (7) All temporary signs shall be designed and constructed to withstand a wind pressure of not less than 30 pounds per square foot of area.

- (n) Lighted signs shall be inspected by the zoning administrator for proper and adequate electrical connections. If deemed necessary by the zoning administrator, an electrical code permit will be required for a lighted sign.

(Ord. No. 534 § III, 11-27-2000; Ord. No. 556, § 2, 5-14-2005; Ord. No. 570, § 1, 2-25-2008)

Sec. 30-604. - Exemptions.

The following signs shall not require a sign permit but shall be subject to all other applicable general requirements of this division:

- (1) Government signs.
- (2) Placards.
- (3) Temporary sale signs which are four square feet or less in size.
- (4) Window signs provided the total area of all signs within one foot of the window shall not obscure more than 50 percent of the window area.
- (5) Current political signs.
- (6) Historical markers.
- (7) Memorial signs or tablets.
- (8) Murals.
- (9) Signs which are not visible from any street.
- (10) Essential services signs.
- (11) Signs containing the address and owner's or occupant's name, which signs are up to one square foot in area and are attached to a mailbox, light fixture or exterior wall.
- (12) Flags or insignias of a nation, state, local governments, community organization or educational institution.

(Ord. No. 534, § IV, 11-27-2000; Ord. No. 570, § 1, 2-25-2008)

Sec. 30-605. - Prohibited signs.

All signs not specifically allowed under this division, unless exempted by this section, shall be prohibited in the city. The following types of signs shall be expressly prohibited:

- (1) Balloons, balloon signs, strings of light bulbs, pennants, streamers, banners or flags, except flags of a noncommercial nature not used for the purposes of commercial advertisement.
- (2) Any sign, including window signs, which have flashing, moving or oscillating lights, excluding time and temperature signs.
- (3) Roof signs.

- (4) Off-premises signs, except for noncommercial signs, community special event signs and billboards.

(Ord. No. 534, § V, 11-27-2000; Ord. No. 570, § 1, 2-25-2008)

Sec. 30-606. - Measurements.

- (a) The area of a sign within the city shall be measured as the area within a single, continuous perimeter composed of any straight line geometric figure which encloses the extreme limits of writing, representation, emblem, logo or any other figure of similar character, together with any frame or other material or color forming an integral part of the display or used to differentiate the sign from the background against which it is placed, excluding only the structure necessary to support the sign.
- (b) The area of a freestanding, ground or projecting sign that has two or more faces shall be measured by including the area of all sign faces, except if two such faces are placed back-to-back, are of equal size and are no more than two feet apart at any point, the area of the two back-to-back faces shall be counted as one face. If the two back-to-back faces are of unequal size, the larger of the two sign faces shall be counted as the one face.
- (c) The height of a sign shall be measured as the vertical distance from the highest point of the sign to the finished grade of the ground immediately beneath the sign, excluding any artificially constructed earthen berms.
- (d) The sign areas for wall signs, projecting signs and awning signs for buildings with multiple tenants shall be determined by taking the portion of the front wall of the building applicable to each tenant and computing sign requirements for that portion of the total wall.

(Ord. No. 534, § VI, 11-27-2000; Ord. No. 570, § 1, 2-25-2008)

Sec. 30-607. - Maintenance.

- (a) Signs within the city shall be maintained free of peeling paint or paper, fading, staining, rust or other condition, which impairs legibility or intelligibility.
- (b) Sign supports, braces, guys and anchors shall be maintained in such a manner as not cause a hazard.
- (c) If signs are not properly maintained and pose a threat to the public health, safety and welfare, the city shall have the right to remove the sign, and the city shall pass on all removal costs to the sign owner.

(Ord. No. 453, § 403, 12-8-1986; Ord. No. 534, § VII, 11-27-2000; Ord. No. 535, § 1, 1-8-2001; Ord. No. 570, § 1, 2-25-2008)

Sec. 30-608. - Signs permitted by district.

The following signs are permitted in combination, unless otherwise noted, in each district, subject to the requirements set forth in the tables and other applicable regulations of this division:

- (1) *R-1, R-2, R-3 and R-4 residential districts.*
 - a. *Residential subdivision signs (freestanding signs shall not be permitted).*
 1. *Number:* One per entrance road to the development, not exceeding two such signs per development.
 2. *Size:* Not greater than 24 square feet.
 3. *Location:* Minimum of 15 feet from the street right-of-way line.
 4. *Height:* Not more than four feet above grade.
 - b. *Institutional identification signs/bulletin boards.*
 1. *Number:* One per lot or parcel.
 2. *Size:* Not greater than 32 square feet.
 3. *Location:* Minimum of 15 feet from the street right-of-way.
 4. *Height:* Not more than five feet above grade.
 - c. *Wall signs for home occupations.*
 1. *Number:* One per lot or parcel.
 2. *Size:* Not greater than two square feet.
 3. *Location:* Mounted flat against the wall and nonilluminated.
 - d. *Wall signs for nonresidential uses.*
 1. *Number:* One per street frontage.
 2. *Size:* For public and quasi-public facilities, such as schools, churches and similar institutional uses, no sign shall be greater than five percent of the wall area to which it is affixed, not to exceed 50 square feet. For private offices, no such sign shall be greater than six square feet.
 3. *Location:* Mounted flat against the wall facing the street.
- (2) *B-1, B-2 and O-S business districts.*
 - a. *Ground or freestanding signs.*
 1. *Number:* One per street frontage, but not more than two signs, provided that lots with two street frontages shall have a minimum width at each right-of-way line of at least 50 feet in order to have a second sign.
 2. *Size:* Not greater than 48 square feet for ground signs, or 60 square feet for freestanding signs.

3. *Location:* Minimum of two feet from the property line.
 4. *Height:* Not more than five feet above grade for ground signs, or 25 feet for freestanding signs with a minimum of eight feet ground clearance to permit an unobstructed view for motorists and pedestrians.
 5. *Illumination:* No illumination shall be allowed if the property is adjacent to a residential district.
- b. *Wall signs.*
1. *Number:* One per business, provided that any business which has frontage on more than one street shall be permitted to have one wall sign per street frontage, subject to the size restriction set forth in subsection (2)b.2 of this section.
 2. *Size:* Not greater than ten percent of the wall area to which it is affixed and which is occupied by the respective business, not to exceed 60 square feet.
 3. *Location:* Mounted flat against the wall facing the street.
- c. *Projecting signs.*
1. *Number:* One per street frontage.
 2. *Size:*
 3. *Location:* The edge of the sign nearest the building wall shall not extend more than two feet from the wall and the outermost edge of the sign including the structure supporting the sign shall be set back at least two feet from the curb edge of the street or from the edge of the street where there is no curb.
 4. *Height:* The bottom edge of the sign, including the structure supporting the sign shall be at least eight feet above the sidewalk or ground level where there is no sidewalk.
 5. *Variances:* May be granted through the zoning board of appeals (city commission).
- d. *Awning, canopy and marquee signs.*
1. *Number:* One per street frontage.
 2. *Location:* Shall not be placed upon an awning or canopy or marquee unless such awning, canopy or marquee:
 - i. Is set back at least two feet from the curb edge of the street or from the edge of the street where there is no curb.
 - ii. The bottom edge of which is at least eight feet above the sidewalk or ground level where there is no sidewalk.
 - iii. The top edge of which does not extend above the roofline of the building to which it is attached.
 - 3.

Variances: Variances from the dimensional limitations of this section shall not be granted.

e. *Business center signs.*

1. *Number:* One per street frontage, but not more than two signs, provided that lots with two street frontages shall have a minimum width at each right-of-way of at least 50 feet in order to have a second sign. Freestanding signs shall not be permitted for individual businesses within any business center.
2. *Size:* Not greater than 80 square feet.
3. *Location:* Minimum of two feet from the property line.
4. *Height:* Not more than 25 feet.

f. *Billboards (if approved as a special exception use).*

1. *Size:* Not greater than 300 square feet.
2. *Location:* Shall be set back a minimum of 75 feet from the road right-of-way line, no closer than 50 feet to any other property line, and no closer than 300 feet to any other billboard on the same or opposite side of the street.
3. *Height:* Not more than 30 feet.
4. *Lighting:* Illumination shall be permitted provided such illumination is concentrated on the surface of the sign and is located so as to avoid glare or reflection onto any portion of the adjacent street or highway, the path of oncoming vehicles or any adjacent premises. In no event shall any billboard have flashing of intermittent lights, or shall the light be permitted to rotate or oscillate.

g. *Sidewalk signs.*

1. *Size:* Sidewalk signs shall be of A-frame construction with a minimum base spread of two feet. Each surface of A-frame construction shall not exceed six square feet.
2. *Location:* Sidewalk signs shall be permitted during the hours a business is open to the public and must be removed at the end of business each day. A minimum of six feet of unobstructed sidewalk must remain between the sign and adjacent buildings.
3. *Height:* The maximum height shall be five feet.
4. *Lighting and copy:* The surfaces of sidewalk signs shall be durable and the copy may be painted or printed on the surface. Loose paper faces shall not be permitted. Sidewalk signs shall not be illuminated.

(3) *I-1 and I-2 industrial districts.*

a. *Ground signs.*

1. *Number:* One per street frontage but not more than two signs, provided that lots with two street frontages shall have a minimum width at each right-of-way line of at least 50 feet in order to have a second sign.

2. *Size:* Not greater than 48 square feet for one sign, and if there are two signs, the second sign shall be no greater than 24 square feet.
 3. *Location:* Minimum of two feet from the property line.
 4. *Height:* Not more than five feet above grade.
- b. *Freestanding signs.*
1. *Number:* One per street frontage, but not more than two signs, provided that lots with two street frontages shall have a minimum width at each right-of-way line of at least 50 feet in order to have a second sign.
 2. *Size:* Not greater than 100 square feet for one sign, and if there are two signs, the second sign shall be no greater than 32 square feet.
 3. *Location:* Minimum of two feet from the property line.
 4. *Height:* Not more than 30 feet above grade.
- c. *Wall signs.*
1. *Number:* One per street frontage.
 2. *Size:* Not greater than five percent of the wall area to which the sign is affixed, not to exceed 100 square feet.
 3. *Location:* Mounted flat on the wall facing the street.
- d. *Billboards (if approved as a conditional use).*
1. *Number:* See business center as set forth in subsection (2)e. of this section.
 2. *Size:* Not greater than 300 square feet.
 3. *Location:* Shall be set back a minimum of 75 feet from the road right-of-way line, not closer than 50 feet to any other property line and not closer than 300 feet to any other billboard on the same or opposite side of the street.
 4. *Height:* Not more than 30 feet.
 5. *Lighting:* See business center as set forth in subsection (2)e. of this section.

(Ord. No. 453, § 402, 12-8-1986; Ord. No. 534, § IX, 11-27-2000; Ord. No. 535, § 1, 1-8-2001; Ord. No. 570, § 1, 2-25-2008)

Sec. 30-609. - Nonconforming signs.

- (a) Every permanent sign which was erected legally and which lawfully existed within the city on the effective date of this amending Ordinance No. 570 [March 11, 2008], but which does not conform to the height, size, area or location requirements of this article as [of] such date is deemed to be a nonconforming sign. Such nonconforming status shall not be granted to any temporary sign, banner, placard or other nonpermanent sign.

- (b) Nonconforming signs may not be altered, expanded, enlarged or extended; however, nonconforming signs may be maintained and repaired so as to continue the useful life of the sign.
- (c) For the purposes of this article, a nonconforming sign may be diminished in size or dimension without jeopardizing the privilege of nonconforming use. The copy of the sign may not be amended or changed, unless specifically designed to be changed periodically as for a reader board, without bringing such sign into compliance with the requirements of this article.
- (d) Any nonconforming sign which is damaged by fire or other casualty loss shall not be restored or rebuilt if reconstruction will constitute more than 50 percent of the value of the sign on the date of loss.
- (e) Any sign which, for a period of one year or more, no longer advertises a bona fide business conducted or product sold shall be removed by the owner of the building, structure or property upon which such sign is located within 30 days of receipt of written notice by the zoning administrator to remove such sign.
- (f) A sign which is accessory to a nonconforming sign may be erected in the city in accordance with the sign regulations for the district in which the property is located.

(Ord. No. 453, § 404, 12-8-1986; Ord. No. 534, § X, 11-27-2000; Ord. No. 535, § 1, 1-8-2001; Ord. No. 570, § 1, 2-25-2008)

Sec. 30-610. - Permits.

It shall be unlawful for any person to erect, alter, place, or permit to be placed, or replace any sign within the city without first obtaining a sign and/or building permit, unless such sign is specifically exempted as provide in this article.

(Ord. No. 534, § XI, 11-27-2000; Ord. No. 570, § 1, 2-25-2008)