



**Building Official, Planning Services, Code Enforcement Office
201 NE Vernon Street, PO Box 1949, Glen Rose, Texas 76043**

ARTICLE 3.10 SIGNS

Division 1. Generally

Sec. 3.10.001 Definitions

For the purpose of this article, the following definitions shall apply, unless the context clearly indicates or requires a different meaning:

Administrative Official: The City Administrator or his or her designated representative(s)

Alter: To change the size, shape or outline, or type of sign or to change the electrical lighting, except for the replacement of lamps not brighter than the original or the replacement of a surface panel. The changing of copy of any existing sign shall be deemed an alteration. The changing of movable parts of a sign which are designed for changing, the repainting of display matter or the repairing in place shall not be deemed to be alteration.

Attach: To stick, nail or otherwise affix a sign to any object; paint, stencil, write, or otherwise mark on an object.

Abandoned sign. Any sign which pertains to a time, event or purpose which has expired or is no longer valid; any sign which was erected for or by the owner, occupant or business on a property and is now unrelated to the present use of this property; any sign, except a real estate sign, which is located on property which becomes vacant and unoccupied for a period of 3 months or more.

Advertising matter. The placement on, anchoring of or suspension from any building, pole sign, sidewalk, parkway, driveway, lawn, area or parking area of any goods, wares, merchandise or other advertising object which is, but not limited to, light, inflatable objects, pennants or flags for the purpose of calling attention thereto.

Awning. An architectural projection which provides weather protection, identity or decoration and is supported by the building to which it is attached. It is composed of a lightweight rigid or retractable skeleton structure over which another cover is attached which may be of fabric or other materials. An awning may be illuminated. Sign text and logos on awnings are included in the wall signage area, but only the area of the sign (not the entire awning area). An awning less than 24 inches in depth is not considered a functional awning and therefore is only considered a wall sign and all of the surface area of it is counted as sign area.

Balloon (inflatable advertising). A nonporous, flexible inflated device utilized to garner the attention of the general public or as general advertising.

Canopy. A roof-like structure that shelters a drive lane for use, such as but not restricted to a gasoline pump island. A canopy is open on 2 or more sides and may be supported by either columns or by being attached to the building to which it is an accessory.

Code enforcement officer. The officer or other persons with the city charged with the administration and enforcement of the sign ordinance.

Commencement of Work: For construction of a sign be the point in time when the sign has been delivered to the site and attachment to a building has begun or holes are excavated for ground installation.

Damaged sign. A sign or substantial part of a sign is considered damaged if the cost of repairing the sign is more than 60% of the cost of erecting a new sign of the same type at the same location.

Decorative flag. A flag or banner that contains no name, initials, logos, insignia or similar items, used to attract attention. Colored flags only.

Dilapidated or deteriorated condition. Any sign which in the opinion of the Administrative Official has any of the following characteristics:

- A. Where elements of the surface or background can be seen, as viewed from the normal viewing distance, to have portions of the finished material or paint flaked, broken off, or missing or otherwise not in harmony with the rest of the surface; or
- B. Where the structural support or frame members are visibly bent, broken, dented, or torn; or
- C. Where the panel is visibly cracked, or in the case of wood or similar products, splintered in such a way as to constitute an unsightly or harmful condition; or
- D. Where the sign or its elements are twisted or leaning or at angles other than those at which it was originally erected (such as may result from being blown or the failure of a structural support); or
- E. Where the message or wording can no longer be clearly read by a person with normal eyesight under normal viewing conditions. (Ordinance 299-C adopted 1/13/04; Ordinance 525 adopted 12/9/13; 2007 Code, sec. 153.07)

Distance: Distance of signs from R.O.W (Right of Way). shall mean the shortest horizontal distance from the nearest ROW to a vertical line to the ground from the nearest element of the sign or the shortest horizontal distance in a straight line between the nearest elements of signs.

Erect. To build, construct, attach, hang, place, suspend or affix, and shall also include the painting of the signs on the exterior surface of a building or structure.

Façade: Any separate face of a building, including parapet walls and omitted wall lines, or any part of a building which encloses or covers usable space. Where separate faces are oriented in the same direction, or in the directions within 45 degrees of one another, they are to be considered as part of a single façade.

Flag. A piece of cloth or fabric, usually rectangular in shape, of distinctive color and design, used as a symbol, a standard or signal to attract attention. Exemptions to this are patriotic flags, i.e., United States, state and city flags.

Framework. A support structure which meets all existing wind and load requirements as stated in the city's ordinances, designed to secure a banner or an interchangeable copy on all sides.

Height measurement. The height of any sign shall be measured vertically at 90 degrees from the ground at the base of the sign.

Illegal sign. Any sign erected or maintained in violation of this article.

Logo. Any design or insignia of an organization, individual, company or product which is commonly used in advertising to identify that organization, individual, company or product.

Maintenance. All signs and support structures, together with all their supports, braces, guys and anchors, shall be kept in good repair and in a proper state of preservation. The display surfaces of all signs shall be kept neatly painted or posted at all times. No sign will be allowed to become frayed, discolored or torn.

Mural. A graphic displayed on the exterior of a building generally for the purposes of decoration or artistic expression, including but not limited to painting, fresco or mosaic.

Nonconforming sign. Any sign lawfully constructed which fails to conform to the provisions of this article.

Obsolete – Any sign

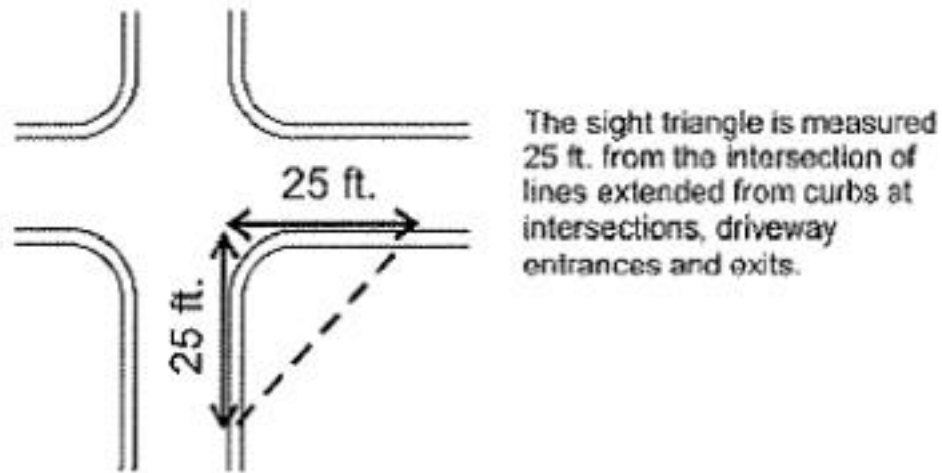
1. Which for at least 180 continuous days does not identify or advertise a bona fide business, lessor, service, owner, product or activity on premises on which the sign is located;
2. Which, if the premises is leased, related to a tenant and at least one year has elapsed since the date the most recent tenant ceased to operate on the premises, or
3. For which no legal owner can be found and relates to a use or purpose that is no longer in existence.

Outdoor Sales or Services: The offer or display for sale of any goods, wares, merchandise, or services on private property separate and apart from the main building or at a location where there is no preexisting principal use. The goods, wares, merchandise or services offered for sale as outdoor sales or services are normally not offered for sale in the main building on the lot or in association with the principal use.

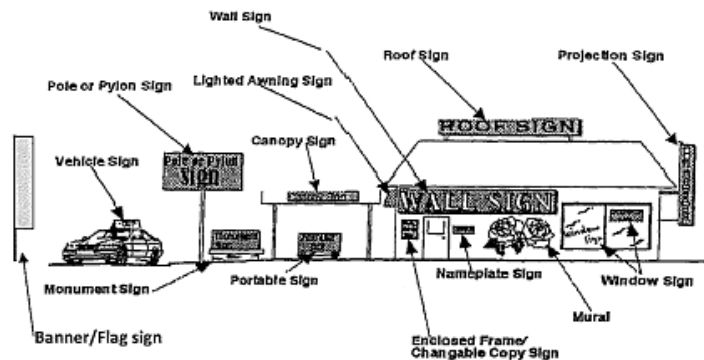
Pennant, decorative. A wind device usually made of a lightweight plastic, fabric or other material, whether or not containing a message of any kind, usually triangular in shape and attached to a common cord. This definition also includes streamers attached to a common cord.

Setback: The distance from the closest portion, whether the support or edge of the sign, to the right away.

Sight Triangle: **Sight triangles** identify areas at the corners of intersections of roads and driveways where views of approaching traffic should not be obstructed.



Sign. Every sign, name, number, identification, description, announcement, declaration, demonstration, device, display, flag, banner, pennant, illustration, logo, balloon, streamer, valance, advertising display, poster, beacon, light or insignia, affixed directly or indirectly to or upon any building, window, door or outdoor structure, calling attention to any object, product, service, place or activity.



Sign, attached – Any sign attached to, applied on, or supported by any part of a building (including canopy fascia, walls and awnings) which encloses or covers usable space

Sign, Banner. A temporary sign intended to be hung either with or without a frame, possessing characters, letters, illustrations or ornamentations applied to paper, cloth, flexible plastic or fabric of any kind.

Sign Builder (Builder's directional sign). A sign providing direction or instruction to guide persons to sites where new homes are under construction, usually off-premises or A temporary on-site sign identifying the builder or general contractor of a residential or commercial construction site.

Sign, Bulletin Board. A permanent on-site sign providing public information to the residential subdivision or commercial property within which it is located.

Sign, Billboard. A freestanding sign containing at least 128 square feet of face area and owned by a person who engages in the business of selling the advertising space on that sign.

Sign, Business. A permanent on-site sign that is used to identify a business, profession, organization, institution, service, activity or other nonresidential use conducted, sold or offered on the site where the sign is located. This sign may also identify the name of the site or development or may identify the occupants within the site or development.

Sign Changeable copy. A sign that is utilized year-round, but the copy is changed periodically, advertising different specials associated with retail sales.

Sign Construction. A temporary sign identifying individuals or companies involved in the design, construction, wrecking or improvement of the premises where work is under construction.

Sign, Development – A temporary on-site sign providing identification or information pertaining to a residential or commercial development to include the builder, property owner, architect, contractor, engineer, landscape architect, decorator, or mortgagee, within that development, but shall

Sign, Directional. A permanent on-site sign intended to aid in vehicular movement on the site or any sign, other than a highway marker, or any sign erected and maintained by a public authority, which is erected for the purpose of directing persons to a place, structure or activity not located on the same premises as the sign.

Sign Directory. A sign listing the occupants of a building or group of buildings on the same parcel, and/or identifying the location of and providing directions to any establishment on the same parcel.

Sign Face. The surface of one side of a sign. For a monument sign, the sign face shall include the sign structure (excluding base).

Sign Flashing. An illuminated sign on which the artificial source of light is not maintained stationary or constant in intensity and color at all times when the sign is illuminated. For the purpose of this article, any moving illuminated sign affected by intermittent lighting shall be deemed to be a flashing sign.

Sign Freestanding. A sign not attached to a building. A freestanding sign may be either a pole sign or a monument sign

Sign, Garage/Yard Sale. A temporary sign intended to advertise garage sales or yard sales.

Sign, Gasoline pricing. A permanent on-site sign with changeable copy, letters and numerals, which displays the current price per gallon of fuel sold by that business.

Sign, Government. A sign erected by or on behalf of a federal, state or local government or an agency thereof.

Sign, Ground. Any sign connected to the ground by legs, poles or other supports and which is not an attached, portable, monument or vehicular sign.

Sign, Illuminated. A sign which has characters, letters, figures or designs illuminated by electric lights, luminous/neon tubes or other means that are specifically placed to draw attention to or provide nighttime viewing of the subject matter on the sign face.

Sign Incidental. A small sign, less than 2 square feet in surface area, of a noncommercial nature, intended primarily for the convenience of the public. Included are signs designating restrooms, address numbers, hours of operation, entrances to buildings, directions, help wanted, public telephones and so forth. Also included in this group of signs are those designated to guide or direct pedestrians or vehicular traffic to an area or place on the premises of a business building by means of a directory designating names and addresses only.

Sign, Institutional. A permanent on-site sign used to identify governmental or municipal agencies, public schools, churches, or similar public institutions, and used to communicate messages of public importance to the general public.

Sign Kiosk. A freestanding structure located in the city rights-of-way, which features a city logo identification panel at the top of each structure. The body of the kiosk sign contains individual panels which display directional information to homebuilders, subdivisions/developments, municipal or community facilities, community events, school district facilities, churches and businesses within the city limits.

Lighted sign. See definition of illuminated sign.

Sign, Menuboard. A permanent on-site sign displaying the menu and pricing for food services and may include an audible speaker and microphone integral to the sign.

Sign, Model Home. A temporary real estate sign identifying a homebuilder's model home open for inspection.

Sign, Monument. A permanent ground sign generally constructed out of brick, stone or cast concrete foundation across the entire base of the structure, which has no clear space between the bottom of the sign and the surface of the ground.

Sign Nameplate. Nonilluminated wall signs, not over one square foot in area, displaying the name and profession of the occupant of the building.

Sign New business. A sign for purpose of announcing the opening of a new business, including but not limited to signs announcing "Coming Soon" or "Now Open."

Sign Off-Site. (Off-premises sign). A sign used or intended to be used to attract attention to activities, commodities, services, goods, product or entertainment not related to the site upon which such sign is located or to which it is affixed.

Sign, On-Site. (On-premises sign). Any sign, the content of which relates to the site on which it is located, referring exclusively to businesses, commodities, services, products, goods or entertainment on the site, or the sale, lease or constructions of those sites.

Sign Pole. A freestanding sign supported by a pole(s) having no guides or braces to the ground or to any other structure.

Sign Political. Any type of sign that refers to the issues or candidates involved in a political election, or that espouses a political cause or expresses a person's or group's viewpoint or opinion on an issue.

Sign Portable (*movable*). Those signs that are not firmly attached to the ground, a building, a vehicle, or other structure, and those that can be easily moved or carried about and reused numerous times at different locations; includes signs mounted on trailers and sandwich board signs.

Sign Projecting. A sign that projects from a building or wall to which it is affixed, by more than 12 inches.

Sign Pylon. See definition of pole sign.

Sign, Readerboard (electronic). A sign that utilizes alternating electronic data control componets for the purpose of identifying products sold or services provided.

Sign, Readerboard (manual). A changeable copy sign, with strips attached to the face of the sign to hold removable display letters and numerals, for the purpose of identifying products sold or services provided by the related business tenant on the same premises.

Sign, Real Estate. A temporary sign pertaining to the sale, lease or rental of real property.

Sign Real estate land sale. A temporary sign announcing the sale of real estate on parcels in excess of one acre.

Sign Residential construction. A temporary real estate sign announcing the construction of residential development.

Sign Roof sign. A sign erected upon or above a roof or parapet of a building or structure.

Sign, Special Purpose. A temporary sign that is either on-site or off-site that provides identification or information pertaining to a special event.

Sign, Subdivision Entry. Any permanent on-site sign identifying a residential subdivision.

Sing, Subdivision Marketing. A temporary sign used to market or advertise residential subdivisions with the City and to direct interested persons to the subdivision location.

Sign, Tandom Pole Freestanding - any monument sign taller than 6 feet will have two decorated poles with the advertising portion of the sign. Single pole signs are prohibited.

Sign Temporary. Any sign constructed of cloth, canvas, plastic, light fabric, wallboard or other material, with or without frames, intended to be displayed for a limited period of time only. 60 days is the maximum period for these signs.

Sign Vehicular. Any sign attached to a trailer, skid or similar mobile structure, where the primary use of the structure is to provide a base for the sign or constitute the sign itself.

Sign, Window. A sign attached to, placed upon or painted on the window or door or is located within two (2) feet of the window of any building which is intended for public viewing from the exterior of the building.

Sign area. Calculation [sic] means the area of the sign to be computed by drawing a line or lines around the sign in such a way as to form a rectangle oriented horizontally. The sum square footage of these figures shall be considered as the total area of the sign face. A sign face may be single-sided or double-sided, as with a typical pole sign; however, to calculate the area of a multi-sided sign, the sum of all sides of the sign shall not exceed twice the area specified for the sign face.

Sign box. The rectangle used to calculate the sign area.

Snipe sign. A sign made of any material when the sign is tacked, nailed, posted, pasted, glued or otherwise attached to trees, poles, fences or other objects, and the advertising matter appearing thereon is not applicable to the use of the premises upon which the sign is located.

Sculpted Aluminum Panel – An aluminum sign panel with text or graphic depictions cut out from the panel, typically with a translucent material covering the cut-out from the inner side of the panel.

Undeveloped property. A tract of land upon which no structure is located.

Vertical banner. Any sign of a lightweight fabric or similar material that is mounted to a pole in a vertical fashion, secured at the top and bottom of the banner.

Wall area. The area of the wall from the finished floor elevation (or top of foundation) to the top of the parapet wall or to the bottom of the eave, whichever is highest. This wall area is as shown on the architectural elevation of the wall, including glass area and recessed wall areas.

Wall area, multi-story building. The sign wall area calculation for multi-story buildings shall be based upon the height of the first story (including any mezzanine level).

Wall, primary. The wall determined to be the primary signage wall, subject to its incorporating either the major entrance or the common street address.

Wall, secondary. The wall of a building is determined to be of secondary importance to the single business or establishment occupying the premises, and only facing onto a street, right-of-way or parking lot.

Wall sign.

(1) A sign which is attached or affixed to the wall of a building, or is an integral part of the wall of a building, with the exposed face of the sign in a plane parallel to and not extending more than 12 inches from the wall. A wall sign shall not extend above the wall/parapet to which the sign is attached.

(2) For the purpose of this section, awnings, canopy fascias and mansards extending along a building side shall be considered a part of the wall. The roof (including mansard and fake mansard roofs) and roof area are not included in the wall area.

Sec. 3.10.001A Administration

This chapter shall not be construed, applied, interpreted, nor enforced in a manner to violate the First Amendment rights of any person, and the building official shall seek the advice and

recommendation of the city attorney prior to taking any action to enforce any provision of this ordinance with respect to any non-commercial sign or speech by any person.

- (a) Responsibility for Enforcement:** It is the responsibility of the City Administrator or his designee Administrative Official (Building Official) to interpret and administer the requirements of this ordinance.
- (b) Sign Permit Required:** No person shall erect, alter or display any sign nor shall any person all the erection, alteration or display of any sign upon any property within the City owned or controlled by him without first obtaining a permit to do so from the City of Glen Rose, except as hereinafter provided. No sign permit shall be released until after the building permit for the principal building on the site has been issued, except as hereinafter provided.
- (c) Applicability to Extraterritorial Jurisdiction:** The terms and conditions of this Ordinance shall apply to signs located within the City of Glen Rose and its extraterritorial jurisdiction.
- (d) Fees:** The fee for sign permits shall be as contained in the City's Fee Schedule. (Ordinance 299-C adopted 1/13/04; Ordinance 525 adopted 12/9/13; 2007 Code, sec. 153.50; Ordinance adopting 2017 Code)
- (e) Registration Required:**
 - a. No person shall install, erect or maintain any sign, or contract for such service, until such person has applied to the Administrative Official for a license to install, erect and/or maintain signs, and until such license has been approved and issued.
 - b. The license of any sign contractor may be canceled by the Administrative Official, when such contractor repeatedly violates the requirements of this Ordinance. Conviction in court, whether appealed or not, on two (2) violations over a period of twelve (12) months, shall constitute evidence of repeated violation. Any license thus canceled shall not be renewed for such contractor or anyone operating in concert with such contractor until all such violations have been corrected. Upon correction of violations, the contractors's license may be renewed upon furnishing the bond required in Section F.
- (f) Sign Contractor Bond Required**
 - a. No license for the installation, erection and/or maintenance of signs shall be issues to any person nor shall any person install, erect or maintain any sign or medium of display or advertising, electric or otherwise, until such person has provided proof of general liability insurance in the amount of one hundred thousand dollars (\$100,000) to the Administrative Official or filed with the City of Glen Rose Secretary a surety bond in the sum of five thousand dollars (\$5,000.00). Such bond shall be approved by the City of Glen Rose Director of Finance and shall be conditioned for the installations and erections of signs in accordance with the ordinances of the City and the laws of the state, and shall provide for the indemnification of the City for any and all damages or liability which may accure against it by reason of faulty installation, erection, demolition, repair, removal or defects in, or collapse of, any signs for a period of one (1) year after erection and for such period of time that such sign is maintained or serviced by or under the direction of the maker of such bond. Such bond shall further provide for the indemnification of any person who shall, while upon public property or in any public place, incur damage for which the principal name in the bond is legally liable.
 - b. When any sign contractor's license has been canceled as provided in Sec. 3.10.001A .e.b, such license shall not be renewed until the contractor furnishes an additional bond in the amount of five thousand dollars (\$5,000.00) guaranteeing compliance with the provisions of this Ordinance, which bond shall be for a period of two (2) years following renewal of the license.

(g) Revocation of Permits

The Administrative Official may suspend or revoke any permit issued under the provisions of this ordinance whenever it is determined that the permit is issued in error or on the basis of incorrect or false information supplied, or whenever such permit is issued in violation of any of the provisions of this ordinance or any other ordinance of this City or laws of this state or the federal government. Such suspension or revocation shall be effective when communicated in writing to the person to whom the permit is issued, the owner of the sign, or the owner of the site upon which the sign is located. Upon such revocation, all construction related to the revoked permit shall cease.

A person may appeal the revocation of the sign permit to the City Council by filing an appeal in accordance with this ordinance. The City Council shall affirm, reverse, or modify the suspension or revocation and such decisions shall be final.

Upon final determination that the permit is properly revoked, any portion of the sign in place as a result of the permit shall be removed within 10 days by the owner of the sign or the owner of the site on which the sign is located. Failure to remove the sign shall be deemed a violation of this ordinance.

- (h) Inspection:** The Administrative Official shall periodically inspect each sign regulated by this ordinance for the purpose of ascertaining whether the same is obsolete and whether it is in need of removal or repair.
- (i) Permit Validity:** If the work authorized by a permit issued under this ordinance has not been commenced within one hundred eighty (180) days after the date of issuance, the permit shall become null and void.
- (j) Sec. 3.10.145 Nonconforming billboards**
- (k)** All billboards which do not conform to the provisions of this division and are in existence on the effective date of this division shall be permitted to remain for a time period not exceeding 10 years from the effective date of this division, provided the owners of nonconforming billboards shall register the billboard in writing in the office of the building official or designee within 180 days after passage of these regulations. (Ordinance 268 adopted 10/8/96; 2007 Code, sec. 150.17(E); Ordinance adopting 2017 Code)
- (l) Sec. 3.10.146 Notice of noncompliance**
- (m)** It shall be the right of the code enforcement officer or his or her representative, upon having personal knowledge of the violation of this division, to serve written notice to the owner/lessee either by hand delivering in person or by depositing notice in the United States mail (certified mail, return receipt requested). This notice shall state the nature of the violation, the legal address of the property in violation, and the name of the person to whom the notice is sent or delivered. Upon being served the notice, the owner or lessee or any other person having control of the property shall have 10 days from the date of notification to bring the property into compliance with the provisions of this division. (Ordinance 268 adopted 10/8/96; 2007 Code, sec. 150.17(F))
- (n) Sec. 3.10.002 Penalty; removal of sign by city**
- (o) (a)** Any person, firm, corporation or agent who violates any of the provisions of this article shall be guilty of a misdemeanor and, upon conviction thereof in municipal court, shall be fined an amount not less than \$25.00 nor more than \$200.00. Each day that a violation is permitted to exist shall constitute a separate offense.

- (p) (b) The judge of the municipal court may order the violation to be abated within a reasonable length of time, not to exceed 30 days.
- (q) (c) If the owner or the occupant of the premises fails and refuses to comply with the order to abate the violation, the code enforcement officer may enter upon the property and remove the sign from the premises.
- (r) (d) The property owner or occupant shall be billed for the cost of sign removal. Failure to reimburse the city for costs of removing damaged signs shall result in the filing of a lien against the property to secure payment thereof.
- (s) (Ordinance 299-C adopted 1/13/04; Ordinance 525 adopted 12/9/13; 2007 Code, sec. 153.99)
- (t)

Sec. 3.10.001B APPEALS AND VARIANCES

- (a) **Appeals:** Any decision rendered by the Administrative Official under this ordinance may be appealed to the City Council by any person, agent, or representative affected by such decision. Such appeal must be received within ten (10) days after the placement of a letter in the U.S. mail addressed to the address on the permit or the address of the current owner of record in the County tax records, which states the written decision which has been rendered by the Administrative Official. Such appeal shall be filed in writing with the Administrative Official specifying the grounds on which the appeal is based. The Administrative Official shall forthwith transmit to the City Council all documents pertaining to the appealed action. The City Council shall hear the appeal at a City Council meeting as soon as practicable thereafter to determine whether the decision of the Administrative Official was in accordance with all ordinances and regulations. The decision of the City Council shall be final.
- (b) **Variances:** The City Council may authorize variances to any restriction set forth in this ordinance, including by t not limited to the number, type, ara, height, or setback of signs, or any other aspect involved in the sign permitting process. In granting any variance, the City Council shall determine that a literal enforcement of the sign regulations will create an unnecessary hardship or a practical difficulty is unique ot the affected property and is not self-imposed, that the variance will not injure and will be wholly compatible with the use and permitted development of adjacent properties, and that the granting of the variance will be in harmony with the spirit and purpose of this sign ordinance. A person may request a variance from the Sign Ordinance by filing the request with the Administrative Official. Any request for variance shall be accompanied by a completed application and a non-refunding filing fee in the amount specified in the current fee schedule adopted by the City Council.

Sec. 3.10.001C GENERAL SIGN PROVISIONS

- (a) **Wind Pressure and Dead Load Requirements:** All signs shall be designed and constructed to withstand a wind pressure of not less than thirty (30) pounds per square foot of area and shall be constructed to receive dead loads as required by the applicable City codes. The sign permit application must include a statement signed by the applicant which states compliance with this requirement.

~~(4) To ensure that off-premises advertising is compatible with adjacent land uses and does not obscure views of adjacent on-premises signs; and~~

~~(5) To ensure that all signs, sign supports and sign bases are constructed and designed to provide for design compatibility within the city.~~

~~(Ordinance 299 C adopted 1/13/04; Ordinance 525 adopted 12/9/13; 2007 Code, sec. 153.01)~~(c) Compliance with other regulations. All signs shall meet the requirements of all applicable codes and ordinances pertaining to sign construction of the city. All signs located on state or federal highways shall conform to state and federal regulations.

(d) Alteration of message. Except as herein provided, no person or business firm, acting either as principal or agent, shall alter the copy face or lettering of any sign (except for signs with temporary messages made from interchangeable characters attached to tracks or grooves on the sign board), either by changing the message or by renovating an existing message.

~~(e) Sign faces. No more than 2 sides of a sign structure may be used for display.~~

(g) Prohibited supports. Light fixtures, poles, curbs, sidewalks, gutters, streets, public buildings, , railings, public telephone poles, Trees, rocks, bridges, fences, utility poles, windmill towers and dilapidated buildings shall not be used as sign supports. The direct painting of signs (not murals) on buldings shall be prohibited except for signs less than a three (3) square foot area used for building identification.

(h) Street address signs. All building locations shall be identified by a street address sign that is clearly visible from the street.

(i) Flashing, blinking or traveling lights. Signs with flashing, blinking or traveling lights shall have light bulbs that do not exceed 35 watts each and do not impair the vision of oncoming traffic. All these signs must comply with state regulations and must comply with dark skies requirements.

(j) Attachment of portable signs. In the event a portable sign is used as a freestanding sign in the R-3, B-1, B-2, B-3 or I districts, the sign shall be securely attached to the ground to prevent movement by wind or other means.

(k) Flags. Flags of any nation, state or political subdivision or one flag which shows an emblem or logo of a firm or corporation will be permitted, provided all other regulations are met. Businesses may have up to 3 permanent flagpoles on their property. Flagpoles shall not be higher than 35 feet in height, as measured from the ground at the base of the pole to the top.

ATTACHED SIGNS

(a) Maximum Area. 0.75 sqft for every one foot of width of building or lease space not to exceed 400 square feet.

(b) Number of Signs: Only one attached sign per lease space shall be allowed along each street frontage on any sites, unless otherwise specifically provided in this ordinance. A secondary sign may be permitted at a public entrance, provided the entrance is on another side of the building, but shall be limited to twenty-five percent (25%) of the primary or permitted sign size, whichever

is more restrictive. No more than two (2) attached signs shall be allowed per lease space. Attached signs shall be located within the first story of the main exterior entrance for a building or lease space.

- (c) Projecting over property line. No sign, sign structure or sign support shall project over any property line.
- (d) ILLUMINATION. Attached signs may only be illuminated utilizing internal lighting. Exterior letters with exposed neon or led lighting are not allowed
- (e) Residential Adjacency. Attached signs shall not be allowed on any façade (other than the main front of the building) which faces property zoned for single-family residential uses if the sign is within one hundred fifty feet (150') of the property line of said residential property.

MONUMENT SIGNS

- (a) Maximum Area.

(I) Digital Sign Standards

- (1) The display or message may not change more frequently than once every eight seconds, with a transition period of one second or less.**
- (2) No flashing, dimming or brightening of message is permitted except to accommodate changes of message**
- (3) An ambient light monitor shall be installed which shall continuously monitor and automatically adjust the brightness level of the display based on ambient light conditions and the brightness levels allowed under this Ordinance.**
- (4) The maximum brightness shall not exceed .3 (three tenths) foot-candles over ambient light levels when measured according to the following procedures. The illuminance of an EMC shall be measured with an illuminance meter set to measure footcandles accurate to at least two decimals. Illuminance shall be measured with the EMC off, and again with the EMC displaying a white image for a full color capable EMC, or a solid message for a single-color EMC. All measurements shall be taken perpendicular to the face of the EMC in keeping with the distance requirements of the following table. Certification of the calibration must be presented to the City at the time of the initial installation. On an annual basis, the City may require certification that the unit has been calibrated to conform to the requirements of this Ordinance.**

~~(a) Monument signs. Monument style signs must be no more than 6 feet in height.~~

~~(b) Pole signs. Pole signs must have a base planter that is no less than 2 feet nor more than 3 feet in height, with an interior dimension of not less than 24 inches in either width or depth. Total sign height shall not exceed 25 feet. Pole signs currently in place are classified as legal nonconforming signs (see [section 3.10.009](#)).~~

(Ordinance 299-C adopted 1/13/04; Ordinance 525 adopted 12/9/13; 2007 Code, sec. 153.03)

Sec. 3.10.007 Prohibited signs

The following signs shall be prohibited in all districts:

- (1) Any sign which is not specifically permitted in this ordinance shall be prohibited. Billboards shall not be allowed.
 - (2) Obstructing doors, windows or fire escapes: No person shall erect or display on any site any sign which prevents free ingress to or egress from any door, window or fire escape.
 - (3) Obstructing Vision/Sight Triangle: No person shall erect or display on any site any sign in such manner as to obstruct free and clear vision at any location, street, intersection or driveway.
 - (4) Interference with Traffic: No person shall erect or display on any site any sign which interferes with vehicular or pedestrian traffic as a result of the position, size, shape, movement, color, fashion, manner, or intensity of illumination or any other characteristics causing such interference. Nor shall any person erect or allow to be displayed any sign in such a manner as to interfere with, obstruct the view of, or be confused with any authorized traffic sign, signal or device, including without limitation, signs making use of the words “Stop”, “go”, “look”, “slow”, “danger”, or any other similar word, phrase, symbol or character, or employ any red, yellow, green or other colored lamp or light in such a manner as to cause confusion or otherwise interfere with vehicular or pedestrian traffic.
 - (5) Any signs and supports, other than those required by governmental authority, that are located on the public right-of-way, including public streets, alleys and parkways. This section shall not apply to signs on commercial vehicles or commercial trailers lawfully operated or parked in those areas, except that this exception shall not otherwise be used to legitimize the use of advertising vehicles and trailers prohibited in [section 3.10.008](#). Any sign and supports located on the public right-of-way or easements, including public streets, alleys and parkways, may be immediately removed by the code enforcement officer or other authorized city employee without notice;
-
- (3) Signs which, by reason of their size, location, movement, content, coloring or manner of illumination, may be confused with or construed as a traffic-control sign, signal or device, or the light of an emergency or road equipment vehicle, or which hide from view any traffic or street sign, signal or device;
 - (4) Any sign which emits sound or odor that is offensive in nature or visible in a manner that serves as a distraction to persons within the public right-of-way; and

(5) Abandoned signs and damaged signs are prohibited and shall be removed by the property owner. Notice of a violation shall be issued by the code enforcement officer or other designated city representative in accordance with the notice requirements in [section 3.10.112](#).

(Ordinance 299-C adopted 1/13/04; Ordinance 374 adopted 4/27/04; Ordinance 525 adopted 12/9/13; 2007 Code, sec. 153.05)

Sec. 3.10.008 Parking of advertising vehicles

No person shall park a vehicle or trailer outfitted for advertising, other than side-door panel business advertising, on a public right-of-way. (Ordinance 299-C adopted 1/13/04; Ordinance 525 adopted 12/9/13; 2007 Code, sec. 153.06)

Sec. 3.10.009 Nonconforming Existing signs

All signs that are lawfully in existence on the date of adoption of this ordinance may exist in their present form, but no signs shall be altered or moved unless a permit is issued pursuant to the provisions of this ordinance. Permits granted prior to the passage of this ordinance shall be renewed only if the applicant complies with all provisions of this Ordinance. Any legal non-conforming sign which has been substantially destroyed or dismantled (as much as 50%) for any purpose other than maintenance shall be deemed as completely destroyed if the cost of repairing the sign is more than 60% of the cost of erecting a new sign of the same type at the same location. In this context, remodeling shall not include approved repainting or resurfacing. Under this provision, the sign shall be removed and a permit shall be required to erect a new sign. At the time the sign is replaced, the replacement sign must conform to these regulations.

Secs. 3.10.010–3.10.040 Reserved

Division 2. Regulations for Specific Districts

Sec. 3.10.041 R-1 and R-2 districts (Combine Residential)

The following regulations shall apply in the R-1 and R-2 districts:

- (1) Sign identifying occupant. One unlighted sign, which shall not exceed one square foot in area, indicating the name of the occupant, shall be permitted, provided the sign is attached to the face of the wall, with no open space between the sign and the wall;
- (2) Churches and schools. One sign, which shall not exceed 18 square feet, for a church or school shall be permitted;
- (3) Lease, sale or rental sign. One unlighted sign, which shall not exceed 10 square feet in area, on each lot, pertaining to the prospective lease, sale or rental of the building or premises

on which it is located, provided the sign is immediately removed upon the lease, sale or rental of the building or premises;

(4) Primary uses. Signs shall be specifically described and indicated on the site plan. The sign requirement for each use shall not be less restrictive than those of the respective district in which the use is otherwise permitted; and

(5) Accommodations facilities. In the event a special use permit is granted by council for the operation of an accommodations facility within an R-1 district, the following restrictions shall apply:

(A) One sign shall be permitted per establishment, not to exceed 16 square feet in size, inclusive of the support structure;

(B) The vertical dimension shall be considered to be the height of the support structure or the height of the sign, whichever is greater, and in no case shall exceed 4 feet;

(C) The horizontal dimension shall be considered to be the width of the support structure or the width of the sign, whichever is greater, and in no case shall exceed 4 feet;

(D) The sign may be either a freestanding or shingle-type sign;

(E) The sign may be situated between the structure and the street; and

(F) All signs shall be approved by the city building official or code enforcement officer prior to installation.

(Ordinance 299-C adopted 1/13/04; Ordinance 525 adopted 12/9/13; 2007 Code, sec. 153.20)

Sec. 3.10.042 R-3 and R-4 districts

The following regulations shall apply in the R-3 and R-4 districts:

(1) General requirements. R-3 and R-4 uses shall meet the requirements of their respective districts as outlined in [sections 3.10.004](#) through [3.10.007](#);

(2) Primary identification signs. Primary identification signs, each having an area not exceeding 10% of the area of one wall or 5% of the area of 2 walls, where applicable, or 50 square feet, whichever is less;

(3) Development name. One freestanding monument sign identifying the name of the development shall be permitted. This sign area shall not exceed 50 square feet per side. Overall sign height shall not exceed 6 feet. Sign setbacks shall be a minimum of 10 feet from the property line;

- (4) Informational signs. Informational-type signs, each not exceeding 10 square feet in area per building;
- (5) Placement. All signs shall be placed flat against the wall of a building and shall not extend above the front wall or side wall of the building;
- (6) Lighting and identification. All signs, except for the informational signs, shall identify the development by name and address only. Signs may be back-lighted, lighted indirectly, lighted internally or lighted by spotlights; and
- (7) Primary uses. Signs shall be specifically described and indicated on the site plan. The sign requirement for each use shall not be less restrictive than those of the respective district in which the use is otherwise first permitted.

(Ordinance 299-C adopted 1/13/04; Ordinance 525 adopted 12/9/13; 2007 Code, sec. 153.21; Ordinance adopting 2017 Code)

Sec. 3.10.043 B-1 district (Combine B-1, B-2, B-3, and I with Notes for differences.)

The following regulations shall apply in the B-1 district:

- (1) Auxiliary signs. Auxiliary signs not exceeding 10 square feet in total area per building may be placed in a window or flat against the wall of a building. Freestanding auxiliary signs of not more than 2-1/2 feet in height and 3 square feet in area are permitted on private property if limited to traffic direction or parking direction. Auxiliary sign area shall not be counted against total permitted sign area;
- (2) Service station canopy signs.
 - (A) Service station canopy signs shall be counted as a part of and limited to the percentage allowable for wall signs. Canopy signs may not exceed 15 feet in height and shall not exceed the top of the canopy on any side;
 - (B) Signs may be attached to and suspended from the underside of building canopies, with the following restrictions:
 - (i) No more than one such sign is permitted per business;
 - (ii) The sign must identify only the store's name and address;
 - (iii) The bottom edge of the sign shall be no less than 7 feet above grade; and
 - (iv) The sign may be placed perpendicular to the front wall of the building;
 - (C) Signs may be located any place on a canopy that is not attached to a building, except that the signs shall not project beyond the width or height of that canopy, nor more than one foot below that canopy;

(3) Freestanding signs. One freestanding monument sign for each freestanding building in the B-1 district shall be permitted, meeting the following requirements:

(A) Area. The area of the sign shall not exceed an amount equal to 0.40 square feet per front foot of the lot. The sign area shall not exceed 80 square feet per side;

(B) Height. Sign height shall not exceed 6 feet; and

(C) Setback. Sign setbacks shall be a minimum of 10 feet from the property line;

(4) Wall signs. Advertising signs, when the same are attached to a building and advertise only the business name, services, articles or products offered within the building to which the sign is attached, shall be permitted, provided that the signs shall not extend more than 3 feet vertically above the outside walls of the buildings, nor more than 2 feet perpendicular from the face of the walls of the building. Not more than 10% of any wall shall be used for these signs, except, when freestanding signs are allowed but not used, this may be increased to not more than 15% of the wall; and

(5) Primary uses. Signs shall be specifically described and indicated on the site plan. The sign requirement for each use shall not be less restrictive than those of the respective district in which the use is otherwise first permitted.

(Ordinance 299-C adopted 1/13/04; Ordinance 525 adopted 12/9/13; 2007 Code, sec. 153.22; Ordinance adopting 2017 Code)

Sec. 3.10.044 B-2 district

The following regulations shall apply in the B-2 district:

(1) Auxiliary signs. Auxiliary signs not exceeding 10 square feet in total area per building may be placed in a window or flat against the wall of a building. Freestanding or auxiliary signs of not more than 2-1/2 feet in height and 3 square feet in area are permitted on private property if limited to traffic direction or parking direction. Auxiliary sign area shall not be counted against total permitted sign area;

(2) Service station canopy signs.

(A) Service station canopy signs shall be counted as a part of and limited to the percentage allowable for wall signs. Canopy signs may not exceed 20 feet in height and shall not exceed the top of the canopy on any side;

(B) Signs may be attached to and suspended from the underside of building canopies with the following restrictions:

(i) No more than one such sign is permitted per business;

(ii) The sign must identify only the store's name and address;

- (iii) The bottom edge of the sign shall be no less than 7 feet above grade; and
 - (iv) The sign may be placed perpendicular to the front wall of the building;
 - (C) Signs may be located any place on a service station canopy that is not attached to a building, except that the signs shall not project beyond the width or height of that canopy, nor more than one foot below that canopy;
- (3) Freestanding signs. Two freestanding monument signs for each freestanding building in the B-2 district shall be permitted, meeting the following requirements:
- (A) Area. The area of the sign shall not exceed an amount equal to 0.40 square feet per front foot of the lot. The sign area shall not exceed 80 square feet per side, including the base;
 - (B) Height. Sign height shall not exceed 6 feet; unless additional setback from property line is utilized.**
 - (C) Setback. The sign setback shall be a minimum of 10 feet from the property line, as long as it does not interfere with visibility of neighboring building signage. Where neighboring structures are close to the property line, permission may be given to place their sign closer to the property line.**
- (4) Wall signs. Advertising signs, when the same are attached to a building and advertise only the business name, services, articles or products offered within the building to which the sign is attached, shall be permitted, provided that the signs shall not extend more than 3 feet vertically above the outside walls of the buildings, nor more than 2 feet perpendicular from the face of the walls of the building. Not more than 10% of any wall shall be used for these signs, except that, when freestanding signs are allowed but not used, this may be increased to not more than 15% of the wall; and
- (5) Primary uses. Signs shall be specifically described and indicated on the site plan. The sign requirement for each use shall not be less restrictive than those of the respective district in which the use is otherwise first permitted.

(Ordinance 299-C adopted 1/13/04; Ordinance 525 adopted 12/9/13; 2007 Code, sec. 153.23; Ordinance adopting 2017 Code)

Sec. 3.10.045 B-3 district

The following regulations shall apply in the B-3 district:

- (1) Auxiliary signs. Auxiliary signs not exceeding 10 square feet in total area per building may be placed in a window or flat against the wall of a building. Freestanding auxiliary signs of not more than 2-1/2 feet in height and 3 square feet in area are permitted on private property if limited to traffic direction or parking direction. Auxiliary sign area shall not be counted against total permitted sign area;

(2) Freestanding signs. One freestanding monument sign for each freestanding building in the B-3 district shall be permitted, meeting the following requirements:

(A) Area. The area of each sign shall not exceed an amount equal to 0.40 square feet per front foot of the lot. The sign area shall not exceed 50 square feet per side, including base;

(B) Height. In no case shall sign height exceed 6 feet, unless additional setback from property line is utilized.

(C) Setback. The sign setback shall be a minimum of 10 feet from the property line, as long as it does not interfere with visibility of neighboring building signage. Where neighboring structures are close to the property line, permission may be given to place their sign closer to the property line.

(3) Wall signs. Advertising signs, when the same are attached to a building and advertise the business name, services, articles or products offered within the building to which the sign is attached, shall be permitted, provided that these signs shall not extend more than 3 feet vertically above the outside walls of such buildings, nor more than 2 feet perpendicular from the face of the walls of the building. Not more than 10% of any wall shall be used for these signs, except, when freestanding signs are allowed but not used, this may be increased to not more than 15% of the wall. All signs must be in compliance with the historic district regulations.

(Ordinance 299-C adopted 1/13/04; Ordinance 525 adopted 12/9/13; 2007 Code, sec. 153.24)

Sec. 3.10.046 I district

The following regulations shall apply in the I district:

(1) Auxiliary signs. Auxiliary signs not exceeding 10 square feet in total area per building may be placed in a window or flat against the wall of a building. Freestanding auxiliary signs of not more than 2-1/2 feet in height and 3 square feet in area are permitted on private property if limited to traffic direction or parking direction. Auxiliary sign area shall not be counted against total permitted sign area;

(2) Billboards. Billboards are prohibited within the corporate city limits;

(3) Service station canopy signs.

(A) Service station canopy signs shall be counted as a part of and limited to the percentage allowable for wall signs. Canopy signs may not exceed 20 feet in height and shall not exceed the top of the canopy on any side;

(B) Signs may be attached to and suspended from the underside of building canopies with the following restrictions:

(i) No more than one such sign is permitted per business;

- (ii) The sign must identify only the store's name and address;
 - (iii) The bottom edge of the sign shall be no less than 7 feet above grade; and
 - (iv) The sign may be placed perpendicular to the front wall of the building;
- (C) Signs may be located any place on a service station canopy that is not attached to a building, except that the signs shall not project beyond the width or height of that canopy, nor more than one foot below that canopy;
- (4) Freestanding signs. Two freestanding monument signs for each freestanding building in the I district shall be permitted, meeting the following requirements:
- (A) Area. The area of each sign shall not exceed an amount equal to 0.40 square feet per front foot of the lot. The sign area shall not exceed 80 square feet per side, including base;
 - (B) Height. In no case shall sign height exceed 6 feet; and
 - (C) Setback. Sign setbacks shall be a minimum of 10 feet from the property line. All signs must be in compliance with regulations set out by the industrial park;
- (5) Wall signs. Advertising signs, when the same are attached to a building and advertise the building name, services, articles or products offered within the building to which the sign is attached, shall be permitted, provided that the signs shall not extend more than 3 feet vertically above the outside walls of the buildings, nor more than 2 feet perpendicular from the face of the walls of the building. Not more than 10% of any wall shall be used for these signs, except, when freestanding signs are allowed but not used, this may be increased to not more than 15% of the wall; and
- (6) Primary uses. Sign shall be specifically described and indicated on the site plan. The sign requirement for each use shall not be less restrictive than those of the respective district in which the use is otherwise first permitted.

(Ordinance 299-C adopted 1/13/04; Ordinance 525 adopted 12/9/13; 2007 Code, sec. 153.25; Ordinance adopting 2017 Code)

Sec. 3.10.047 Historic district

In addition to any requirements of this article, all signage within any historic district must also meet the requirements and/or restrictions specified in the governing guidelines of the Historic District. (Ordinance 525 adopted 12/9/13; 2007 Code, sec. 153.26)

Sec. 3.10.048 Table of requirements for permanent signs

PERMANENT SIGNS

All signs must be permitted through the code enforcement officer.

District	Per Unit	Type of Sign Permitted	Maximum Area	Maximum Height	Requirements
Residential					
R-1 and R-2 Residential	1	Wall sign only	1 sq. ft.		Must contain only occupant's name. Must be secured to wall with no open space between sign and wall.
Church or school	1	Church or school	18 sq. ft.		One sign allowed for each church or school
Accommodations facility in R-1	1	Freestanding or shingle	16 sq. ft.	4 ft. overall	Facility requires special use permit. Sign must be located between structure and street.
R-3 and R-4 Residential	1	Freestanding	80 sq. ft.	6 ft.	Allowed only to identify name of development.
Commercial					
B-1 Restricted B-2 General B-3 Central Business District	N/A	Auxiliary signs, wall or window	10 sq. ft. or 10% of total area of wall		Must be placed in window or flat against exterior wall.
	N/A	Freestanding auxiliary signs	3 sq. ft.	30 inches	Permitted on private property if limited to traffic or parking directions. Not counted against total sign area.
	B-1=1 B-2=2 B-3=1	Freestanding monument sign	80 sq. ft.	6 ft.	Mandatory 10-ft. setback from property line. Allowed only for freestanding buildings. Two signs on corner lot with ? frontage...(B-2)

	N/A	Wall sign	Maximum 10% of wall area, 15% if freestanding	Maximum extend 3 ft. vertical or 2 ft. perpendicular	Must be attached to building and advertise only the name, services, articles or products offered within the building.
Industrial	1	Service station canopy sign	4 sq. ft.	Must be 7 ft. above grade Must be 20 ft. high	Shall be counted as a part of the percentage allowable for wall signs. Shall not exceed the canopy on any side. Must identify only the name of store and address. May be perpendicular to front wall. Allowed any place on freestanding canopy, but cannot exceed height or protrude more than 1 foot below canopy. May be suspended from underside.
	N/A	Auxiliary signs, wall or window	10 sq. ft.		Must be placed in window or flat against exterior wall.
	N/A	Freestanding auxiliary	3 sq. ft.	30 inches	Permitted on private property if limited to traffic or parking directions. Not counted against total sign area.
	N/A	Wall sign	Maximum 10% of wall area, 15% if freestanding	Maximum extend 3 ft. vertical or 2 ft. perpendicular	Must be attached to building and advertise only the name, services, articles or products offered within the building.

(Ordinance 525 adopted 12/9/13; 2007 Code, ch. 153, app. A)

Secs. 3.10.049–3.10.080 Reserved

Division 3. Sign Types

Sec. 3.10.081 Temporary construction site and for-sale and rental signs

For-sale signs, rental signs or temporary construction site signs not exceeding 32 square feet in area and 6 feet in height may be placed at a development site, on property of one acre or more, for a period of one year. These signs are not subject to permit fees. (Ordinance 299-C adopted 1/13/04; Ordinance 525 adopted 12/9/13; 2007 Code, sec. 153.35)

Sec. 3.10.082 Governmental signs

Governmental signs not exceeding 32 square feet in area and not exceeding 10 feet in height shall be permitted. This standard shall not apply where state or federal regulations are in conflict with these standards. (Ordinance 299-C adopted 1/13/04; Ordinance 525 adopted 12/9/13; 2007 Code, sec. 153.36)

Sec. 3.10.083 Temporary business promotional signs

(a) Any temporary business promotional signs shall only be placed in or on windows and shall have a combined area not exceeding 10% of the area of all windows on the same wall. Area of the signs shall not be counted against total permitted sign area and no permit is required.

(b) A-frame or sandwich signs. “A-frame” or “sandwich” signs shall be permitted, provided they meet the following criteria:

- (1) Sign approval must be obtained from the code enforcement officer prior to use;
- (2) The sign must be no larger than 4 feet high by 2 feet wide;
- (3) The sign must be professional in appearance (painting, lettering and the like);
- (4) The sign must be located in front of the business it advertises. If located elsewhere, the sign owner must provide written permission from the owner of the property where the sign is located;
- (5) The sign may only be placed on the sidewalk during business hours;
- (6) The sign may not block the sidewalk or interfere with walking traffic; and
- (7) The sign may not interfere with Americans with Disabilities Act guidelines.

(c) Banners, pennants and portable signs. Banners, pennants and portable signs are authorized in all nonresidential districts, subject to the following restrictions:

- (1) A temporary sign authorization must be approved by the city prior to erecting or placing the sign. Authorizations for temporary signs shall be granted only with the written consent of the owner or person in charge of the property.
- (2) The total square footage of all temporary signs placed by one authorization shall not exceed 75 square feet.
- (3) A total of 5 temporary signs shall be authorized by any one authorization, per business, as long as the total square footage of these signs does not exceed 75 square feet.
- (4) The maximum permitted height per sign is 6 feet, except vertical, flag-type banners may have a maximum height of 12 feet.
- (5) No fees will apply for temporary/portable signs.
- (6) Signs must be kept in a serviceable condition at all times. A tear over 5 inches in length, a sign coming loose from its stand or frame, letters missing from a sign, or materials faded 50% or more are considered unserviceable, and must be removed.
- (7) Temporary sign authorizations are good for a period of ¹² months. If the authorized sign is replaced, using another sign the same exact size, a new authorization is not required during the 12-month period.
- (8) Portable temporary signs with changeable letters that are not being utilized must be removed from public view.

(d) Inflatable signs and balloons. Inflatable signs are permitted in nonresidential zoning districts, subject to the following:

- (1) Inflatable signs shall not exceed 20 feet in height or 10 feet in width, and shall be fastened securely to the level ground. No balloon shall be flown at a height exceeding 100 [feet] above the level ground.
- (2) No inflatable sign shall be attached to the roof of a building or other structure.
- (3) An inflatable sign authorization is valid for 14 days. No more than 4 inflatable sign authorizations shall be issued per calendar year for any one business or property.
- (4) No inflatable sign shall be located within 20 feet of a roadway or a driveway or other ingress or egress from the property.
- (5) A no-fee permit is required for inflatable signs and balloons.

(Ordinance 299-C adopted 1/13/04; Ordinance 374 adopted 4/27/04; Ordinance 525 adopted 12/9/13; 2007 Code, sec. 153.37)

Sec. 3.10.084 Community service signs

Community service signs for seasonal celebrations shall have no size limitation if placed in or on windows and have a combined area not exceeding 10% of the area of all the windows on that same wall. Stake-type community service signs that are not of a seasonal celebration nature, that support programs or functions sanctioned by the school district or other nonprofit organizations, shall be permitted, provided they are not larger than 18 inches by 24 inches, are not placed on the right-of-way and are not an obstruction for traffic. A permit shall be required for any sign larger than 18 inches by 24 inches. (Ordinance 299-C adopted 1/13/04; Ordinance 525 adopted 12/9/13; 2007 Code, sec. 153.38)

Sec. 3.10.085 Monument signs

(a) Nonresidential districts. Monument signs in nonresidential districts are subject to the following restrictions:

- (1) No more than one monument sign shall be permitted for every 300 feet of street frontage on each premises, except that a lot that has frontage on more than one street may have one sign on each street on which the property fronts. Only one monument sign shall be erected along the same street frontage. (B-2 & I Zones)
- (2) A monument sign may be illuminated internally, or by an external light source if that light source cannot be seen from the public right-of-way. An electronic or message board is permitted if it does not occupy more than 24 square feet of the area of the sign face.
- (3) The sign base and sign shall be covered or constructed with the same masonry materials, stone, or brick as the principal building, or with other materials approved by the code enforcement officer. All materials used must complement the architecture of the principal building.

(b) Single-family residential districts. Monument signs are allowed in single-family residential districts for the purpose of identifying a residential subdivision or for nonresidential uses that are permitted in such district. Monument signs shall be subject to the following restrictions:

- (1) No more than one monument sign shall be permitted for every 300 feet of street frontage on each premises, except that a lot that has a frontage on more than one street may have one sign for each street on which the property fronts.
- (2) A monument sign shall not exceed 4 feet in height, plus a maximum of 2 feet at the sign base.
- (3) A monument sign shall not exceed one square foot of gross surface area for every 2 feet of street frontage, or a maximum of 50 square feet.
- (4) A monument sign may be illuminated by an external light source if that light source cannot be seen from the public right-of-way.
- (5) The sign base and sign shall be covered or constructed with the same masonry materials, stone, or brick as the principal buildings, or with other materials approved by the code enforcement officer. All materials used must complement the architecture of the principal building.

(c) Other residential districts. Monument signs are allowed in other residential districts, and are subject to the following restrictions:

- (1) No more than one monument sign shall be permitted for every 300 feet of street frontage on each premises, except that a lot that has a frontage on more than one street may have one sign for each street on which the property fronts.
- (2) A monument sign shall not exceed 4 feet in height, plus a maximum of 2 feet at the sign base.
- (3) A monument sign shall not exceed one square foot of gross surface area for every 2 feet of street frontage, or a maximum of 50 square feet.
- (4) A monument sign may be illuminated by an external light source if that light source cannot be seen from the public right-of-way.
- (5) The sign base and sign shall be covered or constructed with the same masonry materials, stone, or brick as the principal buildings, or with other materials approved by the code enforcement officer. All materials used must complement the architecture of the principal building.

(Ordinance 525 adopted 12/9/13; 2007 Code, sec. 153.39)

Secs. 3.10.086–3.10.110 Reserved

Division 4. Administration

Sec. 3.10.112 Notice of noncompliance

It shall be the duty of the code enforcement officer or his or her representative, upon having personal knowledge of a violation of this article, to serve written notice to the owner or lessee of the property upon which the sign is located, either by hand delivering in person or by depositing a notice of noncompliance in the United States mail, certified mail, return receipt requested. This notice shall state the name of the person to whom the notice is sent or delivered, include a general description of the violation, state the legal address of the property on which the violation has occurred, and state that the owner, lessee or other person having control of the property shall abate the violation and comply with the provisions of this article within 10 days from the date of the notice.

Secs. 3.10.113–3.10.140 Reserved

Division 5. Uniform Billboard Standards

Sec. 3.10.141 Definitions

For the purpose of this division, the following definition shall apply, unless the context clearly indicates or requires a different meaning.

Billboard. A sign or any other advertising device with a total sign face exceeding 400 square feet of sign face or with a support or supports greater than 2 square feet in cross-section or an overall height which exceeds 20 vertical feet from the ground upon which it sits, or, in the case of a sign or device installed on a higher elevation, the “ground” shall be measured from the crown of the road from which any face of the sign is visible. **Offsite advertising pole signs...**

(Ordinance 268 adopted 10/8/96; 2007 Code, sec. 150.17(A))

Sec. 3.10.142 Penalty

Any person, firm, corporation or agent who violates any of the provisions of this division shall be guilty of a misdemeanor, and upon conviction thereof shall be fined an amount not less than \$25.00 nor more than \$200.00. Each day that a violation is permitted to exist shall constitute a separate offense. (Ordinance 268 adopted 10/8/96; 2007 Code, sec. 150.99(D))

Sec. 3.10.143 General provisions; prohibited billboards

- (a) **Prohibited billboards.** All billboards are hereby prohibited except as set forth herein.
- (b) **Existing billboards.**
 - (1) All existing billboards shall meet the requirements of all applicable codes and ordinances pertaining to billboard construction of the city.
 - (2) All existing billboards located on state or federal highways shall conform to state and federal regulations.
- (c) **Permit required; altering message.** Except as herein provided, no person or business firm, acting as principal or agent, shall alter the copy face or lettering of any billboard, except for billboards with temporary messages made from interchangeable characters attached to tracks or grooves on the billboard, either by changing the message or by renovating an existing message, or shall erect any billboard or billboard structure until a billboard permit for the work has been issued by the city building official or designee to a contractor or the owner or occupant of the premises where the work is to be done.
- (d) **Sign faces.** No more than 2 sides of a billboard structure may be used for display.
- (e) **Projecting over property line.** No billboard, billboard structure or billboard support shall project over any property line.
- (f) **Prohibited supports.** Trees, loose rocks, bridges, fences, windmill towers and dilapidated buildings shall not be used as billboard supports.
- (g) **Street address sign.** All building locations shall be identified by a street address sign which is clearly visible from the street in letters not less than 2 inches tall.

(h) Flashing, blinking or traveling lights. No billboards with flashing, blinking or traveling lights shall be allowed, nor shall any billboard have any moving parts as a part of the visible signage.

(i) Conflicting regulations. In the event that more than one billboard-related definition applies to a non-prohibited proposed sign, resulting in conflicting regulations thereon, the billboard applicant may choose the definition that is to apply, with the qualification that any regulations related to that definition must be adopted. Where the proposed sign is of a type that is prohibited, it shall remain prohibited notwithstanding that it may also come within the definition of an approved type of billboard.

(Ordinance 268 adopted 10/8/96; 2007 Code, sec. 150.17(B); Ordinance adopting 2017 Code)

Sec. 3.10.144 Abandoned or damaged billboards

(a) All abandoned billboards and their supports shall be removed within 30 days from the date of abandonment. All damaged billboards shall be repaired or removed within 30 days. The building official or designee shall have the authority to grant a time extension not to exceed an additional 30 days for an abandoned, undamaged billboard.

(b) Should the responsible party or parties, after due notice, fail to correct a violation of this section, the building official or designee shall cause the signs and their supports to be demolished and removed. If the billboard cannot be demolished because it is painted on a building or other non-sign structure, the sign shall be painted over or removed by sandblasting. The building official or designee shall also file against the property a lien in the amount of the cost of all the work.

(Ordinance 268 adopted 10/8/96; 2007 Code, sec. 150.17(D); Ordinance adopting 2017 Code)

~~Sec. 3.10.147—Financial hardship provision (Remove)~~

~~In the event the owner/lessee of any property feels that adherence to the regulations contained in this division will constitute a financial hardship, the owner/lessee shall be granted the opportunity to state his or her case before the city council. The city council may, by a majority vote, agree to waive the restrictions. The decision of the city council shall be final. (Ordinance 268 adopted 10/8/96; 2007 Code, sec. 150.17(G))~~