

Below is the language proposed for creating 17.33 it takes existing language and consolidates it into one area.

17.33 Sign and Billboard Regulations

1. The following types of signs are exempted from permit requirements, but must be in conformance with all other requirements in this chapter:

- a. *Construction signs.* Two construction signs per construction site not exceeding 100 square feet in area which shall be confined to the site of construction and shall be removed 30 days after completion of construction or prior to occupancy after construction, whichever is sooner.
- b. *Directional and instructional signs.* Directional and instructional non-electric signs which provide instruction or direction and are located entirely on a property to which they pertain, do not exceed six square feet in area and do not in any way advertise a business. This includes, but is not limited to, such signs as those identifying restrooms, telephones, parking areas, entrances, and exits.
- c. *Non-illuminated emblems.* Non-illuminated emblems or insignia of any nation, political subdivision, or nonprofit organization.
- d. *Government signs.* Government signs for control of traffic and other regulatory purposes and including danger signs, railroad crossing signs, and signs of public utilities indicating danger or aids to service or safety which are erected by or on the order of a public officer in the performance of his duty.
- e. *Home occupation signs.* Home occupation signs associated with permitted home occupations as defined in this section.
- f. *House numbers and nameplates.* Property numbers, post box numbers, names of occupants of the premises, or other identification not having commercial connotations.
- g. *Interior signs.* Interior signs located entirely within a building.
- h. *Memorial signs and plaques.* Memorial signs or tablets, plaques, names of buildings, and date of erection, which are cut into masonry surfaces or inlaid so as to be part of a building or when constructed of bronze or other noncombustible material not more than four square feet in area.
- i. *No trespassing or no dumping signs.* No trespassing and no dumping signs not to exceed 1 1/2 square feet in area.
- j. *Public notices.* Public notices posted by public officials or employees in the performance of their duties.
- k. *Public signs.* Public signs required as specifically authorized for a public purpose by any law, statute, or ordinance.
 1. No sign shall be located within 15 feet of the public right-of-way at a street intersection or over the right-of-way.

- l. *Real estate signs.* One real estate sales sign for each street frontage on any lot or parcel, provided that such sign is located entirely within the property to which the sign applies and is not directly illuminated. Such signs are subject to the following regulations:
 - 1. In residential zoning districts, such signs shall not exceed six square feet in area and shall be removed within seven days after the sale, rental, or lease has been accomplished.
 - 2. In all other zoning districts, such signs shall not exceed 32 square feet in area and shall be removed within 15 days after the sale, rental, or lease has been accomplished.
- m. *Temporary window signs.* In commercial and industrial zoning districts, the inside surface of any ground floor window may be used for attachment of temporary signs. The total area of such signs, however, shall not exceed 50 percent of the total window area and shall not be placed on door windows or other windows needed to be clear for pedestrian safety.
- n. *On-premises symbols and insignia.* Religious symbols, commemorative plaques of recognized historic agencies, or identification emblems of religious orders or historic agencies.
- o. *On- and off-premises temporary signs.* Temporary signs not exceeding 32 square feet in area pertaining to fund or pledge drives or events of civic, philanthropic, educational, or religious organizations, provided that such signs are posted not more than 30 days before such event and removed within five days after the event.
- p. *Vehicular signs.* Truck, bus, trailer, or other vehicle signs while operating in the normal use of business, which is not primarily the display of signs.
- q. *Neighborhood identification signs.* In any zone, a sign, masonry wall, landscaping, or other similar material and feature may be combined to form a display for neighborhood or tract identification, provided that the legend of such sign or display shall consist only of the neighborhood or tract name.

2. Signs.

- 1. *Prohibited signs.* The following exterior building signs shall be prohibited within the city:
 - a. Abandoned signs.
 - b. Flashing signs, remnants, banners, streamers, and all other fluttering or spinning signs, except in connection with temporary sales, civic or cultural events, or officially recognized holidays.
 - c. Snipe signs or signs attached to trees, telephone poles, public benches, street lights, or placed on any public property or public right-of-way.

- d. Signs placed on vehicles or trailers which are parked or located for the primary purpose of displaying such sign, excluding allowed portable signs or signs or lettering on buses, taxies, or vehicles operated during the normal course of business.
- e. Signs displaying flashing or intermittent lights customarily associated with danger or emergencies. An illuminated sign or lighting device shall employ only lights of constant intensity and no sign shall be illuminated by or contain flashing, intermittent, rotating, or moving lights or lights creating the illusion of movement. Signs located wholly within a building, public service information signs, and other electronic message or mechanical message centers which are classified as changing signs are permitted and are not subject to this restriction.
- f. Signs which purport to be or are an imitation of or resemble an official traffic sign or signal or which bear words "stop," "caution," "warning" or similar words that are displayed in the colors normally associated with them as official signs are prohibited.

2. *Construction specifications.*

- a. All signs shall be constructed in accordance with the requirements of chapter 14 of this Code and the national electric code, as amended, and the additional construction standards set forth in this section, where applicable.
- b. All ground and roof sign structures shall be self-supporting Structures and permanently attached to sufficient foundations.
- c. Electric service to ground signs shall be concealed.
- d. All signs, except those attached flat against the wall of a building, shall be constructed to withstand wind loads as follows, with correct engineering adjustments for the height of the sign above grade:
 - 1. *For solid signs:* 30 pounds per square foot on any face of the sign or structure.
 - 2. *For skeleton signs:* 30 pounds per square foot of the total face cover of the letters and other sign surfaces or ten pounds per square foot of the gross area of the sign as determined by the overall dimensions of the sign, whichever is greater.
- e. No sign shall be suspended by nonrigid attachments that will allow the sign to swing due to wind action. All freestanding signs shall have self-supporting structures erected on or permanently attached to concrete foundations. All nonpermanent signs shall be braced or secured to prevent motion.
- f. No sign shall be erected, constructed, or maintained so as to obstruct any fire escape, required exit, window, or door opening used as a means of ingress and egress.

- g. No sign shall be attached in any form, shape, or manner which will interfere with any opening required for ventilation, except that signs may be erected in front of and may cover transom windows when not in violation of the provisions of the city fire prevention code.
 - h. Signs shall be located in such a way as to maintain horizontal and vertical clearance of all overhead conductors in accordance with the national electrical code specifications, depending on voltages concerned. However, in no case shall a sign be installed closer than six inches horizontally or vertically from any conductor or public utility guy wire.
- 3. *Signs in residential districts.* No sign in a residential district shall exceed eight feet in height or produce artificial light from within.
- 4. *Signs in commercial districts.*
 - a. Temporary window signs advertising a sale or special event at an individual commercial establishment shall be exempt from the sign regulations.
 - b. A detached sign, any part of which is closer than 15 feet to the right-of-way shall have a minimum vertical distance of ten feet between the bottom of the sign and the grade at the right-of-way line or shall not be more than three feet in height above grade.
 - c. Any detached sign or projecting sign within 25 feet of an intersection or 15 feet of a driveway shall maintain a minimum vertical distance between the bottom of the sign and the grade at the right-of-way line of ten feet or shall be not more than three feet in height above grade.
 - d. All other projecting signs shall maintain a minimum vertical distance between the bottom of the sign and the grade at the right-of-way line of nine feet.
 - e. Canopy, marquee, and awning signs shall be placed at such a height so that the extreme lower edge of such structure is at least seven feet above sidewalk grade and such signs shall not extend more than 72 inches into the public right-of-way. The vertical dimension of a sign, any portion of which is below the lower edge of the canopy or marquee structure, shall not exceed 20 inches.
 - f. Detached signs shall not project more than 72 inches into the public right-of-way, but in no case closer than two feet from the curbline as measured from the property line. The area of a ground sign shall not exceed 150 square feet per side.
- 5. *Billboard requirements.* Pursuant to chapter 14 of this Code, the following regulations shall be enforced:
 - a. No billboards may be erected within a 500-foot radius of another existing billboard.

- b. No billboard may be erected within 200 feet of an existing residential use or within 200 feet of a residential district.
- c. The maximum size of billboards shall be 300 square feet on each face, except within 100 feet of U.S. 41, where the maximum size shall be 400 square feet on each face.
- d. Billboards shall be set back from all property lines and existing buildings equal to the height to the top of the billboard.
- e. Roof-mounted billboards are not permitted.
- f. Billboards shall only be permitted in the commercial highway, commercial shopping center, industrial, and industrial park districts.
- g. All billboards which are not in conformance with the above provisions shall be placed in conformance no later than July 9, 1990.
- h. Exception. Signage permitted under section 17.24(6)(a) of this chapter.

6. *Installation, maintenance, and repair.*

- a. All signs shall be constructed and installed in accordance with the requirements of chapter 14 of this Code and the national electric code. Every sign, including, but not limited to, those signs for which permits are required, shall be maintained in a safe, presentable and good structural condition at all times, including replacement of defective parts, painting, except when a weathered or natural surface is intended, repainting, cleaning, and other acts required for the maintenance of such signs.
- b. The building inspector shall require compliance with all standards of this chapter. If the sign is not maintained to comply with safety standards outlined under chapter 14 of this Code, the building inspector shall require its removal in accordance with this section.

7. *Abandoned signs.* Except as otherwise provided in this chapter, any sign that is located on property which becomes vacant and is unoccupied for a period of two months or more or any sign which pertains to a time, event, or purpose which no longer applies shall be deemed to have been abandoned. Permanent signs applicable to a business temporarily suspended because of a change in ownership or management of such business shall not be deemed abandoned unless the property remains vacant for a period of three months or more. An abandoned sign is prohibited and shall be removed by the owner of the sign or owner of the premises. If the owner fails to remove the sign, the building inspector shall take appropriate legal action to cause the same to be removed.

8. *Defective signs and signs for which no permit has been issued.* The building inspector shall cause to be removed or repaired any sign that is defective or endangers the public safety, such as a dangerous or materially, electrically, or structurally defective sign or a sign for which no permit has been issued.

9. *Notice.* The building inspector shall give the owner of the sign 30 days' written notice to remove any abandoned sign, repair, or remove any defective sign or to remove a sign for which no permit has been issued. The notice shall describe the sign and specify the violation involved. The notice shall be sent by certified mail.

10. *Appeals.*

- a. The owner of the sign may appeal the determination of the building inspector ordering removal or compliance by filing a written notice of appeal under section 17.50 within 30 days after the date of mailing the notice.
- b. For property located within the commercial core district, the owner of the sign may appeal to and be heard before the redevelopment authority.

11. *Removal of signs by the building inspector.*

- a. Notwithstanding the above, in cases of emergency, the building inspector may cause the immediate removal without notice of a dangerous or defective sign or for failure to comply with the written order of removal or repair.
- b. After removal or demolition of the sign, a notice shall be mailed to the owner of the sign stating the nature of the work and the date on which it was performed and demanding payment of the costs as certified by the building inspector, together with an additional ten percent for inspection and incidental costs.
- c. If the amount specified in the notice is not paid within 30 days of the notice, it shall become an assessment against the property of the sign owner and will be certified as an assessment against the property, together with interest at ten percent per annum, for collection in the same manner as real estate taxes.
- d. The owner of the property upon which the sign is located shall be presumed to be the owner of all signs thereon, unless facts to the contrary are brought to the attention of the building inspector as in the case of a leased sign.
- e. For the purpose of removal, the definition of the term "sign" includes all sign embellishments and structures designed specifically to support the sign.