

Chapter 24 SIGNS AND ADVERTISING

ARTICLE I. IN GENERAL

Secs. 24-1—24-18. Reserved.

ARTICLE II. SIGN REGULATIONS

DIVISION 1. GENERALLY

Sec. 24-19. Definitions.

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

A-Frame sign means a temporary sign constructed in such a manner as to form an "A" or a tent-like shape, hinged or not hinged at the top with each angular face held at an appropriate distance so as to be adequately secured by a supporting member. These signs may also be referred to as sandwich board signs.

Animated sign means signs and lighting that, in whole or part, move, rotate, flash, reflect, blink, change color, or simulate motion in any manner.

Awning sign means a nonilluminated building-mounted sign that provides additional functionality as shelter.

Back-lit channel letter means a channel letter that contains a clear or transparent back and either an internal light source with an opaque face or an internal light source with a translucent face. The background illumination portion of a back-lit channel letter is commonly referred to as halo lighting.

Banner means an on-premises temporary sign composed of lightweight material.

Building official means the city's building official or his authorized representative.

Changeable electronic variable message sign or *CEVMS* means a sign which permits light to be turned on or off intermittently or which is operated in a way whereby light is turned on or off intermittently, including any illuminated sign on which such illumination is not kept stationary or constant in intensity and color at all times when such sign is in use, including an LED (light emitting diode) or digital sign, and which varies in intensity or color. The term "changeable electronic variable message sign" does not include a sign located within the right-of-way that functions as a traffic control device and that is described and identified in the Manual on Uniform Traffic Control Devices (MUTCD) approved by the Federal Highway Administrator as the national standard.

Channel letter means a fabricated or formed three-dimensional letter that may accommodate a light source.

Channel logo means a fabricated or formed three-dimensional logo that may accommodate a light source.

Church building means a building used as a church in a GI zoning district.

Commercial building means a building located in the commercial district (C) with a use permitted in the zoning district.

Contractor sign means a temporary sign erected on the premises where construction, alteration, or improvement is taking place.

Dimensional letter means a nonilluminated letter, logo or symbol, either cut out, cast, molded or fabricated in material such as metal or plastic to create a raised condition.

Directional real estate sign means a temporary sign directing traffic to an event occurring at the premises that are held for sale or lease. The sign may or may not be located on the premises held for sale or lease.

Erect means to construct, alter, reconstruct, install, place, attach, hang, suspend or affix, including painting or any physical operation required for construction of a sign, including, but not limited to, excavation, site clearance, and land fill.

Establishment means one business, organization, professional office, store, or other entity located in a commercial district (C), a hospital district (H), or a planned unit development district (PUD) and engaged in activities allowed in such zoning districts.

Exposed neon sign means any sign that exposes neon glass tubing to public view, including neon window signs, open face channel letters, or border or architectural neon.

Front-lit channel letter signs means any sign designed to permit internal lighting to illuminate a translucent channel letter face.

Government building means a building used as a government office in a GI zoning district.

Hospital building means a building used as a hospital in a hospital (H) zoning district.

Illuminated awning means an awning that is back-lit or internally illuminated.

Logo means a letter, symbol or sign used to represent goods, identity or service.

Menu/message/marquee sign means a sign structure with manual or electronic changeable text or permanent text, including reader boards, electronic message displays, pricing displays, or time and temperature displays.

Monument sign means an on-premises freestanding sign that is supported by a pedestal or other solid foundation in or upon the ground.

Multiple-establishment complex means a building or series of buildings located on a common site or contiguous sites designed as a unified development occupied by more than one establishment. A shopping center containing more than one establishment, or an office building containing more than one establishment, are examples of multiple-establishment complexes.

Office building means a building primarily providing office space for businesses, organizations, professionals, and individuals, and perhaps providing auxiliary services for the tenants of the building, such as a snack bar.

Off-premises sign means a sign of a business, organization, professional office, store or other establishment that is not appurtenant to the use of the premises on which it is displayed.

Painted wall sign means a sign, including lettering, logos or murals, applied or attached directly to a building surface.

Personal sign means a temporary sign displayed by a resident on the resident's lot advertising personal events, including, but not limited to, garage sales, birthdays and lost pets. Such sign includes signs that are erected for the purpose of informing the public of that person's religious, philosophical, or similar beliefs, including viewpoints concerning current events of a nonpolitical nature.

Political sign means a temporary sign in support of a political candidate or issue in a future city, county, state or national election. The term "political sign" includes signs that are erected for the purpose of informing the public of that person's political beliefs, including viewpoints concerning current events of a political nature.

Portable sign means a readily removable temporary sign or other advertising device that may be erected at successive locations. A newspaper vending rack and A-Frame sign are not portable signs under this article.

Projecting sign means a nonilluminated building-mounted sign with the faces of the sign perpendicular to the building fascia.

Public view means the view as seen from any public street or residential property.

Real estate sign means a temporary sign located on premises indicating that the premises, or a portion thereof, are for sale, lease, or rent.

Roof-mounted signage means a building-mounted sign erected on the roof of a building.

Sign means the display of any letters, numerals, symbols, images, messages, or anything else that is intended to advertise or promote any establishment, place, goods, services, activities, or events, or provide information to persons viewing the display.

Single establishment means one establishment that is the sole occupant of a building on one lot and not a part of a multiple-establishment complex.

Store window sign means a sign that is visible through a window or transparent door of a building that is oriented in a manner establishing an intent to be viewed off-premises or from public or private roadways. This term excludes signs displayed inside of buildings primarily for patrons on the premises.

Surface area of a sign means the total surface area of a sign with a distinguishable frame or background edge includes the surface area within the frame or edge plus the front surface of any frame. The total surface area of a sign without a distinguishable frame or background edge includes the surface area of all letters or symbols in the sign plus all space within and between the letters or symbols. The surface area shall be calculated using an imaginary rectangle which fully contain all extremities of the sign, including the frame, all words, numbers, figures, designs, or trademarks. Only one surface of a two-sided sign is counted if the two sides are back to back, have identical content, and are not separated by more than four feet at the widest point. See exhibit in the Commercial Lighting and Signage Manual for examples of calculating sign area.

Temporary sign means a nonilluminated sign not intended for permanent installation.

UL means underwriters' laboratory.

Wall/pole-mounted cabinet sign means a sign structure consisting of a frame and faces that has exposed pole supports or is wall mounted, and includes structures containing pan-formed faces, Lexan faces, Plexiglas faces, flexible faces, or wood faces.

Wayfinding sign means a nonilluminated single or double post mounted directional sign, which is limited to street names, entrance points, exit points, reserve parking areas, and critical locations within a property's internal traffic area. Wayfinding signs enable a person to find his way to a given destination through the use of effective signage.

Wrap-around awning means an awning that is installed on a building in a place other than directly over a door entrance or window frame.

Zoning district means a zoning district shown on the official zoning map of the city.

(Code 1987, ch. 11, subch. D, § 1; Code 1995, § 3.06.001; Ord. No. 2024-06-12-07, § 2(Exh. A), 6-12-2024)

Sec. 24-20. Administration.

- (a) The building official will administer and enforce the provisions of this article. The duties of the building official will include the issuance of permits as required by this article, as well as the responsibility for ensuring that all signs comply with this article.

(b) The building official will make such inspections as necessary to initiate appropriate action to bring about compliance with this article if any inspection discloses any instance of noncompliance.

(c) The building official will investigate any complaints of alleged violations of this article.

(Code 1987, ch. 11, subch. D, § 9; Code 1995, § 3.06.002)

Sec. 24-21. Notice of violation; correction of violations; penalty.

(a) If the building official finds that any sign is erected or maintained in violation of the provisions of this article, the building official will give written notice by certified mail to the owner of the sign and the owner of the property on which the sign is located.

(Code 1987, ch. 11, subch. D, § 16; Code 1995, § 3.06.003; Ord. No. 2024-02-21-22 , § 2(Exh. A), 2-21-2024)

Sec. 24-22. Appeals.

(a) An appeal may be made to the city council by any person aggrieved by an action of the building official. Such appeal, specifying the grounds thereof, must be filed with the city secretary within ten days from the date the building official mailed the notice as required in section 24-21(a). The building official will promptly transfer to the mayor all papers constituting the record upon which the action being appealed was taken. These papers will be made available to the city council for purposes of the appeal. The filing of an appeal stays all proceedings related to the action being appealed.

(b) The city council will have the following authority with respect to appeals:

(1) To hear and decide appeals where it is alleged there is an error in any order, requirement, decision, or determination made by the building official; and

(2) To reverse or affirm, wholly or partially, or modify the order, requirement, decision, or determination being appealed and make such order, requirement, decision or determination as the city council determines ought to be made.

(c) The concurring vote of four councilmembers will be necessary to reverse or change any order, requirement, decision, or determination of the building official, or to decide in favor of the person making the appeal.

(Code 1987, ch. 11, subch. D, § 17; Code 1995, § 3.06.004)

Sec. 24-23. General requirements.

(a) No person shall construct, alter or move any sign or any portion thereof, or cause the same to be done, without first obtaining a sign permit as required under the city construction code from the building official. All sign permits shall expire after a period of six months except for temporary sign permits as described in section 24-93.

(b) No sign may be erected or maintained in such manner as to obstruct the view of operators of motor vehicles, or at any location where, by reason of position, shape, size, color or illumination, it may interfere with, obstruct the view of, or be confused with any authorized traffic sign, signal or device.

(c) No person may place, erect or maintain or cause the placement, erection or maintenance of any sign on any tree, utility pole, fence, retaining wall, easement or right-of-way, unless specifically authorized by this article.

(d) No person may place, erect or maintain or cause the placement, erection or maintenance of any sign upon any city property without the prior approval of the city council.

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- (e) Unless expressly authorized or allowed under this article, no signs are permitted within the city.
 - (f) All single establishments or multiple-establishment complexes must display building street address numbers on signage in compliance with the provisions of this article and the uniform fire code.
 - (g) No sign on a lot zoned commercial district (C) shall face an adjacent residentially zoned lot.

(Code 1987, ch. 11, subch. D, § 2; Code 1995, § 3.06.005; Ord. No. 2024-06-12-07, § 2(Exh. A), 6-12-2024)

Sec. 24-24. Prohibited signs.

All signs not expressly permitted under this article or exempt from regulation in accordance with section 24-26 or that do not conform to the requirements of this article are prohibited in the city. Such signs include, but are not limited to:

- (1) Animated signs;
- (2) Exposed neon signs;
- (3) Front-lit channel letter signs;
- (4) Illuminated awnings;
- (5) Wrap-around awnings;
- (6) Menu/message/marquee signs;
- (7) Off-premises signs;
- (8) Painted wall signs;
- (9) Portable signs;
- (10) Roof-mounted signage;
- (11) Wall/pole-mounted cabinet signs;
- (12) Externally illuminated signs; and
- (13) Changeable electronic variable message signs.

(Code 1987, ch. 11, subch. D, § 8; Code 1995, § 3.06.006)

Sec. 24-25. Maintenance; liability.

- (a) All signs must be properly maintained in good repair and appearance. The sign and all braces, bolts, supports, frame and fastenings must be free from deterioration, termite infestation, rot, or loosening. The building official is authorized and directed to order the painting, repair, or removal of a sign, or make other improvements as necessary to alleviate a hazard to public health, safety or welfare.
- (b) The provisions of this article will not be construed as relieving or limiting in any way the responsibility or liability of any person erecting or owning any sign from personal injury or property damage resulting from the placing of the sign, or resulting from the negligence or willful acts of such person, or such person's agents, employees or workers, in the design, construction, maintenance, repair or removal of any sign erected in accordance with a permit issued under the provisions of this article. Nor should this article be construed as imposing upon the city or its officers, employees or representatives any responsibility or liability by reason of the approval of any signs, materials, or devices, or taking any other action under the provisions of this article.

(Code 1987, ch. 11, subch. D, § 14; Code 1995, § 3.06.007)

Sec. 24-26. Exempted signs.

The provisions of this article shall not apply to the following signs:

- (1) Memorial signs or tablets, or names of buildings and date of erection when cut into any masonry surface or when constructed of cast bronze or other metal;
- (2) Signals, markers or signs erected by state or local government for traffic control or informational purposes;
- (3) Temporary decorations or displays that are clearly incidental to and customarily or commonly associated with any national, local or religious holiday or celebration, provided that such decorations or displays are maintained in an attractive condition and do not constitute a fire, traffic or pedestrian hazard;
- (4) Temporary or permanent signs erected by public utility companies or construction companies to warn of danger or hazardous conditions, including signs indicating the presence of underground cables, gas lines and other devices;
- (5) Signs displayed by a civic organization up to three days before and on the meeting day of such organization if such signs do not exceed four square feet in surface area on each of the two sides;
- (6) Residential nameplates, residential address numerals, and notices that property is protected by a security company or neighborhood watch;
- (7) Newspaper names and prices on vending racks;
- (8) Personal signs;
- (9) Political signs.

(Code 1987, ch. 11, subch. D, § 15; Code 1995, § 3.06.008)

Secs. 24-27—24-55. Reserved.

DIVISION 2. PERMIT

Sec. 24-56. Required; expiration.

No person may erect a sign within the city without first obtaining a permit to do so if required by this article. If the work authorized by a permit issued under this article is not commenced within 60 days after the date of issuance, the permit becomes null and void.

(Code 1987, ch. 11, subch. D, § 10; Code 1995, § 3.06.051)

Sec. 24-57. Application.

- (a) *Application requirements.*

- (1) A person desiring to erect a sign requiring a permit under this article must file a written application for the permit. The permit application must be filed with the building official and must be accompanied by the fee prescribed by the city, together with the following information:
 - a. The name, address and telephone number of the person making application and the owner of the premises upon which the proposed sign is to be located;
 - b. Written consent to the application from the owner of the premises upon which the proposed sign is to be located;
 - c. A site plan depicting the exact location of the proposed sign on the premises, if applicable; and
 - d. An elevation and specification drawing, to scale, of the proposed sign showing the message to be depicted on the sign, the dimensions of the sign, the materials that will be used in the construction of the sign, lighting devices (if any) that will be used to illuminate the sign, and the method by which the sign will be constructed, attached to the building or placed in the ground, and any associated landscaping.

(2) The specification drawing for a monument sign must bear the signature and seal of a registered professional engineer.

(b) *Date of filing.* The application will not be deemed to have been filed until all information, documentation and fees required by this article have been received by the building official.

(Code 1987, ch. 11, subch. D, § 11; Code 1995, § 3.06.052)

Sec. 24-58. Approval or denial.

(a) The building official will approve, approve with conditions, or disapprove an application to erect a sign within 30 working days following the day the application was filed. Failure of the building official to approve, approve with conditions, or disapprove an application within the prescribed time will constitute approval of the application.

(b) The applicant must comply with all conditions imposed by the building official with respect to approval of an application.

(c) No sign requiring a permit may be erected until such permit is issued by the building official.

(Code 1987, ch. 11, subch. D, § 12; Code 1995, § 3.06.053)

Secs. 24-59—24-89. Reserved.

DIVISION 3. STANDARDS FOR SPECIFIC TYPES OF SIGNS

Sec. 24-90. Monument signs.

(a) *Monument sign table.*

<i>Sign Type</i>	<i>Commercial & Office Building</i>	<i>Hospital, Church or Government Building</i>	<i>Residential</i>
Monument sign	Yes	Yes	Not permitted

Table legend:

"Yes" indicates this sign type is allowable under the conditions outlined below.

"Not permitted" indicates this sign type is not allowed.

- (b) *Information on sign.* The information display on a monument sign is limited to the name and logo of residing establishments (except, during such time the premises is for lease, it may include a "for lease" display).
- (c) *Design and construction standards.* Monument signs must be designed and constructed in accordance with the following standards:
 - (1) If internally illuminated, the monument sign must:
 - a. Be designed and constructed in accordance with applicable UL specifications and requirements and must exhibit the appropriate UL certification; and
 - b. Lighting must be white in color.
 - (2) Monument sign materials must be noncorrosive, including, but not limited to, the frame, bolts, shields, brackets, paint, vinyl, and aluminum.
 - (3) Monument sign faces must be either back-lit channel letters or routed aluminum panel faces that are backed with either Plexiglas or up to a maximum one-half inch push-through type Plexiglas.
 - (4) A monument sign containing a routed aluminum panel face may have an internally lit or back-lit lighting application.
 - (5) Monument signs must display the building street address number, in four-inch metal letters, on all visible sign faces.
- (d) *Number of signs permitted; dimensions and setback requirements.*
 - (1) For properties with less than 100 lineal feet of right-of-way frontage, the surface area of the monument sign may not exceed 24 total square feet.
 - (2) For properties with more than 100 lineal feet of right-of-way frontage, the surface area of the monument sign may not exceed 48 total square feet.
 - (3) A monument sign may not exceed eight feet in height above the highest point in the natural grade immediately adjacent to the base of the sign.
 - (4) A monument sign must be set back at least ten feet from the boundary line of the property.
 - (5) Properties with less than 400 lineal feet of right-of-way frontage may have only one monument sign on the premises. Properties with more than 400 lineal feet of right-of-way frontage may have up to two monument signs on the premises; provided, however, the monument signs must be spaced at least 100 feet apart.

(Code 1987, ch. 11, subch. D, § 3; Code 1995, § 3.06.091; Ord. No. 2024-06-12-07, § 2(Exh. A), 6-12-2024)

Sec. 24-91. Building-mounted signs.

(a) *Building-mounted sign table.*

<i>Building-Mounted Sign Type</i>	<i>Commercial & Office Building</i>	<i>Hospital, Church or Government Building</i>	<i>Residential</i>
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Channel letter (illuminated)	Yes	Not permitted	Not permitted
Channel logo (illuminated)	Yes	Not permitted	Not permitted
Dimensional letter (nonilluminated)	Yes	Yes	Not permitted

Table legend:

"Yes" indicates this sign type is allowable under the conditions outlined below.

"Not permitted" indicates this sign type is not allowed.

(b) *Channel letters*. Channel letters must be designed and constructed in accordance with the following standards:

(1) Channel letters:

- a. If illuminated, must have opaque side walls.
- b. If illuminated, must be designed and constructed in accordance with applicable UL specifications and requirements and must exhibit the appropriate UL certification.
- c. If illuminated, lighting must be white in color.
- d. Must be constructed of aluminum faces that are at least 0.090 inches thick, aluminum returns that are at least 0.063 inches thick and have a depth of at least three inches.
- e. Must contain clear Lexan backs that are at least 0.019 inches thick.
- f. Must be mounted using an individual reverse mounting method that has at least a two-inch standoff.
- g. Must be painted with two-stage automotive acrylic paint.
- h. Must have a painted white interior.

(2) Channel letter displays on a building-mounted sign may contain:

- a. One horizontal line of lettering, not to exceed 24 inches in height, with no more than one 24-inch-in-height logo that may not exceed four square feet in total surface area; or
- b. Two horizontal lines of lettering, not to exceed 30 inches in height, with no more than one 30-inch-in-height logo that may not exceed six square feet in total surface area.

(c) *Channel logos*. Channel logos must be designed and constructed in accordance with the following standards:

(1) A channel logo:

- a. If illuminated, must contain opaque side walls.
- b. If illuminated, lighting must be white in color.
- c. If illuminated, must be designed and constructed in accordance with applicable UL specifications and requirements and must exhibit the appropriate UL certification.
- d. Must be constructed of aluminum backs that are at least 0.063 inches thick, aluminum returns that are at least 0.040 inches thick and have a depth of at least five inches.
- e. Must contain clear Lexan backs that are at least 0.019 inches thick.

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- f. Must contain a translucent Plexiglas face that is at least 3/16-inch thick with an ultraviolet light-resistant vinyl overlay that is designed to resist fading for five years.
 - g. Must contain a trim cap that is at least one inch thick, but not more than two inches thick.
 - h. Must be mounted using an individual mounting method that has at least a two-inch standoff.
 - i. Must be painted with two-stage automotive acrylic paint.
 - j. Must have a painted white interior.
- (2) A channel logo display on a building-mounted sign may contain:
- a. One logo, not to exceed 24 inches in height or four square feet in total area; or
 - b. One logo, not to exceed 30 inches in height or six square feet in total area.
- (d) *Dimensional letters.* Dimensional letters may not be illuminated. Dimensional letters must be designed and constructed in accordance with the following standards:
- (1) Dimensional letters must:
- a. Be constructed of noncorrosive metal, including, but not limited to, the bolts, mounting brackets, and sign faces.
 - b. Be mounted using an individual mounting method that has at least a one-quarter inch standoff.
 - c. Be painted with two-stage automotive acrylic paint.
 - d. Have ultraviolet light-resistant vinyl overlay faces that are designed to resist fading for five years.
- (2) Dimensional letters on a building-mounted sign must be at least one inch deep, but no more than three inches deep.
- (e) *General standards for signs on commercial buildings.* General guidelines and restrictions for building-mounted signs on a commercial building are as follows:
- (1) Channel letter type building-mounted signs may be internally illuminated.
 - (2) Dimensional letter type building-mounted signs may not be illuminated.
 - (3) Each establishment is limited to one building-mounted sign per building façade with a public entrance and each building-mounted sign may contain only one logo. Buildings with more than 10,000 square feet but less than 25,000 square feet in total gross floor area may have up to two building-mounted signs on the front façade. Buildings with more than 25,000 square feet in total gross floor area may have up to three building-mounted signs on the front façade.
 - (4) The width of each building-mounted sign may not exceed 75 percent of the linear width of the front facade of the premises structure. For multi-tenant buildings this shall be calculated based on the width of the façade for the individual tenant space.
 - (5) For premises with less than 25,000 square feet in gross floor area, the total surface area of the building-mounted sign, including any logo, may not exceed 60 square feet in area.
 - (6) For premises with more than 25,000 square feet, the total surface area of the building-mounted sign, including any logo, may not exceed 80 square feet.
- (f) *General standards for signs on hospital, church, or government building.* General guidelines and restrictions for building-mounted signs on a hospital building, church building or government building are as follows:
- (1) Only dimensional letter type building-mounted signs are allowed.
 - (2) Each building-mounted sign may contain only one logo.

- (3) Building-mounted signs may not be illuminated.
- (4) Total surface area of each building-mounted sign, including any logo, may not exceed 60 square feet in area.
- (5) Each building-mounted sign may contain either one or two lines of horizontal lettering, which will not exceed 30 inches in overall height. The content of the display text is limited to the building name or the establishment names.
- (6) Buildings with less than 10,000 square feet may have one building-mounted sign. Buildings with more than 10,000 square feet but less than 25,000 square feet in total gross floor area may have up to two building-mounted signs. Buildings with more than 25,000 square feet in total gross floor area may have up to three building-mounted signs.
- (7) The width of each building-mounted sign may not exceed 75 percent of the linear width of the front facade of the premises structure.

(Code 1987, ch. 11, subch. D, § 4; Code 1995, § 3.06.092; Ord. No. 2024-06-12-07, § 2(Exh. A), 6-12-2024)

Sec. 24-92. Secondary signs.

(a) *Secondary sign table.*

<i>Secondary Sign Type</i>	<i>Commercial & Office Building</i>	<i>Hospital, Church or Government Building</i>	<i>Residential</i>
Awning sign	Yes	Not permitted	Not permitted
Projecting sign	Yes	Not permitted	Not permitted
Wayfinding sign	Yes	Yes	Not permitted

Table legend:

"Yes" indicates this sign type is allowable under the conditions outlined below.

"Not permitted" indicates this sign type is not allowed.

(b) *Awning signs.* Awning signs must be designed and constructed in accordance with the following standards:

(1) *Materials and construction.* Awning signs must:

- a. Have a support structure that is constructed of noncorrosive metal, including, but not limited to, the bolts, mounting brackets, and frame.
- b. Be made of low sheen, opaque canvas fabric.
- c. Contain white silk-screened display text, which is located on the sign band area of the canvas fabric only.
- d. Not contain display text that exceeds ten square feet in total surface area of each awning sign.

(2) *Number of signs permitted.* Each establishment may have one awning sign.

(c) *Projecting signs.* Projecting signs must be designed and constructed in accordance with the following standards:

(1) *Materials and construction.* Projecting signs must:

- a. Be constructed of durable noncorrosive materials, and, if painted, must be painted using two-stage automotive acrylic paint.
 - b. Be mounted so that there is at least eight feet of clearance between the bottom of the projecting sign and the natural grade.
 - c. Project no more than four linear feet from the building facade.
 - d. Have ultraviolet light-resistant vinyl overlay faces that are designed to resist fading for five years, if such vinyl materials are used in the projecting sign.
- (2) *Number of signs permitted, dimensions and contents.*
- a. Total surface area of the projecting sign face may not exceed six square feet in area.
 - b. Each establishment may have only one projecting sign.
 - c. Display text is limited to the name, logo, crest, or insignia of the business or organization.
 - d. Projecting signs may be illuminated using internal lighting that is white in color.
- (d) *Wayfinding signs.* Wayfinding signs must be designed and constructed in accordance with the following standards:
- (1) *Materials and construction.* Wayfinding signs must:
- a. Be constructed of noncorrosive metal, including, but not limited to, bolts, mounting brackets and posts and sign faces.
 - b. Be mounted so that there are no more than two exposed posts.
 - c. Be painted with two-stage automotive acrylic paint.
 - d. Contain directional display graphics that are made of ultraviolet light-resistant vinyl overlay faces designed to resist fading for five years.
- (2) *Dimensions and maximum height.*
- a. The total surface area of a wayfinding sign face may not exceed two square feet in area.
 - b. Wayfinding signs may not exceed six feet in height above the highest point in the natural grade immediately adjacent to the base of the sign.

(Code 1987, ch. 11, subch. D, § 5; Code 1995, § 3.06.093; Ord. No. 2024-06-12-07, § 2(Exh. A), 6-12-2024)

Sec. 24-93. Temporary signs allowed with prior approval.

(a) *Temporary sign with prior approval table.*

<i>Temporary Sign Type Requiring Prior Approval</i>	<i>Commercial & Office Building</i>	<i>Hospital, Church or Government Building</i>	<i>Residential</i>
Commercial real estate sign	Yes	Yes	Not applicable
Banner	Yes	Yes	Not permitted

Table legend:

"Yes" indicates this sign type is allowable under the conditions outlined below.

"Not permitted" indicates this sign type is not allowed.

- (b) *Standards.* The temporary signs described below are allowable, but require prior approval of the building official:
- (1) *Commercial real estate sign.* One commercial real estate sign may be located on the premises being held for sale, lease or rent. A commercial real estate sign may not be displayed for longer than six months. Commercial real estate signs may not exceed ten square feet in surface area. Commercial real estate signs must be at least ten feet from the public right-of-way.
 - (2) *Banners.* One banner is permitted at a time per establishment. No banner may be displayed for longer than 30 days from the date it is first displayed. No more than three banners may be displayed per establishment per calendar year. The surface area of the banner may not exceed 32 square feet.

(Code 1987, ch. 11, subch. D, § 6; Code 1995, § 3.06.094; Ord. No. 2024-06-12-07, § 2(Exh. A), 6-12-2024)

Sec. 24-94. Temporary signs allowed without prior approval.

- (a) *Temporary sign table.*

Type of Sign	Commercial & Office Building	Hospital, Church or Government Building	Residential
Residential real estate sign	Not applicable	Not applicable	Yes
Directional real estate sign	Yes	Yes	Yes
Contractor sign	Yes	Yes	Yes
Store window sign	Yes	Not permitted	Not permitted
A-frame sign	Yes	Not permitted	Not permitted

Table legend:

"Yes" indicates this sign type is allowable under the conditions outlined below.

"Not permitted" indicates this sign type is not allowed.

- (b) *Standards.* The temporary signs described below are allowed without prior approval provided such temporary sign meets the requirements specified below:
- (1) *Residential real estate sign.* One residential real estate sign may be located on the premises being held for sale, lease or rent. A residential real estate sign may be displayed only while the premises are for sale, lease or rent. Residential real estate signs may not exceed five square feet in total surface area. Residential real estate signs must be at least ten feet from the public right-of-way unless, due to unusual circumstances created by the premises configuration, frontage, size or slope, the ten-foot setback would create a hardship.
 - (2) *Directional real estate sign.* One directional real estate sign may be located within the public right-of-way or on private property adjoining the public right-of-way in a residential zoning district, provided that the following conditions are satisfied:
 - a. The directional real estate sign does not exceed three feet in height above natural grade;
 - b. The directional sign is installed and removed (before 8:00 p.m.) on the day of the event that it is advertising; and

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- c. The owner of the directional real estate sign has obtained the prior consent of the owner of the private property or private property adjacent to the public right-of-way on which the directional real estate sign will be located.
- (3) *Contractor sign.* One contractor sign will be allowed on the premises being improved. Contractor signs in a residential zoning district may not exceed five square feet in surface area. Contractor signs in nonresidential zoning districts may not exceed ten square feet in surface area per contractor or subcontractor, and must be at least ten feet from the public right-of-way, unless affixed to temporary security/jobsite fencing being used in conjunction with the improvements. The contractor sign must be removed immediately after the improvements on the premises are completed.
 - (4) *Store window signs.* An establishment may have store window signs that shall not exceed a total combined area of 12 square feet per establishment. An establishment where the business is at an intersection of two roadways and has windows on different sides of the building adjacent to the roadways, may have store window signs that shall not exceed 24 square feet.
 - (5) *A-frame sign.* One A-frame sign will be allowed per establishment. The A-frame sign may not exceed five square feet per sign face, with a maximum of two sign faces which shall be parallel to each other (back-to-back). The A-frame sign shall not exceed three and one-half feet in height. A-frame signs may only be displayed during hours the establishment is open for business and must be taken down and stored inside the establishment when the establishment is closed. A-frame signs may not be placed within the public right-of-way, but may be placed on private sidewalks so long as it does not impede pedestrian traffic or ADA accessibility.

(Code 1987, ch. 11, subch. D, § 7; Code 1995, § 3.06.095; Ord. No. 2024-06-12-07, § 2(Exh. A), 6-12-2024)

Sec. 24-95. Signs in governmental or institutional (GI) district or park (P) district.

- (a) Churches and hospitals are considered single establishments and the regulations are the same as for a single establishment in a commercial district (C) in this article. Upon request, the city council may approve additional signs with a favorable vote of at least four councilmembers after a public hearing.
- (b) Signs on local, state, or federal government property require approval from the city council with a favorable vote of at least four councilmembers after a public hearing.
- (c) Signs on the premises of a public or private park require approval from the city council with a favorable vote of at least four councilmembers after a public hearing.

(Code 1987, ch. 11, subch. D, § 13; Code 1995, § 3.06.096; Ord. No. 2024-06-12-07, § 2(Exh. A), 6-12-2024)

Secs. 24-96—24-118. Reserved.

DIVISION 4. VARIANCES

Sec. 24-119. Purpose; limitations.

- (a) In order to lessen practical difficulties and prevent unnecessary physical hardships, variances from the regulations may be granted. A practical difficulty or unnecessary physical hardship may result from the size, shape, or dimensions of a structure, or the location of the structure, from topographic or physical conditions on the site or in the immediate vicinity, or from other physical limitations, street locations, or traffic

conditions in the immediate vicinity. Cost or inconvenience to the applicant of strict or literal compliance with a regulation shall not be a reason for granting a variance.

- (b) With respect to signs which are subject to regulation under V.T.C.A., Transportation Code ch. 391 and state department of highways and public transportation regulations, no variance shall be granted from spacing, size and lighting requirements when such would result in less stringent regulation than that provided for under those regulations.

(Code 1995, § 3.06.121)

Sec. 24-120. Application.

Application for a variance shall be made upon a form provided by the city. The variance application shall include the application for a sign permit and shall also state the applicant's reasons for requesting variance in accordance with the criteria set forth in this article.

(Code 1995, § 3.06.122)

Sec. 24-121. Fee.

The fee for a variance shall be as provided in the city fee schedule. The fee shall be paid at the time of application and shall not be refundable.

(Code 1995, § 3.06.123)

Sec. 24-122. Hearing.

Upon receipt of a variance application, the city council shall hold a public hearing prior to the approval or disapproval of the requested variance.

(Code 1995, § 3.06.124; Ord. No. 2019-12-18-17, § 1, 12-18-2019)

Sec. 24-123. Action on application.

Within 20 days of the closing of a hearing on a variance application, the city council shall act on the application. The council may approve the application as submitted, may approve the application subject to such modifications or conditions as it deems necessary to accomplish the purpose of this article, or the council may deny the application. A variance may be revocable or may be granted for a limited time period.

(Code 1995, § 3.06.125)

Sec. 24-124. Criteria for approval.

Before the city council acts on a variance application, the applicant must prove hardship, and the council must find that:

- (1) There are special circumstances or conditions applying to the land, buildings, topography, vegetation, sign structures or other matters on adjacent lots or within the adjacent right-of-way, which would substantially restrict the effectiveness of the sign in question; provided, however, that such special circumstances or conditions are unique to the particular business or enterprise to which the applicant desires to draw attention, and do not apply generally to all businesses or enterprises;

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- (2) That such special circumstances were not created by the applicant or anyone in privy to the applicant;
 - (3) That the granting of the variance will be in general harmony with the purposes of this article, and will not be materially detrimental to the persons residing or working in the vicinity, to adjacent property, to the neighborhood, or to the public welfare in general;
 - (4) The variance applied for does not depart from the provisions of this article any more than is required to identify the applicant's business or use;
 - (5) Such other factors and criteria as the council deems applicable to the proposed variance.

(Code 1995, § 3.06.126; Ord. No. 2013-05-15, 5-15-2013)