

CHAPTER 151: SIGN CODE

Section

- 151.01 Purpose and intent
- 151.02 Definitions
- 151.03 Prohibited signs
- 151.04 Permit procedures
- 151.05 Standards and criteria
- 151.06 Nonconforming signs

- 151.99 Penalty

§ 151.01 PURPOSE AND INTENT.

The provisions of this chapter are made to establish reasonable and impartial regulations for all exterior signs and to further the objectives of the Comprehensive Plan of the city; to protect the general health, safety, convenience and welfare; to reduce traffic hazards caused by unregulated signs which may distract, confuse and impair the visibility of motorists and pedestrians; to ensure the effectiveness of public streets, highways and other public improvements; to facilitate the creation of an attractive and harmonious community; to protect property values and to further economic development.
(1993 Code, Comp. No. 8-3) (Ord. 578, passed 12-4-2000)

§ 151.02 DEFINITIONS.

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

(A) If the general definitions in the city zoning ordinance conflict, the following definitions shall control for purposes of this chapter.

ILLEGAL SIGN. A sign constructed in violation of regulations existing at the time the sign was built.

INDIRECT ILLUMINATION. A light directed toward a sign so that the beam of light falls upon the exterior surface of the sign and is not flashing.

INFLATABLE SIGN. A sign that is expanded with air or gas and anchored to a structure or the ground.

LOT. A unit of land created by a subdivision of land; the term **LOT** is synonymous with the term **PARCEL** for the purposes of this chapter.

NONCONFORMING SIGN. A sign meeting all legal requirements when constructed prior to the adoption of this chapter. An illegal sign is not a **NONCONFORMING SIGN**.

POLE SIGN. A sign wholly supported by a sign structure in the ground and not exceeding 200 square feet.

(B) The following signs shall not be subject to the permit requirements of § 151.04, nor subject to the number and type limitations of this chapter, but shall be subject to all other provisions of this chapter and the requirements of this section.

DIRECTIONAL SIGN. A sign giving on-site directional assistance for the convenience of the public, which does not exceed four square feet in area and which does not use flashing illumination.

EVENT SIGN/BANNER. An election sign not exceeding 32 square feet, provided the sign is removed within seven days following an election. A temporary non-illuminated sign or banner not exceeding 200 square feet used for a fundraising event solely for charitable purposes, placed by a legally constituted nonprofit organization.

FLAG/PENNANT. A governmental flag with or without letters or numbers and other flags and pennants without letters or numbers. The **FLAGS** and **PENNANTS** shall be made of non-rigid material.

HISTORICAL/LANDMARK SIGN. A marker erected or maintained by a public authority or by a legally constituted historical society or organization identifying a site, building or structure of historical significance.

HOLIDAY SIGN. A sign or decoration used to commemorate a holiday which is removed within seven days following the holiday period.

INTERIOR SIGN. Any sign which is not visible and not directed to people using a public street or public pedestrian way.

MURAL. A large picture painted on the wall of a building not advertising a specific business or product.

PUBLIC SIGN. A sign erected by a government agency. A public notice or warning required by a valid and applicable federal, state or local law or regulation and an emergency warning sign erected by a public utility or by a contractor doing authorized work in the public way.

REAL ESTATE OR CONSTRUCTION SIGNS. Temporary non-illuminated real estate (not more than two per lot) or construction signs not exceeding 32 square feet, provided the signs are removed within 15 days after closing or signing of the sale, lease or rental of the property or within seven days of completion of the project.

WINDOW SIGN. A sign painted or placed upon a window in a nonresidential zone.

(C) If the exemptions conflict with the city zoning ordinance, that ordinance shall govern. (1993 Code, Comp. No. 8-3) (Ord. 578, passed 12-4-2000)

§ 151.03 PROHIBITED SIGNS.

The following signs are prohibited.

ABANDONED SIGN. A sign or a sign structure existing more than 60 days after a business ceases to operate shall be taken down and removed by the owner, agent or person having the beneficial use of the lot upon which the sign may be found.

BILLBOARD. A pole sign exceeding 200 square feet of sign area.

SIMULATED TRAFFIC SIGNS AND OBSTRUCTIONS. Any sign which may be confused with or obstruct the view of any authorized traffic signal or device, or extend into the traveled portion of a public street or pedestrian way.

VACANT LOT SIGN. Except exempt signs, a sign erected on a lot that has no structures capable of being occupied as a residence or business. Notwithstanding the foregoing, signs otherwise permitted under this chapter may be placed on a lot improved for off-street parking as provided by the city zoning ordinance.

VEHICULAR SIGN. Any sign written or placed upon or within a parked motor vehicle with the primary purpose of providing a sign not otherwise allowed by this chapter. This does not include any sign permanently or temporarily placed on or attached to a motor vehicle, when the vehicle is used in the regular course of business for purposes other than the display of signs.

VISION CLEARANCE. Any sign in the clear-vision area as defined in the city zoning ordinance. (1993 Code, Comp. No. 8-3) (Ord. 578, passed 12-4-2000)

§ 151.04 PERMIT PROCEDURES.

(A) *Permit required.* Except as may otherwise be provided in this chapter, no sign or a sign structure shall be displayed, erected, altered, relocated or replaced until a sign permit has been issued

by the City Manager or designee. For the purpose of this chapter, all signs are considered accessory uses of the lot upon which they are located.

(B) *Application.* Application for a sign permit shall be made by the owner, tenant or authorized agent of the property upon which the sign is to be located. The application shall be approved, denied or referred back to the applicant within ten working days from the date the application was submitted.

(C) *Criteria for permit approval.* A sign permit will be approved if compliance with the following exists:

- (1) Conformance to structural requirements and electrical code, if applicable;
- (2) It meets location standards; and
- (3) The sign is allowed in zoning designation.

(D) *Plan requirements.* The application for a sign permit shall be accompanied by a site plan with the following information:

- (1) Name, address and telephone number of the owner, tenant or authorized agent of the property upon which the sign is to be located;
- (2) Location by legal description (township, range, section, tax lot) and physical address;
- (3) Dimensions of the sign and the sign structure and, where applicable, the dimensions of the wall surface of the building to which the sign is to be attached and a current photograph of the building;
- (4) Proposed location of the sign in relation to the face of the building, in front of which or above which the sign is to be erected; and
- (5) Proposed location of the sign in relation to the boundaries of the lot upon which the sign is to be placed.

(E) *Signs exempt from permits.* These exceptions do not relieve the owner of the sign from the responsibility of its erection, maintenance and compliance with the provisions of this chapter or any other law or ordinance regulating the same. The following changes do not require a sign permit:

- (1) The changing of the advertising copy or message of a painted, plastic face or printed sign only. Except for signs specifically designed for the use of replaceable copy, electrical signs shall not be included in this exception; and
- (2) The electrical, repainting, cleaning, repair or maintenance of a sign.

(F) *Fees.* The fee for a sign permit shall be as set by Council resolution. The fee for any sign which has been erected without a sign permit shall be double the regular sign fee.

(G) *Building Code compliances.* All signs and sign structures shall comply with the Uniform Building Code and the State Electrical Safety Specialty Code adopted by the city in § 150.001. All pole signs, attached or projecting wall signs and roof signs will require a building permit in addition to the sign permit. Signs for which a building or electrical permit is required shall be subject to inspection by the city's Building Official or State Electrical Inspector. The Building Official may order the removal of a sign that is not maintained in accordance with this chapter. Signs may be reinspected at the discretion of the Building Official.

(1993 Code, Comp. No. 8-3) (Ord. 578, passed 12-4-2000; Ord. 651, passed 12-20-2010)

§ 151.05 STANDARDS AND CRITERIA.

(A) General sign provisions.

(1) Signs may not project over public property beyond six feet. In the event a public street is modified so that the sign or sign structure becomes located over the portion used by motor vehicles, the sign shall be relocated at owner expense so that it is no longer over the portion of the public street used by motor vehicles.

(2) All signs shall have a vertical clearance of seven feet above public property.

(3) No signs shall stand or be based in public property without authorization of agency jurisdiction.

(4) Regulatory equipment shall be installed in all illuminated signs to preclude interference with radio and television.

(5) All signs shall be maintained in good repair, and where applicable, in full operating condition at all times.

(6) Flashing signs or any material that gives the appearance of flashing such as reflective disks are prohibited. Tracer lights are not prohibited.

(7) Commercial signs shall not be located within 50 feet of a residential zoning designation.

(8) External illumination of signs shall be shielded so that the light source elements are not directly visible from property in a residential zoning district which is adjacent to or across a street from the property in the nonresidential zoning district.

(9) Signs shall be located not less than six feet horizontally or 12 feet vertically from overhead electrical conductors that are energized in excess of 750 volts. The term ***OVERHEAD CONDUCTORS***

as used in this section refers to an electrical conductor, either bare or insulated, installed above the ground, except when conductors are enclosed in iron pipe or other approved material covering of equal strength.

(10) Signs or sign structures shall not be erected in a manner that a portion of their surface or supports will interfere with the free use of any fire escape or exit.

(11) Signs shall not obstruct building openings to the extent that light or ventilation is reduced. Signs erected within five feet of an exterior wall in which there are openings within the area of the sign shall be constructed of noncombustible material or approved plastics.

(B) *Signs in residential zones.* In the RLA, RLB, RLC, RM and RH zones, no sign shall be allowed except the following:

(1) One sign identifying only the name of the owner or occupant of a building, provided the sign does not exceed six inches by 18 inches in size, is unilluminated and shall not be located in a required yard;

(2) One sign identifying only the business name of a home occupation occupying that lot, provided the sign does not exceed one square foot of sign area, is unilluminated and shall not be located in a required yard;

(3) One sign pertaining to the lease or sale of a building or property, provided the sign does not exceed six square feet of sign area;

(4) One identification sign facing the bordering street, not to exceed 16 square feet of sign area, for any permitted or conditional use except residences and home occupations. The sign shall be solely for the purpose of displaying the name of the institution and its activities or services. It may have indirect illumination but non-flashing and shall not be located in a required yard;

(5) Temporary sign, for one year, advertising a new subdivision, provided the sign does not exceed 32 square feet of sign area, advertises only the subdivision in which it is located, is unilluminated and is erected only at a dedicated street entrance and within the lot lines. The sign shall be removed if construction on the subdivision is not in progress within 60 days following the date of the sign permit; and

(6) The maximum sign height is seven feet.

(C) *Signs in commercial/industrial zones.* In the C-G, C-SH, C-OP, C-H, ML, MG and PR zones, all signs located on a lot shall conform to the following limitations.

(1) Except as provided in division (C)(3) below, for a single business, whether on one or more contiguous lots, the maximum number of signs requiring a permit is three, one of which may be a pole sign.

(2) Except as provided in division (C)(3) below, for multiple businesses in a shopping center, for multiple businesses sharing common off-street parking facilities or for multiple businesses with the same property owner, all of which are located on one or more contiguous lots, the maximum number of signs requiring a permit is one pole sign per business and one additional sign which may be a portable sign.

(3) When a business or businesses have 200 continuous lineal feet of frontage on one street, the maximum number of signs shall be increased by one sign (pole or portable) for each 100 feet of frontage up to a maximum of four additional signs. Any two of these signs may be combined in a single sign not to exceed 200 square feet in area.

(4) Pole signs shall be placed at least 100 lineal feet apart.

(5) A roof sign may be substituted for one of the allowed pole signs.

(6) Except for attached wall signs, each sign face shall not exceed 100 square feet in area and shall not exceed 35 feet in height.

(7) Attached wall signs shall not exceed 200 square feet in area.

(8) Each business at a new location may have one temporary sign on each street frontage of the lot occupied by that business, provided the sign area does not exceed 50 square feet and provided the sign is not displayed for more than 365 days or until the permanent sign is installed, whichever first occurs.

(D) *Signs in agricultural zones.* In the A-O Zone, the following criteria for signs apply:

(1) Maximum number of signs requiring a permit is three;

(2) Maximum number of pole signs is one;

(3) Except for attached wall signs, each sign face shall not exceed 50 square feet in area;

(4) Attached wall signs shall not exceed 100 square feet of sign area; and

(5) Pole signs shall not exceed 35 feet in height.

(1993 Code, Comp. No. 8-3) (Ord. 578, passed 12-4-2000)

§ 151.06 NONCONFORMING SIGNS.

(A) Except for signs located in A-O, ML and MG zones, any nonconforming pole sign that is greater than 200 square feet shall be reduced to not more than 200 square feet in area or be removed within one year from the approval date of this chapter.

(B) All other nonconforming signs shall be subject to the regulation of structures as provided in the city zoning ordinance relating to the continuation of a nonconforming use or structure, the discontinuance of a nonconforming use, the change of a nonconforming use and the destruction of a nonconforming use or structure.

(1993 Code, Comp. No. 8-3) (Ord. 578, passed 12-4-2000)

§ 151.99 PENALTY.

(A) A person violating a provision of this chapter shall be charged a fine of not more than \$300 for each day the violation occurs. A violation of this chapter shall be considered a separate offense for each day the violation occurs. Notwithstanding the foregoing and regardless of whether a permit has been revoked, a person who violates this chapter may be charged in the appropriate court of law.

(B) These penalty fees will terminate upon the inclusion of the sign ordinance with the zoning ordinance during the adoption process of the city's periodic review unless reauthorized in the adoption process.

(1993 Code, Comp. No. 8-3) (Ord. 578, passed 12-4-2000)