

CHAPTER 168

ZONING – SIGN REGULATIONS

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168.01 PURPOSE. This chapter is established to protect and promote health, safety, general welfare and order within the City through the establishment of comprehensive and uniform standards, regulations and procedures governing the type, numbers, size, structure, location, height, lighting, erection, use or display of devices, signs or symbols serving as a visual communications media to persons situated within or upon public rights-of-way or private properties. The provisions of this chapter are intended to encourage opportunity for effective, aesthetically compatible and orderly communications by reducing confusion and hazards resulting from unnecessary or indiscriminate use of communications facilities. No sign shall be erected, constructed, altered or modified except as regulated by the provisions of this chapter.

168.02 DEFINITIONS. The following terms, for the purposes of this chapter, have the meanings stated herein:

1. “Address sign” means a sign communicating street address only, whether written or in numerical form.
2. “Billboard” means a sign advertising a service, business or product not offered for sale or made available on the same zoning lot on which the sign is located.
3. “Campaign sign” means a temporary sign promoting the candidacy of a person running for a governmental office, or promoting an issue to be voted upon at a governmental election.
4. “Construction sign” means a sign placed at construction site identifying the project or the name of the architect, engineer, contractor, financier or other involved parties.
5. “Directional sign” means a sign erected on public or private property which bears the address and name of a business, institution, church or other use or activity plus directional arrows or information on location.
6. “Flashing sign” means any illuminated sign that has artificial light or color which is not maintained at a constant intensity or color when such sign is in use.
7. “Freestanding sign” means a sign located on a pole, upright or bracing which is independent of any building or any other structure.
8. “Governmental sign” means a sign which is erected by a governmental unit.
9. “Information sign” means any sign giving information to employees, visitors or delivery vehicles, but containing no advertising or identification.
10. “Joint identification sign” means a freestanding sign which identifies a subdivision, a multiple residential complex consisting of three or more structures, a

shopping center consisting of three or more separate business concerns, an industrial area, an office complex consisting of three or more structures or any combination of the above.

11. “Nonconforming sign” means a sign which lawfully existed at the time of the passage of this Zoning Ordinance or amendments thereto but which does not conform to the regulation of this Code.

12. “Projecting sign” means a sign projecting perpendicular from a building wall and extending no more than three feet from such wall.

13. “Real estate sign” means a business sign placed upon a property advertising that particular property for sale, for lease or for rent.

14. “Sign” means the use of any words, numerals, pictures, figures, devices or trademarks by which anything is made known such as are used to show an individual, firm, profession or business, and are visible to the general public.

15. “Sign area” means that area within the marginal lines of the surface which bears the advertisement or, in the case of messages, figures or symbols attached directly to the part of a building; that area which is included in the smallest connecting geometric figures which can be made to circumscribe the message, figure or symbol displayed thereon. Only changeable copy areas of marquee or canopies shall be considered in determining the total sign area.

16. “Sign structure” means the supports, uprights, bracing and framework for a sign including the sign area.

17. “Temporary sign” means any sign which is erected or displayed for a specified period of time.

18. “Wall sign” means a sign which is affixed to the exterior wall or mansard roof of a building and which is parallel to the building. Wall signs are also referred to as “flush mounted signs.”

168.03 REQUIREMENTS. Billboards and signs in conjunction with principal permitted uses are allowed subject to the following regulations:

1. Commercial District:

A. Only two permanent type signs intended to be read from off the premises is allowed for each principal use.

B. The following sign types are prohibited in the Commercial District:

- (1) Flashing signs;
- (2) Billboards.

C. Only the following types of signs shall be permitted within the Commercial District. Such signs are subject to the size limitations set forth herein.

| <i>Sign Type</i> | <i>Size Limitations</i> |
|----------------------------|--|
| Wall signs | 2 square feet for each linear foot of building frontage |
| Real estate signs | 20 square feet |
| Government signs | No limitation |
| Address signs | 3 square feet |
| Campaign signs | 8 square feet |
| Directional signs | 3 square feet |
| Informational signs | 3 square feet |
| Joint identification signs | 15 square feet for each business, industry or residential complex advertising on the joint identification sign |
| Projecting sign | 16 square feet |
| Temporary signs | 9 square feet and also subject to the regulations included in Section 168.06 of this chapter |
| Construction signs | 32 square feet |

2. Highway Commercial, Industrial and Agricultural Districts.

A. Only two permanent signs are permitted per zoning lot; one must be a wall sign and one may be a projecting sign or a freestanding sign located not more than 150 feet from the principal building.

B. The following sign types are prohibited in the industrial and agricultural districts:

- (1) Flashing signs;
- (2) Temporary signs.

C. Only the following types of signs are permitted in the Highway Commercial, Industrial and Agricultural Districts (such signs shall be subject to the size limitations set forth herein):

| <i>Sign Type</i> | <i>Size Limitations</i> |
|----------------------------|--|
| Real estate signs | 20 square feet |
| Government signs | No limitation |
| Address signs | 6 square feet |
| Campaign signs | 18 square feet |
| Informational signs | 3 square feet |
| Directional signs | 3 square feet |
| Joint identification signs | 15 square feet for each business, industry or residential complex advertising on the joint identification sign |
| Wall sign | 2 square feet for each linear foot of building frontage |
| Billboards | 100 square feet |
| Freestanding signs | 100 square feet |
| Construction signs | 50 square feet |
| Projecting signs | 24 square feet |

3. Residential Districts.

A. The following sign types are prohibited:

- (1) Flashing signs;
- (2) Projecting signs;
- (3) Billboards;

- (4) Freestanding signs;
- (5) Informational signs;
- (6) Directional signs;
- (7) Temporary signs.

B. The following types of signs are permitted within the residential districts (such signs shall be subject to the size limitations set forth herein):

| <i>Sign Type</i> | <i>Size Limitations</i> |
|----------------------------|--|
| Address signs | 3 square feet |
| Real estate signs | 3 square feet |
| Government signs | No limitation |
| Campaign signs | 4 square feet |
| Joint identification signs | 10 square feet for each residential complex advertising on the joint identification sign |
| Wall sign | 4 square feet |
| Construction signs | 32 square feet |

168.04 SPECIAL EXCEPTIONS. In all districts, for uses permitted as special exceptions, signs are allowed only through Board of Adjustment approval.

168.05 ADDITIONAL REGULATIONS. In all districts, signs and billboards shall adhere to pertinent State regulations and other local ordinances.

168.06 GENERAL SIGN PROVISIONS. Regardless of the district in which they are located, all signs within the City shall be subject to and shall conform with the following regulations:

1. Hazardous Signs. No sign permitted by this chapter shall, by reason of its location, lighting, size, color or intensity, create a hazard to the safe, efficient movement of vehicular or pedestrian traffic. No private sign shall contain words which might be construed as traffic controls, such as “stop,” “caution,” “warning,” etc., unless such sign is intended to direct traffic within the premises.
2. Sign Maintenance. All signs and sign structures shall be properly maintained and kept in a safe, orderly condition. In addition, all parts and supports shall be properly painted. Any sign or sign structure which is rotted, unsafe, deteriorated, defaced or otherwise altered shall be repainted, repaired or replaced by the property owner or agent of the owner of the property upon which the sign is located, after written notice by the City.
3. Interference. No sign or any guys, stay or attachment thereto shall be erected, placed or maintained by any person on rocks, fences or trees, or in such a manner as to interfere with the effective use of firefighting equipment or personnel, or any electric light, power, telephone, telegraph or TV cable wires or supports thereof.
4. Signs in Right-of-Way. No signs other than government signs shall be erected or temporarily placed within any public rights-of-way except as may be specifically provided herein.
5. Temporary Signs. The temporary use of portable or moveable signs, search lights, banners, pendants and similar devices shall be allowed in excess of and in addition to the sign limitations of this chapter for continuous periods of ten (10)

consecutive days. No business proprietor shall be allowed more than three (3) such periods in any calendar year.

6. Clearance. All signs located over public rights-of way or any public or private access route (sidewalk, mall, etc.) shall be located a minimum of 12 feet above grade level.

7. Safe Ingress and Egress. No sign or part thereof shall be erected or maintained so as to prevent or deter free ingress and egress from any door, window or fire escape. No sign or sign structure shall be attached to a standpipe or fire escape.

8. Signs Required By Law. All signs required by law are permitted in all districts.

9. Back to Back Signs. If a freestanding sign or sign structure is constructed so that the faces are not back to back, the angle shall not exceed thirty degrees (30°). If the angle is greater than 30°, the total area of both sides added together shall be the calculated sign area. Back to back signs (when less than 30°) shall be considered as one sign when debited against the total number of signs permitted on one zoning lot.

10. Roof Signs. Roof signs are not permitted except for a business sign that is attached to the parapet wall and extending above the building height except where no alternative is available, as determined by the Board of Adjustment.

11. Obsolete Signs. Obsolete signs which advertise an activity, business product or service which is no longer produced or conducted on the premises shall be removed within ninety (90) days from date of notice provided by the City. The owner of the property on which the sign is located shall have ninety (90) days from date of notice to remove any such sign. If after the expiration of the 90-day period, the sign has not been removed, the City may cause the sign to be removed and any expenses may be charged back to the property owner. Businesses which are seasonal in nature are exempt from the obsolete sign provisions.

12. Illumination. All externally illuminated signs shall be constructed so as to direct the source of light away from adjacent properties or public streets.

13. Animated Signs. Animated signs may be allowed as a special exception requiring a hearing before the Board of Adjustment.

14. Double Frontage. Lots having frontage on two (2) streets or on a street and an alley shall be permitted to provide the maximum number and square footage of signs on each of the opposite ends of said lot; provided, however, not more than the maximum number of square feet of signs per frontage may be viewed simultaneously.

15. Permit Required. No sign except permitted signs as identified herein shall be erected, altered, constructed or modified without first receiving a valid sign permit from the City.

16. Sign Permit Application. The application for a sign permit shall contain such information as may be deemed necessary for the proper enforcement of this chapter.

17. Permit Fees. To defray administrative costs of processing requests for sign permits, the applicant for a sign permit shall pay to the City Clerk a fee in the amount established by the City Council.

168.07 PERMITTED SIGNS. The following signs are allowed without a permit but shall comply with all other applicable provisions of this chapter:

1. Government Signs. Signs of a public, noncommercial nature, to include safety signs, danger signs, trespassing signs, traffic signs, signs indicating scenic or historical points of interest, memorial plaques and the like, when signs are erected by or on order of a public officer or employee in the performance of official duty.
2. Directional and Parking Signs (On-Site). On-site directional and parking signs intended to facilitate the movement of vehicles and pedestrians upon the lot on which the sign is located.
3. Integral Signs. Name on buildings, date of construction, commemorative tablets and the like, which are of the building or structure.
4. Campaign Signs. Signs or posters announcing the candidate seeking political office, advertising political issues or the data pertinent thereto. These signs shall remain for no longer than 45 days prior and 5 days after the election for which they were intended and shall be removed by the owner of the property on which they are located. All signs shall be confined to private property and shall not be attached to trees, utilities or rocks.
5. Construction Signs. A non-illuminated sign announcing the names of architects, engineers, contractors, future use and other individuals or firms involved with the construction, alteration or repair of such building (but not including any advertisement of any product). Such signs shall be confined to the site of the construction, alteration or repair and shall be removed within two (2) years of the date of issuance of the first building permit or when the particular project is completed, whichever is sooner. One sign shall be permitted for each major street the project abuts.
6. Real Estate Signs. Any on-site sign announcing the owner, manager, realtor or other person directly involved in the sale or rental of the property on which the sign is located. In the case of sale, signs shall be removed within twenty four (24) hours after the sale. Only one real estate sign may be allowed per zoning lot.

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