

## SECTION 23

### SIGNS

#### SECTION:

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**10-23-1: PURPOSE AND INTENT:** The purpose of this chapter is to protect and promote the general welfare, health, safety and order within the City through the establishment of a comprehensive and impartial series of standards, regulations and procedures governing the erection, use and/or display of devices, signs or symbols serving as visual communicative media to persons situated within or upon public right-of-way or private properties. The provisions of this Section are intended to encourage creativity, a reasonable degree of freedom of choice, an opportunity for effective communication, and a sense of concern for the visual amenities on the part of those designing, displaying or otherwise utilizing needed communicative media of the types regulated by this Section; while at the same time assuring that the public is not endangered, annoyed or distracted by the unsafe, disorderly, indiscriminate or unnecessary use of such communicative facilities.

**10-23-2: EXEMPT SIGNS:** The following signs are exempt from the requirements of this Section:

- A. Memorial plaques, building identification signs, and building cornerstones when cut or carved into a masonry surface or made an integral part of the building or structure.
- B. Directional, warning, or informational signs authorized by federal, state, or municipal governments with proper jurisdiction.
- C. Official notices authorized by a court, public body, or public safety official.

**10-23-3: PROHIBITED SIGNS:** The following signs are prohibited within the City:

- A. Sign attached to any tree, public sign or utility poles.
- B. Sign constructed of a material not of a permanent nature.
- C. Above roof signs. Projecting signs shall project no further than two (2) feet from the wall to which they are anchored. No sign, or portion thereof, shall project over public property.
- D. Sign which by reason of position, movement, shape, illumination or color would constitute a traffic hazard to oncoming traffic.
- E. Sign noticeably moving as a result of normal wind pressure.
- F. Sign containing obscene language or graphics.
- G. Abandoned signs which no longer identify or advertise a bona fide business, service, product, or activity or for which a legal owner can be found.
- H. Banners, pennants, festoons, and search-lights except as a permitted temporary special event sign and as identified in 10-23-5-H.
- I. Signs imitating or resembling official traffic or governmental signs or signage.
- J. Signs placed on vehicles or trailers which are parked or placed for the primary purpose of displaying said sign except for portable signs or lettering on buses, taxis, or vehicles operating during the normal course of business.
- K. Any sign placed within thirty (30) feet of any intersection that may obstruct motorist or pedestrian visibility.
- L. Signs which blink, flash, or are animated.

**10-23-4: SIGNS NOT REQUIRING PERMITS:** The following signs are exempt from permit requirements but must otherwise be in conformance with all requirements of this Section.

- A. **Construction Signs:** A non-illuminated sign not exceeding thirty-two (32) square feet in the R-1 and R-2 District and sixty-four (64) square feet in area in all other districts may be placed on the site where an open building permit has been issued. The sign shall be removed within two (2) years of the date of issuance of the building permit or when the building permit has been finalled or expired, whichever is sooner.

- B. **Directional Signs, On-Site:** On site-directional signs, not exceeding two (2) square feet in area, intended to facilitate the movement of pedestrians and vehicles within the site, identify restrooms, waste receptacles, addresses, door bells, mailboxes, or building entrances upon which signs are located. Such signs shall be limited to two (2) per site in R-1 and R-2 Districts and four (4) per site for all other districts.
- C. **Identification Signs:** Signs in all non-residential districts which identify the business, owner, manager, or resident providing the sign does not exceed four (4) square feet in area and is attached to a wall or placed in a window. Such a sign may be placed on a residential property with a permitted home occupation.
- D. **Non-Commercial Speech:** Notwithstanding any other provisions of this Sign Ordinance, all signs of any size containing non-commercial speech may be posted from June 25 in any general election year until ten (10) days following the general election and thirteen (13) weeks prior to any special election until ten (10) days following the special election.
- E. **Private Sale or Event Signs:** One sign not to exceed four (4) square feet in area may be placed on the site of a rummage sale or similar event. Any sign shall be removed at the termination of the sale or similar event.
- F. **Individual Property Sale, Lease, or Rental Signs:** Any property that is currently for sale or rent may place one sign per street frontage. Such signs must be removed within ten (10) days after the sale or rental of the property. Such signs shall not exceed six (6) square feet in area in all residential districts and thirty-two (32) square feet in area in all other districts.
- G. **"No Trespassing" and "No Hunting" Signs:** No trespassing and no hunting signs and similar warning or restrictive signs, not to exceed two (2) square feet in area, may be placed upon private property by the owner.

**10-23-5: GENERAL REQUIREMENTS:** All signs within the City shall be subject to the following standards:

- A. **Compliance with Building and Electrical Codes:** All signs shall be pursuant to the requirements of the State Building Code.
- B. **Anchorage Requirements:**
  - 1. No sign shall be suspended by non-rigid attachments that will allow the sign to swing in a wind.

2. All freestanding signs shall have self-supporting structures permanently attached to concrete foundations.
3. All portable signs on display shall be braced or secured to prevent motion.
4. No sign shall be attached to hang from any building until all necessary wall attachments have been approved by the Building Official.

**C. Sign Wind Resistance Requirements:**

1. Solid signs, other than wall signs, shall be designed to withstand a wind load of seventeen (17) pounds per square foot on any face, having a height less than thirty (30) feet and to withstand a wind load of twenty-two (22) pounds per square foot on any surface having a height in excess of thirty (30) feet in height.
2. Skeleton signs, other than wall signs, shall be designed to withstand a wind load of seventeen (17) pounds per square foot on the total face area of the letters and all other sign surfaces less than thirty (30) feet in height and to withstand a wind load of twenty-two (22) pounds per square foot on all portions in excess of thirty (30) feet in height.

**D. Additional Sign Construction and Placement Requirements:**

1. 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 egress.
2. 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 current Building or Fire Codes.
3. Signs shall be located in such a way as to maintain horizontal and vertical clearance of all overhead electrical conductors in accordance with present Electrical Code specifications.
4. Lighting shall be directed away from road rights-of-way and adjacent dwellings.
5. Freestanding signs in all districts shall have a minimum setback of ten (10) feet from any public right-of-way measured to any portion of the sign, and a minimum clearance of ten (10) feet over any vehicular or pedestrian use area. No freestanding sign shall be located within twenty-five (25) feet of any intersection of street right-of-way lines and/or driveway entrances.

6. Except as otherwise permitted by this ordinance, no signs other than governmental signs shall be erected or temporarily placed within any right-of-way or upon any public lands or easements.
7. When a free standing sign or sign structure is constructed so that the sign faces are not back to back, the angle shall not exceed ten degrees. If the angle is greater than ten (10) degrees, the total area of both sides added together shall not exceed the maximum allowable sign area for that district.

**E. Temporary Signs:**

1. An on-site temporary, portable sign may be used for a period of time not to exceed one hundred eighty (180) days per calendar year per parcel of record in the commercial and industrial zoning districts provided:
  - a. Such temporary, portable signs shall not exceed forty-eight (48) square feet in area and nine (9) feet in height and shall not be placed closer than ten (10) feet from any street right-of-way or property line. (Ord. 202, SS, 07/06/15)
  - b. Any temporary, portable sign shall require a permit issued by the City to the property owner specifying the duration of time to be displayed.
  - c. No temporary, portable sign shall occupy required parking spaces.
  - d. In the case of multi-tenant structures, one sign may be placed every one hundred fifty (150) feet of street frontage rather than one sign per parcel. Each one hundred fifty (150) feet is granted one hundred eighty (180) days for display. (Ord. 202, SS, 07/06/15)
2. One A-frame or sandwich board sign per frontage per business may be allowed in the business districts without a permit and without using the time period allotted for temporary, portable signs provided:
  - a. The sign is placed within fifteen (15) feet of the entrance of the business.
  - b. The sign shall be placed on private property and may be placed on a private sidewalk provided there is sufficient clearance for pedestrians.
  - c. The sign may not obstruct safety, visibility, or traffic.

- d. The sign shall not be greater than forty-five (45) inches in height, twenty-seven (27) inches in width, or thirty-one (31) inches in depth
- e. The sign shall be only displayed during business hours.

(Ord. 202, SS, 07/06/15)

- F. **Electronic Message Board Signs.** Signs displaying electronic, scrolling text-based messages may be permitted in commercial and industrial districts provided that the electronic message board component of any sign is no greater than forty (40) square feet in area.
- G. **Business and Industrial Window Signs.** Window signs are permitted in the industrial and business districts provided each sign does not occupy more than seventy-five (75) percent of the window area.
- H. **Banner signs.** Banner signs and similar products attached to a building shall be allowed without a permit as follows:
  - 1. Signage shall be well secured to prevent it from blowing in the wind.
  - 2. No more than two (2) signs shall be allowed at any one time.
  - 3. Each sign shall be less than one hundred (100) square feet in area.
  - 4. Such signage shall be only allowed in the industrial and business districts.
- I. **Ground Banner Signs.** Banner signs may be allowed on the ground up to forty-eight (48) square feet in area but each ground banner sign shall count towards one of the two allowed building banner signs and shall conform to all standards set forth for portable temporary signs in 10-23-5:E-1 and shall require a permit.

**10-23-6: MAINTENANCE OF SIGNS:** All signs shall be maintained by the owner in a safe condition. A sign shall be repainted whenever its paint begins to fade, chip, or discolor.

**10-23-7: NON-CONFORMING SIGNS:** Any sign legally existing on the effective date of this Section which does not conform to the requirements set forth in this Section shall become a non-conforming sign. No non-conforming sign shall be enlarged or altered in such a fashion that increases its non-conformity. Non-conforming signs shall be subject to the requirements of Section 10-15 of the Zoning Ordinance.

**10-23-8: DISTRICT REGULATIONS:** The following signs are permitted in their respective Zoning District:

**A. A-1, A-2, and A-3 Districts:**

1. All signs not requiring permits as set forth in this Section.
2. One (1) permanent area identification sign per neighborhood, subdivision, or development, not to exceed thirty-two (32) square feet in sign area and six (6) feet in height. The area identification sign shall be placed on the same premises as the development which it identifies.
3. For legally established non-residential uses, one (1) freestanding sign not to exceed thirty-two (32) square feet and six (6) feet in height, shall be permitted. One (1) wall business sign, not to exceed twenty (20) square feet, shall also be permitted. The freestanding sign and wall business signage shall be placed on the same premises as the business in which it identifies.
4. Signage requirements for Home Occupations shall be as follows: One (1) freestanding sign not to exceed twenty (20) square feet in sign area and six (6) feet in height, and one (1) business wall sign not to exceed twenty (20) square feet in sign area.

**B. RR and ML-PUD Districts:**

1. All signs not requiring permits as set forth in this Section.
2. One (1) permanent area identification sign per neighborhood, subdivision, or development, not to exceed thirty-two (32) square feet in sign area and six (6) feet in height. The area identification sign shall be placed on the same premises as the development which it identifies.
3. For legally established non-residential uses, one (1) freestanding sign not to exceed thirty-two (32) square feet and six (6) feet in height, shall be permitted. One (1) wall business sign, not to exceed twenty (20) square feet, shall also be permitted. The freestanding sign and wall business signage shall be placed on the same premises as the business in which it identifies.
4. Signage requirements for Home Occupations shall be as follows: One (1) freestanding sign not to exceed twenty (20) square feet in sign area and six (6) feet height, and one (1) business wall sign not to exceed twenty (2) square feet in sign area.

**C. R-1 and R-2 Districts:**

1. All signs not requiring permits as set forth in this Section.
2. One (1) permanent area identification sign per neighborhood, subdivision, or development, not to exceed thirty-two (32) square feet in sign area and six (6) feet in height. The area identification sign shall be placed on the same premises as the development which it identifies.
3. For legally established non-residential uses, one business wall sign, not to exceed four (4) square feet, shall be permitted.
4. For legally established institutional uses, such as religious institutions, nursing homes, medical establishments and schools, one (1) freestanding sign per street frontage identifying said institution or institutional complex shall be permitted. The freestanding sign shall not exceed sixty (60) square feet in sign area and ten (10) feet in height. One business wall sign, not to exceed twenty (20) square feet in sign area, shall be permitted for each structure.
5. Signage requirements for home occupations shall be as follows: one (1) freestanding sign not to exceed four (4) square feet in sign area and six (6) feet in height, and one (1) business wall sign not to exceed four (4) square feet in sign area.

**D. R-3 and R-4 Districts:**

1. All signs not requiring permits as set forth in this Section.
2. One (1) permanent area identification sign per frontage with access to a neighborhood, subdivision, development or multi-family complex, not to exceed thirty-two (32) square feet in the sign area and six (6) feet in height, shall be permitted. The area identification sign shall be placed on the same premises as the development which it identifies.
3. For legally established non-residential uses, one business wall sign, not to exceed four (4) square feet in sign area, shall be permitted.
4. For legally established institutional uses, such as religious institutions, nursing homes, medical establishments, and schools, one (1) freestanding sign per street frontage identifying said institution or institutional complex shall be permitted. The freestanding sign shall not exceed sixty (60) square feet in sign area and ten (10) feet in height. One business wall sign, not to exceed twenty (2) square feet in sign area, shall be permitted for each structure.

5. Signage requirements for home occupations shall be as follows: one (1) freestanding sign not to exceed four (4) square feet in sign area and one (1) business wall sign not to exceed four (4) square feet in sign area.

**E. PUD District:**

1. All signs not requiring permits as set forth in this Section.
2. Signage requirements shall be established at the time the PUD is approved by the City. All applicants shall submit a signage plan for the proposed development.

**F. B-1 District:**

1. All signs not requiring permits as set forth in this Section.
2. One (1) permanent area identification sign per neighborhood, subdivision, or development, not to exceed thirty-two (32) square feet in sign area and six (6) feet in height shall be permitted. The area identification sign shall be placed on the same premises as the development which it identifies.
3. One (1) freestanding sign per lot is permitted. The total area of the freestanding sign shall not exceed sixty-four (64) square feet for lots with a lot width of one hundred (100) feet or more than thirty-six (36) square feet for lots with a lot width of less than one hundred (100) feet. The maximum height of a freestanding sign shall be twenty (20) feet.
4. For legally established institutional uses, one (1) freestanding sign per street frontage identifying said institution or institutional complex shall be permitted. The freestanding sign shall not exceed sixty (60) square feet in sign area and ten (10) feet in height.
5. One business wall sign shall be permitted according to the following: The total area of all wall signs on any wall of a building shall not exceed fifteen (15) percent of the wall area of that wall when said wall area does not exceed five hundred (500) square feet. When said surface area exceeds five hundred (500) square feet, provided that the maximum sign area for any wall sign shall be three hundred (300) square feet. Wall area shall be computed individually for each tenant in a multi-tenant building based on the exterior wall area of the space that tenant occupies.

**G. B-2 and B-3 Districts:**

1. All signs not requiring permits as set forth in this Section.

2. One (1) permanent area identification sign per neighborhood, subdivision, or development, not to exceed thirty-two (32) square feet in sign area and six (6) feet in height, shall be permitted. The area identification sign shall be placed on the same premises as the development which it identifies.
3. One (1) freestanding sign per street frontage is permitted. The total area of a freestanding sign for a building having one street frontage shall not exceed eighty (80) square feet. Where a building site has two (2) or more street frontages, only one (1) freestanding sign of the above size shall be permitted. Each permitted freestanding sign in excess of one (1), shall have a sign area not to exceed thirty-six (36) square feet. The maximum height of a freestanding sign shall be twenty-five (25) feet.
4. For legally established institutional uses, one (1) freestanding sign per street frontage identifying said institution or institutional complex shall be permitted. The freestanding sign shall not exceed sixty (60) square feet in sign area and ten (10) feet in height.
5. One (1) business wall sign shall be permitted according to the following: The total area of all wall signs on any wall of a building shall not exceed fifteen (15) percent of the wall area of that wall when said wall area does not exceed five hundred (500) square feet. When said surface area exceeds five hundred (500) square feet, then the total area of such wall sign shall not exceed seventy-five (75) square feet plus five (5) percent of the wall area in excess of five hundred (500) square feet, provided that the maximum sign area for any wall sign shall be three hundred (300) square feet. Wall area shall be computed individually for each tenant in a multi-tenant building based on the exterior wall area of the space that tenant occupies.

**H. I-1 and I-2 Districts:**

1. All signs not requiring permits as set forth in this Section.
2. One (1) permanent area identification sign per neighborhood, subdivision, or development, not to exceed thirty-two (32) square feet in sign area and six (6) feet in height. The area identification sign shall be placed on the same premises as the development which it identifies.
3. One (1) freestanding sign per street frontage is permitted. The total area of a freestanding sign for a building having one (1) street frontage shall not exceed eighty (80) square feet. Where a building site has two (2) or more street frontages, only one (1) freestanding sign of the above size shall be permitted. Each permitted freestanding sign in excess of one, shall have a sign area not to exceed thirty-six (36) square feet. The maximum height of a freestanding sign shall be twenty-five (25) feet.

4. One (1) business wall sign shall be permitted according to the following: The total area of all signs on any wall of a building shall not exceed fifteen (15) percent of the wall area of that wall when said wall area does not exceed five hundred (500) square feet. When said surface area exceeds five hundred (500) square feet, then the total area of such wall sign shall not exceed seventy-five (75) square feet plus five (5) percent of the wall area in excess of five hundred (500) square feet, provided that the maximum sign area for any wall sign shall be three hundred (300) square feet. Wall area shall be computed individually for each tenant in a multi-tenant building based on the exterior wall area of the space that tenant occupies.

**I. I-3 District:**

1. All signs not requiring permits as set forth in this Section.
2. One (1) permanent area identification sign per neighborhood, subdivision or development, not to exceed thirty-two (32) square feet in sign area and six (6) feet in height, shall be permitted. The area identification sign shall be placed on the same premises as the development which it identifies.
3. One (1) freestanding sign per street frontage is permitted. The total area of a freestanding sign for a building having one street frontage shall not exceed eighty (80) square feet. Where a building site has two or more street frontages, only one freestanding sign of the above size shall be permitted. Each permitted freestanding sign in excess of one shall have a sign area not to exceed thirty-six (36) square feet. The maximum height of a freestanding sign shall be twenty five (25) feet.
4. One (1) business wall sign shall be permitted according to the following: The total area of all signs on any wall of a building shall not exceed fifteen (15) percent of the wall area of that wall when said wall area does not exceed five hundred (500) square feet. When said surface area exceeds five hundred (500) square feet, then the total area of such wall sign shall not exceed seventy-five (75) square feet plus five (5) percent of the wall area in excess of five hundred (500) square feet, provided that the maximum sign area for any wall sign shall be three hundred (300) square feet. Wall area shall be computed individually for each tenant in a multi-tenant building based on the exterior wall area of the space that tenant occupies.

**J. Conservancy District:**

1. All signs not requiring permits as set forth in this Section.

2. One (1) permanent identification sign, not to exceed fifty (50) square feet in sign area and six (6) feet in height shall be permitted per frontage with access to the site. The identification sign shall be placed on the same premises as the use in which it identifies.

**10-23-9: ADMINISTRATION:**

A. **Application Process:** An application for a sign permit shall be made upon forms to be provided by the City. Said form is to be completed and returned to the City and shall include the following information:

1. The name and address of the applicant: location of the building, structure or lot on which the sign is to be erected, the position of the sign in relation to nearby buildings or structures, the name of the person that will be erecting the sign, and the written consent of the owner of the land if different from the applicant.
2. A site plan including a drawing of the plans, specifications, and method of construction or attachment to a structure or the ground.
3. A copy of the stress sheets and calculations, showing that the sign is designed to withstand the required wind load.
4. A sketch plan showing the signs size, manner of construction, type of sign, construction materials, other signs on the site, and any other information as requested by the City.
5. Signs that meet the requirements of this Section may be issued by City Staff. Applications for signs that do not meet the requirements of this Section shall be reviewed by the Planning Commission and the City Council According to the procedures set forth in this Section.

B. **Sign Permit Fees:** Every applicant shall pay a fee for each sign regulated by this Section, before being granted a permit. Permit fees shall be subject to the following requirements:

1. The Council shall establish the permit fees on the City's fee schedule.
2. Any substantial alteration or relocation of a sign shall constitute a new sign, requiring an additional permit fee.
3. A double fee shall be charged if a sign is erected without first obtaining a permit for such sign. The Council may also require a sign to be removed, altered, or relocated, at the owner's expense, if placed prior to securing the required permit. If the owner fails to remove or alter the sign so as to

comply with the provisions set forth in the Section, within ten (10) calendar days following receipt of a letter from the City stating the violations, such signs may be removed by the City, the cost incident thereto being levied as a special assessment against the property upon which the sign is located.

- C. **Inspections:** All sign installations for which a permit is required, shall be subject to inspection and acceptance by the City.
- D. **Revocation of Permit:** The City may revoke a sign permit upon failure of the holder thereof to comply with the provisions of this Section. Any party aggrieved by such revocation may appeal the action to the Council, within ten (10) calendar days after the revocation.
- E. **Expiration of Permit:** The permit shall expire if the sign is not erected within one hundred eighty (180) days after issuance of said permit. No permit fees collected for the sign shall be refunded to the applicant.
- F. **Removal of Signs by the City:** The City may cause the removal of any illegal sign or any sign not properly maintained in cases of emergency, or after failure to timely comply with written orders for removal or repair. After removal or demolition of a sign, the following conditions shall be in effect:
  - 1. Written notice shall be mailed to the sign owner and owner of the property where the sign was located stating the nature of the work and the date on which it was performed. The City shall require payment of the costs associated with the removal, with an additional fifty (50) percent added for inspection, administrative and incidental costs.
  - 2. If the amount specified in the notice is not paid within thirty (30) days after mailing of the notice, it shall become a lien against the property where the sign was located and shall be certified as an assessment against the property together with ten (10) percent interest for collection in the same manner as the real estate taxes.
  - 3. 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 City, as in the case of a leased sign.
  - 4. For purposes of removal, a sign shall be deemed to include all sign embellishments and structure designed specifically to support the sign.
  - 5. In the case of an emergency, the City may cause the immediate removal of a dangerous or defective sign without notice. Signs removed in this manner shall present a hazard to the public safety as defined by the State Building Code.

**10-23-10: SEVERABILITY:** If any section, subsection, clause, or phrase of this Sign Ordinance is for any reason held to be invalid, such decision shall not affect the validity of the remaining portions of this Chapter. The City Council hereby declares that it would have adopted the sign ordinance in each section, subsection, sentence, or phase thereof, irrespective of the fact that any one or more sections, subsections, sentences, clauses, or phrases be declared invalid.

(Ord. 156 Adopted 7-5-11; Effective 1-1-12)