

176.31 SIGN REGULATIONS.

1. Purpose. The regulation of signs by this Code is intended to promote and protect the public health, safety and welfare; by creating a more attractive economic and business climate within the commercial and office areas of the City; by enhancing and protecting the physical appearance of all areas of the City; and by reducing the distractions, obstructions and hazards to pedestrian and auto traffic caused by the indiscriminate placement and use of signs.

2. Scope. The regulations of this section shall govern and control the erection, enlargement, expansion, alteration, operation, maintenance, relocation and removal of all signs within the City intended to be viewed from any street, sidewalk or public or private common open space. Any sign not expressly permitted by these regulations shall be prohibited. The regulations of this section relate to the location of signs, by function and type, within zoning districts and shall be in addition to provisions of the Municipal Code applicable to the construction and maintenance of signs. Regulations concerning the use and termination of nonconforming signs appear in subsection 176.14.030 of this Code.

3. Sign Permit Required.

A. Sign Permit. Except as expressly provided in subsection 6 of this section, no sign shall be erected, enlarged, expanded, altered, relocated or maintained unless a sign permit evidencing the compliance of such work with the provisions of this section and other applicable provisions of this chapter; provided, however, that routine sign maintenance, changing of parts designed to be changed or changing the content of a sign in any manner does not change the functional classification of the sign and shall not, standing alone, be considered an alteration of the sign requiring the issuance of a sign permit hereunder.

B. Sign Contractor License. Every person, firm or corporation desiring to erect, install or repair signs for which permits are required, shall apply to the Marion Planning & Development Department for a Sign Contractor's License and shall furnish the following:

(1) Name, address of the proprietor, president or the senior company officer in charge.

(2) Certificate of insurance to indemnify the contractor against any form of liability for the principle sum of not less than \$250,000 liability to any one person and \$500,000 personal injury liability on account of any one accident and \$500,000 liability for property damage.

(3) As a condition to the issuance of a sign contractor's license as required by this section, every applicant shall agree to indemnify and

hold harmless the City, its officers, agents and employees for any and all claims of negligence, damages, liability, judgments, costs or expenses that the City may incur or suffer resulting from the erection, alteration, relocation, maintenance or other work involving signs.

C. Revocation of Sign Contractors License. In case the holder of a Sign Contractor's License shall fail to comply with the requirements of this section, or with any notices from the City of Marion relative to improper construction or erection of any sign, the City shall notify the person or senior officer in charge of such firm or corporation, to appear before the Zoning Official at a stated time and show cause why the license should not be revoked. Should such person not appear or to show why his license should not be revoked, the Zoning Official shall take necessary action to cause the license to be revoked.

(1) The license shall be automatically cancelled upon the expiration or cancellation of the liability insurance policy required by this section.

(2) All licenses automatically expire on January 1st of any year following the date of issuance of the license or renewal of the same.

D. Fees for License. The fee for the issuance of an initial sign contractor's license shall be established by City Council resolution.

E. Additional Application Requirements. Every application for a sign permit shall be accompanied by:

(1) Plans and specifications showing the location of the sign on the lot or building face and the methods of construction, illumination and support of such sign;

(2) A scaled drawing showing sign faces, exposed surfaces and the proposed message and design, accurately represented as to size, area, proportion and color;

(3) A landscape plan showing plantings proposed for the area within three feet of the base of a monument sign per subsection 4B of this section.

(4) Photographs of the street sides of the property in question, showing all existing signs on the property;

(5) A calculation of the total amount of sign area presently existing on the property;

(6) The applicant's attestation that the sum of the areas of the requested sign or signs and the existing signs does not exceed the maximum allowed by the provisions of this Code; and;

(7) Sign installation and landscaping must be completed within one (1) year following issuance of a sign permit.

(8) A separate electrical and/or building permit may be required in addition to the sign permit application for any signs requiring a footing and/or having an electrical component.

4. General Standards. The following general standards shall apply to all signs.

A. Illumination.

(1) Location and Design of Light Source. Whenever an external artificial light source is used for a sign, such source shall be located, shielded and directed so as not to produce glare onto any public street or any adjacent property.

(2) Level of Illumination. All illuminated signs shall have an indirect or diffused light source and be designed so as not to produce glare onto public streets or adjacent property, thereby creating a nuisance or safety hazard.

(3) Flashing Lights Prohibited. Except for traffic control devices and public service signs when expressly permitted by this section, no flashing, blinking or intermittent lights shall be permitted. This provision shall not prevent the use of electronic message center signs operating in accordance with this chapter.

(4) Light Fixture Screening. Light fixtures placed along the base of the sign shall be screened from view by site grading or evergreen shrubs. No unscreened light sources are permitted. Temporary holiday displays, which contain lights, are exempt from these provisions.

(5) External Illumination. External illumination shall be provided by steady, stationary light of reasonable intensity, directed solely at the sign and not produce glare onto any public street or any adjacent property.

(6) Internal Illumination. Internal illumination shall be provided by interior lighting of reasonable intensity with primary and secondary images lit or silhouetted (i.e., backlit) on an opaque background. The background of all signs must be opaque excluding logos and borders.

(7) Additional Lighting Standards. The following are additional lighting standards for specific sign types:

- a. Signs Without Permits: Signs permitted pursuant to subsection 6 of this section shall be illuminated only as permitted in that subsection.
- b. Awning and Canopy Signs: Interior lighted awnings shall be permitted if the lighting system is encased or screened from view underneath.
- c. Monument Signs: Monument signs shall be backlit, directly-lit, or internally illuminated. Any direct light source shall be oriented so as to be directed away from the right-of-way and adjacent property.
- d. Wall Signs: Cloud cabinets or letters shall be individually affixed to walls and/or raceway cabinets of a building.
- e. Electronic Message Center Signs: All electronic message centers used as changeable copy signs or reader boards shall be required to adjust in intensity related to ambient light levels via automatic illumination dimmer that automatically adjusts the sign's brightness in direct correlation with ambient light conditions.

B. Landscaping. The base of all permanent ground signs shall be effectively landscaped and maintained in good condition at all times. The minimum landscaped area shall extend at least three (3) feet beyond all sign faces or supporting structures in all directions. Exposed foundations must be constructed with a finished material such as brick, stone, architectural metal, or wood. Landscaping must be maintained in a manner that prevents the screening or blocking of addresses and other information provided on the monument sign. Sign owner shall be responsible for the submittal of landscape plan that must be submitted at time of sign permit. Landscaping must be installed within twelve (12) months of sign installation.

C. Electrical Elements. All wiring, fittings and materials used in the construction, connection and operation of electrically illuminated signs shall meet the following requirements:

- (1) UL Specifications. Any and all electrical signs shall be manufactured to meet UL Specifications and be labeled with a UL listing mark. Equivalent specifications may be accepted as approved by the Building Official.

(2) City Building & Electric Codes. Electric signs shall meet all the requirements of the City Building and Electric Codes.

D. Structural Elements. The construction and structural components of all signs shall be in accordance with the standards and regulations of the Municipal Code. All permanent signs shall be constructed of fire-resistant materials and shall be capable of withstanding wind pressures of at least an 80 mile an hour wind load and of receiving dead loads based on the actual weight of the structure.

E. Minimum Elevation of Certain Signs. The bottom of every awning, canopy, marquee, wall, projecting and pylon sign shall be elevated at least eight (8) feet above grade.

F. Obstruction of Access Ways. No sign or sign structure shall obstruct free ingress to or egress from a fire escape, door, window or other required access way.

G. Obstruction of Window Surface. No sign shall project over, occupy or obstruct any window surface required for light or ventilation by any applicable provision of the Municipal Code.

H. Traffic Safety.

(1) Confusion with Traffic Signals. No sign shall be maintained at any location where by reason of its position, size, shape, content, color, or illumination it may obstruct, impair, obscure, interfere with the view of, or be confused with, any traffic control sign, sign or device, or where it may interfere with, mislead or confuse traffic.

(2) Corner Visual Clearance. At all intersections, at a point of fifteen (15) feet in any direction from the point of intersection of the street right-of-way, no sign, nor any part of a sign other than a supporting pole or brace no greater than eighteen (18) inches in width or diameter shall be located lower than eight (8) feet from grade.

I. Sign Maintenance.

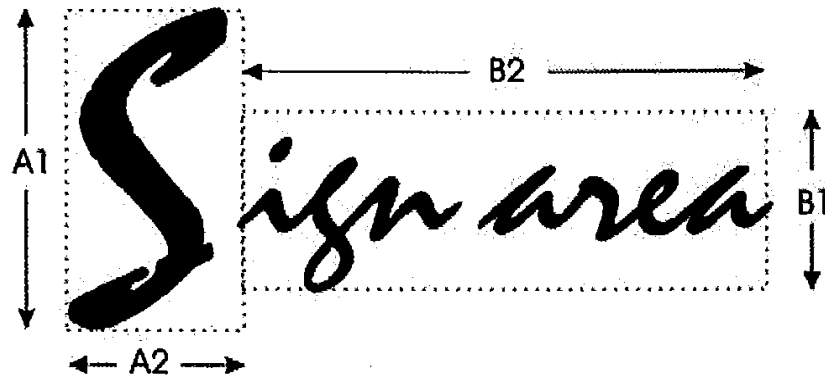
(1) The owner of a sign and the owner of the premises on which such sign is located shall be jointly and severally liable to maintain such sign, including its illumination sources, in compliance with this Code and all applicable laws, in a safe and secure condition, and in a neat and orderly condition and good working order at all times, and to prevent the development of any rust, corrosion, rotting or other deterioration in the physical appearance or safety of such sign. The premises around ground and pylon signs shall be kept clean and free of all rubbish and weeds.

(2) The Zoning Official may inspect, from time to time as deemed necessary, each sign or supporting structure regulated by this chapter for the purpose of ascertaining whether it is secure or insecure, and whether it is in need of removal or repair.

J. Sign Measurement.

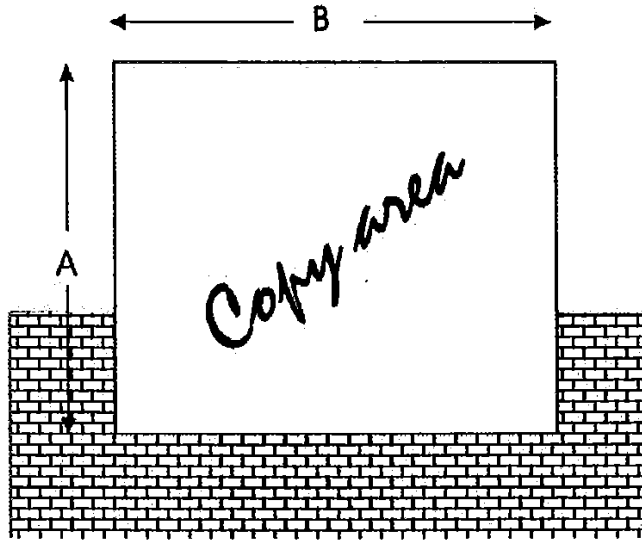
(1) Area to Be Included. The supporting structure or bracing of a sign shall be omitted in measuring the area of the sign unless such structure or bracing is made part of the message or face of the sign. Where a sign has more than once display face, all faces shall be included in determining the area of the sign. The area of a sign is determined by the Zoning Official, using actual dimensions where practical or approximate dimensions when irregularity of the sign shape warrants. The area of each sign type is to be measured with either Formula A or Formula B as noted below.

Formula A: The sign area is the sum of the area of contiguous rectangles, squares and/or circles that enclose the extreme points or edges of all copy, logos and symbols of said sign. Minor appendages to a particular regular shape, as determined by the Zoning Official, shall not be included in the total area of a sign.



$$(A1 \times A2) + (B1 \times B2) = \text{Sign Area}$$

Formula B: The sign area is the area of one rectangle, square or circle that encloses the extreme points or edge of all areas where copy may be placed on a sign. This area does not include structural or architectural features of the sign where copy will be located.



$(A \times B) = \text{Sign Area}$

(2) Signs on Lots with Multiple Users. Where more than one user occupies a zoning lot, the owner of the lot shall be responsible for allocating permitted signage among such users.

(3) General Safety. Notwithstanding any provision of this chapter, no sign shall be located in any area or in any manner so as to create a nuisance or a threat to the public safety and welfare.

5. Classification of Signs.

A. Functional Types. For purposes of this Code, signs shall be classified as follows according to function:

(1) Advertising Sign. A sign, other than an off-premises identification sign, that directs attention to or identifies a business, commodity, service or entertainment conducted, sold or offered at a location other than the premises on which the sign is located. This term shall include signs, other than customary identification lettering and advertising posters on buses and taxicabs, attached to parked or moving vehicles.

(2) Attention-getting Device. A sign designed to attract attention by means of flashing or moving parts, bright color or light, or movement of any kind. Examples of such signs include pennants hung in series, whirligigs, spinners, streamers, flashing lights, search lights and balloons.

(3) Business Sign. A sign that directs attention to or identifies a business or profession conducted, or to a commodity or service sold,

offered or manufactured, or to an entertainment offered on the premises where the sign is located.

(4) Construction Sign. A temporary sign erected on premises on which construction is taking place, during the period of such construction, indicating the names of the architects, engineers, landscape architects, contractors, and similar artisans, and the owners, financial supporters, sponsors and similar persons or firms having a role or interest in the construction activity.

(5) Drive-Through Sign. A sign that facilitates the operation of a drive-through facility by aiding with the pick-up, drop-off, ordering or service of such a facility. It includes, but is not limited to, such signs as changeable copy menu boards.

(6) Gas Station Price Sign. A changeable copy sign advertising gasoline prices. Price information displayed shall be in accordance with the provisions of Iowa Administrative Code 21-85.48 and other relevant state regulations.

(7) Governmental Signs. A sign erected and maintained pursuant to and in discharge of any governmental function or required by any law, ordinance or governmental regulation.

(8) Holiday Decorations. Signs in the nature of decorations, clearly incidental to and customarily and commonly associated with any national, local or religious holiday.

(9) Home Occupation Sign. A sign advertising or identifying a home occupation on the site of the home occupation.

(10) Identification Sign. A sign giving only the name, trademark or other readily recognized symbol or address, or any combination thereof, of a building, business, development or establishment on the premises where it is located.

(11) Institutional Bulletin Board Sign. A sign that identifies a religious organization, school, library, community center, or similar institutional or community service use on whose premises it is located and that contains only the name of the institution or organization, the name or names of persons connected with it, and greetings, announcements or events or activities occurring at the institution or similar message.

(12) Joint Identification Sign. An identification sign limited in content to the identification of a planned development, office plaza, shopping center, business park or the like and not containing any

reference to the individual uses sharing the development, plaza, center, park or the like.

(13) Memorial Sign. A sign or tablet memorializing a person, place, event, location or structure.

(14) Name Plate Sign. A sign limited in content to the name or address, or both, of the owner or occupant of a building or premises on which it is located. If any premise is occupied by more than one occupant, the nameplate sign may identify all such occupants, as well as the premises, and may include necessary directional information.

(15) Off-premises Identification Sign. A sign giving the name, trademark or other readily recognized symbol or address, or any combination thereof, of a building, business, development or establishment, which sign is located off the lot on which such building, business, development or establishment is located.

(16) Flag or Emblem. A flag or emblem used for the dissemination of non-commercial speech or identification.

(17) On-site Directory Sign. A sign, not readable from any public right-of-way, on which the names and locations of the occupants and/or uses of a building or group of buildings is given.

(18) On-site Informational Sign. A sign commonly associated with, and limited to, information and directions necessary or convenient for persons coming on the property, including signs marking entrances and exits, parking areas, one-way drives, rest rooms, pick-up and delivery areas and the like. Logo and business name shall be permitted on on-site informational signs so long as the logo is fifty percent (50%) or less of the allotted size of the informational sign.

(19) Private Sale Sign. A temporary sign advertising private sales of personal property at “house sales,” “garage sales,” “rummage sales” and the like.

(20) Private Warning Sign. A sign limited in content to messages warning, caution or danger.

(21) Public Service Signs. A sign displaying only the time, temperature, stock market quotations or civic messages.

(22) Real Estate Signs - Standard Size. A sign pertaining to the sale or lease of the premises, or a portion of the premises, on which the sign is located and limited to one (1) single or double-faced, non-

illuminated sign per zoning lot, not to exceed six (6) square feet in area per sign face.

(23) Real Estate Signs - Large Size. A sign pertaining to the sale or lease of the premises, or a portion of the premises, on which the sign is located and limited to one (1) single or double-faced, non-illuminated sign per zoning lot, not to exceed thirty-two (32) square feet in area per sign face.

B. Structural Types. For purposes of this Code, signs shall be classified as follows according to structure:

(1) Awning, Canopy or Marquee Sign. A sign that is mounted or painted on or attached to an awning, canopy or marquee that is otherwise permitted by this Code. No such sign shall project above, below, or beyond the physical dimensions of such awning, canopy or marquee.

(2) Banner Sign. A sign made of fabric or other similar non-rigid material with no enclosing framework or electrical components that is supported or anchored on two or more edges or at all four corners.

(3) Billboard Sign. A board, panel, or tablet used for the display of posters, printed or painted advertising matter, either illuminated or non-illuminated, that directs attention to goods, merchandise, entertainment, or services offered elsewhere than the premises where the sign is located.

(4) Box Sign. A sign that is self enclosed in a typically square or rectangular structure with or without internal lighting. A box sign can be single-or double-sided. Internally illuminated. Channelized lettering, logo, or groupings of letters and/or logos, not providing any additional sign face, shall not be considered a box sign.



Example: Box Sign



Example: Not a Box Sign

(5) Electronic Message Center/Manual Changeable Copy Sign. (Does not apply to Gas/Service Stations or to that portion of a sign dedicated to time and/or temperature). Is a sign or portion thereof designed to accommodate frequent message changes composed of characters, or letters, or illustrations and that can be changed or rearranged, either manually or electronically, without altering the face or surface of such sign.

(6) Freestanding Sign. A sign on a frame, pole or other support structure not attached to any building.

(7) Monument Sign. A freestanding sign defined by a solid support structure (other than support poles). Width of a single support structure or the total of two support structures must be a minimum of forty percent (40%) of the total faceplate width. Support structure shall be constructed of like material to the principle building on the property with the exception metal box sheeting around support structure shall not be permitted under any circumstance.

(8) Moving or Animated Sign. Any sign or part of a sign that changes physical position by any movement or rotation or that gives the visual impression of such movement or rotation.

(9) Paint on Wall Sign. A sign painted on the wall of a building or structure with the exposed face of the sign in a place parallel to the face of the wall.

(10) Portable Sign. A sign that is not permanently affixed to a building, a structure or the ground, but not including customary identification lettering on vehicles and advertising posters on buses and taxicabs.

(11) Projecting Sign. A sign that is wholly or partially dependent upon a building for support and that projects more than twelve (12) inches from such building.

(12) Pylon Sign. A sign that is mounted on a freestanding pole or other supports.

(13) Roof Sign. A sign that is mounted or painted on the roof of a building, or that is wholly dependent upon a building for support and that projects above the highest point of a building with a flat roof, the eave line of a building with gambrel, gable or hip roof or the deck line of a building with a mansard roof.

(14) Sandwich Board Sign. A movable sign not secured or attached to the ground or surface upon which it is located.

(15) Temporary Sign. A sign or advertising display constructed of cloth, canvas, fabric, paper, plywood or other light material and intended to be displayed for a short period of time, not to exceed thirty (30) days within one calendar year. Temporary signage intended for a temporary tenant or seasonal display and intended to be displayed for longer than thirty (30) days is permitted but limited to a maximum of 45 days must receive written permission of the property owner and after receiving a sign permit from the City.

(16) Vehicle/Trailer Sign. A sign that is attached to or painted on a vehicle or trailer that is parked on or adjacent to any property, the purpose of which is to attract attention to a product sold or business located on the property.

(17) Wall Sign. A sign fastened to the wall of a building or structure in such a manner that the wall becomes the supporting structure for, or forms the background surface of, the sign and that does not project more than eighteen (18) inches from such building or structure, twenty four (24) inches shall be permitted subject to a special use permit.

(18) Window Sign. A sign that is applied or attached to the exterior or interior of a window or located within the interior of a structure so that its message can be read from the exterior of the structure.

6. Signs Permitted in Any District Without a Permit. Except as regulated by this subsection and except as expressly prohibited in subsection 7 of this section, and notwithstanding any other contrary provisions of this Code, the following signs may, subject to the following limitations, be erected and maintained in any district without obtaining a City Sign Permit.

A. Governmental Signs. The content and size of any such sign shall not exceed the requirements of the law, ordinance or regulation pursuant to which such sign is erected. This includes banner signs for events or promotional campaigns organized by the City.

B. Holiday Decorations. Such signs shall be displayed for a period of not more than sixty (60) consecutive days nor more than twenty (20) days following the holiday in connection with which they are displayed; any other provision of this chapter to the contrary notwithstanding, such signs may be of any type, number, area, height, location, illumination or animation so long as they create no safety hazard, nuisance or adverse impact on the adjacent properties.

C. Home Occupation Identification Signs. Such signs shall be limited to no more than one (1) sign per structure; shall be no more than one (1)

square foot in area; shall be directly affixed to the structure; and shall be non-illuminated.

D. Name Plate Signs. Such signs shall be limited to no more than one (1) wall sign per occupancy; shall be no more than one (1) square foot in area per occupancy and in no event more than three (3) square feet in area; and shall be non-illuminated.

E. Official Flags and Emblems, Grave Markers, Statues, or Remembrance of Persons and/or Events. Such signs may be displayed on flags. Such signs may also be displayed in the form of a wall sign, grave marker, statue, or remembrance of persons and/or events. Building permit may still be required for the placement and installation.

F. On-site Informational/Directional Signs. Such signs shall be limited to wall or freestanding signs of not more than six (6) square feet in area; shall be, if a freestanding sign, not more than four (4) feet in height; and shall be illuminated only as necessary to accomplish their intended purpose.

G. Private Sale Signs (Residential Only). Such signs shall be no more than six (6) square feet in area; shall be located entirely on the premises where such sale is to be conducted; shall be clearly marked with name, address and telephone number of the person responsible for the removal of such sign; shall be erected not more than twenty-four (24) hours in advance of such sale; and shall be removed within twenty-four (24) hours following the conclusion of such sale. No freestanding sign shall be higher than four (4) feet, nor closer to any lot line than six (6) feet.

H. Private Warning Signs. Such signs shall be no more than two (2) square feet in area each; shall be limited to the number necessary to accomplish the intended purpose and shall be illuminated only as required to accomplish such purpose.

I. Real Estate Signs - Standard Size. Real estate signs if limited to one (1) single or double-faced, non-illuminated sign per zoning lot, not to exceed six (6) square feet in area per sign face, and may be located up to the property line. The name, address and telephone number of the person responsible for such removal shall be marked on the sign. Real estate signs indicating that the property has sold or is under any contractual obligation shall be permitted for a period to not exceed 90 days. Real estate signs for multi-unit developments or structures and exceeding six (6) square feet in area shall require a permit.

J. Window Signs - Temporary. The aggregate area of all such signs shall not exceed thirty percent (30%) of the area of the window in which they are exhibited nor block any window area required for light, ventilation

or emergency exit by any applicable Code. No such sign shall be illuminated.

K. Political Signs - Temporary. Such signs shall be no more than five (5) feet in height and the aggregate area of all such signs shall not exceed twenty-four (24) square feet. Political signs shall be defined as temporary in nature. No such sign shall be illuminated or posted on public property, rights-of-way, or private property without the permission of the owner or authorized agent.

L. Interior Signs. Any signs that are located within a building and not legible or intended to be viewed from the public right-of-way.

7. Signs Specifically Prohibited in All Districts. The following signs, as well as all other signs not expressly permitted by this Municipal Code, are prohibited in all districts and shall not be erected, maintained or, except as provided for elsewhere in this code, permitted to continue in any district:

A. No sign or sign structure shall be placed on or over any street or highway right-of-way other than an official traffic or street sign and such other signs approved for placement by the controlling public agency. If the controlling public agency is the City, such approval shall be based on codes and regulations adopted by the City Council pursuant to applicable law.

B. No sign or sign structure shall be placed on private or public property without the consent of the owner or authorized agent of the owner of such property.

C. No sign or sign structure shall be erected at any location so as to, by reason of its size, shape, design, location, content, coloring, or manner of illumination, constitute a traffic hazard or a detriment to traffic safety by obstructing the vision of drivers by obscuring or otherwise physically interfering with any official traffic control device. Nor shall any sign be placed in a fashion or that may be confused with an official traffic control device. No rotating beacon, beam or flashing illumination resembling an emergency light shall be used in connection with any sign display or be visible from an adjacent street. No lights resembling an emergency light, no words used or displayed in such a way as to imitate a public safety or warning sign, and no other lights, words, phrases, symbols, or characters that may interfere with, mislead or confuse vehicle operators shall be used in a location that is visible to vehicular traffic.

D. No sign shall be erected so as to prevent free ingress to, or egress from, any door, window or any other exit way required by the Building Code or Fire Code of the City, or by any other ordinance.

E. No sign shall be attached to a standpipe, gutter drain, un-braced parapet wall, or fire escape unless the safety of such sign and such

mounting has been verified in writing by a structural engineer licensed to practice in the state of Iowa.

F. Advertising signs, including billboards (except as permitted in subsection 9 and subsection 10 of this section).

G. Attention-getting devices.

H. Banner signs (except as approved by City Sign Permit).

I. Box Signs.

(1) Box signs shall be permitted on existing multi-tenant buildings that have a minimum of fifty percent (50%) existing box signs affixed to the building at the time of adoption of this ordinance. Box signs shall be a maximum permitted size of not greater than the average size of the box signs attached to the building.

(2) A secondary line of text including, but not limited to, a tag line or slogan is permitted below the principal business name.

J. Electronic message center/manual changeable copy signs (except as permitted in subsection 9 and subsection 10 of this section).

K. Moving or animated signs.

L. Off-premises identification signs.

M. Portable signs.

N. Roof signs.

O. Temporary signs, except as expressly authorized in this section and when approved in connection with temporary uses.

P. Vehicle/Trailer Signs. Any vehicle conspicuously parked adjacent to or on a public street for more than three (3) hours primarily for advertisement.

Q. Any sign that is abandoned, in a state of serious disrepair, or is no longer functional.

R. Any abandoned sign including, but not limited to, the following:

(1) A sign left blank, having significant portions of letters, words, or other copy missing for more than thirty (30) days.

(2) An on-premise sign advertising a business or institution not located at that location for more than thirty (30) days.

(3) Any sign that advertises goods or service no longer available for more than thirty (30) days.

(4) Any sign that advertises an event or purpose that has passed and no longer applies for more than thirty (30) days.
(Ord. 13-19 – Aug. 13 Supp.)

S. Any sign that becomes structurally unsound, is in danger of falling, or otherwise unsafe.

T. Any sign that has been erected, placed, or otherwise established or maintained in violation of the then existing sign regulations or has in anyway been unlawfully installed, erected or maintained.

U. Any sign painted directly on a wall, roof, or fence.

8. Procedure for Removal of Signs. Following written notice from the Zoning Official, the owner, agent or person who benefits from the use of the land, building, or sign structure shall have a minimum of ninety (90) days to remove the subject sign and/or sign structure that is identified in said notice. The written notice shall identify the sign or sign structure and state the specific reasons why removal is required. Said notice shall also provide a minimum of thirty (30) days from receipt of the notice for an appeal to be filed with the Board of Adjustment. However, if notice involves any sign that is creating an unsafe or hazardous condition or involves a temporary sign as defined in this chapter, then the notice shall provide for removal within a maximum of seven (7) days and four (4) days for filing an appeal. If said notice is not complied with and there is no appeal as provided, or if an appeal is denied, the Zoning Official is authorized to cause removal of such sign and structure and any related expenses incurred shall be paid by the owner of the sign or land, building or structure where said sign is located. If costs of removal of the sign and/or sign structure pursuant to this section are not paid within sixty (60) days of the City's issuance of an invoice for said costs, the City shall be authorized to assess the costs against the property.

9. District Regulations - C-1, C-2, C-3, C-4. Signs shall be permitted in the C-1, C-2, C-3, C-4 Districts as follows:

A. Functional Types Permitted. All signs permitted in any district without a City permit as provided in subsection 6 of this section.

(1) Business Signs.

(2) Construction Signs, but for no longer than fourteen (14) days following completion of the construction in question.

(3) Drive-Thru Signs.

(4) Gas Station Price Signs.

(5) Identification Signs.

(6) Joint Identification Signs.

(7) On-site Directory Signs.

(8) Real Estate Signs - Large Size. Real estate signs if limited to one (1) single or double-faced, non-illuminated sign per zoning lot, not to exceed thirty-two (32) square feet in area per sign face. Estate Signs - Large Size may indicate that the property is for sale or lease. Real Estate Signs - Large Size requires a City sign permit. Real Estate Signs - Large Size shall not be in place for more than twelve (12) months, at which time the sign must be removed or another permit must be issued for another twelve (12) month period. Real Estate Signs - Large Size must be constructed of quality materials and maintained in good condition. Signs not maintained in good condition may be removed by the City. Real Estate Signs - Large Size are not permitted in residential districts.

B. Structural Types Permitted.

(1) Awning and Canopy Signs.

(2) Billboard Signs, but only when located on property with direct lot frontage along Highway 13, Highway 151 east of Highway 13, or Highway 100 street frontage and authorized by a special use permit.

(3) Electronic Message Center/Manual Changeable Copy Signs, but only if one of the following conditions is met:

a. Such a sign is incorporated into a permitted on premise monument sign. Copy shall not be changed more than once every eight (8) seconds. Scrolling messages shall not be permitted.

b. Such a sign is located within a permitted billboard sign. Copy shall not be changed more than once every eight (8) seconds.

(4) Monument Signs.

(5) Projecting Signs, but only if the following conditions are met:

a. The lowest portion of projection signs shall be at least eight feet (8') from grade and a distance to not exceed three feet (3') from the wall to which it is attached.

b. Projection over the public right-of-way is permitted within the C-2 zoning district.

(6) Temporary Signs, but only as authorized in subsection 6 of this section or for construction signs.

(7) Wall Signs.

C. Number of Signs Permitted Per Lot. All signs permitted by subsection 6 of this section; plus:

- (1) One (1) construction sign of any permitted structural type; plus
- (2) One (1) joint identification sign per zoning lot frontage; plus
- (3) One (1) monument sign per street frontage for zoning lot frontage that is less than five hundred (500) feet in length, and up to two (2) monument signs per street frontage for zoning lot frontage that is five hundred (500) feet or more in length. Monument signs must be spaced at least three-hundred (300) feet apart on a zoning lot when a zoning lot contains two (2) monument signs per street frontage, and the sign must be a joint identification sign; plus
- (4) One (1) electronic message center/manual changeable copy sign per zoning lot frontage. Such signs are only permitted if incorporated into a permitted monument sign or billboard sign.
- (5) One (1) wall sign per entrance. For buildings single tenant, or one (1) wall sign per business tenant; plus
- (6) One (1) on-site directory sign per zoning lot frontage; plus
- (7) One (1) real estate sign - large size; plus
- (8) One (1) billboard sign, per zoning lot. All such signs shall be displayed in the following manner:
 - a. A billboard sign must be located at least one thousand (1,000) feet from any other billboard sign, including billboard signs located in adjacent jurisdictions.
 - b. Shall be located a minimum of sixty feet (60) feet from any on-premise freestanding sign on the same zoning lot. Said distance shall be measured from the nearest part of each sign.
 - c. Shall not be permitted within 300 feet of any residentially zoned property or planned development zoned property. In addition, no billboards shall be permitted within 300 feet of any park, public or private school, church, cemetery or any officially designated local, state, or federally designated historic property and or district.
 - d. One (1) single-faced painted bulletin, poster panel display, or electronic message center/manual changeable copy sign.

- e. A display of two (2) poster panels placed side-by-side in a straight line.
- f. A double-faced display of painted bulletins, poster panels, or electronic message center/manual changeable copy sign.
- g. Forming an angle of less than forty-five (45) degrees, up to two (2) side-by-side poster panels may be backed by the same or one (1) painted bulletin, or one (1) painted bulletin may be backed up by the same or a display of up to two (2) side-by-side poster panels.
- h. No stacking of poster panels or painted bulletins in whatever manner shall be permitted.

D. Maximum Gross Surface Area of Signs Permitted.

(1) Total Sign Area. The total area of all signs on a zoning lot shall not exceed one (1) square foot per linear foot of zoning lot frontage; provided, however, that construction signs, real estate signs, joint identification signs, and signs allowed without permits, shall not be counted toward the total allowance gross sign surface area permitted on a zoning lot. The maximum amount of sign area shall be allocated proportionally based on the linear zoning lot frontage. All zoning lots shall be allotted a minimum total sign area of sixty (60) square feet.

(2) Individual Sign Area Limitations. The following individual sign area limitations shall apply to all signs.

- a. Awning and Canopy Signs: Not to exceed fifty (50) square feet per sign face. No sign identifying an individual tenant of a multi-tenant building shall cover more than twenty percent (20%) of the canopy to which it is affixed.
- b. Billboard Signs: Not to exceed forty-eight (48) feet long by fourteen (14) feet high per sign face. All such signs shall be required to be freestanding type display.
- c. Construction Signs: Not to exceed sixteen (16) square feet per sign face, nor more than two (2) sign faces.
- d. Electronic Message Center/Manual Changeable Copy Signs:
 - (i) If located within a monument sign, not to exceed fifty percent (50%) of the gross surface area of the monument sign face within which such a sign is

incorporated and therefore, shall not exceed fifty percent (50%) of the area as regulated in paragraph e below.

(ii) If located within a billboard sign, not to exceed the sign area limitations as regulated in paragraph f.

e. Monument Signs: Not to exceed one-hundred (120) square feet per sign face, nor more than two-hundred forty (240) square feet total for lots in the C-3 district. Not to exceed eighty (80) square feet per sign face, nor more than one hundred sixty (160) square feet total for lots in the C-1 district.

f. Wall Signs: For signs located within the C-1 and C-3 zoning districts signs shall not exceed two-hundred (200) square feet per sign, or not to exceed covering more than twenty percent (20%) of the wall to which it is affixed, whichever is less. For signs located within the C-2 zoning district signs shall not exceed one-hundred (100) square feet per sign, or not to exceed covering more than ten percent (10%) of the wall to which it is affixed, whichever is less.

E. Maximum Height of Signs Permitted.

(1) Signs Without Permits: As provided in subsection 6 of this section for signs permitted pursuant to that subsection.

(2) Awning and Canopy Signs: Twenty (20) feet; all awning and canopy signs shall be at least eight (8) feet above grade. Awning and canopy signs for individual tenants of a multi-tenant building shall be at the same height on the building to which they are affixed.

(3) Billboard Signs: No billboard sign shall have the lowest edge of its display face more than ten (10) feet above grade; nor have the highest edge of its display face more than twenty-four (24) feet above street grade. The exposed supports of billboard signs shall be covered and hidden from view of public rights-of-way. This regulation shall not apply when the road design, natural topography, buildings, and other objects provide screening to the backs of any graphic.

(4) Electronic Message Center/Manual Changeable Copy Signs: No electronic message center/manual changeable copy sign shall extend beyond the sign face of the monument sign or billboard within which such a sign is incorporated more than four inches (4") and; therefore, shall not exceed a height of said monument or billboard signs as regulated in paragraphs (3) and (5).

(5) Monument Signs: A maximum height of twelve (12) feet for lots with less than five (5) acres in area and a maximum of fifteen (15) feet for lots exceeding five (5) acres in area. A maximum height of eight (8) feet is permitted for C-1-zoned lots.

a. A maximum two (2) foot architectural feature may be erected over the top of any monument sign and exceed the maximum height limitations except for property zoned C-1. No text, logo, or other advertising feature is permitted within this two (2) foot architectural feature.

(6) Wall Signs: No wall sign shall extend beyond the roof line or parapet of the building to which it is affixed. No wall sign shall be affixed to HVAC screening, elevator overrun, or other features protruding from the roof of the structure, with the exception of building parapets which have been designed and integrated into the building's architecture and which are in line with and not set back from the perimeter façade of the building.

F. Minimum Setback Required. As provided in subsection 6 of this section for signs permitted pursuant to that subsection.

(1) Billboard Signs: Billboard signs shall be erected in compliance with the building setback requirements of the underlying zoning district.

(2) Electronic Message Center/Manual Changeable Copy Signs: Electronic message center/manual changeable copy signs shall adhere to the setback requirements established for the permitted monument sign or billboard sign within which they are incorporated.

(3) Monument Signs: Five (5) feet from "right-of-way" and six (6) feet from all other lot lines. "Sight triangles" shall be maintained.

(4) Temporary Sign: Five feet (5').

10. District Regulations - O-1, I-1, and I-2. Signs shall be permitted in the O-1, I-1, and I-2 Districts as follows:

A. Functional Types Permitted. All signs permitted in any district without a City permit, as provided in subsection 6 of this section.

(1) Business Signs.

(2) Construction Signs, but for no longer than fourteen (14) days following completion of the construction in question.

(3) Drive-Through Signs.

(4) Identification Signs.

- (5) Joint Identification Signs.
- (6) On-site Directory Signs.
- (7) Real Estate Signs - Large Size. Real estate signs if limited to one (1) single or double-faced, non-illuminated sign per zoning lot, not to exceed twenty-four (24) square feet in area per sign face, and set back a minimum of twenty-five (25) feet from the property line. The name, address and telephone number of the person responsible for such removal shall be marked on the sign. Real estate signs indicating that the property has sold or is under any contractual obligation shall not be permitted pursuant to this paragraph. Real Estate Signs - Large Size may indicate that the property is for sale or lease. Real Estate Signs - Large Size requires a City sign permit. Real Estate Signs - Large Size shall not be in place for more than twelve (12) months, at which time the sign must be removed or another permit must be issued for another twelve (12) month period. Real Estate Signs - Large Size must be constructed of quality materials and maintained in good condition. Signs not maintained in good condition may be removed by the City. Real Estate Signs - Large Size are not permitted in residential districts.

- (8) Gas Station Price Signs.

B. Structural Types Permitted.

- (1) Awning and Canopy Signs.
- (2) Billboard Signs, but only when located along Highway 13 or Highway 100 street frontage and authorized by a special permit, except in the O-1 zoning district where they are prohibited.
- (3) Electronic Message Center Signs/Manual Changeable Copy Signs, but only if one of the following conditions is met:
 - a. Such a sign is incorporated into a permitted monument sign. Copy shall not be changed more than once every eight (8) seconds.
 - b. Such a sign is located within a permitted billboard sign. Copy shall not be changed more than once every 10 seconds.
- (4) Monument Signs.
- (5) Wall Signs.

C. Number of Signs Permitted per Zoning Lot. All signs permitted by subsection 6 of this section; plus

- (1) One (1) awning sign; plus

- (2) One (1) construction sign of any structural type; plus
- (3) One (1) joint identification sign per zoning lot frontage; plus
- (4) One (1) monument sign per street frontage for zoning lot frontage that is less than five hundred (500) feet in length, and up to two (2) monuments signs per street frontage for zoning lot frontage that is five hundred (500) feet or more in length. Monument signs must be spaced at least three-hundred (300) feet apart on a zoning lot when a zoning lot contains two (2) monument signs per street frontage; plus
- (5) One (1) electronic message center sign/manual changeable copy sign per zoning lot. Such signs are only permitted if incorporated into a permitted monument sign or billboard sign.
- (6) Two (2) on-site directory signs per zoning lot frontage; plus
- (7) One (1) real estate sign - large size; plus
- (8) One (1) billboard sign, per zoning lot.
 - a. A billboard sign must be located at least one thousand (1,000) feet from any other billboard sign, including billboards signs located in adjacent jurisdictions.
 - b. Shall be located a minimum of sixty feet (60) feet from any on-premise freestanding sign on the same zoning lot. Said distance shall be measured from the nearest part of each sign.
 - c. Shall not be permitted within 300 feet of any residentially zoned property or planned development zoned property. In addition, no billboards shall be permitted within 300 feet of any park, public or private school, church, cemetery or any officially designated local, state, or federally designated historic property and or district.
 - d. One (1) single-faced painted bulletin, poster panel display, or electronic message center/manual changeable copy sign.
 - e. A display of two (2) poster panels placed side-by-side in a straight line.
 - f. A double-faced display of painted bulletins, poster panels, or electronic message center/manual changeable copy sign as previously described in (a) and (b).
 - g. Forming an angle of less than forty-five (45) degrees, up to two (2) side-by-side poster panels may be backed by the

same or one (1) painted bulletin, or one (1) painted bulletin may be backed up by the same or a display of up to two (2) side-by-side poster panels.

h. No stacking of poster panels or painted bulletins in whatever manner shall be permitted.

D. Maximum Gross Surface Area of Signs Permitted.

(1) Total Sign Area. The total area of all signs on a zoning lot shall not exceed one (1) square foot per foot of zoning lot frontage; provided, however, that construction signs, real estate signs, joint identification signs, and signs allowed without permits, shall not be counted toward the total allowance gross sign surface area permitted on a zoning lot. The maximum amount of sign area shall be allocated proportionally based on the linear zoning lot frontage.

(2) Individual Sign Area Limitations. The following individual sign area limitations shall apply to all signs within the O-1, I-1, and I-2 districts, whether counted toward the total allowable gross sign surface area established in this code or not:

a. Awning and Canopy Signs: Not to exceed fifty (50) square feet per sign face. No sign identifying an individual tenant of a multi-tenant building shall cover more than twenty percent (20%) of the wall to which it is affixed.

b. Billboard Signs: Not to exceed forty-eight (48) feet long by fourteen (14) feet high per sign face. All such signs shall be required to either be a wall or freestanding type display.

c. Electronic Message Center/Manual Changeable Copy Signs:

(i) If located within a monument sign, not to exceed 50% of the gross surface area of the monument sign face within which such a sign is incorporated and therefore, shall not exceed 50% of the area as regulated in paragraph d below.

(ii) If located within a billboard sign, not to exceed the sign area limitations as regulated in paragraph b.

d. Monument Signs: Not to exceed one-hundred (100) square feet per sign face, nor more than two-hundred (200) square feet total.

e. Wall Signs: Twenty percent (20), but not to exceed one-hundred forty (120) square feet per sign.

E. Maximum Height of Signs Permitted.

(1) Signs Without Permits: As provided in subsection 6 of this section for signs permitted pursuant to that subsection.

(2) Awning and Canopy Signs: Twenty (20) feet; minimum height of eight (8) feet above grade.

(3) Billboard Signs: No billboard sign shall have the lowest edge of its display face more than fourteen feet (14') above grade; nor have the highest edge of its display face more than twenty-eight (28') feet above street grade.

(4) Electronic Message Center/Manual Changeable Copy Signs: No electronic message center/manual changeable copy sign shall extend beyond the sign face of the monument sign or billboard within which such a sign is incorporated and therefore, shall not exceed a height of said monument or billboard signs as regulated in paragraphs (3) and (5) of this subsection.

(5) Monument Signs: A maximum height of twelve (12) feet for lots less than five (5) acres in area and a maximum height of fifteen (15) feet for lots more than five (5) acres in area.

a. A maximum two (2) foot architectural feature may be erected over the top of any monument sign and exceed the maximum height restrictions. No text, logo, or other advertising feature is permitted within this two (2) foot architectural feature.

(6) Wall Signs: No wall sign shall extend beyond the roof line or parapet of the building to which it is affixed. No wall sign shall cover any architectural features (architectural features shall include, but not be limited to, pediment, cornice, belt course, pier, windows, pilaster, roof, decorative stone or tile inlay, kick plate/bulkhead, raised or colored brick pattern, and corbel) of the building to which it is affixed. No wall sign shall be affixed to HVAC screening, elevator overrun, or other features protruding from the roof of the structure, with the exception of building parapets which have been designed and integrated into the building's architecture and which are in line with and not set back from the perimeter façade of the building.

F. Minimum Setback Required.

- (1) Signs Without Permits: As provided in subsection 6 of this section for signs permitted pursuant to that subsection.
- (2) Billboard Signs: Billboard signs shall be erected in compliance with the building setback requirements of the underlying zoning district.
- (3) Electronic Message Center/Manual Changeable Copy Signs: Electronic message center/manual changeable copy signs shall adhere to the setback requirements established for the permitted monument sign or billboard sign within which they are incorporated as regulated in paragraphs (2) and (4) of this subsection.
- (4) Monument Signs: Five (5) feet from the right-of-way and three (3) feet from parking areas or driveways. "Sight triangles" shall be maintained to ensure safety.
- (5) Temporary Sign: Five (5) feet.

G. Illumination.

- (1) Signs Without Permits: Signs permitted pursuant to subsection 6 of this section shall be illuminated only as permitted in that subsection.
- (2) Awnings and Canopies: Shall be illuminated using a direct light source. Direct illumination shall be aimed at the exterior of the awning/canopy.
- (3) Monument Signs: Monument signs shall be backlit, directly-lit, or internally illuminated. Any direct light source shall be concealed from view from the right-of-way.
- (4) Wall Signs: Letters shall be individually affixed to walls of a building and be either internally illuminated or backlit. All wall signs mounted above thirty (30) feet shall consist of internally illuminated or backlit lettering. Wall signs mounted above thirty (30) feet shall consist of the business name only. Wall signs mounted above thirty (30) feet may also include the company's primary registered or trademarked logo.

11. District Regulations-A-1, R-1, R-2, R-3, R-4, R-5, and R-6. Except where exempted by this chapter, all of the following signs require permits from the City. Signs shall be permitted in the A-1, R-1, R-2, R-3, R-4, R-5, and R-6 Districts as follows:

- A. Nameplates and Signs. A nameplate for a single-family dwelling shall not exceed one hundred twenty (120) square inches in area. For a multiple-family dwelling, a nameplate shall not exceed four (4) square feet in area, and

may indicate the names, addresses and telephone numbers of the building and/or the rental agents. A nameplate may be illuminated by non-flashing direct or indirect illumination.

B. For Sale Signs. One un-illuminated ground sign, not more than six (6) square feet in area may be located in a front yard or side yard adjoining a street and shall be located not closer than ten feet (10') from a front and/or side lot line.

C. Signs for Nonresidential Uses (excluding home occupation signs which are prohibited). Identification signs for nonresidential uses shall be permitted in accordance with the following regulations:

(1) One identification sign affixed flat against a building wall and one ground sign, which in both cases may be illuminated by non-flashing direct or indirect illumination and shielded so that the source of light cannot be seen at any point within a residential district, may be erected along each street frontage. For an educational institution, the sign may contain not only the name of the institution, but may also announce events or activities occurring at the institution.

(2) Each sign shall be limited in area to not more than sixteen (16) square feet and shall not project higher than eight feet (8') above grade. No ground sign shall be located nearer than eight feet (8') from the nearest interior lot line nor closer to the front lot line than one-half ($1/2$) the depth of the required front yard except:

a. A directional sign shall be not more than nine (9) square feet in area and shall not be located nearer than ten feet (10') from right-of-way; and

b. A sign for an educational institution shall not be located nearer than ten feet (10') from a right-of-way.

(3) Electronic Message Center Signs/Manual Changeable Copy Signs: If located within a monument sign, not to exceed fifty percent (50%) of the gross surface area of the monument sign face within which such a sign is incorporated.

(4) Ground signs shall be limited to one per street frontage. Lots containing multiple street frontages shall be permitted additional signs per frontage, but signs must be separated by a minimum of three hundred feet (300').

D. Temporary Ground Signs. Temporary ground signs for residential subdivisions shall be permitted in accordance with the following:

(1) Signs may be erected along each thoroughfare or highway frontage of the development not less than one thousand feet (1,000') apart.

(2) Such signs shall not exceed two hundred forty (240) square feet in area each, and shall contain only the names, addresses and telephone numbers of the development and the sales or rental agents, and types, prices, and location of dwelling units.

(3) Such signs:

a. May be illuminated with non-flashing illumination shielded so that the source of light cannot be seen;

b. Shall not project higher than fifteen feet (15') above ground grade;

c. Shall not be located nearer than thirty feet (30') from street curb; and

d. Shall be removed within thirty (30) days of ninety percent (90%) build-out of available buildable lots.

E. Additional Ground Signs. Additional ground signs may be used on lots containing model homes being offered for sale or rent to:

(1) Identify the name and price of each house, not to exceed twelve (12) square feet in area.

(2) Provide directional and safety information, not to exceed two (2) square feet in area.

(3) No more than one such sign is permitted on any single lot except a maximum of two (2) signs will be permitted on corner lots, so that one sign can be located along each street frontage. The maximum size of these signs is six (6) square feet each.

(Ord. 11-26 – Feb. 12 Supp.)