CITY OF ST. JOSEPH
SIGN ORDINANCE
Chapter 25 of the Code of Ordinances

Adopted January 27, 2020 with effective date of February 5, 2020

The 1980 Sign Ordinance has been replaced in its entirely by the attached document.
Chapter 25

SIGNS

Art. I. General Provisions, §§ 1-9
1. Purpose
2. Definitions
3. Compliance
4. Applicability of Other Regulations
5. Exclusions
6. Authority
7. No Vested Rights
8. Substitution/No Discrimination Against Non-Commercial Signs or Speech
9. Reserved

Art. II. Regulations, §§ 10-29
10. Regulations Applicable to All Signs
11. Signs Allowed Without a Permit
12. Prohibited Signs.
13. District Sign Regulations
14. Temporary Sign Regulations
15. Measurements – Clear Vision Area, Sign Height, Sign Area, and Setback
16. Illumination.
17. Landscaping and Screening
18. Changeable Message Boards/Electronic Message Boards
19. Billboards
20. – 29. Reserved

Art. III. Administration, §§ 30-39
30. Application and Permit Process
31. Permit Contents, Requirements and Conditions
32. Administrative Review of Sign Applications
33. Planning Commission Review and Approval of Certain Sign Applications
34. Abandonment of Conforming Signs
35. Nonconforming Signs
36. – 39. Reserved

Art. IV. Enforcement and Penalties, §§ 40-49
40. Enforcement of Sign Ordinance
41. Removal of Unsafe, Abandoned, Obsolete and Prohibited Signs and Sign Structures
42. Penalty
43. – 49. Reserved
ARTICLE 1. GENERAL PROVISIONS

Sec. 25-1. Purpose.

The purpose of this sign ordinance is to establish rules and standards for the construction, location, maintenance and removal of privately-owned signs located on real property or a structure when visible from the public right-of-way. Directional, emergency, or traffic-related signs owned or required by city, county, state or federal governmental agencies are not regulated by this chapter. The regulations in this chapter are designed to protect the interest of public health, safety and welfare while accommodating the need for signs to inform, direct, identify, advertise, advocate, promote, endorse and otherwise communicate information.

While these regulations allow for a variety of sign types and sizes, they do not necessarily ensure every property owner or business owner’s desired level of visibility. It is not the intent or purpose to regulate the message or content displayed on any sign.

In order to achieve its stated purposes, the following objectives shall be applied to this chapter; however, it is not intended nor required that a particular regulation meet all stated objectives:

a. Promote the health, safety, and welfare of the City of St. Joseph’s residents, business community and visitors by ensuring that signs are designed, constructed, installed and maintained in a way that protects life, health, property and the public welfare;

b. Support and promote the goals of the Master Plan, which include improving the visual character of main thoroughfares to foster business retention and attract new businesses;

c. Enhance the beauty, unique character, and quality of the City of St. Joseph, which will attract commerce, businesses, residents and/or visitors, by creating a visually appealing streetscape;

d. Protect the public right to display and receive messages and information protected by the First Amendment of the U.S. Constitution;

e. Promote and aid the public and private sector in the identification, location and advertisement of goods and services while minimizing the number of signs allowed to promote a business or activity;

f. Eliminate potential hazards to motorists and pedestrians resulting from sign clutter and visual distraction;

g. Prevent blight;

h. Accommodate special circumstances or events that may create a need for temporary signs for a limited and reasonable period of time; and

i. Address the ongoing technological advancements in the sign industry that continue to result in new sign types.
Sec. 25-2. Definitions.

Words and phrases not otherwise defined in this chapter shall be construed according to the common and approved usage of the language as found in dictionaries, but technical words and phrases not otherwise defined in this chapter that have been defined under the city’s zoning ordinance shall be construed and understood according to the provisions of the zoning ordinance while other words and phrases that may have acquired a particular meaning in law shall be construed and understood according to such meaning.

Abandoned Sign means a sign identifying or advertising a business, service, owner, product, or activity which has been defunct or nonexistent for a period of at least 120 days. This definition does not include seasonal business signs.

Animated Sign means a sign depicting action, motion, light, or color changes through electrical or mechanical means, which is not an Electronic Message Board.

Athletic Field Sign means a sign located in or adjacent to an athletic field depicting commercial sponsorship.

Athletic Scoreboard means a structure located within or adjacent to an athletic field and that displays changing scores, related information, and additional content that may include, without limitation, the names and logos of sponsors.

Awning or Canopy Sign means a sign painted on, or applied to an awning or canopy.

Banner Sign means a temporary lightweight sign that is made of flexible, nondurable material such as fabric, cloth or plastic and is typically affixed to a building or accessory structure. A banner sign does not include a feather flag or a pennant sign.

Beacon Lighting means any source of electric light, whether portable or fixed, the primary purpose of which is to cast a concentrated beam of light generally skyward as a means of attracting attention to its location rather than to illuminate any particular sign, structure, or other object.

Billboard means an off-premise sign which contains a message unrelated to or not advertising a business transacted or goods sold or produced on the premises on which the sign is located.

Building Frontage means the maximum linear width of a building or tenant space, whichever is less, measured in a single straight line parallel, or essentially parallel, with the abutting public-street or parking lot. The building frontage is used to determine the maximum square footage of wall signs. A corner lot is considered to have two frontages and maximum signage is calculated individually per street frontage.

Cabinet Sign means a wall sign consisting of a metal box “frame” that is installed directly to the face of the building, which may accommodate a light source. Types of illumination include external or internal.
Changeable Message Board means a portion of a sign, with written representation, emblem, graphic, logo, symbol or other display that can be changed or rearranged electronically or manually without altering the face surface of the sign, whether or not any display is periodically rearranged. This definition excludes Sandwich Boards.

Channel Sign means a wall sign consisting of fabricated or formed three dimensional letters, individually applied to a wall, which may accommodate a light source.

Clear Vision Area means the triangular area formed at the corner of intersecting streets, alleys and driveways, measured from lot lines, in which unobstructed vision of motor vehicle operators must be maintained.

Construction Sign means a ground or wall sign erected on a building site for building construction or renovation which advises the public of pertinent facts regarding the project, for which a building permit has been issued, including but not limited to construction trade professionals, financing, management, or leasing.

Decorative Display means a temporary display designated for the entertainment or cultural enrichment of the public and having no direct or indirect sales or advertising content.

Development Sign means a sign identifying the name of a subdivision, site condominium development, apartment complex, or other residential, commercial, office or industrial development with five (5) or more units.

Donor or Memorial Sign means a sign that contains names, acknowledgements, or factual information to acknowledge or honor a benefactor, volunteer, or individual associated with the structure or site upon which it is located.

Electronic Message Board means an electronic changeable message board, including an electronic screen or monitor, which is not an animated sign.

Erect means to build, construct, attach, hang, place, suspend or affix.

Expressive Sign means a temporary sign that promotes or expresses an individual’s personal non-commercial ideology, belief, value, or message. Examples of expressive signs include, but are not limited to, signs expressing political beliefs, supporting clubs or sports team, and expressing religious views.

Feather Flag means a temporary sign applied to cloth, paper, flexible plastic, or fabric of any kind with only such material for backing, are generally a single sign attached to a support post and typically having a dimensional ratio of 4 high to 1 wide and move in the wind to attract attention. This is also commonly referred to as a feather banner or feather sign.

Free-Standing Sign means a sign that is not affixed to a separate structure or building but is affixed to the ground, including but not limited to pole signs and ground signs.

Ground or Monument Sign means a freestanding sign permanently affixed to the ground and supported entirely by a base structure or supporting posts at each end of the sign.
Government Sign means a sign that is required to be erected, placed or maintained by federal, state, county or city laws, rules or regulations, such as a directional, emergency, or traffic related sign.

Historical Marker means a plaque bearing historical information related to the nearby structure, land or area upon which it is located (i.e., date of construction, early owners and builders, etc.).

Landmark Sign means a sign found in its substantially original form or construction that exemplifies historical, cultural or architectural features or is deemed to be unusual, significant, or meaningful to the City streetscape or the City’s history.

Mechanical Movement Sign means a sign having parts that physically move rather than merely appear to move as might be found in an electronic message board. The physical movement may be activated electronically or by another means, but shall not include wind-activated movement. Mechanical movement signs do not include digital signs that have changeable, programmable displays.

Menu Board means a sign primarily designed for the display of menu items and prices for the purpose of placing orders for such items in conjunction with a restaurant utilizing drive-through or curbside service.

Multi-Tenant Sign means a free-standing sign used to identify individual businesses that occupy a common commercial, industrial or office complex.

Mural means a design, graphics, or representation painted or drawn on a wall or other structure, which does not contain commercial copy, advertising symbols, lettering, trademarks or other references to a particular entity, product or service located on the premises where the mural is located, or any other premises.

Nonconforming Sign means a sign that was legally erected and maintained at the effective date of this Ordinance, or amendment thereto, that does not currently comply with sign regulations of the district in which it is located.

Official Legal Notice means a sign that is erected or issued by a governmental agency, court, public body, person, or officer in performance of a public duty or in giving any legal notice, including signs that are required to be posted to give notice of pending action pursuant to the Code of Ordinance for the City of St. Joseph, as amended.

On-Site Informational Sign means a sign that identifies a street address, entrances and exits, safety precautions, open and closed information, parking information, warnings and other such incidental information for the property upon which the sign is located, including drive-thru menu boards, which is of a size and height to provide the necessary information while not including any logo or advertising, and not extending above the parapet or eave of the building.

Pennant Sign means a geometric piece of fabric or other material, commonly attached by strings, with rows of loose materials, streamers, shapes, or strands, or supported on small poles intended to flap in the wind and used to draw attention. A pennant sign does not include a feather flag.
Permanent Sign means a sign that has a permanent location on the ground or that is attached to a structure having a permanent location and which meets the structural requirements for signs.

Pole Sign means a free-standing sign supported by one or more uprights, poles or braces placed in or upon the ground surface and not attached to any building.

Pole Banner means a banner sign attached to a single pole and suspended above a public right-of-way or parking lot. These signs may promote community events or activities, seasons, or similar community related matters but shall not contain any commercial advertising.

Portable Changeable Message Board means a sign containing a changeable message and designed to be transported or moved and not permanently attached to the ground, a building, or other structure.

Projecting Sign means a sign attached to and projecting from the face of a wall or building, or hanging from a canopy or awning, and is not parallel to the building, but does not project above the parapet or eave of the building.

Raceway Letter Sign means a wall sign with letters mounted on a board or frame that acts as a support structure for the letters and electrical equipment.

Real Estate Sign means a temporary sign placed on a property announcing the sale, lease or other information relevant to the sale or lease of that property.

Reflective Sign means a sign containing any material or device which has the effect of intensifying reflected light, including mirrors.

Revolving Sign means a sign which revolves in a circular motion; rather than remaining stationary on its supporting structure.

Roof Sign means a sign which is erected, constructed and maintained above any portion of the roof.

Sandwich Board Sign means a free-standing, portable, temporary sign consisting of two faces connected and hinged at the top and whose message is targeted to pedestrians; it is also known as an A-frame sign or inverted T-shaped sign.

Seasonal Business means a business that operates in correlation to seasons and is open a minimum of three (3) months a calendar year.
Sign means an object, device, display or structure, or part thereof situated outdoors or indoors which is used to advertise or identify an object, person, institution, organization, business, product, service, event or location by any means including words, letters, figures, designs, symbols, fixtures, colors, motion illumination or projected images.

Signs do not include the following:

1) Flags which do not advertise a business, product or service, not larger than thirty square feet (30 sf) and affixed to permanent flagpoles or flagpoles mounted to buildings, subject to the maximum building height of the zoning district it is in. However, if such flags are greater than thirty square feet (30 sf), they are considered signs and are subject to the Special Approval process set forth in section 25-26 of this chapter.

2) Seasonal decorations which do not advertise a business, product or service.

3) Interior signs that are not visible from adjacent property or public rights of way.

4) Merchandise, pictures or models of products or services incorporated in a window display.

5) Governmental, educational, military, religious, fraternal, and civic symbols or crests.

6) Tablets or plates containing only the building name and/or date the building was installed when cut into the masonry surface of or permanently affixed to the building.

7) Time and temperature devices not related to a product and not larger than six square feet (6 sf).

8) Works of art, including murals, which do not advertise a business, product or service.

Sign Area means the part of the sign that is or can be used to display the sign, measured as described in Sec. 25-15 of this chapter.

Sign Structure means poles, posts, walls, frames, brackets, or other supports holding a sign in place.

Snipe Sign means a sign tacked, nailed, posted, pasted, glued, or otherwise attached to trees, poles, stakes, fences, public benches, streetlights, or other objects, or placed on any public property in the public right-of-way or on any private property without the permission of the property owner for commercial uses.

Suspended Sign means a freestanding sign that is attached to a decorative arm configuration that is attached to a support post. In most cases the sign will be double-sided and will hang or be suspended from the decorative arm.

Temporary Sign means any sign which is erected or displayed on a non-permanent basis for a limited period of time. Examples of a temporary sign include, but are not limited to, a banner sign, construction sign, garage sale sign, political sign, expressive sign, real estate sign, and sandwich board sign.

Vertical Clearance means the distance measured as the smallest vertical distance between finished grade and the lowest point of the sign, including any framework or other structural elements.

Wall Sign means a sign permanently attached directly to a building wall or structure attached directly to the building, and in which the horizontal sign surface is parallel to the building wall
or structure. Wall signs include but are not limited to cabinet signs, channel signs and raceway letter signs.

*Window Sign* means a sign attached to, printed on or affixed to the inside, outside, or in close proximity of a window or glass door and intended to be viewed from the outside.

**Sec. 25-3. Compliance.**

It shall hereafter be unlawful for any person to erect, relocate, enlarge, alter, modify or maintain a sign or allow a sign to remain on property in the City except in compliance with this chapter.

**Sec. 25-4. Applicability of Other Regulations.**

All regulations in this chapter shall be in addition to any other applicable laws, rules and regulations concerning signs. If any provision in this chapter is inconsistent with the provisions of any other law presently existing or enacted in the future, the more restrictive requirement will apply.

**Sec. 25-5. Exclusions.**

Government signs are not regulated by this chapter.

**Sec. 25-6. Authority.**

The zoning administrator or authorized designee(s) as determined by the city manager, which may change from time to time, is principally responsible for carrying out the provisions of this chapter, unless otherwise provided herein. Any references to zoning administrator in this chapter shall include any persons or departments authorized to act under this chapter by the city manager.

**Sec. 25-7. No Vested Rights.**

Nothing in this chapter shall be interpreted or construed to give rise to any permanent vested rights in the continuation of any particular sign, and it is hereby declared to be subject to subsequent amendment, change or modification as may be necessary for the preservation of public health, safety and welfare.

**Secs. 25-8. Substitution/No Discrimination Against Non-Commercial Signs or Speech.**

The owner of any sign which is otherwise allowed by this chapter may substitute noncommercial content in lieu of any other commercial or noncommercial content. This substitution of content may be made without any additional approval or permitting. The purpose of this provision is to prevent any inadvertent favoring of commercial speech or noncommercial speech, or favoring of any particular noncommercial message over any other noncommercial message. This provision prevails over any more specific provisions to the contrary in this chapter.

This clause shall not be construed to allow content which is profane, obscene, threatening, discriminatory or otherwise not protected by the First Amendment to the United States Constitution or art.1, § 5 of the Michigan Constitution.

**Secs. 25-9. Reserved.**
ARTICLE II. REGULATIONS

Sec. 25-10. Regulations Applicable to All Signs.
The following provisions shall apply to all signs in the city:

1) Permit Required. A sign permit shall be required for the construction, relocation, enlargement, alteration, modification, and maintenance of permanent signs within the city, unless exempted by this chapter. See Sec. 25-30 for permit process. See Sec. 25-14 for Temporary Signs.

2) Liability for Sign. The owner of a sign and the owner of the premises upon which such sign is located shall be jointly and severally liable for the sign.

3) Maintenance. Signs and sign supporting structures shall be maintained in clean and legible condition, in good working order, and in safe condition at all times, free of any rust, corrosion, rotting, peeling paint, fading or other deterioration in the physical appearance or condition. Illuminated signs shall be fully operational and shall not remain with only partial illumination for a period of more than thirty (30) consecutive days.

4) Right-of-Way. Signs shall not be located in or over the right-of-way of public streets or highways, or located on public property such as utility poles or streetlights unless required by and in compliance with federal or state laws, rules or regulations. Signs overhanging a city right-of-way must have a city approved and issued license.

5) Clear Vision and Safety. Signs shall not be located within the clear vision area as set forth in Sec. 25-15 of this chapter or in such a manner as to impair or block driver vision of oncoming traffic or pedestrians at intersections, or as to impair or block the view or effectiveness of any official traffic sign, traffic signal or marking.

6) Unobstructed Ingress and Egress. Signs shall not be placed to prevent free ingress or egress from any building, door, window, fire escape, or prevent free access from one part of a roof to any other part, or interfere with an opening required for ventilation. Signs shall not be placed to interfere with vehicular ingress or egress.

7) Standpipes and Fire Escapes. The placement of signs on a standpipe or fire escape shall not be allowed unless required by the International Fire Code, as adopted by the city.

8) Restoration. When a sign is removed and is not being replaced, the support structure shall also be removed within the same time period. Upon removal of a sign or sign support structure, the surface or ground upon which it was erected or displayed shall be concurrently restored to its original or an improved condition.

Sec. 25-11. Signs Allowed Without a Permit.
No permits are required under this chapter for the following signs; however, they remain subject to all other applicable provisions of this chapter.

1) Address numbers in compliance with the Code of Ordinances, Ch. 8, Art. VI, Sec.8-96 International Property Maintenance Code, Sec. 304.3 Premises Identification.

2) Bed and Breakfast Establishment signs in compliance with St. Joseph Zoning Ordinance Art. XI.
3) Donor signs up to two (2) square feet in size.
4) Historical Markers up to two (2) square feet in size.
5) Home Occupation signs in compliance with St. Joseph Zoning Ordinance, Art. XI.
6) Menu-boards located in an ordering lane.
7) Official legal notices.
8) On-site informational signs.
9) Nameplates or plaques up to two (2) square feet in size, bearing the name of the building occupant, one per occupant.
10) Signs located on or within a building, in compliance with MCL 125.3205d, that commemorate any of the following:
   (a) Any of the following who die in the line of duty: police officers, firefighters, medical first responders, members of the United States Armed Forces or corrections officers;
   (b) Veterans of the United States Armed Forces.
11) Temporary signs as provided in Sec. 25-14 of this chapter.
12) Window signs covering 50% or less of the total surface area of the window in which they are displayed. This provision does not apply to Electronic Message Boards.

Sec. 25-12. Prohibited Signs.

All signs not expressly permitted or exempt under this chapter are unlawful and prohibited, including but not limited to the following signs:

1) Abandoned signs.
2) Animated signs.
3) Audible devices, unless in accordance with the Americans with Disabilities Act (ADA) requirements or those required by state or federal safety regulations, or associated with a drive-through lane.
4) Feather flags.
5) Inflatable signs or devices with the exception of balloons used in temporary, non-commercial situations.
6) Mechanical movement signs.
7) Pennant signs.
8) Pornographic or obscene signs.
9) Portable changeable message boards.
10) Reflective, flashing or mirrored signs.
11) Revolving signs.
12) Roof signs.
13) Signs imitating or resembling official traffic or government signs or signals that confuse, mislead, or create a safety hazard.

14) Signs, including logos and trademarks but excluding striping or color accent banding, on a canopy or canopy support of an accessory structure.

15) Signs emitting smoke, vapors, particulate matter, odor or open flames.

16) Signs prohibited under federal, state, or local laws, rules or regulations.

17) Snipe signs.

18) Without regard to viewpoint of the individual speaker, signs that are not protected under the First Amendment to the U.S. Constitution, such as those containing text or graphics that:
   a. State or imply that a property may be used for any unlawful purpose or purpose not permitted under the provisions of the City of St. Joseph Zoning Ordinance.
   b. Are fighting words, defamation, incitement to imminent lawless action, or true threats.

Sec. 25-13. District Sign Regulations.

Table 25-1 sets forth the sign types, maximum size, height and number of signs allowed, minimum setbacks, prohibited or permitted signs. All permitted signs require a sign permit prior to installation unless exempt under Section 25-11 or allowed as temporary under Section 25-14 of this chapter.
### DISTRICT PERMANENT SIGN REGULATIONS

<table>
<thead>
<tr>
<th>WALL SIGNS: Awning, Cabinet, Channel, Raceway</th>
<th>R1 and R2 Residential Uses</th>
<th>R1 and R2 Non-residential Uses</th>
<th>R3</th>
<th>CO-A</th>
<th>CO-B</th>
<th>C</th>
<th>D</th>
<th>I-1</th>
<th>I-2</th>
<th>W</th>
</tr>
</thead>
<tbody>
<tr>
<td>Maximum square footage for business with first story or ground floor storefront</td>
<td>R3  CO-A CO-B C D I-1 I-2 W</td>
<td>One half times (0.5 x) the length of building/tenant storefront</td>
<td>Two times (2 x) the length of building/tenant storefront not to exceed a maximum combined total signage of 150 square feet.</td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Number allowed per storefront (total of all wall signs)</td>
<td>1</td>
<td>2</td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Maximum square footage for business with secondary access to alley or from side of building</td>
<td>20 square feet</td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Number allowed for secondary entrance on side or rear of building</td>
<td>1 per wall</td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Maximum square footage for business located above ground floor with a common separate ground level entrance</td>
<td>10 square feet</td>
<td>10 square feet</td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Number allowed for secondary entrance on side or rear of building</td>
<td>1 per wall</td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Maximum height</td>
<td>20 feet or below the bottom of any second floor window, whichever is less. Shall not extend above roof deck or parapet (excluding penthouse or elevator overrun)</td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
</tbody>
</table>

| Maximum projection: Cabinet, Channel and Raceway Signs | 1 foot |
| Minimum vertical clearance | 8 feet |
| Illumination - see Sec. 25-16 for additional information | PR | PR |
| Changeable message board - see Sec. 25-18 for additional information | PC | PC |

### WALL SIGNS: Projecting or Hanging

| Maximum square footage | 8 square feet | 8 sf |
| Number allowed per storefront | 1 |
| Maximum projection from wall of building | 8 feet | 8 feet |
| Maximum height | 20 feet or below the bottom of any second floor window, whichever is less. Shall not extend above roof deck or parapet (excluding penthouse or elevator overrun) |
| Minimum vertical clearance | 6 feet 8 inches (6'8") over public or private sidewalk; 15 feet over public rights-of-way or drive aisles |
| Illumination - see section 25-16 for additional information | PR |
| Changeable message board | PR |

---

Shading= Sign not allowed  
PR= Permit Required  
PC= Planning Commission Approval Required  
*One ground sign or one pole sign per parcel  
Signs greater than 32 square feet require Special Approval by the Planning Commission
<table>
<thead>
<tr>
<th>DISTRICT PERMANENT SIGN REGULATIONS</th>
</tr>
</thead>
<tbody>
<tr>
<td>R1 and R2 Residential Uses</td>
</tr>
<tr>
<td>-------------------------------</td>
</tr>
<tr>
<td><strong>GROUND SIGNS</strong>*</td>
</tr>
<tr>
<td>Number allowed</td>
</tr>
<tr>
<td>Maximum size -- if lot width ≤ 50 feet</td>
</tr>
<tr>
<td>Maximum size -- if lot width &gt; 50 feet</td>
</tr>
<tr>
<td>Maximum height</td>
</tr>
<tr>
<td>Minimum setback</td>
</tr>
<tr>
<td>Illumination - see Sec. 25-16 for additional information</td>
</tr>
<tr>
<td>Changeable message board - See Sec. 25-18 for additional information</td>
</tr>
<tr>
<td><strong>POLE SIGNS</strong>*</td>
</tr>
<tr>
<td>Number allowed</td>
</tr>
<tr>
<td>Maximum size -- if lot width ≤ 50 feet</td>
</tr>
<tr>
<td>Maximum size -- if lot width &gt; 50 feet</td>
</tr>
<tr>
<td>Maximum height</td>
</tr>
<tr>
<td>Minimum setback</td>
</tr>
<tr>
<td>Minimum vertical clearance</td>
</tr>
<tr>
<td>Illumination - see Sec. 25-16 for additional information</td>
</tr>
<tr>
<td>Changeable message board - See Sec. 25-18 for additional information</td>
</tr>
<tr>
<td><strong>Billboards, see Sec. 25-19 for additional information</strong></td>
</tr>
<tr>
<td>Number allowed</td>
</tr>
<tr>
<td>Maximum size</td>
</tr>
<tr>
<td>Maximum height</td>
</tr>
<tr>
<td>Minimum setback</td>
</tr>
<tr>
<td>Distance between signs</td>
</tr>
<tr>
<td>Minimum clearance from ground</td>
</tr>
<tr>
<td>Illumination - see Sec. 25-16 for additional information</td>
</tr>
<tr>
<td><strong>Miscellaneous Sign Types</strong></td>
</tr>
<tr>
<td>Development signs</td>
</tr>
<tr>
<td>Athletic field signage</td>
</tr>
<tr>
<td>Athletic scoreboards</td>
</tr>
</tbody>
</table>

Shading= Signage not allowed  
PR= Permit Required  
PC= Planning Commission Approval Required  
*One ground sign or one pole sign per parcel  
Signs greater than 32 square feet require Special Approval by the Planning Commission
Sec. 25-14. Temporary Sign Regulations.

Temporary sign regulations are based on land use and not zoning district as the other regulation within with chapter, and are designed to allow for freedom of expression or promotion of temporary events while minimizing clutter, visual distractions, obstructions, and nuisances.

1) General Regulations Applicable to All Temporary Signs. In addition to the regulations applicable to all signs in Sec. 25-10 of this chapter, temporary signs:
   a) Shall not be illuminated;
   b) Shall not have supports or borders wider than two inches (2”) on any side; and
   c) Shall be removed no more than seven (7) days after an event concludes if the sign is associated with a particular commercial event and not otherwise addressed in this section.
   d) Do not require a permit unless otherwise set forth in this section.

2) Additional Regulations for Specific Uses.
   a) Single-family and two-family residential use:
      i. The maximum overall sign height is four feet (4’).
      ii. The maximum sign area is six square feet (6 sf).
      iii. The maximum total area of all temporary signs displayed concurrently on one parcel is twenty-four square feet (24 sf) or less.
      iv. Sign supports or borders are less than two inches (2”) on all sides.
   b) Uses other than single-family or two-family residential use:
      i. The maximum overall sign height is eight feet (8’).
      ii. The maximum total of area of all temporary signs displayed concurrently on one parcel is thirty-two square feet (32 sf).

3) Additional Regulations for Specific Types of Temporary Signs:
   a) Banner Sign.
      i. The maximum time for display is fourteen (14) consecutive days, up to four (4) times per calendar year. However, a permit application can be filed to request individual maximum time periods be combined, and a permit may issue for the same so long as the total time does not exceed the yearly maximum number of days allowed (i.e., one banner displayed for eight (8) consecutive weeks would require the permit be issued four (4) consecutive times and no additional banners would be allowed that year).
      ii. It shall not extend above the roof eave of a building.
      iii. The maximum overall height of a free-standing banner is five feet (5’).
      iv. The maximum total area of all banners on display at any one time is thirty-two square feet (32 sf).
   b) Sandwich Board Sign.
i. One (1) sandwich board sign per business is allowed;

ii. The maximum overall height is four feet (4’), measured from the ground to the top of the sign;

iii. The maximum sign width is two feet (2’);

iv. The maximum sign area is eight square feet (8 sf) per side, based on the overall height and width of the sign;

v. It is located on private property;

vi. It is placed to allow an unobstructed ADA compliant route to businesses and the surrounding area;

vii. It is placed outside only during business hours and stored inside when the business is closed to the general public; and

viii. It is constructed of weather resistant, durable material, and kept in good repair.

ix. It does not have moving parts or attachments, including but not limited to balloons, pinwheels, streamers, pennants, flags, or similar adornments.

*Exception:* A permit is required for a sandwich board sign located on public property.

**Sec. 25-15. Measurements – Clear Vision Area, Sign Height, Sign Area, and Setback.**
Measurements are calculated as described in this section.

1) **Clear Vision Area.** The required clear vision area is 20’ measured from lot line to lot line so as to form a triangle, where two public rights-of-way intersect (street or alley) and 10’ where a public right-of-way intersects with a private driveway.
2) Setback/Minimum Distance. The minimum required distance between any sign, building or property line is measured by drawing a straight horizontal line that represents the shortest distance between the sign and other sign, building or property line.

3) Sign Height/Overall Height. Unless otherwise provided in this section, the height of a sign is measured from the existing average finished grade level of the premises where the sign is located to the highest point of the sign structure. Freestanding signs located in raised planter boxes shall have the height measured from the existing average finished grade outside the planter box. The ground beneath a sign shall not be raised to artificially raise the height of a sign.

4) Sign Area.
   a) Unless otherwise provided in this section, the area of a sign is measured by the smallest square or rectangle that encompasses the extreme limits of the writing, representation, emblem, logo, or other display, together with any material or color forming an integral section of the background of the display or used to differentiate the sign from the backdrop or structure against which it is placed but not including any supporting framework, bracing or decorative fence or wall when such supporting device otherwise meets the regulations of this chapter and is clearly incidental to the display itself. The total area of allowable signage is calculated by adding together the area of each sign.
   b) Irregular shaped signs shall be measured using the aforementioned rectangle method of measurement.
   c) Only one display face is measured if the sign faces are parallel or form an interior angle of less than or equal to 60 degrees if the signs are mounted on the same structure. If the faces are of unequal area, the sign area is equal to the area of the larger face.

5) Specific Sign Type Measurements. Specific identified signs types shall be measured as described below. To the extent a sign type or measurement is not provided below, measurements shall be determined under the general standards described in Secs. 25-15 (2) – (4):
   a) Freestanding Signs. Particular types of freestanding signs are measured as follows:
      i. Ground Signs. The area, height and width of a ground sign is measured as described in sections 25-15.3 – 4. above and depicted below:
ii. *Multi-Tenant (Directory) Sign.* The area of a multi-tenant sign is based on the overall width and height of all signs excluding support posts. Overall height is measured from the ground to the highest point of the sign structure.
iii. *Pole Sign.* The area of a pole sign will be based on the width and height of the sign face or the largest dimension of irregularly shaped signs. Overall height is measured from the ground to the highest point of the sign structure.

iv. *Suspended Sign.* The area of suspended sign is measured as if a rectangle or square was drawn around the largest area of the sign face. Overall height is measured from the ground to the highest point of the sign structure.
b) *Wall Signs.* Particular types of wall signs are measured as follows:

i. *Cabinet Sign.* The area of a cabinet sign is measured by the overall height and width of the cabinet.

![Diagram of Cabinet Sign](image)

ii. *Channel Letter Sign.* The area of a channel letter sign is measured by drawing one rectangle around all letters or characters in the sign, then using such rectangle to measure the overall height and width of the sign.

![Diagram of Channel Letter Sign](image)

iii. *Projecting Sign.* The clearance of a projecting sign is measured from the ground to the bottom edge of the sign, height from the bottom edge of the sign to the top edge of the sign, and width from the farthest edge of each side in a parallel line, projection from the building face to the farthest edge of the sign structure in a parallel line. Projecting signs shall not be higher than twenty feet (20') from the ground nor higher than the bottom of a second-floor window, whichever is less, and be located near the ground floor entrance to the building. There shall be no more than two (2) faces per sign, being parallel to each other and facing opposite directions.

![Diagram of Projecting Sign](image)
iv. **Raceway Letter Sign.** The area of a raceway letter sign is measured by drawing one rectangle around all letters or characters in the sign, then using such rectangle to measure the overall height and width of the sign. The raceway shall not exceed the height of the smallest letter or width of the sign and shall be painted to match the color of the building it is installed on, so that it blends with the building wall.

v. **Window Sign.** The area of a sign located in a window is measured as if a rectangle or square was drawn around all of the letters and elements of the wording and logos.

**Sec. 25-16. Illumination.**

The following regulations shall apply to illuminated signs, in addition to any specific regulations applied to particular sign types described in other sections of this chapter.

1) Free-standing signs may be internally or externally illuminated.

2) Wall signs may be internally or externally illuminated. Light fixtures for wall signs shall not extend above the roof of the building and shall not extend more than eighteen inches (18”) from the face of the building.

3) Ground mounted light fixtures shall not extend more than eighteen inches (18”) above grade.

4) Interior illumination of signs is limited to the sign face and shall not include the sign structure.

5) Illumination shall be 0.0 foot candles at lot lines that are adjacent to or across a right-of-way from a residential use. In all other cases, the illumination shall not exceed 0.5 foot-candles at the lot line.
6) Uniform lighting shall be used throughout a sign to create a uniform appearance rather than creating some areas that appear brighter than others.

7) Exterior lighting of signs shall be shielded and directed to the sign face and shall not cause a glare on or strike the street or nearby property.

8) Signs shall not be illuminated between the hours of 11:00 p.m. and 6:00 a.m., except that a business open after 11:00 p.m. or before 6:00 a.m. may have illumination during business hours.

9) Illumination may be by means of exposed neon.

10) Illumination by means of beacon lighting and/or flashing, revolving or rotating beams of light is prohibited.

Sec. 25-17. Landscaping and Screening.

All freestanding signs must be surrounded by landscaping and comply with the following:

1) Landscaping shall consist of either plant material with seasonal interest or hardscape materials including decorative fencing or walls consisting of landscape block, masonry or natural stone.

2) Hardscape material beds shall extend a minimum of twelve inches (12”) away from the sign on all sides. All hardscape elements shall have a minimum vertical elevation of six inches (6”) above finished grade.

3) Landscaping consisting of only plant material shall extend a minimum of thirty inches (30”) away from the sign on all signs.

4) Plant material should be selected to enhance the appearance of the sign and not block the sign informational content from view. Artificial plant material, invasive species and noxious weed growth is prohibited.

5) All sign components, plant material and hardscape elements shall be maintained. All landscaping shall be free from disease, pests, weeds and litter and all structures such as fences and walls shall be repaired and replaced as required to comply with the city’s property maintenance code.

6) Pole signs shall have a decorative cover over the base that shall be a minimum of one foot (1’) in height. The width of a pole or support structure shall not exceed one-third (1/3) the width of the sign face and may not extend more than one foot (1’) above the top edge of the sign face. Advertising is prohibited on the base, pole or support structure of a pole sign.

Sec. 25-18. Changeable Message Boards. In addition to other regulations contained in this chapter, the following provisions shall apply to changeable message boards, where allowed:

1) One (1) changeable message board is permitted per business; however no more than one changeable message board is permitted per parcel.
2) Changeable message boards shall only advertise on-site products or services or non-commercial public information such as time/temperature, safety alerts, and community/civic events.

3) Changeable message boards are permitted only on free-standing signs and shall not be attached to the exterior wall of a building.

4) Changeable message boards that are not electronic shall be integrated into a free-standing sign in order to create a cohesive, single-looking sign and shall not occupy more than fifty percent (50%) of the total sign face on each side.

5) Changeable message boards shall not be illuminated between the hours of 11:00 p.m. and 6:00 a.m. with the exception that businesses open after 11:00 p.m. or before 6:00 a.m., may have a changeable message board illuminated during business hours.

6) Electronic Message Boards (EMBs) require planning commission approval as provided in section 25-33 of this chapter and must comply with the following additional regulations:
   a) An EMB shall not be used or displayed in a way that presents multiple screens within a single sign face, whether simulated or actual.
   b) Transition from one message to another shall be instantaneous, without movement or other transition effects between messages.
   c) Messages must remain on display for no less than 7 seconds. Scrolling and flashing display messages are prohibited.
   d) Illumination shall not exceed 0.0-foot candles at any lot lines that are adjacent to or across a right-of-way from a residential use. In all other cases, the illumination shall not exceed 0.5 foot-candles at the lot line.
   e) An EMB must be equipped with both a programmable dimming sequence as well as an additional overriding mechanical photocell that adjusts the brightness of the display to the ambient light at all times of day. Such programming and mechanical equipment shall be set so that the electronic sign, from dusk to dawn or in overcast conditions, will be no more than forty percent (40%) of the daytime brightness level. Manufacturer’s information must be submitted with sign permit application.
   f) A copy of the manufacturer’s operating manual for the EMB, including any recommended standards for brightness, display operations and any computer interfaced programs, must be available for immediate access at the business location where it is operating and must be provided to the zoning administrator upon request.

7) Electronic vehicle fuel stations signs displaying fuel prices require planning commission approval as provided in section 25-33 of this chapter and must also comply with the following regulations:
   a) A maximum of three (3) fuel products may be displayed per sign face, limited to fuel product pricing only.
   b) The maximum electronic message area is twelve square feet (12 sf) or five square feet (5 sf) per fuel product displayed.
**Sec. 25-19. Billboards.** The following standards shall apply to all billboards unless specifically exempted in this section:

1) A sign face shall not exceed 260 square feet per side and the total area of a double-faced sign shall not exceed five hundred twenty square feet (520 sf). A double-faced sign shall consist of the two sign faces being parallel to each other and facing opposite directions.

2) Billboards greater than one hundred square feet (100 sf) in size shall be located a minimum of fifty feet (50’) from the nearest property line and one hundred feet (100’) from any residential use or district, public park, religious institution or any public or private school.

3) Billboards must have a minimum ground clearance of eight feet (8’) and may not exceed thirty-five feet (35’) in height.

4) Billboards must have a minimum separation of three hundred feet (300’) from any other billboard or any public waterway.

5) Billboards shall be located perpendicular to the nearest street.

6) Billboards must be freestanding and shall not be attached to, erected on, cantilevered over or constructed above any other structure.

7) Billboards shall not incorporate flashing or rotating lights, beacon lights, running lights, animated copy, electronic message boards or digital displays.

*Exemption:* Billboards lawfully existing on the date this chapter becomes effective shall be allowed to continue in their current location and size even if in conflict with the provisions of this chapter. However, all other regulations shall continue to apply to such billboards.

**Secs. 25.20 – 25.29 Reserved**

**ARTICLE III. ADMINISTRATION**

**Sec. 25-30. Application and Permit Process.**

To obtain an approved sign permit or designation as a Landmark Sign, a complete application form shall be filed by, or with the written consent of, the property owner on a form developed and provided by the city. The application form shall be filed with the zoning administrator together with all required fees or deposits, information and materials specified by the application or determined by the zoning administrator as necessary to review the application and ensure compliance with this chapter. The application shall require proof of comprehensive general liability insurance, and be submitted with the fee established by the city commission.

**Sec. 25-31. Permit Contents, Requirements and Conditions.**

The zoning administrator will develop a standard permit form describing the approved sign(s) that will be issued to the applicant upon receiving final approval for such sign(s). In addition to any requirements set forth in this chapter, a sign permit is subject to the following provisions:

1) *Conditions on Sign Permits.* Any required conditions, or any conditions or limitations imposed by the planning commission pursuant to approval granted under section 25-33 of
this chapter, shall be expressly set forth in the permit or the written findings and recommendation made as part of the approving motion by the planning commission shall be incorporated and attached to the permit. Violation of any such condition or limitation shall be a violation of this code and shall constitute grounds for revocation of the sign permit.

2) **Insurance Required.** A sign erector shall maintain comprehensive public liability and property damage insurance by an insurer licensed to do business in this state.

3) **Permit Expiration.** Every permit issued by the zoning administrator under the provisions of this section shall expire automatically and become null and void if the structure or work authorized by such permit is not commenced and completed within one hundred eighty (180) days from the date of such permit unless extended as provided in this section.

4) **Extension of Unexpired Permit.** Any permittee holding an unexpired permit may apply for an extension of the time within which to commence work under that permit when the permittee is unable to commence and complete work within the time required by this section for good and satisfactory reasons or upon showing that circumstances beyond the control of the permittee have prevented action from being taken. In such case, the zoning administrator may extend the permit once for an additional ninety (90) days.

5) **Suspension or Revocation.** The zoning administrator may, in writing, suspend or revoke a permit issued under the provisions of this chapter whenever the permit is issued in error, on the basis of incorrect information supplied, or in violation of any ordinance or regulation or any of the provisions of this chapter.

6) **Inspections.** All signs for which a permit is required shall be subject to inspection by the zoning administrator, who may order the removal of any sign that is not maintained or is in violation of any provision of this chapter.

7) **Other Permits.** Other permits, such as a right-of-way permit or electrical permit, may be required before a sign permit is issued.

**Sec. 25-32. Administrative Review of Sign Applications**

1) The zoning administrator shall, within thirty (30) days of submission, review each sign application and upon determining that the application is complete and meets the requirements of this chapter, the zoning ordinance and other applicable regulations, and is not subject to special approval of the planning commission, issue a sign permit to the applicant.

2) If the zoning administrator does not review the application within thirty (30) days of submission, the application shall be deemed denied. In such case, the applicant may file an application for an appeal at no cost to the applicant.

3) If the zoning administrator determines that the application is incomplete, the zoning administrator shall provide the applicant an explanation of the deficiencies, and shall either hold or return the application pending completion.

4) If the zoning administrator determines that the application is complete but does not meet the requirements of this chapter, the application shall be denied and an explanation for the denial provided to the applicant.
5) Appeals from any interpretations, determinations, or denials made by the zoning administrator shall be made to the planning commission and submitted on such forms provided by the city for that purpose and subject to such fees set by the city commission at least twenty-four (24) days before the next regularly scheduled planning commission meeting.

6) If the zoning administrator denies an application for the reason that the proposed sign requires special approval, a modification of the sign regulations, or a Landmark Sign Designation by the planning commission as provided under Sec. 25-33 of this chapter, the applicant shall submit a complete application for such request to the planning commission on such forms provided by the city for that purpose and subject to such fees set by the city commission at least twenty-four (24) days before the next regularly scheduled planning commission meeting.

7) Appeals from a decision of the planning commission shall be made to the city commission on such forms provided by the city for that purpose and subject to such fees set by the city commission.


Subject to the standards and limitations set forth in this section, the planning commission shall have the authority to review certain sign applications and grant approvals.

1) Authority to Grant Special Approvals of Signs Greater than 32 Square Feet and Electronic Message Boards (EMBs). The planning commission has authority, in connection with the application, to grant special approval of signs greater than thirty-two square feet (32 sf), and of electronic message boards, subject to the following regulations.

   a) Review. The planning commission shall, within ninety (90) days of receiving a complete application, either grant the application by written findings stating the reasons therefor, deny the application, or grant the application with modifications or conditions. The failure of the planning commission to act within ninety (90) days, or such further time to which the applicant may agree, shall be deemed to be a decision of denial.

   b) Factors for Special Approval of Signs Greater than 32 Square Feet and EMBs. The factors to be considered for approval of signs greater than thirty-two square feet (32 sf) and electronic message boards shall include, but are not limited to the following:

      i. Based on the location, site and type of sign (i.e., wall versus free-standing), the proposed sign shall be visually compatible with structures on the site and the surrounding area. The sign should maintain a height, size, proportion, scale, material, texture, color and shape compatible with its proposed location for installation.

      ii. The proposed sign will be constructed and maintained with a design and materials of high quality and good relationship with the design and character of the surrounding area.

      iii. The proposed sign will be compatible with its location in terms of design, landscaping, and orientation on the site, and will not create a hazard to pedestrian or vehicular traffic, or negatively impact public safety.
iv. The sign is consistent with the intent of the Master Plan, and other specific area plans as applicable.

v. The sign otherwise meets all requirements of this Chapter.

2) Authority to Grant Requested Modifications of Sign Regulations. The planning commission has authority, in connection with an application, to grant approval of request for modification of the sign regulations, subject to the following regulations.

a) Review. The planning commission shall, within ninety (90) days of receiving a complete application, either grant approval of the application by written findings stating the reasons therefor, deny the application, or grant the application with modifications or conditions. The failure of the planning commission to act within ninety (90) days, or such further time to which the applicant may agree, shall be deemed to be a decision of denial.

b) Authorized Modifications. The planning commission may grant an applicant’s request to modify the provisions of this chapter as follows:

   i. To decrease to any degree, or to increase by no more than twenty percent (20%), the minimum or maximum allowable height from grade of any sign.

   ii. To increase by no more than ten percent (10%) the maximum area of signage otherwise allowed; however, parcels over 10 acres in size may obtain an increase in the maximum signage otherwise allowed by more than 10 percent (10%) if supported by the factors for approval of modifications set forth in subsection c. below.

   iii. To increase by no more than one (1) sign the maximum number of signs or sign types otherwise allowed.

   iv. To allow no more than one sign type to be located on a lot where signs of such type are not otherwise allowed.

   v. To adjust the required spacing between any signs, structures or lot lines.

c) Factors for Approval of Modifications. The factors to be considered for permitted modifications shall include the same factors for special approval of signs as set forth in Sec. 25-33 1.b.

Additional factors to be considered may include, but are not limited to the following:

   i. Minimum Request. The modification requested is the minimum change necessary to alleviate a hardship while addressing the unique and specific needs of the applicant.

   ii. General Standards. Carrying out the strict letter of the provisions this code would create a particular hardship or a practical difficulty not caused by an act or omission of the applicant.

   iii. Unusual Physical Limitations. The subject property or the structure on which the sign is proposed to be located is burdened with an unusual physical limitation, such as an irregular shape, unusual geographic location, exceptional topographical feature, or other extraordinary physical condition, that is peculiar
to the subject property and this more than merely an inconvenience or cost consideration to the applicant.

iv. Location Factors. The subject property location supports the permitted modification, reviewing such factors as size and use of parcel, setbacks, adjacent property uses, and speed of adjacent roadway(s).

v. Adverse Impacts. The modification, if granted, would have no significant adverse impact on any abutting or adjacent property, the essential character of any part of or all of the neighborhood, or the use, enjoyment or value of other nearby properties.

vi. Public Health and Safety. The modification, if granted, would have no significant adverse impact on and would not endanger public health or safety.

3) Authority to Grant Landmark Sign Designation and Maintenance. The Planning Commission has authority, in connection with an application, to grant approval of the application for Landmark Sign designation, subject to the following regulations.

a) Review. The planning commission shall, within ninety (90) days of receiving a complete application, either grant the application by written findings stating the reasons therefor, deny the application, or grant the application with modifications or conditions. The failure of the planning commission to act within ninety (90) days, or such further time to which the applicant may agree, shall be deemed to be a decision of denial.

b) Factors for Approval of Landmark Sign Designation. Landmark Sign standards are intended to provide for the preservation of the City’s unique character, history, or identity as reflected in its historic and iconic signs. A sign may be designated as a Landmark Sign if the planning commission determines that the sign is structurally safe or capable of being made so without materially altering its historical character or significance, and the applicant presents a proposed maintenance program that addresses general maintenance, repair, restoration, and other potential future modifications (e.g., text changes).

In addition, the planning commission must determine that the sign meets a majority of the following criteria:

i. The sign has been in continuous existence at its present location for at least thirty (30) years.

ii. The sign is associated with historic figures, events, or locations within the city; is recognized as a popular focal point in the community; or reflects the history or historical use of the building or the history of the city.

iii. The sign is of exemplary technology, craftsmanship, or design for the period in which it was constructed; uses historic sign materials or means of illumination; or is unique in that it demonstrates extraordinary aesthetic quality, creativity, or innovation.
c) **Factors for Approval of Landmark Sign Repair or Restoration.** Any repair or restoration to a Landmark Sign requires a permit and shall be reviewed by the planning commission by the above described process, and must comply with the following:

i. The sign will be restored and repaired to its substantially original condition, using the same color scheme, graphics, and materials to the extent practicable in order to replicate the original appearance of the sign;

ii. Text changes either match or are compatible with existing text in material(s), letter size, font/typography; and

iii. Restoration or repair of the sign is not expanded beyond the original sign area.

d) **Landmark Sign Removal.** Nothing in this chapter prohibits the voluntary removal of a Landmark Sign. Once removed, a Landmark Sign cannot be replaced unless it is removed as part of an approved sign restoration.

**Sec. 25-34. Abandonment of Conforming Signs.**

A conforming sign that no longer advertises an activity, business, or use conducted or a product sold on the premises where the sign is located shall be deemed to be abandoned after a period of one hundred twenty (120) days, unless the sign face is replaced with either: 1) new words, symbols, or message display for a new activity, business, or use conducted or a product sold on the premises where the sign is located per the requirements of this chapter, or 2) a weatherproof blank sign face. Abandoned, conforming signs for which the sign face is not replaced as prescribed in this subsection shall be fully removed, including all components of the sign and its support structure.

**Sec. 25-35. Nonconforming Signs.**

Every permanent sign which was erected legally and which lawfully exists at the time of the enactment of this article, but which does not conform to the provisions of this chapter as of the date this chapter is effective, is hereby deemed to be nonconforming and may remain except as provided in this section.

1) Nonconforming status shall not be granted to any temporary sign, banner, or other non-permanent sign. In addition, a sign illegal at the time of the adoption of this ordinance shall not become a non-conforming sign by reason of such adoption, but shall remain an illegal sign.

2) The right to maintain any nonconforming sign shall terminate whenever any of the following occurs:

   a) The nonconforming sign is altered, enlarged, modified, added to, or changed in any manner, except as may be required by law, unless it is made to conform with this chapter.

   b) The nonconforming sign is located on property that is being modified as requested and initiated by the owner of the property or owner’s representative, for an application that involves a public hearing request before the Planning Commission (examples include: map amendment (rezoning), text amendment, special use permits, or planned unit developments) or Zoning Board of Appeals (example, a dimensional variance).
c) The principal structure associated with the sign or the non-conforming sign is razed or destroyed by fire or other casualty loss when restoration will constitute more than 50% of the value of the structure.

d) The principal structure associated with the sign is renovated or remodeled when renovation or remodeling will constitute more than 50% of the value of the structure on the date the renovation or remodeling begins.

e) The nonconforming sign is unsafe, abandoned, obsolete and/or prohibited.

3) The nonconforming sign shall not be relocated or moved in whole or part to any other location on the same or any other lot unless every portion of such sign is made to conform to the regulations of this chapter and other applicable regulations of the city.

4) The city shall maintain the authority to enforce the amortization schedule set forth in this chapter. All nonconforming signs shall be removed within the following timeframes based upon the date this chapter becomes effective:

   a) Banner signs, temporary and permanent  Sixty (60) days
   b) Illegal signs:  Sixty (60) days
   c) Projecting signs:  Three (3) years
   d) Roof signs:  Three (3) years
   e) Changeable message boards, manual:  Five (5) years
   f) Changeable message boards, electronic:  Nine (9) years
   g) Free-standing signs, ground and pole:  Nine (9) years
   h) All other types not specifically listed:  Nine (9) years


ARTICLE IV. ENFORCEMENT AND PENALTIES

Sec. 25-40. Enforcement of Sign Ordinance.

The zoning administrator or other authorized designee(s) as determined by the city manager, may enforce the provisions of this chapter.

Sec. 25-41. Removal of Unsafe, Abandoned, Obsolete and Prohibited Signs and Sign Structures.

1) Public Property or Rights-of-Way. Any unauthorized sign or sign structure located in a public right-of-way or on public property may be removed without notice and may be destroyed after 7 days of being removed.

2) Abandoned, Obsolete, Unsafe or Prohibited Signs. If upon inspection, the zoning administrator finds that a sign or sign structure located on private property is abandoned, obsolete, unsafe, and/or prohibited, the zoning administrator shall issue a written order to the sign owner and the property owner upon which the sign or sign structure is located stating the nature of the violation and requiring them to repair, remove, or conform the
permanent sign or sign structure within thirty (30) calendar days of the date of the order, or to remove temporary signs or sign structures within five (5) calendar days of the order.

3) **Imminent Danger.** When any sign or sign structure is found to be in such condition as to make it an imminent danger to the life or safety of the public, in addition to any other remedy in this chapter, the zoning administrator is hereby authorized and empowered to immediately order the necessary work to be done as is necessary to render such sign or sign structure temporarily safe. In such event, the owner of the premises upon which the sign is located is responsible for such costs and the zoning administrator shall cause such appropriate action as is necessary to recover those costs.

**Sec. 25-42. Penalty.**

Any violation of this chapter is declared a nuisance per se. Any person who shall be found to violate any provision of this chapter, or fails to comply therewith, including any owner or occupant or person responsible for installation of the sign, is responsible for violation of a municipal civil infraction. Each day that a violation continues shall be a separate offense.

1) Fines for violations of this chapter shall be as follows:
   a) First offense, no less than $100.00;
   b) Second offense within two calendar years of a prior offense even if it occurs at the same time as the prior offense, no less than $500.00; and
   c) Third offense or more within two calendar years of two prior offenses, even if it occurs at the same time as another offense, no less than $1,000.00 for each offense.

2) In all instances, the city’s costs of enforcement, abatement and prosecution may be added to any fine imposed by the court.

3) In addition to the penalties provided in this section, the court shall have equitable jurisdiction to enforce any judgment, writ, or order necessary to enforce compliance with any provision of this chapter or as otherwise provided by law, including abatement of the violating condition or granting any injunctive relief.

4) When a person fails to abate the condition causing the violation, the costs incurred by the city shall be charged against the offender, and if the offender has an ownership interest in the real property on which the abatement action occurs, such costs may be charged as a special assessment and collected in the same manner as ad valorem property taxes on the property.

**Secs. 25-43 – 25.49. Reserved**