

ARTICLE VI: SIGN REGULATIONS

Section 600. Purpose and Intent

The purpose of this article is to promote the growth of the city in an orderly, efficient, and attractive manner and to provide minimum standards to safeguard life, health, property, and public welfare by regulating and controlling the design, quality of materials, construction, illumination, location, and maintenance of all signs and sign structures.

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

Section 601. General Provisions

It shall hereafter be unlawful for any person to erect, place, or maintain a sign in the City of New Hampton except in accordance with the provisions of this Ordinance. Signs, other than government signs, are prohibited within all public rights-of-way and easements and on public property. Projecting signs, awnings, canopies, and under canopy signs that overhang a sidewalk or other pedestrian way shall provide a minimum clearance above the said pedestrian way of eight (8) feet.

Section 602. Permits Required

Unless otherwise provided by this Ordinance, all signs shall require a sign permit issued by the Zoning Administrator. No permit is required for the maintenance of a sign or for a change of copy on painted or printed sign face panels for an existing business.

A. General information & application:

1. All signs requiring a permit will be required to pay an application fee as specified by the city's fee schedule set via resolution each year.
2. In addition to a sign permit, a state electrical permit must be obtained, if required, for illuminated signs or signs that have dynamic displays.
3. Unless otherwise stated herein, a permit will be valid for the life of the sign.
4. Application for a sign permit must be made on the forms provided by the City and filed with the Zoning Administrator.
5. A change in business or ownership resulting in new signage requires a new sign permit and staff review.

B. Inspections. A sign requiring a permit shall be subject to an initial inspection by the Zoning Administrator to determine whether the sign conforms to the provisions of this Ordinance, the permit application and other applicable laws, ordinances and regulations, including, but not

limited to: sign location, size, footings, structural design, and materials used.

- C. Permit Issuance. Upon the filing of a complete permit application, the Zoning Administrator shall review the application materials submitted. If the proposed sign complies with this Section and other applicable laws, ordinances and regulations, the Zoning Administrator shall issue a sign permit. A permit is good for up to twelve (12) months from the date of issuance, if a sign has not been installed within that timeframe, then the permit shall be deemed expired.

Section 603. Signs Not Requiring Permits

The following types of signs are exempt from permit requirements, but must be in compliance with all other requirements of this Ordinance:

- A. One non-illuminated sign with a commercial message that does not exceed thirty-two (32) square feet in sign area in the single-family A-1, R-1, R-2, R-3 and MH Districts and forty-eight (48) square feet in sign area in all other zoning districts may be placed upon a construction site. The sign must be removed within ten (10) days after completion of construction or issuance of a certificate of occupancy, whichever occurs first.
- B. Holiday decorations or signs. Holiday signs, as defined in this chapter, provided that they are installed no more than 35 days prior to the holiday for which they are customarily dedicated. Such signs shall be removed no later than 15 days after the holiday for which they are customarily dedicated.
- C. Identification signs.
 - a. *Residential districts.* Identification signs not to exceed three (3) square feet in area.
 - b. *Non-residential districts.* Identification signs not to exceed five (5) square feet in area.
- D. Government signs.
 - a. Any traffic sign erected at the authorization of either the county, state, or federal government.
 - b. Any sign providing emergency notifications on a temporary basis lasting no more than 90 days erected at the authorization of the county, state, or federal government.
 - c. Any sign erected by the City pursuant to and in the discharge of any governmental function.
 - d. Public notices and other signs erected by government agencies or utilities;
- E. Mailboxes and Addresses.
 - a. Addresses and names printed in a standard size on a mailbox provided that the address information on the side of a residence or business shall not exceed four square feet.

- b. Street markings indicating address information only containing address information painted on curbsides which shall not exceed four square feet.
- F. Commercial message signs on property that is for sale or lease. All signs allowed by this paragraph must be removed within seven (7) days after the closing date of the sale or lease of the property. Shall not exceed twelve (12) square feet.
- G. Window signs. For commercial uses, window signs shall be allowed only as accessory signage to a permitted permanent sign, and shall not be used as the principal wall sign of the business. If a window sign is the primary sign, then a permit is required and applicable sizes will comply.
- H. Incidental signs that are two (2) square feet in sign area or less, including, but not limited, to decals, logos, and emblems.
- I. Wall or building art, provided such signs do not contain any commercial messaging.
- J. Flags:
 - 1. *Location.* Flags and flagpoles shall not be located within any right-of-way.
 - 2. *Height.* Flags shall not be higher than what is allowed in underlying zoning district for an allowed principal structure;
 - 3. *Number.* No more than three (3) flags per lot in residential districts, no more than five (5) flags per lot in all other districts;
 - 4. *Size.* Maximum flag size is thirty-two (32) square feet in residential districts, seventy-two (72) square feet in all other districts; and
 - 5. Flags containing commercial messages may be used in lieu of a permitted freestanding or projecting signs, and, if so used, the area of the flag shall be included in, and limited by the computation of allowable area for signs on the property.
- K. Signs of any size on vehicles traveling or lawfully parked on operating and insured vehicles, construction trailers, or equipment which are temporarily parked on a permitted construction site.
- L. Freestanding or portable signs not more than four (4) square feet in size, on private property (having a garage sale) for not more than three (3) days. Property owner is responsible for removal of signs.
- M. Temporary or permanent signs installed or placed by public utilities to warn the public.
- N. Outdoor scoreboards in athletic stadiums that do not include dynamic displays.
- O. Static signs or banners adorning fences located in permitted outdoor recreational facilities, provided they are placed so as to only be viewed internal to the play field area.

- P. On-premise directional signs without business identification are permitted in parking lots or driveways of properties containing a multi-family residential use and in parking lots or driveways of properties located in a commercial or industrial district. Said signs shall not exceed ten (10) square feet in total directional sign area. Said signs shall not exceed five (5) feet in height, unless they are placed on a building.
- Q. One off-premise directional sign per avenue or block leading to a commercially or industrially zoned property that has a driveway that has been permanently closed by the road authority and for which no reasonable direct access remains, as determined by the City. Said sign shall not be illuminated, shall not exceed two (2) square feet in sign area and eight (8) feet in height. No more than three (3) off-premise directional signs shall be located on a single parcel and shall be placed on the same sign freestanding structure where feasible.
- R. Bench signs adjacent to sidewalks and located on other public and private resting places. Said sign shall not exceed four (4) square feet in sign area.
- S. Point of purchase display signs not to exceed one (1) square foot in sign area.
- T. Handicapped parking signs.
- U. One non-illuminated non-commercial speech sign, not to exceed four (4) square feet, may be attached to the wall of a structure by the owner, may not be an off-premises sign, and shall not contain any dynamic display.
- V. One non-commercial speech community event banner, not to exceed one hundred (100) square feet, may be allowed in designated locations. Each location shall be approved by the City Council.
- W. Security or warning signs. On-premise signs regulating the use of the premises, including, but not limited to, “no trespassing”, “no hunting”, “no soliciting” signs, and security system signs:
 - a. *Residential districts.* Signs not to exceed two (2) square feet in area.
 - b. *Non-residential districts.* Maximum of one (1) large sign per property, not to exceed five (5) square feet in area. All other posted security and warning signs may not exceed two (2) square feet in area.
- X. Private Drive Sign. On-premise private drive signs are limited to one (1) per driveway entrance, not exceeding two (2) square feet in area.
- Y. Menu Board. Any permanently mounted accessory sign displaying the items for sale of a drive-in or drive-through restaurant shall be allowed provided that:
 - a. A maximum of two menu boards are permitted per drive aisle of a drive-through establishment.
 - b. The menu board shall not exceed fifty (50) square feet.

- c. The audio component of a menu board is limited to communication between customers and employees, and may not exceed a volume of five decibels over ambient sound as measured from the nearest property line.

Section 604. Prohibited Signs

The following signs are prohibited in all districts:

- A. Signs on vacant or abandoned buildings, or signs located at businesses which have ceased to operate as commercial enterprises. Such signs shall be removed by the property owner within thirty (30) days of abandonment or business cessation;
- B. Signs imitating or resembling official traffic or public safety signs or signals in shape, size or color;
- C. Snipe signs or signs attached to trees, telephone or utility poles, public benches, streetlights, or placed on any public property or public right-of-way, with the exception of government signs;
- D. Signs that interfere with the safe operation of official traffic control devices;
- E. Signs that emit sound;
- F. Signs anchored by guy wires, chains, cables or similar devices that project down to the ground or in any way which create an unsafe condition for pedestrians or motorists;
- G. Dynamic displays on any moving motorized or non-motorized vehicle, except as may be allowed in a parade which has been officially approved by the City Council;
- H. Roof signs without a special exception approved (excludes sloping roof signs and fascia signs on roof-like projections. Such signs may not extend higher than the peak of the roof line);
- I. Swinging or other non-secured permanent signs;
- J. Any vehicular signs displayed on a parked trailer or truck or other vehicle where the primary purpose of the vehicle is to advertise a product, service business, or other activity is prohibited. This regulation shall permit the use of business logos, identification or advertising on vehicles primarily and actively used for business purposes and/or personal transportation;
- K. Signs tied to trees, supported by rocks or other naturally occurring landscape features; and
- L. Off-premise or directional signage.
- M. Billboards within the city limits.

Section 605. Nonconforming Signs

Existing signs which were legally erected, placed or maintained which do not conform to the specific provision of this Ordinance may continue in use provided that:

- A. Any sign legally existing at the time of the passage of this Ordinance that does not conform to the provisions of this Ordinance shall be considered a legal nonconforming sign and may be continued through repair, replacement, restoration, maintenance, or improvement but not including, expansion. “Expansion” shall be defined as any structural alteration, change or addition that is made outside of the original sign structure or sign area, including the addition of a dynamic display.
- B. When any legal nonconforming sign is discontinued for a period of more than one (1) year, or is changed to a conforming sign, any future sign shall be in conformity with the provisions of this Ordinance. Any legal nonconforming sign shall be removed and shall not be repaired, replaced, or rebuilt if it is damaged by fire or similar peril to the extent of fifty percent (50%) or more of its estimated market value at the time of damage and no sign permit have been applied for within one hundred and eighty (180) days of the date of destruction. The County Assessor shall be responsible for making the determination of whether a nonconforming off-premise business identification or billboard sign has been destroyed fifty percent (50%) or less of its estimated market value at the time of destruction.
- C. In the event a sign permit is applied for within one hundred and eighty (180) days of the date of destruction, the Zoning Administrator may impose reasonable conditions upon the sign permit in order to mitigate any newly created impact on adjacent properties.
- D. A lawful nonconforming sign shall not be changed to a similar nonconforming sign or to a more restrictive nonconforming sign.
- E. All legal nonconforming signs that have dynamic displays are required to comply with the night time dynamic display programming requirements of this Ordinance, provided that the sign is capable of meeting programming requirements, as determined by the Zoning Administrator.

Section 606. Sign Standards

All signs shall be properly maintained. Exposed surfaces shall be clean and painted if paint is required. Defective parts shall be replaced. The Zoning Administrator shall order the repair or removal of any sign which is defective, damaged, or substantially deteriorated. Replacement of support posts, poles, columns, pylons or other structural supports for any sign shall constitute removal of such sign, and its replacement shall be done in compliance with the terms of this Ordinance. Banners and other temporary signs when attached to non-utility poles, stakes, tents, buildings or other structures shall be well secured so that they are not blown around uncontrollably by the wind. Banners and other temporary signs shall be maintained such that they do not become ripped, torn, faded, defaced, damaged, loose, or unsecured.

A. Types of Signs

- 1. Freestanding (pole, post, column, or pylon)



2. Monument signs



3. Wall signs



4. Awning signs



5. Canopy signs



6. Marquee sign



7. Hanging signs



8. Projecting signs



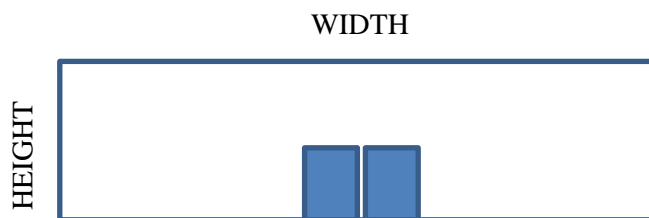
9. Window signs



B. Sign Face Area

- a. Sign cabinets. The area of sign faces enclosed in frames or cabinets is determined based on the outer dimensions of the frame or cabinet
- b. Double sided signs. Only one (1) side of a double-sided sign is counted in determining the area of sign faces. Where the two (2) sides are not of equal size, the larger of the two (2) sides is used to determine sign area. The area of multiple-faced signs in which the interior angle formed by the faces is greater than ninety-one degrees (91°) shall be expressed as the sum of the areas of all the faces, except for multiple-faced signs containing faces that are configured back-to-back, in which case the area of the faces configured back-to-back will be calculated according to the rule for double-faced signs.
- c. Round, oval & irregularly shaped signs. The area of a round, oval, or irregularly shaped sign shall be measured based on the appropriate mathematical formula to obtain the sign area.
- d. Wall signs. No wall sign shall exceed ten percent (10%) of the building's elevation. When determining maximum signage allowed for wall signs, use the following formula.

Ten percent (10%) of the building's elevation



Multiply the Height X Width X 0.10 to find ten percent (10%) of the building's elevation.
Example: Width of building is one hundred (100) feet. Height of building is twenty (20) feet.
The calculation for the sign would be $100 \times 20 \times 0.10 = 200$ square feet of Signage Allowed.

C. Calculating Sign Area

- a. Signs containing integral background areas: The area of a sign containing a clearly defined background area shall be calculated based on the area of the smallest standard geometric shape or combination of geometric shapes capable of encompassing the perimeter of the background area of the sign. In the case of signs in which multiple background areas are separated by open space, sign area shall be calculated based on the sum of the areas of all separate background areas, calculated as referenced above, but without regard for any open space between the separate background areas.
- b. Signs without integral background areas: In instances in which a sign consists of individual elements such as channel letters, symbols, or other graphic objects or representations that are painted, attached to, or otherwise affixed to a surface such as a wall, window, canopy, awning, architectural projection, or to any surface not specifically designed to serve as a sign background, the sign area shall be based on the sum of the individual areas of the smallest geometric shape or combination of geometric shapes capable of encompassing the perimeters of the individual elements comprising the sign.

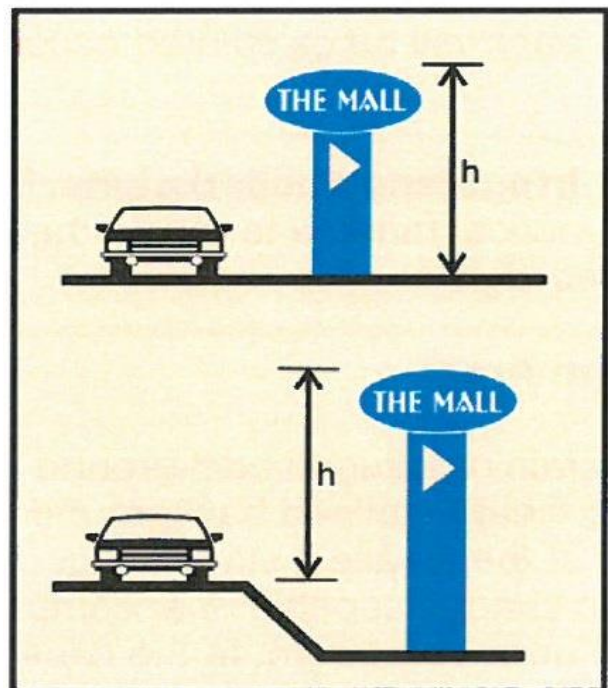
D. Awnings and Marquees

- a. When graphics or sign copy is incorporated into an awning, the sign area is determined by computing the area of a standard imaginary geometric shape or combination of shapes drawn around the sign copy area or graphics. When the ends of awnings or marquees are parallel and contain graphics or sign copy, only one side is counted in addition to the sign face area on the front.

E. Height of Sign.

- a. The overall height of a freestanding sign or sign structure is measured from the lowest point of the ground directly below the sign to the highest point of the freestanding sign or sign structure.

Exception: Where a freestanding sign or sign structure is mounted along a roadway that has a higher grade level as compared to the grade level directly below the freestanding sign or sign structure, then the freestanding sign or structure's height will be measured from the roadway grade level to the highest point of the freestanding sign or sign structure.



Section 607. Signs Permitted in the (A-1) Agricultural Suburban District

- A. The following signs are allowed without the issuance of a sign permit in accordance with the following standards:
1. One (1) on-premise Bulletin Board Sign not to exceed twelve (12) square feet in sign area in addition to the maximum signage allowed per parcel.
 - a. Bulletin boards and signs pertaining to the lease, hire or sale of a building or premises, or signs pertaining to any material that is grown or treated within the district; provided, however, that such signs shall be located upon the building or on the property in which such materials are treated, processed, or stored, and not to exceed twelve (12) square feet on each side.
 2. One (1) on-premise banner per parcel, not to exceed sixty (60) square feet in total sign area. Such sign shall be set back no less than five (5) feet from any lot line. Banners shall be displayed for no more than a total of thirty (30) days within a six (6) month period running from January 1st to June 30th and July 1st to December 31st. The days are cumulative and do not carry into the subsequent period.
 3. Two (2) sandwich board signs per parcel, which may not exceed twenty (20) square feet in total sign area. Signs are only allowed to remain outdoors during periods of time that an establishment is open and being operated.
 4. Two (2) sail signs per parcel, which may not exceed fifteen (15) feet in height. Sail signs are only allowed to remain outdoors during periods of time that an establishment is open and being operated.
- B. The following signs are permitted with the issuance of a sign permit in accordance with the following standards:
1. One (1) portable on-premise sign not to exceed sixty (60) square feet in sign area, provided that there are no signs with dynamic displays on the parcel. Such sign shall be set back no less than five (5) feet from any lot line, and shall be permitted no more than a total of thirty (30) days within a six (6) month period running from January 1st to June 30th and July 1st to December 31st. Said sign shall not contain a dynamic display.
 2. Wall, Monument and Freestanding Signs:
 - a. Wall signage is permitted for each building face. One (1) freestanding sign or monument sign is permitted per parcel. Parcels that are five (5) acres in size or larger, with two (2) driveways on separate street frontages may have two (2) freestanding or monument signs;
 - b. The total allowable signage permitted is as follows:
 - i. Wall signage is limited to a maximum of ten (10) percent of the building's total wall elevation square feet per building face, or fifty (50) square feet per building

face whichever is greater. Maximum allowable sign size shall not exceed two hundred and fifty (250) square feet.

- ii. Freestanding or monument signage shall be limited to one hundred twenty-five (125) square feet for on premise static identification signage. An additional fifty-five (55) square feet of on-premise signage may be permitted for a manual changeable copy reader board or a dynamic display when it is incorporated into a permitted sign structure.

C. Maximum Sign Height:

- 1. No freestanding sign shall exceed thirty (30) feet in height.
- 2. No monument sign shall exceed ten (10) feet in height.

D. Required Setbacks:

- 1. In all districts where permitted, signs shall be set back from the right-of-way line of any street or highway so that the sign will not impede site distance, cause any safety hazard of any nature, and maintain the general location of signs in relation to nearby properties. No sign will be permitted within fifteen (15) feet of any electric utility wire.

No outdoor advertising sign shall be permitted which faces the front or side yard of any lot in a "R" district used for residential purposes within one hundred (100) feet of such lot lines, or which faces any public parkway, public square, or entrance to any public park, public or parochial school, church, cemetery, or other similar institution within three hundred (300) feet thereof.

Section 608. Signs Permitted in the R-1, R-2, R-3 and MH Districts:

A. The following signs are permitted with the issuance of a sign permit in accordance with the following standards:

- 1. All signs as permitted in Section 605 of this Ordinance;
- 2. One subdivision, neighborhood or development entryway sign per street frontage, not to exceed thirty-two (32) square feet in sign area for each location. Said sign shall not include a dynamic display;
- 3. One on-premise sign per entrance to each building in an apartment or condominium complex, not to exceed thirty-six (36) square feet in total sign area. Said sign shall not include a dynamic display;
- 4. Permitted non-residential uses, including churches, schools, clinics, are allowed one freestanding or monument sign per street frontage not to exceed thirty-two (32) square feet in sign area, or five (5) feet in height. One wall sign of twenty-four (24) square feet in sign area is also permitted per street frontage.

5. Home occupations are permitted no more than one (1) sign not to exceed four (4) square feet in sign area. The sign must be located in the front yard or the side yard. The sign shall not be illuminated and shall not include a dynamic display;
6. All permitted monument signs shall be set back at least five (5) feet from any public right-of-way. The total width of the support structure of a freestanding sign shall not exceed the sign. There shall be landscaping or a planter that encompasses the support structure.
7. Dynamic displays may be approved as a special exception for uses that do not contain any residences, subject to the provisions and standards of this Ordinance. Appropriate restrictions on the dynamic display size may be approved by the Board of Adjustment in order to minimize any negative impacts on the surrounding residential area.
8. Allowed facilities, other than single family dwellings, may have signs, bulletin boards and name plates not to exceed twelve (12) square feet per side, and may be illuminated only with indirect or shielded, non-intermittent lights that do not exceed one hundred twenty (120) watts or seven hundred fifty (750) cd/m² or NITs, whichever is less.
9. Permitted non-residential uses, with the exception of home occupations, may display one (1) banner per parcel with no sign permit being required. The banner shall not exceed thirty (30) square feet in sign area and shall only be displayed for a maximum of thirty (30) days in a six (6) month period running from January 1st to June 30th and July 1st to December 31st. The days are cumulative and do not carry into the subsequent period.
10. Signs must not project more than four (4) feet above any roof line.
11. Name Plates not to exceed two (2) square feet in area.

Section 609. Signs Permitted in the (DT) Downtown Commercial District

- A. The following signs are allowed without the issuance of a sign permit in accordance with the following standards:
 1. One bulletin board sign not to exceed nine (9) square feet in sign area in addition to the maximum signage allowed per parcel;
 2. Two (2) sandwich board signs per parcel, which may not exceed twenty (20) square feet in total sign area. No sign permit is required. There must be a minimum pedestrian clearance of five (5) feet in sidewalk or trail width. Signs are only allowed to remain outdoors during periods of time that an establishment is open and is being operated;
 3. One (1) banner per parcel, which may not exceed sixty (60) square feet in total sign area. Banners shall be displayed for no more than a total of thirty (30) days within a six (6) month period running from January 1st to June 30th and July 1st to December 31st. The days are cumulative and do not carry into the subsequent period. Sail signs are not considered banners and are prohibited in the DT district.

B. The following signs are permitted with the issuance of a sign permit in accordance with the following standards:

1. Wall, Monument and Freestanding Signs:

- a. The maximum number of wall signs permitted shall be the same as the number of street and alley right-of-way frontages for the parcel.
- b. The total allowable wall sign area shall not exceed three (3) square feet per lineal foot of building frontage. No wall sign shall exceed one-hundred (100) square feet in sign area. The maximum total allowable wall sign area for a building shall not exceed one hundred and sixty (160) square feet;
- c. For multi-tenant buildings, a total of one wall mounted sign is allowed per business per street and alley right-of-way frontage, if a sign plan is submitted for review by the Zoning Administrator. The total allowable wall sign area shall not exceed two hundred (200) square feet per parcel. Landlords may submit one plan and obtain one permit per building if sign structures are incorporated into the lease plan.
- d. There shall be a maximum of one (1) freestanding or monument sign permitted per parcel not to exceed one hundred (100) square feet in sign area for static on-premise identification signage. An additional fifty-five (55) square feet of on-premise signage may be permitted for a manual changeable copy reader board or a dynamic display when it is incorporated into a permitted sign structure.

2. Under-Canopy and Projecting Signs.

- a. Parcels with reduced or no front yard setbacks, and which front directly onto a public sidewalk with a pedestrian orientation may have one (1) under-canopy or projecting sign per sidewalk frontage in addition to any permitted wall signage.
- b. Under-Canopy and Projecting signs shall be limited to one (1) per building façade on which any such sign is mounted except for a use that fronts on more than one (1) street, in which case, one (1) such sign shall be permitted per facade for each separate street frontage. In the case of a building in which any individual facade exceeds two hundred (200) lineal feet one (1) such sign shall be permitted for each two hundred (200) lineal feet of such facade or multiple thereof on each separate street on which such façade fronts.
- c. The area of any under-canopy or projecting sign shall not exceed one (1) square foot per every two (2) lineal feet of the building facade on which such sign is mounted, except that no such sign shall be larger in area than fifty (50) square feet.
- d. No under-canopy or projecting sign shall extend in a vertical dimension above the highest architectural point of the facade to which it is mounted.
- e. Under-canopy and projecting signs extending over a public sidewalk shall be limited to a projection distance not to exceed two-thirds (2/3) of the width of the sidewalk.

C. Maximum Freestanding Sign Height:

1. No sign shall exceed twenty-four (24) feet in height.

D. Required Setbacks:

1. There shall be no required setbacks.

Section 610. Signs Permitted in the (TM) Transitional Mixed-Use District

A. The following signs are allowed without the issuance of a sign permit in accordance with the following standards:

1. One (1) bulletin board sign not to exceed nine (9) square feet in sign area in addition to the maximum signage allowed per parcel;
2. One (1) banner per parcel, which may not exceed sixty (60) square feet in total sign area. No sign permit is required. Banners shall be displayed for no more than a total of thirty (30) days within a six (6) month period running from January 1st to June 30th and July 1st to December 31st. The days are cumulative and do not carry into the subsequent period.
3. Two (2) sandwich board signs per parcel, which may not exceed twenty (20) square feet in total sign area. There must be a minimum pedestrian clearance of five (5) feet in sidewalk or trail width. Signs are only allowed to remain outdoors during periods of time that an establishment is open and being operated;
4. Two (2) sail signs per parcel, which may not exceed fifteen (15) feet in height. There must be a minimum pedestrian clearance of five (5) feet in sidewalk or trail width. Sail signs are only allowed to remain outdoors during periods of time that an establishment is open and being operated;

B. The following signs are permitted with the issuance of a sign permit in accordance with the following standards:

1. One (1) portable sign no larger than thirty-two (32) square feet in sign area, provided there are no signs with dynamic displays on the parcel. Such sign shall be set back no less than five (5) feet from any lot line, and shall be displayed no more than a total of thirty (30) days within a six (6) month period running from January 1st to June 30th and July 1st to December 31st. Said sign shall not contain a dynamic display.
2. Wall and Freestanding Signs:
 - a. Freestanding signage shall be limited to one hundred twenty-five (125) square feet for on premise static identification signage. An additional fifty-five (55) square feet of on-premise signage may be permitted for a manual changeable copy reader board or a dynamic display when it is incorporated into a permitted sign structure.

- b. Wall signage is limited to a maximum of ten (10) percent of the building's total wall elevation square feet per street frontage, or fifty (50) square feet, whichever is greater. Maximum allowable sign size shall not exceed one hundred and fifty (150) square feet.

C. Maximum Freestanding Sign Height:

- 1. No sign shall exceed sixteen (16) feet in height.

D. Low Profile Monument Signs:

- 1. One (1) Low Profile Monument Sign less than seventy-two (72) square feet in sign area and not exceeding eight (8) feet in height may be permitted in lieu of any other freestanding sign on the parcel. The sign must have a minimum setback of five (5) feet from the street right-of-way and shall not be permitted in the Sight Visibility Triangle.

E. Required Setbacks:

- 1. There shall be a minimum setback of five (5) feet from the street right-of-way and all other property lines for all freestanding and monument signs.

Section 611. Signs Permitted in the (C-1) and (C-2) Commercial Districts and (M-1), (M-2) and (MP) Industrial and Manufacturing Districts

A. The following signs are allowed without the issuance of a sign permit in accordance with the following standards:

- 1. One (1) on-premise Bulletin Board Sign not to exceed nine (9) square feet in sign area in addition to the maximum signage allowed per parcel;
- 2. One (1) on-premise banner per parcel, not to exceed sixty (60) square feet in total sign area. Such sign shall be set back no less than five (5) feet from any lot line. Banners shall be displayed for no more than a total of thirty (30) days within a six (6) month period running from January 1st to June 30th and July 1st to December 31st. The days are cumulative and do not carry into the subsequent period.
- 3. Two (2) sandwich board signs per parcel, which may not exceed twenty (20) square feet in total sign area. There must be a minimum pedestrian clearance of five (5) feet in sidewalk or trail width. Signs are only allowed to remain outdoors during periods of time that an establishment is open and being operated.
- 4. Two (2) sail signs per parcel, which may not exceed fifteen (15) feet in height. There must be a minimum pedestrian clearance of five (5) feet in sidewalk or trail width. Sail signs are only allowed to remain outdoors during periods of time that an establishment is open and being operated;

B. The following signs are permitted with the issuance of a sign permit in accordance with the following standards:

1. One (1) portable on-premise sign not to exceed sixty (60) square feet in sign area, provided that there are no signs with dynamic displays on the parcel. Such sign shall be set back no less than five (5) feet from any lot line, and shall be permitted no more than a total of thirty (30) days within a six (6) month period running from January 1st to June 30th and July 1st to December 31st. Said sign shall not contain a dynamic display.
2. Wall, Monument and Freestanding Signs:
 - c. Wall signage is permitted for each building face. One (1) freestanding sign or monument sign is permitted per parcel. Parcels that are five (5) acres in size or larger, with two (2) driveways on separate street frontages may have two (2) freestanding or monument signs;
 - d. The total allowable signage permitted per building is as follows:
 - iii. Wall signage is limited to a maximum of ten (10) percent of the building's total wall elevation square feet per building face, or fifty (50) square feet per building face whichever is greater. Maximum allowable sign size shall not exceed two hundred and fifty (250) square feet.
 - iv. Freestanding or monument signage shall be limited to one hundred twenty-five (125) square feet for on premise static identification signage. An additional fifty-five (55) square feet of on-premise signage may be permitted for a manual changeable copy reader board or a dynamic display when it is incorporated into a permitted sign structure.
 - e. Low Profile Monument Signs:
 - i. One (1) Low Profile Monument Sign less than seventy-two (72) square feet in sign area and not exceeding eight (8) feet in height may be permitted in lieu of any other freestanding sign on the parcel. The sign must have a minimum setback of five (5) feet from the street right-of-way and shall not be permitted in the Sight Visibility Triangle.

C. Maximum Freestanding Sign Height:

1. No sign shall exceed twenty-four (24) feet in height.

D. Required Setbacks:

1. There shall be a minimum setback of five (5) feet from the street right-of-way line and all other property lines for all freestanding and monument signs.

E. Special Commercial Sign District

1. A special commercial sign district is hereby created that includes all commercial or industrial zoning areas within the following described locations:

- a. South Linn Avenue south of Underwood Street;
 - b. West Milwaukee Street north of the Railroad right-of-way and west of North Linn Avenue.
2. In this special commercial sign district, a freestanding sign shall not exceed eighty (80) feet in height. The surface area of a freestanding sign shall not exceed three hundred (300) square feet, and the maximum vertical or horizontal dimension of said sign shall not exceed thirty (30) feet. In all other respects, the general regulations apply.
 3. The minimum setback for larger signs in the special commercial sign district shall be fifteen (15) feet. For all signs, a representative of the police department, street department, electric utility and zoning authority will approve the proposed setback prior to any permit issuance after duty considering the above factors.
 4. No sign will be permitted within fifteen (15) feet of any electric utility wire.

Section 612. Additional Sign Standards.

A. Illuminated Signs.

1. Where illumination is permitted, such signs shall be indirect or backlit to avoid direct casting of light upon property located in any residential district or onto any public right-of-way.
 - a. Internal. A sign illuminated by a light source that is concealed or contained within the sign and becomes visible in darkness through a translucent surface.
 - b. External. A sign illuminated with an artificial light, located away from the sign, and directed onto the sign face so that the message is visible in darkness. Signs for all commercial uses where illumination is permitted may have external lighting, provided that the light source has a shielded decorative exterior fixture and which incorporates the same architectural design motif as the sign and the building, avoids casting of light away from the sign and building and is permanently maintained in the same manner. The fixture detail information must be provided for review and approval with the sign permit application.



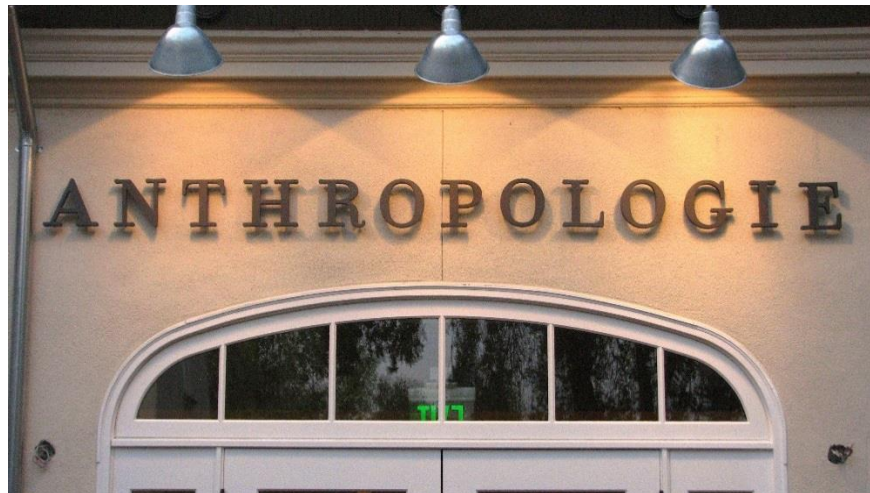
Internally lit signs (allowed)
www.aetnasign.com



Upward “unshielded” lit signs (NOT allowed)
www.foamcraft.info



Upward shielded” lit signs (allowed)
www.disneyparadisevilla.com



Externally illuminated sign (allowed)
esignsunlimited.com

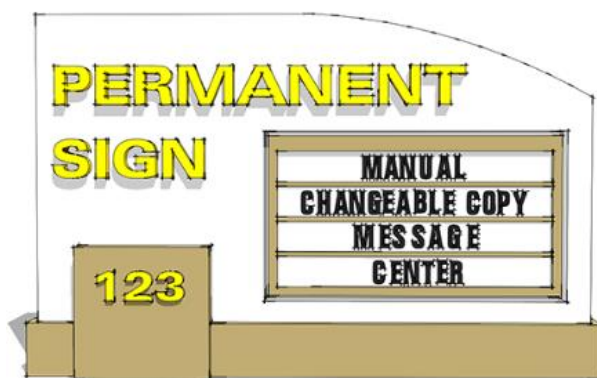
Section 613. Dynamic Displays.

- A. Regulations: Dynamic displays on signs, where specifically allowed by this Ordinance, shall comply with the following requirements:
1. Brightness: LED dynamic displays shall be adjusted to a night time brightness setting of no more than twenty percent (20%) of their maximum brightness setting. LED dynamic displays may operate at up to a one hundred percent (100%) of their maximum brightness during the day time. Incandescent dynamic displays shall be adjusted to a night time brightness setting of no more than sixty percent (60%). Incandescent dynamic displays

may operate at up to a one hundred percent (100%) of their maximum brightness during the day time. Constant night time displays of bright or “hot colors” such as complete red or white display background shall be prohibited. All dynamic displays shall be equipped with a night time manufacturer auto dim feature and operated according to manufacturer night time intensity specifications. Legal non-conforming dynamic displays without a manufacturer auto dim feature shall comply with this requirement to the extent feasible within the limits of the dynamic display’s programming.

2. Time/duration: Full dynamic display animation electronic programming without any minimum frame hold display time duration is allowed for all display displays during the day time. The night time minimum frame hold display time duration for all dynamic displays, including legal non-conforming displays shall not be less than three (3) seconds. There shall be no animation, motion, blinking, scrolling, rotating, oscillating, or other apparent flashing or movement on any dynamic display during the night time.

3. Dynamic display size and percentage of sign area: Dynamic displays may be permitted in certain zoning districts on freestanding and monument signs or as a wall sign, as specified by this Ordinance. Dynamic displays for freestanding signs may occupy no more than forty-five percent (45%) of the total allowable sign area of a freestanding or monument sign(s) permitted on a parcel. Dynamic displays may occupy no more than forty-five percent (45%) of the total allowable wall sign area for a parcel. No dynamic display may exceed fifty-five (55) square feet in sign area.



4. Maximum number: There shall be no more than one freestanding dynamic display sign permitted per property, except as may be permitted by this Ordinance for additional signage along one-way pairs. Where a dynamic display is requested to be mounted as part of the building wall signage, there shall be no more than one (1) dynamic display permitted per wall elevation and the maximum number of wall elevations per building shall be two (2), including multi-tenant centers. Dynamic displays which are mounted in a back-to-back configuration shall count as one (1) dynamic display, provided the total angle for mounting does not exceed sixty degrees (60°).

5. Spacing from residential uses: No dynamic display shall be located within one hundred (100) feet of a residential district. The distance shall be measured based upon a horizontal line beginning at the nearest residential property line and the leading edge of the dynamic display, or a viewing radius of forty-five degrees (45°), whichever is closer.

6. Spacing from traffic control signals: No dynamic display shall be located within fifty (50) feet of an official traffic control signal. The distance shall be measured based upon a

horizontal line beginning at the leading edge of the dynamic display and any portion of the traffic control device.

7. Restriction on additional temporary signage: When a dynamic display exists on a parcel, there shall be no additional temporary signage, including, but not limited to, banners and portable signs allowed or permitted on the parcel.
8. Commercial off-premise advertising shall be prohibited.

Section 614. Special Event Signs

A. Temporary signs may not be displayed at a special event without first applying for and obtaining a special event sign permit from the Zoning Administrator. Upon the filing of a complete special event sign permit application, the Zoning Administrator shall review the application materials submitted. If the proposed signs comply with this Ordinance and all other applicable laws, ordinances and regulations, Zoning Administrator shall issue a special event sign permit for the signs.

B. District Requirements: A special event sign permit may be approved for a parcel in accordance with the following standards:

1. All permitted commercial and multi-family uses may be permitted up to one (1) special event sign permit for up to thirty (30) consecutive days in any four (4) month period per calendar year, or five consecutive days per month for an entire calendar year.
2. Special Event Sign Permits are not required for public parks or properties where community festivals open to the public are held.

C. Permitted Devices:

The devices described below are permitted, in addition to the maximum allowable temporary sign area, with a special event sign permit provided that they are correctly and safety installed and the following requirements are met:

1. Balloons:
 - a. Small balloons, as either an individual or group of connected balloons shall not exceed four (4) feet as the largest dimension. Balloon arches may be approved extending across private driveways, but shall not exceed twenty (20) feet in height and may not be placed in the public right-of-way. Balloon arches over public streets are exempt from special event sign permit requirements, but the street must first be closed by the road authority.
 - b. Balloons may be multicolored and incorporate logos and messages.
 - c. Helium balloons must be regularly maintained and refilled.

- d. Helium or inflated balloons may be extended into the sky provided that they are securely attached and anchored to the ground. The length from the vertical attachment point shall not exceed a total site horizontal distance greater than any radial point of the parcel property line or any overhead utility service line.
2. Tents:
 - a. Tents displaying signs, including all ties, ropes, stakes and other equipment, shall be located entirely upon the property identified by the special event sign permit and shall comply with the setback requirements for accessory structures. Tents shall also comply with all applicable building and fire code requirements, if applicable.
3. Bannerettes:
 - a. Bannerettes may be placed on light standards or flagpoles.
 - b. No more than one (1) bannerette shall be allowed per light standard or flagpole on the parcel. Multiple bannerettes may be staked in the ground on the parcel, provided they are set back a minimum of ten (10) feet from the street right-of-way line and do not exceed a height of four (4) feet.
4. Banners:
 - a. Banners may be attached to non-utility poles, tents, and buildings, provided they are well secured and are prevented from being blown around uncontrollably by the wind.
 - b. A total of two (2) banners may be permitted. Each banner may be up to one hundred (100) square feet in sign area. For multi-tenant centers, three (3) or more tenants may each display a banner with a special event sign permit, provided that all of the banners are attached to the building and no individual banner exceeds thirty (30) square feet in sign area.
 - c. Banners shall not be higher than the front wall of the principal building on the lot.
 - d. All banners shall be maintained so that they do not become ripped, torn, defaced, damaged, loose, or unsecured.
5. Inflatable Devices:
 - a. A maximum of one (1) inflatable device may be permitted per parcel. It shall not exceed a height of twenty-four (24) feet.
 - b. Inflatable devices may be multicolored and incorporate banners, logos and non-dynamic signs.
 - c. Individual helium inflatable devices larger than four (4) feet in diameter shall be prohibited.

- d. Inflatable devices must be anchored or tethered in a safe manner and must be kept in a weather tight and presentable condition.
- e. Inflatable devices may be located on green space or in parking lot areas, but shall not be located on rooftops.
- f. Inflatable devices larger than four (4) feet in diameter shall comply with the set-back requirements for accessory structures.

6. Portable Manual Copy or Dynamic Display Signs:

- a. A maximum of one portable manual copy or dynamic display not to exceed sixty (60) square feet may be allowed per parcel per special event sign permit. Such signs may be allowed in addition to any approved manual copy or permanent dynamic display(s) on the parcel, unless otherwise specified by this Ordinance.
- b. The temporary placement of a portable manual copy or dynamic display sign shall comply with all permanent sign setbacks for the district in which the parcel is located.
- c. A portable dynamic display sign shall only be operated in a stationary position on the parcel and cannot be moved to and from, or upon the parcel, while in operation.
- d. The portable dynamic display sign shall comply with all programming requirements for dynamic displays as specified by this Ordinance.

7. Pennants, Streamers, temporary light strings, or any similar displays provided:

- a. Such devices shall be anchored, secured or tethered in a safe manner and shall not be secured to any power pole or transformer.
- b. Such devices shall provide a minimum clearance of fourteen (14) feet from the surface directly below the displays.

D. Off-Premises or Directional Signs:

- 1. Off-premises or directional signs shall be prohibited. Any violation of this provision shall be sufficient cause for immediate revocation of an approved special event sign permit.

E. Special Events:

- 1. The following are prohibited together with any other sign not specifically allowed by the Ordinance:
- 2. Animated or dynamic display signs, beacons and flashing light bulb strings located in minimum required setback areas;

3. Displays or special features on roofs;
4. Swinging signs;
5. Large balloons exceeding four (4) feet in diameter, or collections of small balloons exceeding four (4) feet in diameter, except for approved balloon arches;
6. Any sign in the public right of way; and
7. Hot air inflatable devices.

F. Duration and Removal:

1. Special event signs and devices must be removed within twenty-four (24) hours of the expiration of the special event sign permit.
2. A special event sign permit shall not be issued for any parcel which a prior special event sign permit in the same calendar year has been revoked.

Section 615. Enforcement

A. Violation.

1. It is a violation of this Ordinance for any person, entity or organization to provide, erect, display or fail to remove any signs or other device without first obtaining the appropriate sign permit.

B. Notice.

1. Any person who violates any provision of this Ordinance shall receive a notice of the violation by hand delivery or U.S. Mail indicating that they must correct the violation within the time prescribed by the Zoning Administrator up to a maximum of thirty (30) days.

Section 616. Appeal

An applicant whose sign permit or special event sign permit has been denied or for which a sign permit has been revoked, may appeal the decision to the Board of Adjustment provided that he or she files written notice of the appeal with the Zoning Administrator within fifteen (15) days of the date of the decision to deny. Such appeal shall be considered by the Board of Adjustment at its next regular scheduled meeting held after the Board's receipt of the written notice of the appeal, provided that the notice of appeal is received by the Board a minimum of twenty (20) full business days before the meeting. The Board shall conduct an appeal hearing and allow the applicant and any of his or her witnesses to address the Board and to submit additional information. The Board shall make its final determination on the appeal no more than thirty (30) business days after the appeal hearing. The Board shall notify the applicant of its decision and provide reasons for the decision.