

CHAPTER 165 ARTICLE 1:

SIGN CODE

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Section 1. PURPOSES. The purposes of this chapter are: To encourage the effective use of signs as a means of communication in the City; To maintain and enhance the aesthetic environment and the City's ability to attract sources of economic development and growth; To improve pedestrian and traffic safety; to minimize the possible adverse effect of signs on nearby public and private property; and To enable the fair and consistent enforcement of these sign restrictions. The ordinance codified in this chapter was adopted under the zoning authority of the City in furtherance of the more general purposes set forth in the Zoning Code.

Section 2. APPLICABILITY; EFFECT. A sign may be erected, placed, established, painted, created or maintained in the City only in conformance with the standards, procedures, exemptions and other requirements of this chapter. The effect of this chapter as more specifically set forth herein is:

1. To establish a permit system to allow a variety of types of signs in commercial and industrial zones, and a limited variety of signs in other zones, subject to the standards and permit procedures of this chapter;
2. To allow certain signs that are small, unobstructive, and incidental to the principal use of respective lots on which they are located, subject to the substantive requirements of this chapter, but without a requirement for permits;
3. To provide for temporary signs without commercial messages in limited circumstances in the public right-of-way;
4. To prohibit all signs not expressly permitted by this chapter; and
5. To provide for the enforcement of the provisions of this chapter.

Section 3. DEFINITIONS AND INTERPRETATIONS. Words and phrases used in this chapter have the meanings set forth in this section. Words and phrases not defined in this section but defined in the Zoning Code shall have the meanings set forth in the Zoning Code. Principles for computing sign area and sign height are contained in Section 1-04. All other words and phrases shall have their common, ordinary meanings unless the context clearly requires otherwise. Section headings or captions are for reference purposes only and shall not be used in the interpretation of this chapter.

1. “Animated sign” means any sign that uses movement or change of lighting to depict action or create a special effect or scene.
2. “Banner” means any sign of lightweight fabric or similar material that is permanently mounted to a pole or a building by a permanent frame at one of more edges. National flags, State or municipal flags or the official flags of any institution or business are not considered banners.
3. “Beacon” means any light with one or more beams directed into the atmosphere or directed at one or more points not on the same zone lot as the light source; also, any light with one or more beams that rotate or move.
4. “Building marker” means any sign indicating the name of a building and date and incidental information about its construction, which sign is cut into a masonry surface or made of bronze or other permanent material.
5. “Building sign” means any sign attached to any part of a building, as contrasted to a freestanding sign.
6. “Canopy sign” means any sign that is a part of or attached to an awning, canopy or other fabric, plastic or structural protective cover over a door, entrance, window or outdoor services area. A marquee is not a canopy.
7. “Changeable copy sign” means a sign or portion thereof with characters, letters or illustrations that can be changed or rearranged without altering the face of the surface of the sign. A sign on which the message changes more than eight times per day shall be considered an animated sign and not a changeable copy sign for purposes of this chapter. A sign on which the only copy that changes is an electronic or mechanical indicator of time or temperature is considered a “time and temperature” portion of a sign and not a changeable copy sign for purposes of this chapter.
8. “Commercial message” means any sign wording, logo or other representation that, directly or indirectly, names, advertises or calls attention to a business, product, service or other commercial activity.
9. “Flag” means any fabric, banner or bunting containing distracting colors, patterns or symbols, used as a symbol of a government, political subdivision or other entity.

10. "Freestanding sign" means any sign supported by structures or supports that are placed on or anchored in the ground and that are independent from any building or other structure.

11. "Incidental sign" means a sign generally informational, that has a purpose secondary to the use of the zone lot on which it is located, such as "no parking," "entrance," "loading only," "telephone," and other similar directives. No sign with a commercial message legible from a position off the zone lot on which the sign is located shall be considered incidental.

12. "Interstate high rise sign" means an on-site pole sign which is constructed to attract the attention of interstate travelers and is located within one thousand (1,000) feet of the interstate right-of-way and advertises the use of the principal building.

13. "Interstate sign" means an on-site sign which is not an interstate high rise sign but is within one thousand (1,000) feet of the interstate right-of-way.

14. "Lot" means any piece or parcel of land or a portion of a subdivision, the boundaries of which have been established by some legal instrument or record that is recognized and intended as a unit for the purpose of transfer of ownership.

15. "Marquee" means any permanent roof-like structure projecting beyond a building or extending along and projecting beyond the wall of the building, generally designed and constructed to provide protection from the weather.

16. "Marquee sign" means any sign attached to, in any manner, or made a part of a marquee.

17. "Nonconforming sign" means any sign that does not conform to the requirements of this chapter.

18. "Pennant" means any lightweight plastic, fabric or other material, whether or not containing a message of any kind, suspended from a rope, wire or string, usually in series, designed to move in the wind.

19. "Portable sign" means any sign not permanently attached to the ground or other permanent structure, or a sign designated to be transported, including but not limited to signs designed to be transported by means of wheels; signs converted to A- or T-frames; menu and sandwich board signs, balloons used as signs; umbrellas used for advertising; and signs attached to or painted on vehicles parked and visible from the public right-of-way, unless said vehicle is used in the normal day-to-day operations of the business.

20. "Principal building" means the building in which is conducted the principal use of the zone lot on which it is located. Zone lots with multiple

principal uses may have multiple principal buildings, but storage buildings, garages and other clearly accessory uses shall not be considered principal buildings.

21. "Projecting sign" means any sign affixed to a building or wall in such a manner that its leading edge extends more than six inches beyond the surface of such building or wall.

22. "Residential sign" means any sign located in a district zoned for residential uses that contains no commercial message except advertising for goods or services legally offered on the premises where the sign is located, if offering such service at such locations conforms with all requirements of the Zoning Code.

23. "Roof sign" means any sign erected and constructed wholly on and over the roof of a building, supported by the roof structure, and extending vertically above the highest portion of the roof.

24. "Roof sign, integral" means any sign erected or constructed as an integral or essentially integral part of a normal roof structure of any design, such that no part of the sign extends vertically above the highest portion of the roof and such that no part of the sign is separate from the rest of the roof by a space of more than six (6) inches.

25. "Setback" means the distance from the property line to the nearest part of the applicable building structure or sign, measured perpendicularly to the property line.

26. "Sign" means any device, fixture, placard or structure that uses any color, form, graphic, illumination, symbol or writing to advertise, announce the purpose of or identify the purpose of a person or entity, or to communicate information of any kind to the public.

27. "Street" means a strip of land or way subject to vehicular traffic (as well as pedestrian traffic) that provides direct or indirect access to property, including but not limited to alleys, avenues, boulevards, courts, drives, highways, lanes, places, roads, terraces, trails or other thoroughfares.

28. "Street frontage" means the distance for which a lot line of a zone lot adjoins a public street, from one lot line intersecting said street to the furthest distant lot line intersecting the same street.

29. "Suspended sign" means a sign that is suspended from the underside of a horizontal plane surface and is supported by such surface.

30. "Temporary sign" means any sign that is used only temporarily and is not permanently mounted.

31. "Wall sign" means any sign attached parallel to, but within six (6) inches of, a wall, painted on the wall surface or erected and confined within

the limits of an outside wall of any building or structure, which is supported by such wall or building and which displays only one sign surface.

32. “Window sign” means any sign, picture, symbol or combination thereof, designed to communicate information about an activity, business, commodity, event, sale or service that is placed inside a window or upon the window panes or glass and is visible from the exterior of the window.

33. “Zone lot” means a parcel of land in single ownership that is of sufficient size to meet minimum zoning requirements for area, coverage and use, and that can provide such yards and other open spaces as required by the Zoning Code.

34. “Zoning Administrator” means the Zoning Administrator of the City or his or her designee.

Section 4. COMPUTATIONS. The following principles shall control the computation of sign area and sign height:

1. **Computation of Area of Individual Signs.** The area of sign face (which is also the sign area of a wall sign or other sign with only one face) shall be computed by means of the smallest square, circle, rectangle, triangle or combination thereof that will encompass the extreme limits of the writing, representation, emblem or other display, together with any material or color forming an integral part 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 fence or wall otherwise meets Zoning regulations and is clearly incidental to the display itself.

2. **Computation of Area of Multifaced Signs.** The sign area from a sign with more than one face shall be computed by adding together the area of all sign faces visible from any one point. When two identical sign faces are placed back to back, so that both faces cannot be viewed from any point at the same time, and when such sign faces are part of the same sign structure and are not more than 42 inches apart, the sign area shall be computed by the measurement of one of the faces.

3. **Computation of Height.** The height of a sign shall be computed as the distance from the base of the sign at normal grade to the top of the highest attached component of the sign. Normal grade shall be construed to be the lower of (a) existing grade prior to construction, or (b) the newly established grade after construction, exclusive of any filling, berming, mounding or excavating solely for the purpose of locating the sign. In cases in which the normal grade cannot reasonably be determined, sign height shall be computed on the assumption that the elevation of the normal grade at the base of the sign is equal to the elevation of the nearest point of

the crown of a public street or the grade of the land at the principal entrance to the principal structure on the zone lot, whichever is lower.

4. **Computation of Maximum Total Permitted Sign Area for a Zone Lot.** The permitted sum of the area of all individual signs on a zone lot shall be computed by applying the formula contained in Table 1.05B, Maximum Total Sign Area, to the frontage, building frontage or wall area, as appropriate, for the zoning district in which the lot is located. Lots fronting on two or more streets are allowed the permitted sign area for each street frontage. However, the total sign area that is oriented toward a particular street may not exceed the portion of the lot's total sign area allocation that is derived from the lot, building or wall area frontage on that street.

Section 5. SIGNS ALLOWED ON PRIVATE PROPERTY WITH AND WITHOUT PERMITS. Signs are allowed on private property in the City in accordance with, and only in accordance with, Table 1-05A. If the letter "P" appears for a sign type in a column, such sign is allowed without prior permit approval in the zoning district represented by that column. If the letter "S" appears for a sign type in a column, such sign is allowed only with prior permit approval in the zoning district represented by that column. Special conditions may apply in some cases. If the letter "N" appears for a sign type in a column, such a sign is not allowed in the zoning district represented by that column under any circumstances. Although permitted under this section, a sign designated by an "S" or "P" in Table 1-05A shall be allowed only if:

1. The sum of the area of all building and freestanding signs of the zone lot conforms with the maximum permitted sign area as determined by the formula for the zoning district in which the lot is located as specified in Table 1-05B;
2. The size, location and number of signs on the lot conform with the requirements of Tables 1-05C and 1-05D, which establish permitted sign dimensions by sign type, and with any additional limitations listed in Table 1-05A;
3. The characteristics of the sign conform with the limitations of Table 1-05E, Permitted Sign Characteristics, and with any additional limitations on characteristics listed on Table 1-05A.

A KEY TO TABLES 1-05A THROUGH 1-05E

R	All Residential Districts	C-3	Planned Commercial District
INS	Institutional Uses Permitted in Residential Zoning Districts	C-4	Central Business District
IHS	Interstate Highway Signs Permitted in Commercial Districts	C-6	Entertainment/Recreational Dist.
C-1	Residential/Commercial District	M-1	Limited Industrial District
C-2	General Commercial District	M-2	Heavy Industrial District

TABLE 1-05A. PERMITTED SIGNS BY THE TYPE AND ZONING DISTRICT

	R	INS ^c	C-1	C-2	C-3	C-4	C-6	IHS ^b	M-1	M-2
Freestanding										
Residential	S ^a	S	N	N	N	N	N	N	N	N
Other	N	S	S	S	S	S	S	S	S	S
Incidental ^c	N	P ^f	P ^d	P	P	P	P	P	P	P
Building										
Banner ^j	N	N	S	S	S	S	S	N	S	S
Building Marker ^g	P	P	P	P	P	P	P	N	P	P
Canopy	N	N	S	S	S	S	S	N	S	S
Identification ^f	P	P	P	P	P	P	P	N	P	P
Incidental ^c	N	P ^h	P ^c	P	P	P	P	N	P	P
Marqueeⁱ	N	N	N	S	S	S	S	N	N	N
Projecting ⁱ	N	N	S	S	S	S	S	N	S	S
Residential ^d	P	S	N	N	N	N	N	N	N	N
Roof, Integral	N	N	N	S	S	S	S	S	N	N
Suspendedⁱ	N	P	N	N	N	S	N	N	N	N
Temporary ^j	N	N	S	S	S	S	S	N	S	S
Wall	N	P	S	S	S	S	S	S	S	S
Window	N	N	P	P	P	P	P	N	N	N
Miscellaneous										
Banner ^e	N	N	S	S	N	N	N	N	N	N
Flag ^k	P	P	P	P	P	P	P	P	P	P
Portable ^l	N	N	N	S	N	N	N	N	N	N

P = Allowed without sign permit

S = Allowed only with sign permit

N = Not allowed

a. Subdivision/neighborhood or project identification only, no commercial district.

b. This column does not represent a zoning district. It applies to commercial districts that are defined in Section 1-6.

c. This column does not represent a zoning district. It applies to institutional uses permitted under the Zoning Code in residential zoning districts. Such uses may include, but are not necessarily limited to, churches, schools, funeral homes and cemeteries.

d. No commercial message allowed on sign, except for a commercial message drawing attention to an activity legally offered on the premises.

e. No commercial message of any kind allowed on sign if such message is legible from any location off the zone lot on which the sign is located.

f. Only address and name of occupant allowed on sign.

g. May include only building name, date of construction or historical data on historic site; must be cut or

etched into masonry, bronze or similar material.
h. No commercial message of any kind allowed on sign.
i. If such a sign is suspended or projects above a public right-of-way, the issuance and continuation of a sign permit shall be conditioned on the sign owner obtaining and maintaining in force liability insurance for such a sign in such form and such amount as the Director may reasonably from time to time determine, provided that the amount of such liability insurance shall be at least \$500,000 per occurrence per sign.
j. The conditions of Section 1-16 of this chapter apply.
k. Flags of the United States, the State, the City, foreign nations having diplomatic relations with the United States, and any other flag adopted or sanctioned by an elected legislative body of competent jurisdiction, provided that such a flag shall not exceed 60 square feet in area and shall not be flown from a pole the top of which is more than 40 feet in height. These flags must be flown in accordance with protocol established by the Congress of the United States for the Stars and Stripes. Any flag not meeting any one or more of these conditions shall be considered a banner sign and shall be subject to regulation as such.
l. Permitted on the same terms as a temporary sign, in accordance with Section 1-16, except that it may be freestanding.

TABLE 1-05B. MAXIMUM TOTAL SIGN AREA PER ZONE LOT BY ZONING DISTRICT

The maximum total area of all signs on a zone lot except incidental, building marker and identification signs and flags^b shall not exceed the lesser of the following:

	R-1, 2, 5	R-3, 4	INS ^a	C-1	C-2	C-3	C-4	C-6	IHS ^c	M-1	M-2
Maximum Number of Total Square Feet	2 ^d	30	30	100	200	300	200	500	300	200	200
Percentage of Ground Floor Area of Principal Building	NA	NA	NA	4%	6%	8%	10%	8%	NA	2%	2%
Or											
Square Feet of Signage Per Linear Foot of Street Frontage	NA	.5	.5	2.0	3.0	134.0	6.0	5.0	NA	NA	NA

a. This column does not represent a zoning district. It applies to institutional uses permitted under the Zoning Code in residential zoning districts. Such uses may include, but are not necessarily limited to, churches, schools, funeral homes and cemeteries.

b. Flags of the United States, the State, the City, foreign nations having diplomatic relations with the United States, and any other flag adopted or sanctioned by an elected legislative body of competent jurisdiction, provided that such a flag shall not exceed 60 square feet in area and shall not be flown from a pole the top of which is more than 40 feet in height. These flags must be flown in accordance with protocol established by the Congress of the United States for the Stars and Stripes. Any flag not meeting any one or more of these conditions shall be considered a banner sign and shall be subject to regulation as such.

c. This column does not represent a zoning district. It applies to commercial districts that are defined in Section 1-6.

TABLE 1-05C. NUMBER, DIMENSIONS AND LOCATION OF INDIVIDUAL SIGNS BY ZONING DISTRICT

Individual signs shall not exceed the applicable maximum number dimensions or setbacks shown on this table and on Table 1-05D.

Sign Type	R-1, 2, 5	R-3, 4	INS ^a	C-1	C-2	C-3	C-4	C-6 ^h	IHS ^c	M-1	M-2
<i>Freestanding</i>											
Area (square feet)	NA	20	40	40	40	40	40	40	300	40	40
Height (feet)		5	12	12 ^b	24 ^c	30	30	24	50	20	20
Setback (feet) ^d		5	5	10	10	10	2	10	50	10	10
Number Permitted											
Per Zone Lot		NA	1	NA	NA	NA	NA	NA	NA	NA	NA
Per Feet of Street Frontage ^e		1 per 200'	NA	1 per 100'	1 per 200'	1 per 200'	1 per 100'	1 per 200'	NA	1 per 200'	1 per 800'
<i>Building</i>											
Area (max. sq. ft.)	2	2	10	NA	NA	NA	NA	NA	NA	NA	NA
Wall area (% ^f)	NA	NA	NA	10%	15%	20%	10%	15%	NA	5%	5%
<p>a. This column does not represent a zoning district. It applies to institutional uses permitted under the Zoning Code in residential zoning districts. Such uses may include, but are not necessarily limited to, churches, schools, funeral homes and cemeteries.</p> <p>b. Maximum sign height is 12 feet, and minimum setback is 5 feet; however, in no case shall the actual sign height exceed the actual sign setback from any adjacent lot that is zoned and used for residential purposes. For example, if the sign is set back 7 feet from such a lot, it may be no more than 7 feet high.</p> <p>c. Maximum sign height is 24 feet, and minimum setback is 5 feet; however, in no case shall the actual sign height exceed the actual sign setback from any adjacent lot that is zoned and used for residential purposes. See example in Note b.</p> <p>d. In addition to the setback requirements on this table, signs shall be located such that there is at every street intersection a clear view between heights of 3 feet and 10 feet in a triangle formed by the corner and points on the curb 30 feet from the intersection or entranceway.</p> <p>e. Lots fronting on two or more streets are allowed the permitted signage for each street frontage, but signage cannot be accumulated and used on one street in excess of that allowed for lots with only one street frontage.</p> <p>f. The percentage figure here shall mean the percentage of the area of the wall of which such sign is a part or to which each such sign is most nearly parallel.</p> <p>g. This column does not represent a zoning district. It applies to commercial districts that are defined in Section 1-6.</p> <p>h. Freestanding signs in this zoning district may be allowed an additional 20 square feet of signing for a reader board.</p>											

**TABLE 1-05D. NUMBER AND DIMENSIONS OF CERTAIN INDIVIDUAL SIGNS
BY SIGN TYPE**

No sign shall exceed any applicable maximum numbers or dimensions or encroach on any applicable minimum clearance shown on this table.				
Sign Type	Number Allowed	Maximum Sign Area	Vertical Clearance	
			From Sidewalk or Private Drive or Parking	From Public Street
<i>Freestanding</i>				
Residential, Other and Incidental	See Table 1-05C	See Table 1-05C	NA	NA
<i>Building</i>				
Banner	NA	NA	9 feet	12 feet
Building Marker	1 per bldg.	4 sq. ft.	NA	NA
Canopy	1 per bldg.	25% of vertical surface of canopy	9 feet	12 feet
Identification	1 per bldg.	NA	NA	NA
Incidental	NA	NA	NA	NA
Marquee	1 per bldg.	NA	9 feet	12 feet
Projecting	1 per bldg.	40 sq. ft.	9 feet	12 feet
Residential	1 per zone lot	NA	NA	NA
Roof, Integral	2 per principal bldg.	NA	NA	NA
Suspended	1 per entrance	NA	9 feet	NA
Temporary	See Sec. 1.16	NA	NA	NA
Wall	NA	NA	NA	NA
Window	NA	25% of total window area	NA	NA
<i>Miscellaneous</i>				
Banner	NA	NA	9 feet	12 feet
Flag	NA	60 sq. ft.	9 feet	12 feet
Portable	1 where allowed ^a	20 sq. ft.	NA	NA
a. Permitted on the same terms as a temporary sign, in accordance with Section 1-16, except that it may be freestanding..				

TABLE 1-05E. PERMITTED SIGN CHARACTERISTICS BY ZONING DISTRICT

Sign Type	R	INS ^c	C-1	C-2	C-3	C-4	C-6	IHS ^c	M-1	M-2
Animated	N	N	N	N	N	S	S	N	N	N
Changeable Copy	N	P	N	S	N	S	S	S ^d	N	N
Illumination, Internal	S ^e	P ^b	S ^b	S	S	S	S	S	S	S
Illumination, External	S ^e	P ^b	S ^b	S	S	S	S	S	S	S
Illumination, exposed bulbs or neon	N	N	N	N	N	S	N	N	N	N
P = Allowed without sign permit		S = Allowed only with sign permit					N = Not allowed			
a. This column does not represent a zoning district. It applies to institutional uses permitted under the Zoning Code in residential zoning districts. Such uses may include, but are not necessarily limited to, churches, schools, funeral homes and cemeteries.										
b. No direct light or significant glare from the sign shall be cast onto any adjacent zone lot that is zoned and used for residential purposes.										
c. This column does not represent a zoning district. It applies to commercial districts that are defined in Section 1-6.										
d. In accordance with Section 1-6(2), Motor Fuel Price Signs										
e. Illumination of subdivision/neighborhood or project sign only.										

Section 6. SIGNS FOR INTERSTATE-ORIENTED BUSINESSES.

1. **Additional Sign.** When adjacent to the Interstate, the C-2, General Commercial District and the C-3, Planned Commercial District, one additional on-premises sign oriented to the Interstate shall be allowed for each lot which contains a retail business providing food, lodging or fuel and repair services essential to normal operation and maintenance of motor vehicles; is not separated from the Interstate by any property, on either side of the route of access, that is zoned or designated by the Comprehensive Plan for any residential or office use; and is located within a travel distance of 2,600 feet from the Interstate Highway, said distance being calculated by beginning at the center point of the Interstate median at the nearest interchange, and thence measuring along the centerlines of streets traveled to reach the property's primary access, to the closest point on the lot. Such Interstate Signs shall comply with all regulations of this chapter, provided that the following bulk regulations apply in lieu of those contained in Table 1-05C.

A. **Orientation.** The faces of a free-standing or roof sign shall be perpendicular to, or in the case of a curve, radial to the right-of-way of the nearest section of Interstate.

B. **Area.** The maximum area shall be 300 square feet, except as provided by subsection 2 of this section, for motor fuel price signs.

C. Height. The maximum height of a freestanding sign shall be fifty (50) feet.

D. Setback. The minimum setback of a freestanding sign from any property line shall be fifty (50) feet.

2. Motor Fuel Price Signs. Gasoline service stations, convenience stores and similar retail businesses selling gasoline or similar fuels for use in motor vehicles as a major part of their business shall be allowed sign area in addition to that customarily permitted by this chapter, to display changeable price information for such fuel. The copy on each such price sign shall be limited to the type of fuel and price. The maximum copy area shall not exceed 16 square feet. The signage shall be incorporated in a permitted sign type and shall not be a separate sign structure or portable sign.

Section 7. PERMITS REQUIRED. If a sign requiring a permit under the provision of this chapter is to be placed, constructed, erected or modified on a zone lot, the owner of the lot shall secure a sign permit prior to the construction, placement, erection or modification of such a sign in accordance with the requirements of Section 1-14. Furthermore, the property owner shall maintain in force, at all times, a sign permit for such sign in accordance with Section 1-15. No signs shall be erected in the public right-of-way except in accordance with Section 1-10 and the permit requirements of Section 1-17. No sign permit of any kind shall be issued for an existing or proposed sign unless such sign is consistent with the requirements of this chapter (including those protecting existing signs) in every respect and with the Master Signage Plan or Common Signage Plan in effect for the property.

Section 8. DESIGN, CONSTRUCTION AND MAINTENANCE. All signs shall be designed, constructed and maintained in accordance with the following standards:

1. All signs shall comply with applicable provisions of the Uniform Building Code and the Electrical Code of the City at all times.

2. Except for banners, flags, temporary signs and window signs conforming in all respects with the requirements of this chapter, all signs shall be constructed of permanent materials and shall be permanently attached to the ground, a building or another structure by direct attachment to a rigid wall, frame or structure.

3. All signs shall be maintained in good structural condition, in compliance with all building and electrical codes, and in conformance with this chapter, at all times.

Section 9. MASTER OR COMMON SIGNAGE PLAN. No permit shall be issued for an individual sign requiring a permit unless and until a Master Signage Plan or a Common Signage Plan for the zone lot on which the sign will be erected has been submitted to the Zoning Administrator and approved by the Zoning Administrator as conforming with this section.

1. Master Signage Plan. For any zone lot on which the owner proposes to erect one or more signs requiring a permit, unless such zone lot is included in a Common Signage Plan, the owner shall submit to the Zoning Administrator a Master Signage Plan containing the following:

- A. An accurate plot plan of the zone lot, at such scale as the Zoning Administrator may reasonably require;
- B. Location of buildings, parking lots, driveways and landscaped areas on such zone lot;
- C. Computation of the maximum total sign area, the maximum area for individual signs, the height of the signs and the number of freestanding signs allowed on the zone lot(s) included in the plan under this chapter; and
- D. An accurate indication on the plot plan of the proposed location of each present and future sign of any type, whether requiring a permit or not, except that incidental signs need not be shown.

2. Common Signage Plan. If the owner of a single lot with more than one building (not including any accessory building) or the owners of two or more contiguous (disregarding intervening streets and alleys) zone lots file with the Zoning Administrator for such zone lots a Common Signage Plan conforming with the provisions of this section, a twenty-five percent (25%) increase in the maximum total sign area shall be allowed for each included zone lot. Bonus shall be allocated within each zone lot as the owners elect.

3. Provisions of Common Signage Plan. The Common Signage Plan shall contain all of the information required for a Master Signage Plan and shall also specify standards for consistency among all signs on the zone lots affected by the Plan with regard to:

- A. Color scheme;
- B. Lettering or graphic style;
- C. Lighting;
- D. Location of each sign on the building;
- E. Materials; and
- F. Sign proportions.

4. **Showing Window Signs on Common or Master Signage Plan.** A Common Signage Plan or Master Signage Plan including window signs may simply indicate the areas of the windows to be covered by window signs and the general type of the window signs (e.g., paper affixed to window, painted, etched on glass, or some other material hung inside window) and need not specify the exact dimension or nature of every window sign.
5. **Limit on Number of Freestanding Signs Under Common Signage Plan.** The Common Signage Plan, for all zone lots with multiple uses or multiple users, shall limit the number of freestanding signs to a total of one for each street on which the zone lots included in the plan have frontage and shall provide for shared or common usage of such signs.
6. **Other Provisions of Master or Common Signage Plans.** The Master or Common Signage Plan may contain such other restrictions as the owners of the zone lots may reasonably determine.
7. **Consent.** The Master or Common Signage Plan shall be signed by all owners or their authorized agents in such form as the Zoning Administrator shall require.
8. **Procedures.** A Master or Common Signage Plan shall be included in any development plan, site plan, planned unit development plan, or other official plan required by the City for the proposed development and shall be processed simultaneously with such other plan.
9. **Amendment.** A Master or Common Signage Plan may be amended by filing a new Master or Common Signage Plan that conforms with all requirements of this chapter then in effect.
10. **Existing Signs Not Conforming to Common Signage Plan.** If any new or amended Common Signage Plan is filed for a property on which existing signs are located, it shall include a schedule for bringing into conformance, within three years, all signs not conforming to the proposed amended plan or to the requirements of this chapter in effect on the date of submission.
11. **Binding Effect.** After approval of a Master or Common Signage Plan, no sign shall be erected, placed, painted or maintained, except in conformance with such plan, and such plan may be enforced in the same way as any provision of this chapter. In case of any conflict between the provisions of such a plan and any other provision of this chapter, this chapter shall control.

Section 10. SIGNS IN THE PUBLIC RIGHT-OF-WAY. No signs shall be allowed in the public right-of-way, except for the following:

1. **Permanent Signs.** Permanent signs, including:

- A. Public signs erected by or on behalf of a governmental body to post legal notices, identify public property, convey public information and direct or regulate pedestrian or vehicular traffic;
 - B. Bus stop signs erected by a public transit company;
 - C. Information signs of a public utility regarding its pole, lines, pipes or facilities;
 - D. Awning, projecting and suspended signs over a public right-of-way in conformity with the conditions of Table 1-05A of this chapter.
2. Temporary Signs. Temporary signs for which a permit has been issued in accordance with Section 1-17, which shall be issued only for signs meeting the following requirements:
 - A. Signs shall contain no commercial message; and
 - B. Signs shall be no more than two (2) square feet in area each.
 3. Emergency Signs. Emergency warning signs erected by a governmental agency, a public utility company or a contractor doing authorized or permitted work within the public right-of-way.

Any sign installed or placed on public property, except in conformity with the requirements of this section, shall be forfeited to the public and subject to confiscation. In addition to other remedies hereunder, the City shall have the right to recover from the owner or person placing such a sign the full costs for removal and disposal of such sign.

Section 11. SIGNS EXEMPT FROM REGULATION. The following signs are exempt from regulation under this chapter:

1. Any public notice or warning required by a valid and applicable Federal, State or local law, regulation or ordinance;
2. Any sign inside a building, not attached to a window or door, that is not legible from a distance of more than three (3) feet beyond the lot line of the zone lot or parcel on which such sign is located;
3. Works of art that do not include a commercial message;
4. Holiday lights and decorations with no commercial message.
5. Traffic control signs on private property, such as Stop, Yield and similar signs, the faces of which meet Department of Transportation standards and which contain no commercial message of any sort; and
6. Political campaign signs which are not contained within a right-of-way, street or on public grounds, may be erected for a period from thirty (30) days prior to an election day and seven (7) days thereafter, maximum size to be thirty-two (32) square feet.

Section 12. PROHIBITED SIGNS. All signs not expressly permitted under this chapter or exempt from regulation in accordance with the previous section are prohibited in the City; such signs include, but are not limited to:

1. Beacons;
2. Pennants (Maximum 30 days per calendar year);
3. Strings of lights not permanently mounted to a rigid background, except those exempt under the previous section; and
4. Inflatable signs and tethered balloons, except those waived by the City Administrator for display during City sanctioned events.

Section 13. GENERAL PERMIT PROCEDURES. The following procedures shall govern the application for and issuance of all sign permits under this chapter, and the submission and review of Common Signage Plans and Master Signage Plans.

1. Applications. All applications for sign permits of any kind and for approval of a Master or Common Signage Plan shall be submitted to the Zoning Administrator on an application form or in accordance with application specifications published by the Zoning Administrator.
2. Fees. Each application for a sign permit or for approval of a Master or Common Signage Plan shall be accompanied by the applicable fee.

3. **Completeness.** Within five (5) days of receiving an application for a sign permit or for a Common or Master Signage Plan, the Zoning Administrator shall review it for completeness. If the Zoning Administrator finds that it is complete, the application shall then be processed. If the Zoning Administrator finds that it is incomplete, the Zoning Administrator shall, within such five-day period, send to the applicant a notice of the specific way in which the application is deficient, with appropriate references to the applicable sections of this chapter.
4. **Action.** Within seven (7) days after the submission of a complete application for a sign permit, the Zoning Administrator shall either:
 - A. Issue the sign permit, if the sign or signs that are the subject of the application conform in every respect with the requirements of this chapter and of the applicable Master or Common Signage Plan; or
 - B. Reject the sign permit if the sign or signs that are the subject of the application fail in any way to conform with the requirements of this chapter and of the applicable Master or Common Signage Plan. In case of a rejection, the Zoning Administrator shall specify in the rejection the section or sections of this chapter or applicable plan with which the sign or signs are inconsistent.
5. **Action on Plan.** On any application for approval of a Master Signage Plan or Common Signage Plan, the Zoning Administrator shall take action on the application on one of the following dates:
 - A. Fourteen (14) days after the submission of a complete application if the application is for signs for existing buildings; or
 - B. On the date of final action on any related application for building permit, site plan or development plan for signs involving new construction.

On or before such applicable date, the Zoning Administrator shall either approve the proposed plan or reject the proposed plan if the sign(s) as shown on the plan or the plan itself fails in any way to conform with the requirements of this chapter. In case of a rejection, the Zoning Administrator shall specify in the rejection the section or sections of this chapter with which the plan is inconsistent.

Section 14. PERMITS TO CONSTRUCT OR MODIFY SIGNS. Signs identified as “P” or “S” on Table 1-05A shall be erected, installed or created only in accordance with a duly issued and valid sign construction permit from the Zoning Administrator. Such permits shall be issued only in accordance with the following requirements and procedures:

1. **Permit for New Sign or for Sign Modifications.** An application for construction, creation or installation of a new sign or for modification of an existing sign shall be accompanied by detailed drawings to show the dimensions, design, structure and location of each particular sign, to the extent that such details are not contained on a Master Signage Plan or Common Signage Plan then in effect for the zone lot. One application and permit may include multiple signs on the same zone lot.
2. **Inspection.** The Zoning Administrator shall cause an inspection of the zone lot for which such permit for a new sign or for modification of an existing sign is issued during the sixth month after the issuance of such permit or at such earlier date as the owner may request. If the construction is not substantially complete at the time of inspection, the permit shall lapse and become void. If the construction is complete and in full compliance with this chapter and with the building and electrical codes, the Zoning Administrator shall affix to the premises a permanent symbol identifying the sign(s) and the applicable permit by number or other reference. If the construction is substantially complete but not in full compliance with this chapter and applicable codes, the Zoning Administrator shall give the owner or applicant notice of the deficiencies and shall allow an additional thirty (30) days after the date of inspection for the deficiencies to be corrected. If the deficiencies are not corrected by such date, the permit shall lapse. If the construction is then complete, the Zoning Administrator shall affix to the premises the permanent symbol described above.

Section 15. SIGN PERMITS — CONTINUING. The owner of a zone lot containing signs requiring a permit under this chapter shall at all times maintain in force a sign permit for such property. Sign permits shall be issued for individual zone lots, notwithstanding the fact that a particular zone lot may be included with other zone lots in a Common Signage Plan.

1. **Initial Sign Permit.** An initial sign permit shall be automatically issued by the Zoning Administrator covering the period from the date of the inspection for the completed sign installation, construction or modification through the last day of that 5-year rotation.
2. **Subsequent Sign Permits.** Sign permits shall be issued for five (5) years. Except as provided herein, sign permits shall be renewable every five (5) years (See Section 20 for rotation years) upon submission of a renewal application form and the applicable fees. Renewal applications shall contain a representation by the applicant that no change in signage under the permit has been made or shall contain dimensions, drawings and photos of any changes.
3. **Lapse of Sign Permit.** A continuing sign permit shall lapse automatically if not renewed or if the business license for the premises is

discontinued for a period of 180 days or more and is not renewed within thirty (30) days of a notice from the City to the last permittee, sent to the premises, that the sign permit will lapse if such activity is not renewed.

4. **Assignment of Sign Permits.** A current and valid sign permit shall be freely assignable to a successor as owner of the property or holder of a business license for the same premises, subject only to filing such application as the Zoning Administrator may require and paying any applicable fee. The assignment shall be accomplished by filing and shall not require approval.

Section 16. TEMPORARY SIGN PERMITS (PRIVATE PROPERTY).

Temporary signs on private property shall be allowed only upon the issuance of a temporary sign permit, which shall be subject to the following requirements:

1. **Term.** A temporary sign permit shall allow the use of a temporary sign for a specified thirty-day period.
2. **Number.** Only one temporary sign permit shall be issued to the same business license holder on the same zone lot in any calendar year.
3. **Other Conditions.** A temporary sign shall be allowed only in districts with a letter "S" for "Temporary Signs" on Table 1.05A and subject to all of the requirements for temporary signs as noted therein.

Section 17. TIME OF COMPLIANCE; NONCONFORMING SIGNS AND SIGNS WITHOUT PERMITS.

Except as otherwise provided herein, the owner of any zone lot or other premises on which exists a sign that does not conform with the requirements of this chapter or for which there is no current and valid sign permit shall be obligated to remove such sign or, in the case of a nonconforming sign, to bring into conformity with the requirements of this chapter.

1. **Signs Existing on Effective Date.** For any sign existing in the City on **September 1, 2003**, an application for a sign permit must be submitted to the Zoning Administrator before **March 1, 2004**. For any sign on property annexed at a later date, applications for sign permits shall be submitted within six months after the effective date of the annexation or within such period as may be established in an annexation agreement between the City and the landowner. Signs that are subject of applications received after the applicable date set forth in this section shall be subject to all of the terms and conditions of this chapter and shall not be entitled to the protection of subsection 2 of this section. Applications for permits for existing signs submitted before **March 1, 2004**, shall be exempt from the initial fees adopted under authority of this chapter, but not from renewal and subsequent fees.

2. **Nonconforming Existing Signs, Permits and Terms.** A sign that would be permitted under this chapter only with a sign permit, but which was in existence on **September 1, 2003**, or on a later date when the property is annexed to the City, and which was constructed in accordance with the ordinances and other applicable laws in effect on the date of its construction, but which by reason of its size, height, location, design or construction is not in conformity with the requirements of this chapter, shall be issued a Nonconforming Sign Permit if an application in accordance with subsection 1 of this section is filed in a timely manner. Such permit shall allow the sign(s) subject to such permit, which were made nonconforming by the adoption of this chapter, to remain in place and be maintained for a period ending no later than **March 1, 2004**, provided that no action is taken which increases the degree or extent of the nonconformity. Such signs are also subject to the provisions of subsection 3 of this section. A change in the information on the face of an existing nonconforming sign is allowed. However, any nonconforming sign shall either be eliminated or made to conform with the requirements of this chapter when any proposed change, repair or maintenance would constitute an expense of more than twenty-five percent (25%) of the lesser of the original value or replacement value of the sign.

3. **Lapse of Nonconforming Sign Permit.** A Nonconforming Sign Permit shall lapse and become void under the same circumstances as those under which any other sign permit may lapse and become void.

4. **Sign Removal Required.** A sign that was constructed, painted, installed or maintained in conformance with a permit under this chapter, but for which the permit has lapsed or not been renewed or for which the time allowed for the continuance of nonconforming signs has expired, shall be forthwith removed without notice or action from the City.

Section 18. VIOLATIONS. Any of the following is a violation of this chapter and subject to the enforcement remedies and penalties provided by this chapter, by the Zoning Code and by State law:

1. To install, create, erect or maintain any sign in a way that is inconsistent with any plan or permit governing such sign or the zone lot on which the sign is located;
2. To install, create, erect or maintain any sign requiring a permit without such permit;
3. To fail to remove any sign that is installed, created, erected or maintained in violation of this chapter, or for which the sign permit has lapsed; or

- 4. To continue any such violation. Each such day of a continued violation shall be considered a separate violation when applying the penalty portions of this chapter.

Each sign installed, created, erected or maintained in violation of this chapter shall be considered a separate violation for the penalty portions of this chapter.

Section 19. ENFORCEMENT AND REMEDIES. Any violation or attempted violation of this chapter or of any condition or requirement adopted pursuant hereto may be restrained, corrected or abated, as the case may be, by injunction or other appropriate proceeding pursuant to State law. A violation of this chapter is considered a violation of the Zoning Code of the City. The remedies of the City include the following:

- 1. Issue a stop-work order for any/all work on any signs on the same zone lot;
- 2. Seek an injunction or other order of restraint/abatement that requires the removal of the sign(s) or the correction of the nonconformity;
- 3. Impose any penalties that can be imposed directly by the City under the Zoning Code;
- 4. Seek Court to impose any penalties that can be imposed by such court under the Zoning Code; and
- 5. In the case of a sign that poses an immediate danger to the public health or safety, taking such measures as are available to the City under the applicable provision of the Zoning Code and Building Code for such circumstances.

The City shall have such other remedies as are and as may from time to time be provided for or allowed by State law for the violation of the Zoning Code. All remedies provided herein shall be cumulative. To the extent that State law may limit the availability of a particular remedy set forth herein for certain violation or a part thereof, such remedy shall remain available for other violations or other parts of the same violation.

Section 20. FEE SCHEDULE. (Calendar year '03, '08, '13, '18 etc.)

- 1. The fees for sign permits and plans for the five year period are:

Master Signage Plan Application Fee	\$ 100.00
Common Signage Plan Application Fee	\$ 100.00
Sign Permit, Initial, (annual pro rated) including inspection, per zone lot.....	\$ 75.00
Reinspection Fee.....	\$ 35.00
Sign Permit, Continuing, per zone lot	\$ 25.00 (5 yrs.)