

# CHAPTER 155: SIGNS

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### **§ 155.01 STATEMENT OF PURPOSE.**

This chapter is adopted for the following purposes:

- (A) To authorize the use of street signs which are:
  - (1) Compatible with their surroundings;
  - (2) Appropriate to the type of activity to which they pertain;
  - (3) Expressive of the identity of individual proprietors or of the community as a whole;
  - (4) Legible in the circumstances in which they are seen.
- (B) To preserve, protect, and promote the public health, safety, and welfare.
- (C) To enhance the economy and the business and industry of the city by promoting the reasonable, orderly, and effective display of street signs, and encouraging better communication with the public.
- (D) To enhance the physical appearance of the city by preserving the scenic and natural beauty of the area.
- (E) To protect the general public from damage and injury which may be caused by the faulty and uncontrolled construction and use of street signs within the city.
- (F) To protect the pedestrians and motorists from damage or injury caused by the distractions, obstructions, and hazards created by certain street signs.
- (G) To protect the public investment in streets and highways by reducing distractions that may increase traffic accidents.

- (H) To protect the physical and mental well-being of the general public by recognizing and encouraging a sense of aesthetic appreciation for the visual environment.
- (I) To preserve the value of private property by assuring the compatibility of street signs with surrounding land uses.
- (J) To preserve the aesthetic value and historic authenticity of the Historic District of the city.
- (K) To encourage sound practices and lessen the objectionable effects of competition in respect to size and placement of street signs.

(79 Code, § 156.01) (Ord. 967, passed 2-21-82; Am. Ord. 980, passed 10-17-83)

## **§ 155.02 GENERAL APPLICATION GUIDELINES.**

- (A) In order that future development be in harmony with the Historic District, the following guidelines regarding signs in the city are recommended. It is the intent of this chapter that the uses, architecture, activities, and building fixtures should provide and define the character of the city and that this character not be subservient to large, inappropriate, and obtrusive signs.
- (B) The city recognizes that signs are a valuable marketing and identifying element. It is not the intent of this chapter to limit the effectiveness of this method of advertising; rather, through the reduction of competition among signs, it is the purpose of the chapter to allow messages to be conveyed more effectively and at the same time emphasize the distinct character the city possesses.
- (C) High quality in design and construction will enhance the entire area. Signs can be a special delight to the eye. They can be colorful, decorative, distinguished, and can add character to the scene.
- (D) Imagination in design is encouraged; rather than a flat sign, perhaps a three dimensional figure like the familiar boot hanging in front of a shoe repair shop or store, or the figure of a steer suspended before the door of a butcher shop is an aid in identifying the type of service or business offered within.

(`79 Code, § 156.02) (Ord. 967, passed 2-21-82; Am. Ord. 980, passed 10-17-83)

### § 155.03 DEFINITIONS.

For the purpose of this chapter, the following definitions shall apply unless the context clearly indicates or requires a different meaning.

***AWNING.*** A shelter supported entirely from the exterior wall of a building and composed of non-rigid materials except for the supporting frame work.

***BUSINESS CENTER.*** A commercial, office or industrial development consisting of two or more businesses, planned, developed, owned, and managed as a unit and sharing facilities such as parking or pedestrian areas.

***DISPLAY SURFACE AREA.*** The net geometric area enclosed by the display surface of the sign including the outer extremities of all letters, characters and delineations, provided, however, that display surface area shall not include the structural supports for free-standing signs; provided, further, that only one face of a doubleface sign as defined shall be considered in determining the display surface area.

***ELECTRONIC MESSAGE CENTER.*** A sign upon which letters, characters, or images are placed electronically or electrically to provide a message or picture.

***ERECT.*** To build, construct, attach, hang, place, suspend or affix, and paint a wall sign.

***ILLUMINATED SIGN.*** Any sign which emanates light either by means of exposed tubing or lamps on its surface, or by means of illumination transmitted through the sign faces.

***NEON LIGHTING.*** Glass tubing, either fashioned or extruded, containing either argon or neon gases, which are illuminated by means of electric current transformed from 2 to 1,500 watts, but limited to 20, 30, or 60 milliamps.

***REPLACEMENT COST OF SIGN.*** The actual cash value cost of replacing a sign with one which is similar to the sign being replaced.

***SIGN.***

- (1) Any device, frame, letter, figure, character, mark, picture, stripe, trademark, or reading material, which is used or intended to be used to attract attention or convey information when the same is placed out of doors in view of the general public.
- (2) The term ***SIGN*** includes but is not limited to every flat sign, dimensional surface sign, projection sign, free-standing sign, window sign, vehicle sign, marquee, changeable copy sign, internally or externally illuminated sign, flashing sign, animated sign, temporary sign, portable sign, pennants, streamers, or other attention-getting device or other display, whether affixed to a building or separate from any building. A light band of a single string of bulbs or row of tubes that runs around the perimeter of a building or canopy is not considered as a sign.
- (3) For the purpose of determining the number of signs, a sign shall be considered to be a single display surface or display containing elements organized, related, and composed to form a unit. Where matter is displayed in a random manner without organized relationship to elements, or where there is reasonable doubt as to the relationship of elements, each element shall be considered to be a single sign.

***ZONING DISTRICT.*** A section or section of the city for which the then effective zoning code governing the use of buildings and land are uniform for each class of use permitted therein.

(79 Code, § 156.03) (Ord. 967, passed 2-21-82; Am. Ord. 980, passed 10-17-83; Am. Ord. 95-402, passed 5-10-95; Am. Ord. 02-377, passed 1-29-03)

## § 155.04 ALLOWABLE SIGN TYPES.

The following types of signs shall be allowed within the city provided these signs meet with the specific criteria required for each zoning district.

- (A) *Type 1 flat signs.* These signs always exist parallel to the building wall. They may be painted directly on the building surface.
- (B) *Type 2 dimensional surface signs.* This type also exists parallel to the building wall. It may consist of three dimensional letter forms applied to or raised from a separate, flat background. The message may be in relief, or depressed by means of carving, etching, routing, and positive or negative cutout.
- (C) *Type 3 awning signs.* Traditional canvas types of awnings are acceptable. Colors should be carefully chosen. Metal or plastic shall not be permitted.
- (D) *Type 4 projecting signs.* Projecting signs are those that project at an angle to the building surface. These signs may be flat or they could be three-dimensional. A good place to use ornamental ironwork is in the hanging hardware of such a sign.
- (E) *Type 5 free-standing signs.* This term refers to a sign that is not a part of or attached to any building. The sign shall be a ground or monument type sign and shall be prohibited from being mounted on a steel pole that is visible. The height of the sign shall be measured from the grade elevation next to the sign or from the grade of the adjacent roadway, whichever is higher.
- (E) *Type 6 window signs.* These signs are either applied directly to the glass, displayed in the glass area, or attached to the glass by tape or other devices. Temporary promotional signs may be shown in addition to those regularly displayed.

(‘79 Code, § 156.04) (Ord. 967, passed 2-21-82; Am. Ord. 980, passed 10-17-83; Am. Ord. 02-377, passed 1-29-03) Penalty, see § 155.99

## **§ 155.05 MATERIALS ALLOWED.**

- (A) Signs not located within the Historic District may be constructed of iron, steel, wood, glass, plastic, canvas, or fiberglass coated wood.
- (B) Unless otherwise noted, signs within the Historic District can only be constructed of iron, wood, or fiberglass coated wood, and should be attached to the building using iron fasteners. Type 3 awning signs can be constructed of a soft cloth, such as canvas, to allow movement. Shiny finishes are generally not appropriate.
- (C) Restraint and simplicity in selection of materials, method of attachment, and the like are urged. Materials used should be in keeping with architecture of the building and must conform to all building codes. When fastening a sign to the building it is important to be respectful of the building's decorative elements and to avoid impeding them through sign location or destroying them through fastener attachment. ('79 Code, § 156.05) (Ord. 967, passed 2-21-82; Am. Ord. 980, passed 10-17-83) Penalty, see § 155.99

## **§ 155.06 LIGHTING AND COLORS ALLOWED.**

- (A) When signs are illuminated, the light source must be located or shielded in such a way that the glare does not reach the street or adjacent property. In no event shall the illumination of any sign, resulting from any internal or external light source, exceed 50 foot-candles when measured with a standard light meter held perpendicular to the sign face at a distance of four feet from the sign.
- (B) All signs in the Historic District must be lighted indirectly only by a shaded flood spotlight or gooseneck lamp, with the exception of neon lighting. Neon lighting is allowed within the Historic District, provided that it is not used as a means of illumination to transmit light through the faces of signs, which is commonly referred to as backlighting, but rather is utilized in a form of externally exposed tubing as part of the external elements which make up a sign itself. Illuminated lighting is allowed on signs outside the Historic District.

(C) Signs not located in the Historic District may be lit through internal illumination, back-lit, or indirect lighting. In most cases, back-lit lettering is the preferred type of illumination. When internally illuminated, the sign should contain an opaque background. When externally illuminated, the light source should not be visible when viewed from the surroundings unless the light source is decorative and is integrally designed.

(D) Earth tones and one primary color is recommended on signage in the Historic District. This color combination is to highlight the unique usage of Joliet Limestone in multiple commercial buildings. In order to promote legibility in signage, it is recommended to not use more than three colors on any one sign, excluding white, black or gilding, and Type 3 Awning Signs.

(`79 Code, § 156.06) (Ord. 967, passed 2-21-82; Am. Ord. 980, passed 10-17-83; Am. Ord. 02-377, passed 1-29-03) Penalty, see § 155.99

## **§ 155.07 LETTERING ALLOWED.**

As the purpose of signage is to advertise a business to pedestrian and automotive traffic, the primary concern in choosing a font for lettering should be legibility and proper spacing. Appropriate fonts would include both serifed and block type styles and would exclude Old English lettering and many cursive and italic fonts. Both cursive and italic fonts could be reviewed for variance if the font is part of an overall design scheme of the facade. Within the Historic District, lettering should be similar in style to the examples in the Appendix.

(`79 Code, § 156.07) (Ord. 967, passed 2-21-82; Am. Ord. 980, passed 10-17-83)  
Penalty, see § 155.99

## § 155.08 DISPLAY ONLY COMMERCIAL INFORMATION.

All signs will display only commercial information pertaining to a business or profession or any noncommercial information.

(`79 Code, § 156.08) (Ord. 967, passed 2-21-82; Am. Ord. 980, passed 10-17-83)

Penalty, see § 155.99

## § 155.09 PROHIBITED SIGNS.

(A) *Portable street sign.* A single or double surfaced painted or poster panel type sign or some variation thereof which is temporary in nature, usually mounted on wheels, easily movable, not permanently attached thereto.

(B) *Animated or moving sign.* Any sign or part of a sign which changes physical position or light intensity by any movement or rotation or that gives the appearance of such movement or rotation. This includes flashing, blinking, scrolling, chasing, or animated signs. Public service time, temperature, and date message centers are not considered a moving sign. Electronic message centers are not considered an animated or moving signs provided they meet the criteria in § 155.11 (S).

(C) *Banner, flags and pennants.* Any banner, flag, or pennant advertising a product or service printed or displayed upon cloth or other flexible material, with or without frames is not permitted, except as provided in § 155.10. Holiday, seasonal or special event banners or flags attached to parking lot light poles or buildings are permitted. However, a variance may be granted for a permanent banner so long as it is securely fastened and provided the sign area does not exceed one time the width in feet of the building wall relative to the occupancy, nor shall it extend within two feet of the edge of the wall. This type of sign shall take the place of a type one flat sign and shall count in the limitation of the number of signs allowed as though it were a type one flat sign. All other prohibitions of the sign ordinance shall remain in effect as to the sign except that it may project higher than the window sill of the second floor window or other architectural features of the building.

- (D) *Festoon lighting.* Any group of lights displayed on a string which are not permanently attached to a sign.
- (E) *Roof signs.* Any sign wholly erected, constructed, or maintained on the top of the roof or attached to a wall and projecting above the roof line. A mansard facade shall not be considered to be a roof sign but shall be considered to be a type one flat sign.

(79 Code, § 156.09) (Ord. 967, passed 2-21-82; Am. Ord. 980, passed 10-17-83; Am. Ord. 02-377, passed 1-29-03; Am. Ord. 04-426, passed 1-28-04) Penalty, see § 155.99

## **§ 155.10 TEMPORARY STREET SIGNS ALLOWED.**

- (A) *Conditions.* Certain portable street signs and attention-getting devices such as banners, wind wavers, pennants, and festoon lighting may be permitted for promoting grand openings, special community activities, special promotional sales, special events, or activities subject to the following provisions:
- (1) A permit must be approved by the Planning and Zoning Department;
  - (2) There shall be a maximum of three (3) permits issued per calendar year for such attention getting devices with each permit not exceeding fourteen (14) days. Permits may be issued consecutively. Temporary signs for a grand opening do not count toward the one per year calendar year limit.
- (B) *Inflatable attention getting devices or search lights.* Inflatable attention getting devices including air dancers or search lights are permitted one time per calendar year for no more than seven days at a time. Said devices shall not be installed on a rooftop. The permit may be issued in conjunction with the attention getting device permit in subsection (A) above or as a separate permit. When issued separately it shall be counted as one of the three allowable permits.
- (C) *Special events signs.* Temporary signs, banners and displays for special events sponsored by local churches, schools, community service organizations, or other similar institutions are permitted to be displayed only during a period commencing 30 days prior to and ending 3 days after the event.

(D) *Location.* Signs may be displayed on property owned or controlled by the sponsoring organization; on private property, with the permission of the owner; and on public right-of-way with the location approved by the City.

(E) *Number.*

- (1) The total number of signs shall not exceed ten with no more than five on public right-of-way. The signs shall be limited to 16 square feet if located on the public right-of-way or a residential lot, and 32 square feet if located on the sponsor's property or on a commercial lot.

(`79 Code, § 156.10) (Ord. 967, passed 2-21-82; Am. Ord. 980, passed 10-17-83; Am. Ord. 1031, passed 3-17-86; Am. Ord. 97-083, passed 12-10-97; Am. Ord. 02-377, passed 1-29-03; Am. Ord. 06-547, passed 3-8-06; Am. Ord. 09-037, passed 9-16-09)  
Penalty, see § 155.99

## § 155.11 SPECIAL PROVISIONS FOR CERTAIN SIGNS.

The special provisions and regulations of this section shall apply to the following signs:

- (A) **Traffic or other municipal street signs** such as railroad crossing signs, legal notices, and such temporary emergency signs as may be authorized by the City Council. Such signs shall be exempt from § 155.14, thus not requiring a permit.
- (B) **Directional, informational, or public service signs not pertaining to private enterprise**, excluding public utilities, not exceeding 3.5 square feet display surface area for each function, erected for the convenience of the public, such as signs identifying entrances, exits, drive-up facilities, parking areas, no parking areas, restrooms, public telephones, walkways, and similar features or facilities. As example, Entrance and Drive-up on the same sign is allowed to have seven square feet of display surface area. Such signs shall be exempt from § 155.14, thus not requiring a permit.
- (C) **No trespassing signs** or other such signs regulating the use of a property, such as no hunting or no fishing, of no more than two square feet in display surface area. Such signs shall be exempt from § 155.14, thus not requiring a permit.

- (D) **Political campaign signs** announcing candidates seeking public political office or political issues and other data pertinent thereto, not exceeding four feet in width and four feet in height for a total of 16 square feet in area. These signs shall be confined within private property and not placed on city's public property, and removed within three days after election day. No such sign shall be allowed except for the 45-day period prior to the election day. Such signs shall be exempt from § 155.14, thus not requiring a permit.
- (E) **Real estate sale signs** shall be confined to private property. Real estate signs for properties in residential zoning districts shall be no more than five square feet display surface area and are exempt from § 155.14, thus not requiring a permit. Real estate signs in non-residential zoning districts must adhere to the Type 5 free-standing sign requirements for the specific zoning district and require a sign permit.
- (F) **Construction signs** identifying the architects, engineers, contractors, and other individuals or firms involved with construction [but not including the advertisement of any product], and announcing the character of the building enterprise, or the purpose for which the building is intended, up to a maximum display surface area of 16 square feet. The sign shall be confined to the site of the construction and shall be removed within three days after the beginning of the intended use of the project.
- (G) **Signs of historical societies** containing no advertising and not more than 5 square feet display surface. The historical building identification sign is allowed to be located anywhere on the exterior wall or on a historical pediment above the cornice. Historical identification signs larger than 5 square feet shall be allowed when the Heritage and Architecture Commission determines that it is consistent with the historical character of the building and issues a certificate of appropriateness for the sign.
- (H) **Public institution signs** shall have no more than 32 square feet of display surface area with a maximum free-standing sign height of 10 feet for a public, charitable,

or religious institution, when same is located on the premises of such institution and located in such a manner as not to interfere with the vision of motorists.

- (I) **Public signs** and other signs incidental thereto for identification, information, or directional purposes erected or required by governmental bodies, or authorized for a public purpose by any law, statute, or ordinance or by charitable nonprofit making corporations.
- (J) **Garage sale signs.** Such signs shall be exempt from § 155.14, thus not requiring a permit.
- (K) **Bench signs** are allowed in designated bus stop areas of the city.
- (L) **A menu sign** associated with a drive-up window facility shall be permitted when authorized by the special use permit for the drive-up window. The sign can be Type 2 dimensional sign or Type 5 freestanding sign. The sign shall not exceed 24 square feet nor 7 feet in height.
- (M) **Temporary development/subdivision sign.**
  - (1) Each separate development site or subdivision shall be permitted one free-standing sign on the site. The sign shall not exceed 64 square feet on any one display surface, be more than 20 feet in height, nor be located on a right-of-way.
  - (2) Also, each subdivision shall be permitted one off-site property owner is provided at time of application.
  - (3) The off-site sign shall not have more than two display surfaces with 32 square feet of surface area on any one surface, nor shall the sign exceed five feet in height. No off-site sign can be placed on property containing more than one free-standing sign and must be 100 feet from the nearest free-standing sign. An off-site sign cannot be located on a right-of-way.
- (N) **Sidewalk signage.** Each business shall be allowed to have one sidewalk sign that identifies a specific business. The sign may only be displayed during business hours and must be removed at the close of the business day.
  - (1) *Size.* The area of the sidewalk sign or object cannot exceed:
    - (a) Four feet high as measured from the sidewalk;

(b) Two feet in width; and

(c) Three feet in depth.

Except if the permit holder has an existing sign that exceeds the size limitations by six inches in height, width, or depth, the permit holder has one year from the passage of this section to meet the above sign standards and will be considered in violation of this section if the sign does not adhere to the guidelines.

- (2) *Materials.* Materials for the sidewalk sign are limited to iron, steel, wood, plastic, or fiberglass coated wood or specific article or object that would identify the type of service or business offered within the store. Within the Historic District, material usage is limited to wood, fiberglass coated wood, slate, or any combination. A weight system to anchor the sign must be included in the design of the sign and be used at all times. There may not be electricity incorporated into the sign nor any indirect or direct lighting.
- (3) *Appearance.* Lettering must be of a professional quality and consistent with the lettering examples identified in the appendix of Chapter 155. Objects must be indicative of the type of business and may not be a collection of items only for display of sale.
- (4) *Location.* The sign must be located no more than one foot from the building wall of the unit or business for which the sign is intended but it may not touch the building in any manner. The sign shall be placed so that a minimum of a five-foot unobstructed pedestrian walkway is maintained at all times (not including the step-curb). A five-foot clear zone shall be maintained at corner locations of two sidewalks.
- (5) *Application procedure.* A permit must be received from the city for all sidewalk signs. An application must be completed and submitted to the Building Department along with a sketch detailing the size, description of materials used in the sign and the proposed location. City staff must approve all proposed signs in order to receive a permit. City staff reserves the right to reject the sign if it is not of an appropriate material that would withstand the

elements and/or cause harm to pedestrians or vehicles. Signs may also be rejected if the construction and lettering are not of professional quality. There shall be no permit fee pursuant to this section.

- (6) *Variance requests.* Decisions rendered that deny permits because they do not adhere to city standards can be appealed either to the Board of Appeals of the building code if said sign is located on private property or to the City Council if said sign is on public right-of-way. The granting of the variance shall be pursuant to the following procedures and standards:
- (a) An application for a variation shall be filed with the Planning and Building Departments, who shall forward without delay a copy to the Chairperson of the Board of Appeals of the building code or to the City Council as the case may be. The application shall contain the following information:
    - (i) The particular requirements of the Code which prevents the proposed sign.
    - (ii) The characteristic of the property and the proposed sign.
  - (b) Within 60 days of filing a variance application, the Board of Appeals of the Building Code or the City Council, as the case may be, shall hold a public hearing on a variation request only if the application requests a variance in the size of a sign.
    - (i) Public notice of such hearing shall be published at least once, but not less than 15 days nor more than 30 days before such hearing, in a newspaper circulated within the city.
    - (ii) The City Council members, and in the case where a variance is requested on the size of sidewalk sign in the Historic District, the members of the city's Heritage and Architecture Commission, shall be notified of the hearing.
  - (c) A variance may be granted by the Board of Appeals of the Building Code or the City Council as the case may be when it is determined by evidence presented that the variation will not merely serve as a convenience to the petitioner, but it is necessary to alleviate some demonstrable hardship or

unusual practical difficulty and that any granting of the variation will not in any way be inconsistent with the intent, purpose, and objectives of this section.

- (O) **Subdivision identification signs** shall be allowed at the entrances of each development, provided they are maintained by a Homeowners' Association. Two subdivision identification signs shall be allowed on private property or one sign shall be allowed on the right-of-way in a landscaped median. The sign(s) (not including a decorative wall) shall not exceed 64 square feet. The maximum sign height is 6 feet for on private property and 42 inches in the median.
- (P) **An automobile service station canopy** shall be allowed to have one sign on three sides of the canopy. The gross surface area of the sign shall not exceed 20% of the gross surface area of the face of the canopy to which such sign is to be affixed. The sign shall not extend above the top or below the bottom of the canopy.
- (Q) **Secondary wall signs** will be allowed for a business to identify accessory uses associated with the business, i.e. car wash, bakery, pharmacy. Each business will be allowed two secondary wall signs per street frontage whose square feet for each sign cannot exceed 25% of the length of the building frontage. A business with over 50,000 square feet will be allowed up to four secondary signs per street frontage.
- (R) **Movie theaters** may have, as additional signage, attraction board wall signs. The traditional marquee sign shall be permitted. The free-standing sign may be increased in size for each theater listing.
- (S) **Electronic message centers** may be incorporated into a permitted sign, provided they adhere to the criteria listed below. The following criteria does not apply to public service time, temperature, and date signs.
  - a. Sign type. Shall only be permitted as a Type 5 free-standing sign.
  - b. Prohibited Districts. Shall be prohibited in the Historic District and Residential Districts.

- c. Color. Amber or red lettering on a black background are the only permitted colors.
- d. Display duration. The electronic message/action shall remain fixed for a minimum of ten (10) seconds before changing its appearance or rotating. Streaming video, flashing, blinking, scrolling, chasing, or animated signs shall be prohibited.
- e. Display area. No more than twenty-five (25) percent of the allowable display area shall be dedicated to the electronic message center. For example, a business district that permits a 64 square foot Type 5 sign may use up to 16 square feet of that display area for the electronic message display.
- f. Dominance. The electronic message center must be integral in the design of the sign and shall not be the dominant element. Therefore, the electronic display area shall occupy no more than fifty percent (50%) of the overall sign including base and other sign elements, even when it conforms to item (e) in this section. For example, a sign with a 16 square foot electronic message display requires a total sign area of 32 square feet minimum, including the base.
- g. Setback from residential zoning districts. The leading edge of the sign must be a minimum distance of one hundred (100) feet from an abutting residential district boundary.
- h. Distance from other electronic message centers. Electronic message centers shall not be within five hundred (500) feet of another electronic message center.
- i. Existing non-conforming electronic message centers. Existing non-conforming electronic message centers shall be brought into conformance with standards (c) and (d) of this section no later than April 1, 2008. Existing non-conforming message centers shall be brought into conformance with standards (a), (b), (e), (f), (g), and (h) of this section pursuant to § 155.20, but shall be exempt from item (E) in § 155.20.

(`79 Code, § 156.11) (Ord. 967, passed 2-21-82; Am. Ord. 980, passed 10-17-83; Am. Ord. 95-402, passed 5-10-95; Am. Ord. 01-284, passed 1-12-01; Am. Ord. 02-377, passed 1-29-03; Am. Ord. 06-547, passed 3-8-06) Penalty, see § 155.99

## § 155.12 DESCRIPTION OF ZONING DISTRICTS.

- (A) *Historic District.* The area designated on a map attached to Ordinance 801 is by the ordinance designated as the city Historic District.
- (B) *City Residential and Business District.* This term refers to all areas within the city limits not included in the Historic District but zoned residential and business.
- (C) *Industrial Districts.* Areas within the city limits zoned industrial are called industrial districts.

(`79 Code, § 156.12) (Ord. 967, passed 2-21-82; Am. Ord. 980, passed 10-17-83)

## § 155.13 SIZES OF SIGNS.

The following signs with their specific sizes are allowed in each district.

### (A) **Historic District.**

#### (1) *Residential.*

- (a) *Single unit.* One sign is allowed for each unit, not to exceed five square feet in area, identifying the name and address of the occupant, attached to the building or free-standing.
- (b) *Multiple Dwelling.* One sign, as in division (A)(1)(a) above, not to exceed five square feet in area, is allowed.

#### (2) *Business.*

- (a) Each commercial building shall be permitted either one free-standing sign on the property, not permissible on the public sidewalk or park land or one projection sign at the street entrance of each commercial unit. Each commercial unit is allowed to have one identification sign of a Type 1 flat sign or Type 2 dimensional surface sign. Each commercial unit is allowed a

Type 3 awning sign over the entrance and upper storey windows. Each unit/tenant is allowed to have a Type 6 window sign. If the unit has frontage on two streets, a secondary identification sign is permitted, allowable signs include a Type 1 flat sign, Type 2 dimensional sign, or Type 4 projecting sign. If a unit possesses a rear entrance or an additional entrance on a secondary frontage, the unit is allowed an additional Type 1 flat sign, Type 2 dimensional surface sign, or Type 4 projection sign, and a Type 3 awning sign.

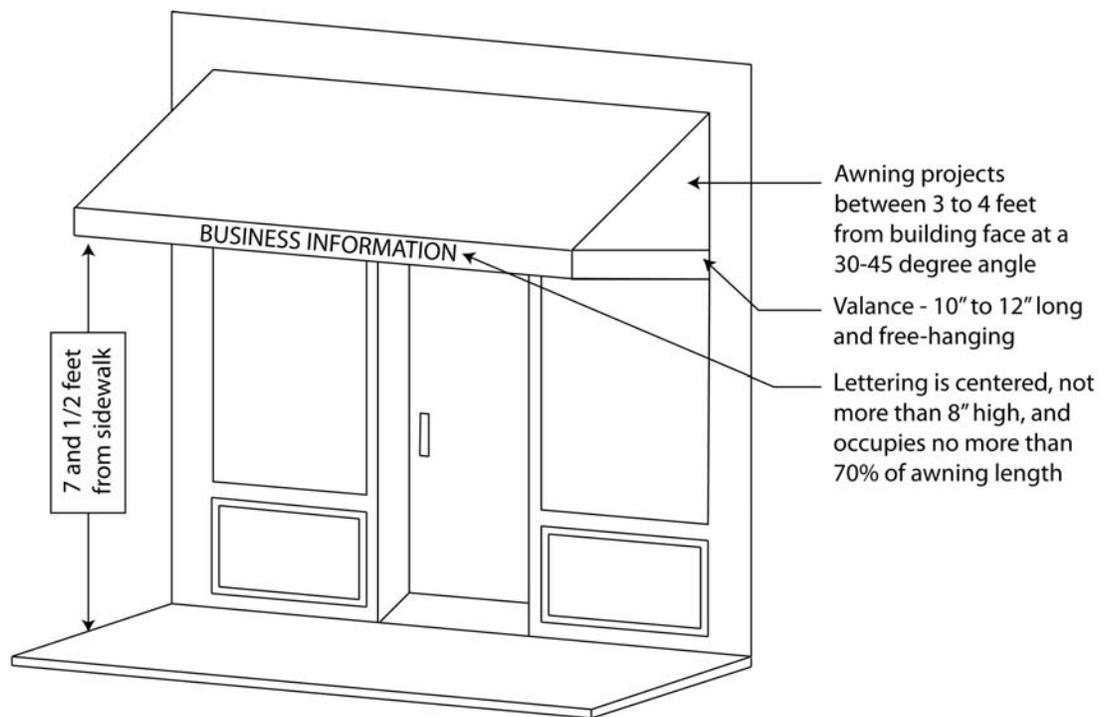
- (b) **A Type 1 flat sign** is allowed, provided that when mounted it does not project more than 12 inches from the wall and is not located higher than 15 feet from the sidewalk unless historic documentation demonstrates the building had signage in the fascia. The sign shall not project higher than the bottom of the windowsills of the second floor nor conceal other architectural features of the building, nor should it extend above or below the historic signboard if still extant above the storefront. The sign area shall occupy only the center 70% of the commercial unit frontage, and shall not extend within two feet of the edge of the wall.
- (c) **A Type 2 dimensional surface sign** is allowed, provided that it shall be mounted so that it does not project more than 12 inches from the wall, and is located no less than 9 feet, and no higher than 15 feet, from the sidewalk. The sign shall not project higher than the bottom of the windowsills of the second floor nor conceal other architectural features of the building, nor should it extend above or below the historic signboard if still extant above the storefront. The sign area shall occupy only the center 70% of the commercial unit frontage, and shall not extend within two feet of the edge of the wall. The dimensional lettering may be affixed directly to the building or to a material that is then mounted to the building, in either case, the sign projection must be less than twelve inches. (see appendix for examples of Type 2 dimensional signs)

(d) **Type 3 awning sign.** Traditionally awnings did not serve as a primary means of advertising. They were used for practical purposes including protecting pedestrians from the weather, protecting items displayed in the window from sun damage, and conserving energy. A Type 3 awning sign can be placed above windows and doors. It is recommended that an awning should not cover more than 1/3 of the opening and should not distract from the architecture of the building or the business inside. Awning(s) over first story windows and doors should not extend above the first story. The number of awnings should be determined by the design of the building. A single storefront without divisions between windows will typically require one awning. On properties with divisions between windows and doors multiple awnings should be used, each designed to fit one window. Awnings should mimic the shape of the opening, not extend across bays, and should not extend beyond the opening.

1. Clearance. Awnings shall be at least 7½ feet above the sidewalk.
2. Material. Refer to [§155.05](#) *Materials Allowed*.
3. Valance. Awnings shall contain a valance. The valance is the only portion of the awning which can serve as a sign panel. The valance should not be fixed or rigid; it should be free-hanging. The length of the valance can be between 10” to 12” and shall not exceed 12” in length.
4. Sign panel. As stated above, signage is restricted to the valance. All advertising, lettering, logos, and print shall not exceed 8 inches in height nor shall it occupy more than 70% of the valance length. Lettering should be centered and may be painted, appliquéd or silk screened on the valance.
5. Projection. Awnings shall not project more than 4 feet from the face of the building and should project no less than 3 feet from the building. The angle of the projection should be between 30 to 45 degrees.

6. Type/shape. Fixed or retractable awnings are permitted. Standard sloped/shed awnings with either closed or open ends is permitted. Boxed, curved, and odd shapes, such as bull nose and bubble awnings, should not be used in the historic district unless there is evidence that historically this type of awning was used on the building.
7. Colors and Lighting. Refer to *§155.06 Lighting and Colors Allowed*.
8. Appropriate fonts. Refer to *§155.07 Lettering Allowed*.

HISTORIC DISTRICT TYPE 3, AWNING SIGN EXAMPLE



- (e) A **Type 4 projecting sign** is allowed, provided that it shall not be more than 12 square feet in area and no exterior dimension shall be more than 4 feet. Such a sign and mounting system shall not project more than 7 feet from the building wall and no portion of the sign shall be lower than 9 feet above the sidewalk and no more than 13 feet above that point. The signs mounting system shall not extend beyond the building's parapet, impede,

or destroy any architectural elements or ornament on the building. Projecting signs are not restricted to a particular shape allowing for creativity in sign design, such as an object or symbol for a type of business or in the mounting system. (see appendix for examples of Type 4 projecting signs)

(f) **A Type 5 free-standing sign** is allowed, provided that it must have the entire structure inside the property line of the premises in which the business is conducted. It shall not exceed 32 square feet in display area, and no part of the structure shall be more than 10 feet above the grade immediately below.

(g) **A Type 6 window sign** is allowed for each business. These signs can be affixed or painted directly on the glass, be suspended in the window, or back-supported and placed in the window. The sign should not occupy more than 20% of the total window area. Temporary promotion signs are not to be exhibited more than 14 days and may be shown in addition to those regularly displayed. (see appendix for examples of Type 6 window signs)

**(B) City residential (excluding Historic District).**

(1) *Single unit.* One sign per unit, not to exceed five square feet, identifying the name and address of the occupant, attached to the building or free-standing is allowed.

(2) *Multiple unit.* One sign per unit is allowed, not to exceed five square feet in area, identifying the names and addresses of the occupants, attached or free-standing. For larger apartment complexes, an additional sign, not to exceed eight square feet on each face, may be used to identify the name of the building.

(3) *Residential business.* A business within the residential area conducted in residence-type structures, such as funeral establishments, repair shops, barber or beauty shops, or insurance agencies, will be allowed one sign not to

exceed five square feet (each face) in area, attached to the building or free-standing.

**(C) Multi-Tenant Building.**

(1) To address the rapid tenant transition within multi-tenant office/commercial building, a specific sign type is being required. A Type 1 flat sign or Type 2 dimensional sign may be posted near each entrance to the building that identifies the name of the office/commercial complex. If tenants are to be specifically recognized by name or their location within the building, they must be represented on a removable placard attached to the signboard below the name of the complex. If individual tenants are to be recognized, the signboard must be proportionate to the building facade, such as no more than half the height of a story and half the width of a bay.

(2) For the same reasons listed above, a specific form for a Type 4 projecting sign is being required on multi-tenant office/commercial building. The Type 4 sign follows all of the code requirements listed above. The sign format would have the mounting attached to the topmost individual sign, which identifies the name of the office/commercial complex. The names of individual tenants would hang from placards arranged vertically below. The placard hanging system can consist of hooks, chains, metal rod or solid wood with applied placards that are closely set providing additional rigidity as the only permanent attachment is to the umbrella name of the building.

*(see the Appendix for signage similar to that being request for multi-tenant office/commercial complexes in the Historic District)*

**(D) City business area (excluding Historic District).**

(1) Each tenant or owner-occupied commercial unit shall be permitted either one Type 5 free-standing sign (except a business center) or one Type 4 projection sign. Each commercial unit/tenant is allowed to have one identification sign of a Type 1 flat sign, Type 2 dimensional surface sign, or a Type 3 awning sign. A second identification sign is permitted if the commercial unit has

- frontage on two streets. Each unit/tenant is allowed to have a Type 6 window sign.
- (2) **A Type 1 flat sign** is allowed provided it does not project more than 12 inches from the wall, nor shall it project higher than the bottom of the windowsills of the second floor or other architectural features of the building. The sign area shall not exceed one time the width in feet of the building wall relative to the occupancy, nor shall it extend within two feet of the edge of the wall.
  - (3) **A Type 2 dimensional surface sign** is allowed, provided that it shall be mounted so that it does not project more than 12 inches from the wall, the lowest part to be not less than nine feet above grade elevation at the point immediately below, nor shall it project higher than the bottom of the window sills of the second floor or other architectural features of the building. The sign area shall not exceed one time the width in feet of the building wall relative to the occupancy, nor shall it extend within two feet of the edge of the wall.
  - (4) **A Type 3 awning sign** can be placed above windows and doors. The signage on the awning must not exceed 20% of the total canopy area. Traditional canvas types of awnings are acceptable. Colors should be carefully chosen. Metal or plastic shall not be permitted.
  - (5) **A Type 4 projecting sign** is allowed, provided that it shall not be more than 18 square feet in area (each face), and no exterior dimension shall be more than 6 feet. The sign shall not project more than 7 feet from the building wall, and no portion of the sign shall be lower than 9 feet above grade and no more than 14 feet above grade. No projecting sign or any part of the support structure for a projecting sign shall be permitted to extend above the parapet of the building. For buildings over one story, no part of the sign shall be over 15 feet above grade.
  - (6) **A Type 5 free-standing sign** is allowed, provided that it must have the entire structure inside property lines of the premises in which the business is conducted. On outlots within a development it shall not exceed 60 square feet

display area, and no part of the structure shall be more than 6 feet above the grade immediately below. On lots other than outlots, it shall not exceed 64 square feet in display area, and no part of the structure shall be more than 10 feet above the grade immediately below.

- (7) **A Type 6 window sign** is allowed. These signs are either applied directly to the glass, displayed in the glass area, or attached to the glass by tape or other devices. Such signs shall not occupy more than 25% of the window area. Temporary promotional signs which are not to be exhibited more than 14 days may be shown in addition to those regularly displayed.

**(E) Industrial areas within the city limits.**

- (1) Each business shall be permitted one business sign on each exterior wall containing such business. The sign may be painted directly on the wall, or it may be allowable Type 1 or 2. If the sign is painted directly on the wall, or if it is of Type 1 or 2, it must not exceed 1½ times the width, in feet, of the wall on which it is displayed.
- (2) A sign of allowable Type 4 or 5 may be used for each business (excluding a business center). If the sign is Type 4, it shall not be more than 30 square feet in area, and it shall not project more than seven feet from the wall. No part of the sign shall be lower than nine feet above the grade level immediately below.
- (3) If a sign of Type 5 is used, there cannot be more than one located on the lot (excluding a business center), and it must be located inside property lines of the occupant displaying the sign. It may be as large as 64 square feet display surface area (on each face). Maximum height is to be 20 feet. A sign marking the service entrance, not to exceed 20 square feet, may be used. It may be painted on the service door or on the adjacent wall.

**(F) Business centers** are permitted **Type 5 free-standing signage** as determined by the following categories:

- (1) *Centers to 40,000 square feet gross floor area.* Two free-standing signs for the center, having 75 feet minimum separation between signs, with each side

- of the sign surface area not exceeding 64 square feet. Maximum height of the sign cannot exceed 10 feet.
- (2) *Centers 40,000 to 100,000 square feet gross floor area.*
- (a) Two free-standing signs for the center, having 100 feet minimum separation between signs, identifying the name of tenants in the center with each side of the sign area not exceeding 96 square feet, of which no one tenant could occupy more than 64 square feet. Maximum height of sign cannot exceed 10 feet for only one business and 20 feet for two or more businesses.
  - (b) One ground sign identifying the name of the center shall be permitted at each entrance. The sign area for each side of the sign shall not exceed 32 square feet. Maximum height of the sign cannot exceed five feet.
- (3) *Centers 100,000 square feet to 400,000 square feet gross floor area.*
- (a) Two free-standing signs for each frontage of an arterial or collector street, having 150 feet minimum separation between signs, identifying the name of the tenants in the center with each side of the sign area not exceeding 128 square feet, of which no one tenant could occupy more than 64 square feet. Maximum height of the sign shall not exceed 10 feet for only one business or 20 feet for two or more businesses.
  - (b) One ground sign identifying the name of the center shall be permitted at each entrance or intersection of two arterial streets. Sign area for each side of the sign shall not exceed 32 square feet. Maximum height of sign shall not exceed five feet.
- (4) *Centers 400,000 square feet or more gross floor area.* One ground sign identifying the name of the center shall be permitted at each entrance or intersection of two arterial streets. Sign area for each side of the sign shall not exceed 64 square feet. Maximum height of the sign shall not exceed 20 feet.

(79 Code, § 156.13) (Ord. 967, passed 2-21-82; Am. Ord. 980, passed 10-17-83; Am. Ord. 1031, passed 3-17-86; Am. Ord. 95-402, passed 5-10-95; Am. Ord. 02-377, passed 1-29-03) Penalty, see § 155.99

## **§ 155.14 SIGN PERMIT.**

No person, firm, or corporation shall construct, erect, or maintain a sign within the limits of the city, without having first obtained a permit thus as herein provided. However, no permit is required for any residential, multi-residential signs in any district.

(`79 Code, § 156.14) (Ord. 967, passed 2-21-82; Am. Ord. 980, passed 10-17-83)

Penalty, see § 155.99

## **§ 155.15 ISSUANCE OF PERMITS AND APPEALS.**

Permits for signs shall be issued by the Zoning Officer, subject, however, to appeal before the Board of Appeals of the Building Code.

(`79 Code, § 156.15) (Ord. 967, passed 2-21-82; Am. Ord. 980, passed 10-17-83; Am. Ord. 1005, passed 4-1-85; Am. Ord. 89-165, passed 8-7-89; Am. Ord. 97-047, passed 2-12-97)

## **§ 155.16 APPLICATIONS.**

Applicants shall present the sign permit application to the Zoning Officer.

(`79 Code, § 156.16) (Ord. 967, passed 2-21-82; Am. Ord. 980, passed 10-17-83; Am. Ord. 89-165, passed 8-7-89)

## **§ 155.17 PERMIT ISSUANCE.**

The Zoning Officer shall, upon receiving an application for permit, have seven days from the receipt of the application and payment of the requisite fee, to either issue a permit for sign or deny the permit.

(`79 Code, § 156.17) (Ord. 967, passed 2-21-82; Am. Ord. 980, passed 10-17-83; Am. Ord. 1005, passed 4-1-85; Am. Ord. 89-165, passed 8-7-89)

### **§ 155.18 APPEAL PROCEDURE.**

(A) Any applicant may appeal a denial of the issuance of a sign permit by the Zoning Officer by filing a written objection to the Zoning Officer of the Zoning Officer's denial of the permit. Any appeal of Zoning Officer's decision shall be brought to the Board of Appeals of the Building Code.

(B) The Board of Appeals of the Building Code has the authority to concur with or override the Zoning Officer's denial of issuance of a sign permit. The Board of Appeals of the Building Code shall confine its investigation and ruling to a review of the correctness of the Zoning Officer's interpretation of the sign ordinances of the city.

(C) The hearing shall be open to the public and shall be informal in nature. However, the applicant has the right to be represented by counsel and to present evidence and witnesses.

(`79 Code, § 156.18) (Ord. 967, passed 2-21-82; Am. Ord. 980, passed 10-17-83; Am. Ord. 89-165, passed 8-7-89; Am. Ord. 97-047, passed 2-12-97)

### **§ 155.19 REVOCATION OF PERMIT.**

(A) The Zoning Officer shall have the right to revoke all permits if the sign is altered or changed in any way or is not being maintained, or is a hazard.

(B) An appeal of the Zoning Officer's decision to revoke a sign permit shall be heard by the Board of Appeals of the Building Code. The appeal must be filed in writing to the Zoning Officer within seven days of the Zoning Officer's revocation of the permit.

The Board of Appeals of the Building Code has the authority to concur with or override the Zoning Officer's decision.

(C) The hearing shall be open to the public and shall be informal in nature. However, the appellant has the right to be represented by counsel and to present evidence and witnesses.

(`79 Code, § 156.19) (Ord. 967, passed 2-21-82; Am. Ord. 980, passed 10-17-83; Am. Ord. 89-165, passed 8-7-89; Am. Ord. 97-047, passed 2-12-97)

## **§ 155.20 NONCONFORMING SIGNS.**

Any nonconforming sign lawfully in existence at the time of the adoption of this chapter and which remains nonconforming, and any sign which shall become nonconforming upon the adoption of this chapter, or any subsequent amendments hereto, may be continued in accordance with the provisions of this section.

(A) Ordinary repairs and maintenance, including removal and replacing of the outer panels shall be permitted, provided that no structural alteration or other work shall appreciably extend the normal life of the sign.

(B) No repair or alteration which increases the size of the sign shall be permitted.

(C) No sign shall be moved in whole or in part to any other location on the same or other lot unless every portion of such sign is made to conform to all of the regulations of this chapter and other applicable regulations of the city.

(D) (1) A nonconforming sign which is destroyed or damaged by fire or other casualty or act of God, to the extent that the cost of restoration to the condition in which it was before the occurrence shall exceed 50% of the cost of the replacement of the entire graphic, shall not be restored unless said sign shall conform to all of the regulations of this chapter and other applicable regulations of the city.

(2) In the event such damage or destruction is less than 50% of the cost of restoration of the sign to the condition in which it was before the occurrence of

damage or destruction, no repairs or reconstruction shall be made unless such restoration is started within 30 days from the date of such damage or destruction, and provided further that completion is accomplished within three months from the date of such damage or destruction.

(3) If the restoration is not started within 30 days from the date of such damage or destruction, and diligently pursued to completion, the sign shall be removed.

(E) If the name of the business changes, the nonconforming sign shall be discontinued.

(F) If a nonconforming sign is discontinued for a continuous period of one year, it shall not be renewed, and any subsequent sign shall conform to all the requirements of this chapter and other applicable regulations of the city.

(G) All nonconforming signs and signs that have been previously granted a variance prior to the effective date of this chapter (January 2008) must be removed, changed or altered to conform to the provisions of this chapter no later than January 2018. However, the City Council may grant an extension of the time period in those instances where there is a definite financial hardship on the commercial establishment of the owner or occupant of the property in removing the sign. The extension of time based upon hardship may be granted once for a maximum period of up to two years by the City Council.

(H) No substitution, through repair or alteration, of any element of a graphic for another such element, which causes such sign to be classified as nonconforming, shall be permitted.

(`79 Code, § 156.20) (Ord. 967, passed 2-21-82; Am. Ord. 980, passed 10-17-83; Am. Ord. 1031, passed 3-17-86; Am. Ord. 02-377, passed 1-29-03) Penalty, see § 155.99

## **§ 155.21 REMOVAL OF CERTAIN SIGNS.**

Any sign now or hereafter existing which no longer advertises a bona fide business conducted, shall be taken down or removed by the owner, agent, or person having the beneficial use of the building or structure upon which the sign may be found, within 60 days after written notification from the Sign Committee.

(`79 Code, § 156.21) (Ord. 967, passed 2-21-82; Am. Ord. 980, passed 10-17-83)  
Penalty, see § 155.99

## **§ 155.22 SIGN FEES.**

(A) The fee for a sign permit shall be based upon the value of the sign as follows:

- (1) \$25 for a sign valued at \$1,000 or less, plus
- (2) \$ 5 per each additional \$1,000 valuation [includes installation cost], and
- (3) \$30 for electrical connections or wiring [if applicable].

(B) There shall be a permit fee of an amount of \$25 (\$10 for local church, school, and community service organization) for issuance of a temporary or special event sign pursuant to § 155.10.

(`79 Code, § 156.22) (Ord. 980, passed 10-17-83; Am. Ord. 1031, passed 3-17-86; Am. Ord. 02-377, passed 1-29-03)

## § 155.23 VARIATIONS.

(A) The board of the Building Code of Appeals may grant a variance of the sign code, including § 155.07 Lettering but in no case shall a variance be granted by the Building Code of Appeals which increases the number of signs or any dimension (height, length, width, or area) to an amount greater than 25% (15% in the Historic District) of the corresponding dimensions normally permitted in this chapter. For any request over 25% (15% in the Historic District), the Board of Appeals of the Building Code shall make a recommendation to the City Council and such decision thereafter shall be considered by the City Council.

(B) An application for a variation shall be filed with the Planning and Building Department, who shall forward without delay a copy to the Chairman of the Board of Appeals of the Building Code. The application shall contain the following information:

- (1) The particular requirements of the code which prevent the proposed sign.
- (2) The characteristic of the property and the proposed sign.

(C) Each variation request to the Board of Appeals of the Building Code shall be accompanied by a \$100 nonrefundable fee, to be paid at the time of filing of the variation request.

(D) The Board of Appeals of the Building Code shall hold a public hearing on a variation request within 6 days of its completed written filing.

(1) Public notice of such hearing shall be published at least once, but not less than 15 days nor more than 30 days before such hearing, in a newspaper circulated within the city.

(2) The City Council members, and in the case where a variance is requested for a sign in the Historic District the members of the City's Heritage and Architecture Commission, shall be notified of the request and date of the hearing.

(E) (1) Following the public hearing the Board of Appeals of the Building Code shall either grant or deny the permit.

(2) The Board shall base its decision after the evidence presented and whether the variation will not merely serve as a convenience to the petitioner, but is necessary to alleviate some demonstrable hardship or unusual practical difficulty and that the granting of the variation will not in any way be inconsistent with the intent and objections of this chapter.

(F) (1) In those cases where the City Council grants or denies the permit following the public hearing, the Board of Appeals of the Building Code shall transmit within 30 days to the City Council a report containing its findings of fact and recommendations for action to be taken by the City Council.

(2) The Board shall base its recommendation after the evidence presented and whether the variation will not merely serve as a convenience to the petitioner, but is necessary to alleviate some demonstrable hardship or unusual practical difficulty and that the granting of the variation will not in any way be inconsistent with the intent and objectives of this chapter.

(3) After receiving the recommendations and the report of the Board of Appeals of the Building Code, the corporate authorities of the city may within 90 days review the recommendation of the Board of Appeals of the Building Code and grant the variance, or deny the variance.

(Ord. 97-047, passed 2-12-97; Am. Ord. 02-351, passed 4-1-02; Am. Ord. 02-377, passed 1-29-03; Am. Ord. 04-426, passed 1-28-04)

## § 155.24 SIGNS IN THE RIGHT-OF-WAY.

- (A) Traffic or other municipal street signs such as railroad crossing signs, legal notices, and such temporary emergency signs as may be authorized by the City Council.
- (B) City owned or permitted plaza signs.
- (C) Emergency signs.
- (D) The City Administrator or designee is authorized to immediately remove any illegal sign located in any public right-of-way.

(Ord. 05-514, passed 7-13-05)

## § 155.25 DESIGN STANDARDS FOR SIGNS.

### (A) General

- (1) Parking and directional signs shall be used to effectively direct vehicles and pedestrians.
- (2) Signs shall be located to not interfere with the safe and orderly ingress and egress of vehicles and pedestrians.
- (3) Lighting standards are contained in § 155.06 LIGHTING AND COLORS ALLOWED.

### (B) **Type 1 flat signs and Type 2 dimension surface signs**

- (1) Wall signs shall be made of individual letters and characters
- (2) Wall signs designed to allow the removal of the entire surface devoted to the message area and allow for its replacement en masse shall be prohibited.
- (3) Wall signs within a multiple tenant building (excluding the historic district) shall be of common vertical height, elevation and common architecture.

### (C) **Type 5 free standing sign**

- (1) All free-standing signs shall be ground mounted (monument style). Pole mounted signs shall be prohibited.

(2) Monument style signs shall have a masonry stone, brick or similar base with at least five (5) feet of landscaping at the base.

(3) Signs must compliment the design of the principal structure including the use of corresponding materials.

(Ord. 08-812, passed 8-20-08)

## **SIGN PLAZAS**

### **§ 155.35 PURPOSE.**

Regulations pursuant to this chapter pertaining to the establishment and use of directional sign plazas shall be adopted as follows. The purpose of these regulations is to establish consistent regulation of the installation, use, lease and maintenance of sign plazas as required by this chapter and to provide a uniform, coordinated method of providing homebuilders and developers a means of utilizing directional signs while minimizing any negative impacts to the city and its residents.

(Ord. 05-515, passed 7-13-05)

### **§ 155.36 DEFINITIONS.**

For the purpose of this chapter, the following definitions shall apply unless the context clearly indicates or requires a different meaning.

***DIRECTIONAL SIGN.*** Any off-site, free- standing sign which is designed, erected and maintained to serve as a public convenience in directing pedestrian and vehicular traffic, but not intended for the purpose of advertising on-site uses or activities.

***LICENSEE.*** A person, persons, firm or corporation authorized by the license agreement to design, erect, and maintain directional sign plazas within the city.

***PERSON.*** An individual, form, partnership, joint venture, association, corporation or any other group acting as an independent unit.

***RESIDENTIAL DEVELOPMENT.*** The active construction or sales promotion of any new residential homebuilding community or business, to include single family detached, single family attached, townhouse, condominium, and multi-family residential.

***SIGN PANEL.*** An individual sign placard displaying directional information relating to residential developments, communities, homebuilders, and public services.

***SIGN PLAZA.*** Those sign structures featuring the developer ID panel at the top of each structure and are located within, or immediately adjacent to, a subdivision or neighborhood for the purpose of directing traffic to the location of individual development or homebuilder communities. These sign panels may display the name of a development or homebuilder with preferred logo, artwork, lettering, and/or colors and accompanying directional arrows. Sign panels shall not otherwise display any type of advertisements or price ranges.

***STREET INTERSECTION.*** Where two or more roadways cross at the same grade. (Ord. 05-515, passed 7-13-05)

## **§ 155.37 REQUIREMENTS FOR APPROVAL.**

Notwithstanding any other provisions of these regulations, the city may approve and permit sign plazas subject to the following requirements and limitations:

- (A) All sign plazas and individual sign panels must have the approval of and any applicable permit(s) issued by city. Fees for the sign plazas (and sign panel permit(s), if any) shall be as set forth in the license agreement.
- (B) Placement and installation of sign plazas must be in accordance with approved permit specifications as dictated by the relevant jurisdictional sign code.
- (C) In the event a sign plaza is not constructed within 120 days after the date of issuance of a sign plaza permit, such permit shall expire.
- (D) Sign plazas shall not obstruct the use of any sidewalk, walkway, or bike or hiking trail; shall not obstruct the visibility of vehicles, pedestrians or traffic control signs; shall not be installed in the immediate vicinity of a street intersection; and shall comply with the transportation safety requirements of the jurisdiction.

- (E) Sign plaza structures shall be ladder type with individual sign panels of uniform design.
- (F) Neighborhood sign plazas shall not exceed eight feet in height and five feet in width, when located immediately adjacent to individual developments or communities. Municipal directional signage shall not be required on the neighborhood version of the sign plazas.
- (G) Sign plazas, or any part thereof, shall not be illuminated.
- (H) Sign plaza installations shall include break away design safety features as required in right-of-way areas.
- (I) No signs, pennants, flags, or other devices for visual attention or other appurtenances shall be placed on the directional sign plazas.
- (J) Once approved by the city, the city logo and name of its designation shall be displayed prominently at the top of each community directional sign plaza.
- (K) The city and its officers and employees shall not be liable for any costs, claims, or damages resulting from or relating to the design, erection, maintenance, or use by any person of any directional sign plaza or individual sign panel.

(Ord. 05-515, passed 7-13-05) Penalty, see § 155.99

### **§ 155.38 LICENSE AGREEMENT.**

- (A) The City Council may, by duly executed license agreement, grant to a qualified person the exclusive right to design, erect, and maintain directional sign plazas within the city. In addition to any other conditions imposed by the City Council upon the licensee, any licensee shall be subject to the following minimum requirements and limitations:
  - (1) Prospective licensee shall make application to city for a proposed sign plaza program. A license shall be awarded based on a review of the application and the applicant's demonstrated qualifications, abilities, and commitments to fulfill the requirements of the license agreement.

- (2) The license agreement shall be for a set term of five years and shall be renewable for additional ten-year periods upon application and approval.
  - (3) Licensee shall make directional sign plaza panels available to all developments and homebuilders operating within the jurisdictional limits on a first-come, first-served basis. However, when extra panel space may be available, Residential developments and homebuilders located outside the jurisdictional limits also may lease sign panels. Developments and homebuilders operating within the city limits shall have first priority to lease sign panels.
  - (4) Licensee shall provide, at no cost to the city, municipal directional sign panels which will comprise up to 10% of all sign panels permitted, for uses of public purpose directional signage to municipal or community services or sites, as designated by the city.
- (B) Notwithstanding the provisions of division (A) above, any person erecting or placing signs on-site shall not be required to obtain a license, but shall be subject to all other provisions of the code, including application for and issuance of sign permits.

(Ord. 05-515, passed 7-13-05) Penalty, see § 155.99

### **§ 155.99 PENALTY.**

- (A) *Fine.* Any person, firm, company, or corporation, whether acting as principal, agent, employee, or otherwise, violating any provision of this chapter, or any provision under which a sign permit has been granted hereunder, shall be fined not less than \$10 nor more than the maximum amount set forth in § 10.99. Such person shall be deemed guilty of a separate offense for each day during any portion of which any violation of the chapter is committed, continued, or permitted by such person, and upon conviction thereof, shall be punished as herein provided.

(C) *Legal procedure.* Any sign hereafter set up, erected, built, moved, or maintained contrary to the provisions of this chapter, shall be declared to be unlawful, and the City Attorney shall, upon order of the City Council, immediately commence actions for the abatement, removal, and injunction thereof and in the manner provided by law, and shall take such steps and shall apply to such court as may have jurisdiction, to grant such relief as will abate or remove such sign and enjoin and restrain any person from setting up, erecting, building, moving, or maintaining such sign contrary to the provisions of this chapter.

(`79 Code, § 156.99) (Ord. 967, passed 2-21-82; Am. Ord. 980, passed 10-17-83)