

ORDINANCE 25-136

Introduced by Councilor Anderson

AN ORDINANCE AMENDING CHAPTER 50, ARTICLE IV, SECTION 50.0842

THE CITY COUNCIL OF ALBERT LEA, MINNESOTA ORDAINS:

SECTION 1. Chapter 50, Article IV – Signs, Section 50.0842, of the Code of Ordinance of the City of Albert Lea, Minnesota is hereby amended to read as follows:

Sec. 50.0842. – Definitions.

The following words, terms and phrases, when used in this chapter, shall have the meanings ascribed to them in this section, except where the context clearly indicates a different meaning:

Abandoned sign means any sign and/or its supporting sign structure which remains without a message or whole display surface remains blank for a period of one (1) year or more, or any sign which pertains to a time, event or purpose which no longer applies, shall be deemed to have been abandoned.

Alteration means any change to a sign, excluding routine maintenance, painting, or change of copy of an existing sign.

Area identification sign means a sign which identifies a development, such as the name of a neighborhood, a residential subdivision, a multiple residential complex consisting of three (3) or more residential buildings, a shopping center consisting of three (3) or more separate business concerns, a singular freestanding commercial building fifty thousand (50,000) square feet or larger, an industrial building in excess of one hundred thousand (100,000) square feet, an industrial area, an office complex consisting of three (3) or more buildings or any combination of the above.

Awning means a roof-like cover, often of fabric, plastic, metal, or glass, designed and intended for protection from the weather or as a decorative embellishment, and which projects from a wall or roof of a structure primarily over a window, walk, or the like. Any part of an awning that also projects over a door shall be counted as an awning.

Awning sign means a building sign or graphic printed on or in some fashion attached directly to the awning material.

Banner sign means a temporary sign composed of lightweight material, ground-mounted or secured on a building or other structure.

Billboard. See definition for off-premise sign.

Bench sign means a sign affixed to or painted on a bench, such as at a public transit stop or a public park.

Building façade means that area of the exterior of a building extending from grade to the top of the exterior wall and the entire width of the building elevation.

Cabinet sign means any wall sign that is not of channel or individual mounted letter construction.

Canopy/vehicular service means a permanent roof-like structure, either attached or detached from a permitted building, designed to provide cover for off-street vehicle service areas (such as gasoline station pump islands, drive-in establishments, truck loading berths, etc.).

Class I restaurant means a traditional restaurant where food is served by a waitstaff or waited to a customer and consumed while seated at a counter or table. Food is usually served on non-disposable containers.

Class II restaurant means fast food restaurants in which a majority of the customers are served food at a counter and take it to a table to eat or may take food outside to consume in a vehicle or off the premises.

Commercial speech means advertising a business, profession, commodity or service.

Directional sign means a sign providing directional information about the use or uses within the site where the sign is located.

Dissolve means a mode of message transition on an electronic message sign accomplished by varying the light intensity or pattern, where the first message gradually appears to dissipate and lose legibility simultaneously with the gradual appearance and legibility of the second message.

Double-faced sign means for the purpose of sign area, a double-faced sign shall be considered one (1) sign. If the sign copy is the same on both sides, the sign area shall be one (1) side. If the sign copy is different on both sides, each side will be calculated separately.

Dynamic display off-premise sign means an off-premise sign or a portion thereof that displays static or dynamic text, images, graphics, or pictures where the message change sequence is accomplished by any method other than physically or mechanically removing and replacing the sign face or its components, whether the apparent movement or change is in the display, the sign structure itself, or any other component of the billboard. This includes a display that incorporated a technology or method allowing the sign face to change the image without having to physically or mechanically replace the sign face or its components. This also includes but is not limited to any display that incorporates light bulb, fiber optics, LED lights manipulated through digital input, "digital ink" or any other method or technology that allows the sign face to present a series of text, images or displays.

Electronic messaging sign means signs, displays, devices or portions thereof with lighted messages that change at intermittent intervals by electronic variable message center or display video sign. Only for on premise content use. Electronic message signs are not identified as flashing or motion signs.

Elevation means the view of the side, front or rear of a given structure.

Event means an organized function that serves to advertise and/or promote the individual business or business's property.

Fade means a mode or message transition on an electric message sign accomplished by varying the light intensity, where the first message gradually reduces intensity to the point of not being legible and the subsequent message gradually increases intensity to the point of legibility.

Flag or feather sign means any fabric or similar lightweight material attached at one (1) end of the material usually to a staff or pole, as to allow movement of the material, usually mounted into the ground or staff holder.

Flashing sign means a directly or indirectly illuminated sign that exhibits rotating, flashing or intermittent lights, animation or exhibits noticeable changes in color, intensity, texture, shape pattern, or light intensity. A flashing sign shall not include an electronic message sign provided the sign complies with Sec. 50.0844.

Freestanding sign means any sign that has supporting framework that is placed on or anchored in the ground and that is independent from any building or other structure.

Human sign means a sign held by or attached to a person for the purpose of advertising or otherwise drawing attention to a business, commodity, service or product. This also includes a person dressed in a costume for the purpose of advertising or drawing attention to a business, commodity, service or product.

Nameplate sign means a sign bearing the name or address or both of the business or the occupant of the building on which it is located.

Illuminated sign means any sign designed to be and/or is lighted by an artificial light source either directed upon it or illuminated from an interior source. All illuminated signs shall have light sources shielded to confine direct illumination to the face area of the sign.

Inflatable sign means any object that enlarges or is inflated that floats, is tethered in the air, is activated by air or moving gas, or is located on the ground or on a building with or without copy or other graphics. These signs include large single displays or a display of smaller inflatable items, such as balloons, connected in some fashion to create a larger display for the purpose of attracting attention.

Monument sign means any sign supported by a base that is equal to or greater in width than the sign cabinet the base is intended to support/display. The base of the monument sign

shall be constructed using similar exterior materials as the building(s) to which the sign corresponds or an approved alternative high-quality material (e. g., stone veneer). Monument signs may also consist of painted text or channel letters mounted on a freestanding seating wall or retaining wall where the total height of the structure meets the limitation of this code.

Motion sign means any sign that revolves, rotates, has any moving parts or gives the illusion of motion, electronically or otherwise. A motion sign shall not include an electronic message sign provided the sign complies with sections 50.0843 and 50.0844.

Multiple-tenant site means any site which has more than one (1) tenant, and each tenant has a separate ground level exterior public entrance.

Nonconforming sign means a sign lawfully constructed prior to the time of the passage of the ordinance from which this section is derived, or amendment thereto, but which does not conform to the regulations of this chapter.

Noncommercial speech means the dissemination of messages not classified as commercial speech which include, but are not limited to, messaged concerning political, religious, social, ideological, public service, governmental and information topics.

Off-premise sign means a commercial speech sign which directs attention of the public to a business, activity conducted, or product sold or offered at a location not on the same lot on which such sign is located.

Pennant means attention-getting devices, such as streamers or stringers, constructed of paper, cloth plastic or similar materials (excluding banners and flags).

Permanent sign means any sign that is not a temporary sign.

Portable sign means a temporary sign and/or reader board so designed as to be movable from one (1) location to another which is not attached to the ground or any permanent structure.

Projecting sign means a sign, other than a wall sign, which is affixed to a building and which has sign faces extending perpendicular from the building wall.

Reader board sign means that a portion of a sign with changeable copy or a message not to exceed forty (40) percent of the allowable sign area except electronic message signs.

Real estate sign means a temporary sign located on a lot for the purpose of announcing a sale, lease, or rental of such lot or a building or structure located thereon.

Roof sign means any sign that is erected, constructed or attached wholly or in part upon or above the roof of a building.

Rotating sign means a sign revolving or rotating on its axis by mechanical means.

Sandwich board means a two-sided temporary sign constructed to form an “A” or tent-like shape.

Search light means an apparatus containing a source of light and a reflector that projects the light produced in a concentrated, far-reaching beam for the purpose of advertisement.

Setback, front means the minimum horizontal distance permitted between the public right-of-way and a structure on the premises. In instances in which a property fronts on more than one (1) street, front setbacks are required on all street frontages.

Setback, rear means the minimum horizontal distance permitted between the side lot line and a structure on the premises.

Sign means any structure, device, advertisement, or visual representation intended to advertise, identify, or communicate information, or attract the attention of the public for any purpose; and without prejudice to the generality of the foregoing includes: any symbols, letters, figures, illustrations, or wall graphics painted or otherwise affixed to a building, structure, vehicle, container, trailer, or landscape feature.

Sign area means the size of the sign face, or, where there is no sign face, the actual display of letters, symbols, insignias, figures or other media representing a message or communication, the area of which is determined by blocking the media area into a parallelogram and measuring the sides to calculate the square footage.

Sign, maximum height of, means the vertical distance measured from grade or other reference elevation as herein specified to the upper limit of a sign.

Sign structure means the base, supports, uprights, bracing and framework for a sign including the sign area.

Street frontage means the linear length in feet of the property line adjacent to public streets.

Swinging sign means any sign designed to be swayed, rocked, or so moved by wind or other natural phenomenon.

Temporary sign means a non-permanent sign that is located on private property.

Traffic control sign means any sign erected by a governmental unit for the purpose of directing or regulating vehicular and pedestrian traffic.

Transition means a visual effect used on an electronic message sign or dynamic sign to change from one (1) message to another.

Unlawful sign (nonconforming sign) means a sign existing prior to or after the passage of the ordinance from which this section is derived, or amendments thereto, which does not conform

with the regulations of this chapter and is not an existing legal sign, or is not a legal nonconforming sign, or is not a sign erected with a sign permit.

Wall means the building façade area that defines the front of the building. The front is a continuous line of a building that connects side wall to side wall and faces one (1) public right-of-way.

Wall graphics means a graphic design or a decorative mural not intended for identification or advertising purposes, which is painted directly on or affixed to an exterior wall surface.

Wall sign means a sign with permanent lettering that is affixed to the exterior wall of a building and has a sign face that is parallel to the building wall. A wall sign shall not project more than twelve (12) inches from the surface to which it is attached, nor shall it extend more than eighteen (18) inches beyond the top of the building, eave, or parapet.

Window sign means a temporary sign affixed to the interior of a window in view of the general public.

Yard sign means a small, often rectangular sign that is placed on a lawn. These signs are commonly made of corrugated plastic or cardstock and one (1) or two (2) wires or stakes to mount on the ground. They are typically placed in high-visibility locations such as along busy roads or at intersections, to attract the attention of passing drivers and pedestrians.

That the motion for the adoption of the foregoing resolution was duly seconded by Councilor Baker, and upon a vote being taken thereon, the following voted in favor thereof: Councilors Christensen, Baker, Howland, Olson, Van Beek, Anderson, and Mayor Murray;

And, the following voted against the same: None.

Introduced and read the first time on the 12th day of May, 2025

Introduced and read the second time on the 27th day of May, 2025

Mayor Rich Murray

Filed and attested this 28th day of May, 2025

Secretary of the Council