

ORDINANCE NO. 2022-11-15-41

AN ORDINANCE AMENDING CHAPTER 32 SIGNS, REVISED CODE OF ORDINANCES, CITY OF ELGIN, TEXAS AND MODIFYING SECTION 32-3, SECTION 32-57, SECTION 32-103, SECTION 32-127, SECTION 32-164, SECTION 32-167, SECTIONS 32-193, SECTION 32-194, SECTIONS 32-215 THRU 32-221, SECTION 32-225, SECTION 32-267, SECTION 32-298, SECTIONS 32-319 THRU 32-320, SECTION 32-322, SECTION 32-325, & SECTION 32-331 & ADDITION IN ITS ENTIRETY OF SECTION 32-170. REPEALING ALL OTHER ORDINANCES AND PARTS OF ORDINANCES IN CONFLICT THEREWITH; AND PROVIDING FOR A SAVINGS CLAUSE.

WHEREAS, the City Council of Elgin, Texas (“City Council”) desires to update certain regulations regarding signage regulations; and

WHEREAS, City staff has determined that the proposed amendments provide an updating of signage regulations to address concerns and issues; and

WHEREAS, City staff has posted proper notice and conducted public hearings in accordance with state law; and

WHEREAS, City Council finds that the proposed amendments are in the best interests of the City and its residents.

BE IT ORDAINED BY THE COUNCIL OF THE CITY OF ELGIN, TEXAS:

I.

That Chapter 32, revised Code of Ordinances, City of Elgin, Texas, is hereby amended as shown in Exhibit “A”. As shown on Exhibit “A”, which modifies Section 32-3, Section 32-57, Section 32-103, Section 32-127, Section 32-164, Section 32-167, Sections 32-193, Section 32-194, Sections 32-215 Thru 32-221, Section 32-225, Section 32-267, Section 32-298, Sections 32-319 thru 32-320, Section 32-322, Section 32-325, & Section 32-331 & adds In Its Entirety Section 32-170

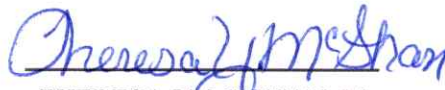
II.

A. All ordinances, parts of ordinances, or resolutions in conflict herewith are expressly repealed.

B. The invalidity of any section or provision of this Ordinance shall not invalidate other sections or provisions thereof.

C. The City Council hereby finds and declares that written notice of the date, hour, place, and subject of the meeting at which this Ordinance was adopted was posted and that such meeting was open to the public as required by law at all times during which this Ordinance and the subject matter hereof were discussed, considered and formally acted upon, all as required by the Open Meetings Act, Chapter 551, Texas Government Code, as amended.

READ, PASSED, and ADOPTED on first (1st) reading this the 15th day of November, 2022.



THERESA Y. MCSHAN, Mayor
City of Elgin, Texas

ATTEST:

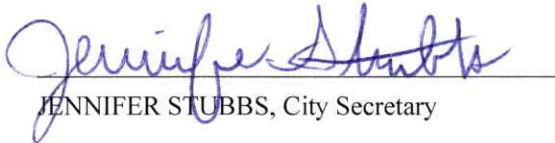

JENNIFER STUBBS, City Secretary

EXHIBIT A

Amendments to Chapter 36 of the Elgin Code of Ordinances are shown in **red underline or red strikethrough**. Only the text in **red underline or red strikethrough**, shall change.

Chapter 32 SIGNS

ARTICLE I. IN GENERAL

Sec. 32-1. Title and purpose.

- (a) *Title.* This chapter is set forth to establish regulations and standards for the construction, maintenance, and removal of signs. This chapter shall also be known as the "Sign Ordinance."
- (b) *Purpose and intent.*
 - (1) Signs constitute a separate and distinct use of the land upon which they are placed and affect the use of adjacent streets, sidewalks and property.
 - (2) The provisions of this chapter are made to establish reasonable and impartial regulations for all exterior signs and to:
 - a. Further the objectives of the comprehensive plan of the city;
 - b. Protect the general public health, safety, convenience and welfare;
 - c. Reduce traffic hazards caused by unregulated signs which may distract, confuse and impair the visibility of motorists and pedestrians;
 - d. Ensure the effectiveness of public traffic signs and signals;
 - e. Protect the public investment in streets, highways and other public improvements;
 - f. Facilitate the creation of an attractive and harmonious community;
 - g. Protect property values and to further economic development.

Sec. 32-2. Applicability.

These sign regulations shall apply to all exterior signs within the city limits and its extraterritorial jurisdiction.

Sec. 32-3. 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:

Administrator means the designated government official whose responsibility it is to administer the provisions of this chapter. These activities may include, but are not limited to, reviewing applications for sign permits, corresponding and/or meeting with applicants, issuing and denying sign permits, inspecting signs and interpreting and enforcing the provisions of this chapter.

Awning means any nonrigid material such as fabric or flexible plastic that is supported by or stretched over a frame that is attached to an exterior wall.

Awning sign means a sign placed directly on the surface of an awning.

Banner means a sign that is mounted on or attached to a nonrigid surface such as cloth, fabric or paper.

Billboard. See *Off-premises sign*.

Bulletin board sign means a particular type of changeable copy sign that displays copy in a casement made of glass or plexiglass.

Canopy means an extension of the roof of a building or a freestanding structure that has a roof with support, but no walls.

Canopy sign means a sign attached to a canopy.

Changeable copy sign means a sign that is designed so that characters, letters or illustrations can be changed or rearranged without altering the face or surface of the sign.

Copy means the characters, letters or illustrations displayed on a sign face.

Directional sign means a sign that provides on-site directional assistance for the convenience of the public such as location of exits, entrances and parking lots.

Directory sign means a sign which displays the names and/or addresses of the establishments or uses of a building or group of buildings.

Door sign means any sign painted on, or applied directly to, any door of a building.

Feather sign means a sign that is shaped like a feather, these signs are typically on a single staff and are designed to flap in the wind.

Freestanding sign means the general term for any on-site sign which is supported from the ground and not attached to a building.

Frontage, building, means the length of a building that faces a street, parking area or private drive.

Frontage, lot, means the length of that part of a ~~zoning~~ lot that fronts a public street.

Illegal sign means a sign that was constructed in violation of regulations that existed at the time it was built.

Illuminated sign means a sign illuminated in any manner by an artificial light source, whether internally or externally lit.

Marquee means a permanent structure other than a roof attached to, supported by, and projecting from a building and providing protection from natural elements.

Marquee sign means a sign attached to and made part of a marquee or any other similar projection from a building.

Master sign plan means a sign plan that may be submitted for a nonresidential development in commercial and industrial districts for tracts larger than ten (10) acres as part of a required site plan submission, a building addition to an existing site or a revision to an approved site plan. The term "master sign plan" includes all proposed signs and sign locations for the entire nonresidential development. A master sign plan shall be approved by the city council at a regularly scheduled meeting.

Monument sign means a freestanding sign with a base affixed to the ground which measures at least two-thirds the length of the sign.

Nonconforming sign.

- (1) The term "nonconforming sign" means a sign that met all legal requirements when constructed but that is not in compliance with this chapter.
- (2) The term "nonconforming sign" does not mean an illegal sign.

Off-premises sign means any sign which is not located on the premises that it identifies or advertises.

Pole sign means a freestanding sign ~~with a base at least seven feet above the ground~~ which is supported from the ground by a pole or a similar support structure of narrow width.

Portable sign means a sign that is not permanently affixed to a building, structure or the ground or designed to be permanently affixed to a building, structure or the ground.

Projecting sign means a sign which is supported by an exterior wall of a building and which is displayed perpendicular to the face of the building.

~~*Shopping center* means any lot with five or more establishments.~~

Sight ~~distance-visibility~~ triangle means the land adjoining a street intersection that is kept clear of obstructions between three (3) and seven (7) feet above ground to protect the visibility and safety of motorists and pedestrians. ~~The protected sight distance area is the triangle with legs that are the intersecting flowlines of two (2) streets at an intersection. Where local streets meet, the legs shall extend thirty five (35) feet away from the intersection of the flowlines. Where collector or arterial streets meet, the legs shall extend forty five (45) feet away from the intersection of the flowlines.~~

Sign means any device situated outdoors that displays letters, characters or graphics to identify a land use or attract the public's attention. The term "Sign " for regulatory purposes shall not include the following objects: graveyard and cemetery markers visible from a public area; vending machines or express mail drop-off boxes visible from a public area, not including any Sign extending outside or above the vending machine or express mail drop-off box; decorations that do not constitute advertising visible from a public area; artwork that does not constitute advertising or a building's architectural features visible from a public area; a manufacturer's or seller's markings on machinery or equipment visible from a public area; official public notices and court markers required by federal, state, or local regulation; newspapers, leaflets or books intended for individual distribution to members of the public; and attire that is being worn, badges, and similar personal gear. The foregoing are not Signs for purposes of these regulations.

Storefront means any business which occupies a ground floor area of a building with an entrance and display area located at the front of a building.

Temporary sign means a sign that is displayed only for a specified period of time.

Wall sign means a sign painted on or attached to a wall of a building and parallel to the wall.

Window sign means any sign painted on, or applied directly to, any window of a building.

Wireless communication facility (WCF) identification sign means a sign identifying each service provider for the operation and maintenance of a WCF placed on-site of the facility and easily read from the outside of the perimeter of the WCF. It only provides the name, address, and emergency telephone number of the responsible service provider. Other signage as required by the Federal Communications Commission (FCC) shall be included in this definition.

Secs. 32-4—32-24. Reserved.

ARTICLE II. ADMINISTRATION

DIVISION 1. GENERALLY

Sec. 32-25. Administrator.

The administrator shall have the responsibility and full authority to administer and enforce all provisions of this chapter, other than those provisions specifically reserved for the authority of the board of adjustment.

Secs. 32-26—32-53. Reserved.

DIVISION 2. PERMIT PROCEDURES

Sec. 32-54. Permit required.

No sign or sign structure, except as provided in sections 32-103, exempt signs, and article VI of this chapter, nonconforming signs, shall be erected, displayed, altered, relocated, or replaced until a sign permit has been issued. For the purposes of this chapter, all signs are considered accessory uses of real property and shall be located on the premises of the principal use to which they pertain.

Sec. 32-55. Permit application.

Applications for sign permits shall be submitted on a form provided by the administrator and shall contain or have attached at a minimum the following information in either written or graphic form:

- (1) Application date.
- (2) Name, address and telephone number of the sign owner and, if different, the owner of the land on which the sign will be erected.
- (3) Address of the property where the sign or sign structure will be erected.
- (4) Signature of the sign owner and, if different, the owner of the land on which the sign will be displayed.
- (5) Location of the sign on the property in relation to lot lines, buildings, sidewalks, streets, public rights-of-way and intersections.
- (6) Type of sign (e.g., monument, wall) and general description of structural design and construction materials.
- (7) Drawings of the proposed sign which shall contain specifications indicating height, perimeter and area dimensions, means of support, method of illumination, if any, and any other significant aspect of the proposed sign.
- (8) Any other information requested by the administrator in order to carry out the purpose and intent of this chapter.

Sec. 32-56. Permit review, issuance and recording.

The administrator shall examine all sign permit applications. Permit applicants shall be issued a copy of the original permit application with approval and approval date noted for all signs which conform to the requirements of this chapter. Such approved applications shall serve as sign permits. The administrator shall maintain a record of all sign permit applications with notations of approval or disapproval. All sign permits shall be dated and numbered in the order of their issuance. Within ten (10) work days of receiving an application for a sign permit the administrator shall review it for completeness. If it is found to be complete, the application shall be processed. If it is found to be incomplete, the administrator shall, within such ten (10) day period, send to the applicant a notice of the specific ways in which the application is deficient, with the appropriate references to the applicable sections of this chapter.

Sec. 32-57. Inspections.

~~A final inspection, as noted by the City, by the administrator or his designee~~ shall be completed for after ~~installation of~~ all approved signs. Any discrepancies between an approved sign and a sign as constructed shall be identified in writing and may result in the halt of construction or sign removal, if so ordered by the administrator.

Sec. 32-58. Complaints and revocations.

The administrator shall investigate any complaints or violations of this chapter and may revoke a permit if there is any violation of the provisions of this chapter or there was misrepresentation of any material facts in either the application or plans.

Sec. 32-59. Expiration of sign permits.

If an approved sign is not erected within a period of twelve (12) months from the date the permit was originally issued, the permit shall expire and become null and void.

Secs. 32-60—32-76. Reserved.

DIVISION 3. REMOVAL

Sec. 32-77. Illegal signs.

The administrator may remove or order the removal of any sign not in conformance with the provisions of this chapter, at the expense of the sign owner or lessee, after the sign owner or lessee has been provided a ten (10) day written notice to remove sign, or cure any violation of this chapter.

Sec. 32-78. Immediate peril.

If the administrator shall find any sign which is an immediate peril to persons or property, the sign shall be removed. If the administrator cannot locate the sign owner or lessee for immediate removal of the sign, he shall remove or order the removal of the sign at the expense of the sign owner or lessee.

Secs. 32-79—32-99. Reserved.

DIVISION 4. VARIANCES

Sec. 32-100. Generally.

The board of adjustment may grant variances for the following reasons:

- (1) To allow a setback for a sign that is less than the required setback.
- (2) To allow the area or height of a sign to be increased by up to forty (40) percent of the maximum height or area allowed.

Sec. 32-101. Standard of review.

The board of adjustment shall consider applications for variances only in situations where the applicant has been denied a sign permit by the administrator. The board of adjustment may grant a variance authorized by this chapter if it finds that the following special physical conditions exist:

- (1) The zoning lot on which an activity is located is unusually shaped or exhibits unusual topography; and
- (2) Such physical characteristics prevent legal signage from identifying the activity as compared to legal signage identifying other activities in the immediate area.

Sec. 32-102. Procedures.

All requests for variances must be filed with the board of adjustment within thirty (30) days of the decision by the administrator.

Sec. 32-103. Exempt signs.

Sign permits shall not be required for the following:

- (1) *Address and name of resident.* Signs indicating the address and/or name of the residential occupants of the premises, not exceeding two (2) square feet in area, and not including any commercial advertising or identification.
- (2) *Artwork.* Works of art that do not include any commercial messages or references.
- (3) *Decals.* Decals affixed to windows or door glass panes, such as indicating membership in a business group or credit cards accepted at the establishment.
- (4) *Directional signs.* Signs for nonprofit institutions or public amenities giving on-site directional assistance for the convenience of the public, not exceeding four (4) square feet in area and not in the public right-of-way. Directional signs may be internally lit or illuminated by white light only.
- (5) *Flags, emblems or insignia.* Flags, emblems and insignia of any governmental agency or religious, charitable, public or nonprofit organization, subject to the following:
 - a. No single flag that is flown shall exceed forty (40) square feet in area and no single zoning lot shall fly more than three (3) such flags.
 - b. If the total area of such flags exceeds seventy-two (72) square feet, the excess area shall be included in the sign area calculations for the ~~zoning~~ lot.
 - c. Flagpoles shall not exceed forty (40) feet in height.
 - d. Wall-mounted flags, emblems or insignia shall be limited to one per zoning lot and shall not exceed forty (40) square feet in area.
 - e. Other flags, emblems or insignia shall be limited to two (2) per utility pole and shall be at least seven (7) feet above the ground that exceed twenty-five (25) feet in height, with approval of the utility pole owner and the city's administration.
- (6) *Handicapped parking space sign.* Signs not exceeding two square feet in area reserving parking spaces for handicapped motorists.
- (7) *Home occupation signs.* On-premises identification signs for home occupations shall not exceed two (2) square feet in area ~~and shall contain only the name of the business and/or business owner~~. Such signs shall be located on an exterior wall, window or door of the premises.

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- (8) *Private drive signs.* On-premises private drive signs limited to one (1) per drive entrance not exceeding two (2) square feet in area ~~with language limited to the words "private drive" and the address of any residences utilizing the private roadway.~~
- (9) *Public or religious signs.* Signs erected by government agencies, religious organizations, or utilities including traffic, utility, safety, railroad crossing, and identification signs for public facilities, and any signs erected by the city council or under the direction of the city council.
- (10) *Security and warning signs.* On-premises signs regulating the use of the premises, such as "no trespassing," "no hunting" and "no soliciting" signs, that do not exceed two (2) square feet in area in residential areas and five (5) square feet in commercial and industrial areas.
- (11) *Temporary real estate signs.* Temporary signs indicating the availability of real property for lease or sale, located on the premises being leased or sold, subject to the following:
- a. Display of such signs shall be limited to one per property or one along each contiguous opened right-of-way.
 - b. Signs are to be non-illuminated.
 - c. In residential areas: ~~no~~Maximum of ~~t~~exceeding six (6) feet in height; maximum and not exceeding eight (8) square feet in area. ~~ea in residential zones~~
 - d. In non-residential areas and only contiguous to U.S. Hwy 290, State Highway 95, Farm to Market 1100 outside City limits, & Farm to Market 1704 outside City limit: Maximum of eight (8) feet in height; maximum of thirty-two (32) square feet in area.
 - e. In non-residential areas not covered under subsection d: Maximum of eight (8) feet in height; maximum of ~~and eight sixteen (16)~~ square feet in area ~~in all other zones.~~
 - f. Such signs shall be removed within seven (7) days of the settlement or lease of the property. This exception includes "garage sale" or similar signs in residential areas.
- (12) Wireless communication facility (WCF) identification sign.
- (13) Window sign.
- (14) Door sign.
- (15) Directional signs less than four (4) square feet in sign area.

Secs. 32-104—32-134. Reserved.

DIVISION 5. TEMPORARY SIGNS

Sec. 32-135. Permit required.

The signs in this division may be erected only after obtaining a temporary sign permit from the administrator. The permit shall cite the length of time the sign may be displayed. If any temporary sign is not removed by the expiration of the appropriate time limit noted in this section, the administrator may remove it and charge the costs of removal to the individual or enterprise responsible. No fees shall be charged for temporary signs.

Sec. 32-136. Construction signs.

Construction signs are temporary signs announcing new buildings or projects, erected after the commencement of building construction or site development. Each construction site shall be limited to one (1)

construction sign not exceeding twenty (20) square feet in area and eight (8) feet in height, which shall be removed by the time a permanent sign is erected or a certificate of occupancy for the building is issued, whichever occurs first.

Sec. 32-137. Political election signs.

Political election signs ~~shall not be erected earlier than 90 days before the election, such signs~~ shall be removed within ~~ten~~ fourteen (14) calendar days after the applicable election of the specific candidate, and such signs shall not be placed in, on or over any public street right-of-way.

Sec. 32-138. Seasonal signs.

Seasonal signs are temporary and/or portable off-premises or on-premises signs announcing the availability of seasonal products. The number of signs shall not exceed two (2) and the total area of all such signs shall not exceed twenty (20) square feet, nor shall any sign exceed six (6) feet in height. No seasonal sign shall remain in place for more than two (2) months in any given year.

Sec. 32-139. Special event signs and banners.

Special event signs and banners are signs announcing special events including, but not limited to, auctions, grand openings, new management, going out of business, and events sponsored by religious, charitable or public service groups. Any business, individual or organization may display once in a twelve (12) month period a maximum of eight (8) signs for up to twenty-one (21) days prior to a special event. Such signs shall be attached to buildings or existing private sign structures or sign poles with the permission of the owner and shall not exceed sixteen (16) square feet in area each and shall be removed immediately following the event. The size, number and location of banners crossing public streets shall be determined by the city council for special events only as approved by the city council.

Sec. 32-140. Temporary farm product signs.

Temporary farm product signs are temporary on-premises signs announcing the availability of seasonal farm products. The number of signs shall not exceed two (2) and the total area of all such signs shall not exceed twenty (20) square feet, nor shall any sign exceed six (6) feet in height.

Secs. 32-141—32-163. Reserved.

ARTICLE III. STANDARDS AND CRITERIA

DIVISION 1. GENERALLY

Sec. 32-164. Regulations; permit required for certain signs.

The regulations in this article specify the number, types, sizes, heights and locations of signs which are permitted within the city limits and which require a permit. Any sign regulations incorporated into a development agreement, PDD development plan, or master sign plan approved by the city council may supersede all or part of this article.

Sec. 32-165. Determination of sign area.

In measuring the area of signs permitted under this chapter, the entire face of the sign (one (1) side only) and any wall work incidental to its decoration shall be included. Where both sides of a sign contain lettering or other allowable display, one (1) side only shall be used to compute the allowable size of the sign. Where the sign consists of individual raised letters or a sign face of irregular shape, the sign area shall include the area of the smallest rectangle that can encompass the letters or sign face.

Sec. 32-166. Determination of sign height.

The height of a sign erected within thirty (30) feet of a street shall be the distance from the grade level of the nearest curb of the street to the top of the sign or sign structure, whichever is greater. The height of all signs farther than thirty (30) feet from a street shall be the distance from the grade level where the sign is erected to the top of the sign or sign structure, whichever is greater.

Sec. 32-167. Street frontage requirements for freestanding signs.

Freestanding signs shall be permitted only on ~~zoning~~ lots with sixty (60) feet or more of street frontage.

Sec. 32-168. Spacing of freestanding signs.

No freestanding sign shall be erected within one hundred (100) feet of another freestanding sign.

Sec. 32-169. Installation of wall signs.

All wall signs shall be installed flat against the wall of a building and shall not extend from the wall more than twelve (12) inches.

Sec. 32-170. Minimum sign setbacks and sight visibility triangles.

(1) Ten (10) feet from any property line if located on the ground.

(2) The protected sight distance area is the triangle with legs that are the intersecting flowlines of two (2) streets at an intersection. Where local streets meet, the legs shall extend thirty-five (35) feet away from the intersection of the flowlines. Where collector or arterial streets meet, the legs shall extend forty-five (45) feet away from the intersection of the flowlines.

Secs. 32-~~170~~171—32-191. Reserved.

DIVISION 2. RESIDENTIAL DISTRICTS

Sec. 32-192. Permits required.

Permits are required for all other allowed signs and must conform to the criteria in this division.

Sec. 32-193. Single-family subdivision identification signs.

Signs that identify the name of a single-family residential subdivision, located at any street entrance to the subdivision, shall be erected as follows:

- (1) *Number.* Two (2) per entrance, not to exceed eight (8) per subdivision.
- (2) *Type.* Monument sign, which shall include masonry for all nonlettered areas. Landscaping and irrigation shall be installed within three (3) feet from the base of the sign along the front of the sign.
- (3) *Maximum size and height.* Up to fifty (50) square feet in area and seven (7) feet in height.
- ~~(4) *Minimum setback.* Ten (10) feet from any property line and outside of all sight visibility triangles.~~

Sec. 32-194. Multifamily complex signs.

Signs that identify the name and/or address of an apartment, townhouse, condominium or other multifamily residential complex, located at any street or private drive entrance to the complex, shall be erected as follows:

- (1) *Number.* One (1) per main entrance, not to exceed two (2) per complex.
- (2) *Type.* Monument sign, which shall include masonry for all nonlettered areas. Landscaping and irrigation shall be installed within three (3) feet from the base of the sign along the front of the sign.
- (3) *Maximum sizes and heights.* Monument sign up to fifty (50) square feet in area and up to seven (7) feet in height.
- ~~(4) *Minimum setback.* Ten (10) feet from any property line and outside of all sight visibility triangles.~~

Sec. 32-195. Accessory management or rental office signs.

Signs that identify an accessory management or rental office shall be erected as follows:

- (1) *Number.* One (1).
- (2) *Type.* Wall.
- (3) *Maximum size and height.* Six (6) square feet in area and located below the roofline.

Sec. 32-196. Wireless communication facility (WCF) identification sign.

Required at a WCF and sign shall not larger than two (2) square feet, unless otherwise required by the Federal Communications Commission (FCC) regulations.

Secs. 32-197—32-213. Reserved.

DIVISION 3. COMMERCIAL AND INDUSTRIAL DISTRICTS

Sec. 32-214. Permits required.

Permits are required for all other signs and must conform to the criteria in this division.

Sec. 32-215. Signs facing a residential areasland use.

Any sign erected within one hundred (100) feet of ~~either an existing a~~ residential land use ~~or a residential zoning district~~ shall be ~~nonilluminated and~~ limited to sixteen (16) square feet in area and five (5) feet in height. If illuminated the sign will use downward external illumination.

Sec. 32-216. ~~Minimum setbacks~~Reserved.

~~All signs and sign structures must be located at least ten (10) feet from any property line and outside of all sight visibility triangles.~~

~~(Code 1990, ch. 4, § 15(K)(8)(b))~~

Sec. 32-217. Zoning lots with one (1) establishment.

Any establishment located on a zoning lot with one (1) establishment may erect signs as follows:

- (1) ~~Number. Maximum of four signs, but in no case shall two freestanding signs be allowed on the same zoning lot.~~Reserved.
- (2) *Types.* Wall, monument, pole, projecting, awning, canopy or marquee.
- (3) ~~Maximum sizes and heights~~Standards.
 - a. *Wall or marquee sign.* ~~Minimum of Thirty-two~~24 square feet of area or ~~one and one-half~~0.75 feet of sign area per ~~two~~1 linear ~~foot~~feet of building frontage on which the sign or signs are to be attached, up to a maximum of ~~one hundred (100)~~75 square feet in area ~~for all wall or marquee signs, whichever is greater.~~ The top of all ~~wall and marquee~~ signs shall be ~~no greater than five feet above the~~located below the roofline and at a height no greater than thirty-five (35) feet above the ground. These signs shall only be located on building frontages that are contiguous to right-of-way, parking lots, or access drives.
 - b. *Pole sign.* One (1) square foot of sign area per ~~three~~6 linear feet of lot frontage on which the sign or signs are to be erected not to exceed ~~100~~35 square feet. ~~For zoning lots with one establishment fronting U.S. Highway 290, the maximum sign area of a pole sign is 150 square feet.~~ The top of the sign shall not exceed ~~40~~20 feet in height ~~and the base of the sign shall be at least seven feet above the ground.~~ A maximum of 1 sign per contiguous right-of-way or access drives.
 - c. *Monument sign.* One (1) -square foot of sign area per ~~five~~3 linear feet of lot frontage on which the sign or signs are to be erected, up to a maximum of 50 square feet in area. The height of a monument sign shall not exceed ~~seven~~20 feet. A maximum of 1 sign per contiguous right-of-way or access drives.
 - d. *Projecting sign.* ~~One and one-half~~0.75 square feet of sign area per ~~two~~1 linear ~~feet~~foot of building frontage on which the sign or signs are to be attached, up to a maximum of twelve (12) square feet in area. The top of all projecting signs shall be located below the roofline and at a height not greater than sixteen (16) feet above the ground. The base of all projecting signs shall be no less than eight (8) feet above the ground. Projecting signs shall not project from the exterior wall of a building more than six (6) feet.
 - e. *Awning or canopy sign.* Zero point seven-five (0.75) square feet of sign area per one (1) linear foot of ~~One and one-half square feet per two linear feet of~~ awning or canopy, up to a maximum

of sixteen (16) square feet in area. No awning or canopy sign shall extend above the top of the awning or canopy.

Sec. 32-218. ~~Multiple Two (2) to four (4) establishments on single zoning lots.~~

~~Multiple establishments on single zoning lots that do not constitute a shopping center may collectively erect one monument sign with a maximum height of seven feet not to exceed 50 square feet in area or one pole sign with a maximum size of 50 square feet and height of 40 feet. In addition, each establishment located on a single zoning lot with two or more establishments may erect one sign as follows:~~

- (1) Type. Wall, projecting, awning, pole, monument, canopy or marquee.
- (2) ~~Maximum size and height~~Standards.
 - a. ~~Wall or marquee sign. Minimum of 24 square feet of area or One and one-half 0.75~~ square feet of sign area per ~~1 two~~ linear feet of building frontage on which the signs ~~is~~are to be attached, ~~up to a maximum of 100 square feet in area.~~ The top of all ~~wall and marquee~~ signs shall be ~~no greater than five feet above below~~ the roofline and at a height no greater than 40 feet above the ground. These signs shall only be located on building frontages that are contiguous to right-of-way, parking lots, or access drives.
 - b. ~~Projecting sign. One and one-half square 0.75 square~~ feet of sign area per ~~1 two~~ linear ~~feet~~oot of building frontage on which the signs are to be attached, up to a maximum of 12 square feet in area. The top of all ~~projecting~~ signs shall be located below the roofline and at a height not greater than 16 feet above the ground. The base of all ~~projecting~~ signs shall be no less than eight feet above the ground. Projecting signs shall not project from the exterior wall of a building more than six feet
 - c. ~~Awning or canopy sign. One and one-half square 0.75 square feet of sign area per 1 linear foot feet per two linear feet~~ of awning or canopy, up to a maximum of 16 square feet in area. No awning or canopy sign shall extend above the top of the awning or canopy.
 - d. ~~Pole sign. Each collective sign shall have a minimum area of 16 square feet and a maximum area of one square foot per 300 square feet of gross building floor area up to 100 square feet in area or one 1~~ square foot of sign per ~~three 6~~ linear feet of street frontage on which sign or signs are to be erected ~~up to with a maximum of 100 75~~ square feet. ~~For multiple establishments on single zoned lots fronting U.S. Highway 290, the maximum sign area of a pole sign is 150 square feet.~~ The top of the pole sign shall not exceed ~~40 20~~ feet in height, ~~and the base of the pole sign shall be at least seven feet above the ground. A maximum of 1 collective sign per contiguous right-of-way. In addition to identifying the name of the center, the sign may identify the individual establishments within the center.~~
 - e. Monument sign. Each collective sign shall have 1 square foot of sign area per 3 linear feet of lot frontage on which the sign or signs are to be erected, up to a maximum of 100 square feet. The height of a monument sign shall not exceed 20 feet. A maximum of 1 collective sign per contiguous right-of-way or access drives. In addition to identifying the name of the center, the sign may identify the individual establishments within the center.

Sec. 32-219. Five (5) or more establishments on a single lot.~~Shopping centers.~~

- (~~a~~1) ~~Reserved. Centers with five or more establishments. Shopping centers with five or more establishments planned as an integrated development shall be authorized to erect signs based on the criteria set forth in this section.~~

(b2) Center identification sign. Types. Wall, monument, pole, projecting, awning, canopy or marquee. One monument or one pole sign per street fronting the center, not to exceed a total of two signs, identifying the name of the center. The name of any major establishment within the center may serve as the name of the entire center. In addition to identifying the name of the center, the sign may identify the individual establishments within the center.

(3) Standards.

- a. Wall or marquee sign. Minimum of 24 square feet of area or 0.75 feet of sign area per 1 linear foot of building frontage on which the sign or signs are to be attached, up to a maximum of 150 square feet in area. The top of all signs shall be located below the roofline and at a height no greater than 35 feet above the ground. These signs shall only be located on building frontages that are contiguous to right-of-way, parking lots, or access drives.
 - b. Pole sign. 1 square foot of sign area per 6 linear feet of lot frontage on which the sign or signs are to be erected not to exceed 125 square feet of area. The top of the sign shall not exceed 25 feet in height. A maximum of 1 collective sign per contiguous right-of-way or access drives. In addition to identifying the name of the center, the sign may identify the individual establishments within the center.
 - c. Monument sign. 1 square foot of sign area per 3 linear feet of lot frontage on which the sign or signs are to be erected, up to a maximum of 150 square feet in area. The height of a monument sign shall not exceed 25 feet. A maximum of 1 collective sign per contiguous right-of-way or access drives. In addition to identifying the name of the center, the sign may identify the individual establishments within the center.
 - d. Projecting sign. 0.75 square feet of sign area per 1 linear foot of building frontage on which the sign or signs are to be attached, up to a maximum of 12 square feet in area. The top of all signs shall be located below the roofline and at a height not greater than 16 feet above the ground. Signs shall not project from the exterior wall of a building more than 6 feet.
 - e. Awning or canopy sign. 0.75 square feet of sign area per 1 linear foot of awning or canopy, up to a maximum of 16 square feet in area. No sign shall extend above the top of the awning or canopy.
- (1) ~~Wall or marquee sign.~~ One and one-half square feet of sign area per two linear feet of building frontage on which the signs are to be attached. The top of all wall and marquee signs shall be no greater than five feet above the roofline and at a height no greater than 40 feet above the ground.
- (2) ~~Monument sign.~~ Each sign shall have a minimum area of 20 square feet and a maximum area of one square foot per 1,000 square feet of gross building floor area up to 80 square feet in area and a maximum height of 12 feet.
- (3) ~~Pole sign.~~ Each sign shall have a minimum area of 16 square feet and a maximum area of one square foot per 300 square feet of gross building floor area up to 100 square feet in area or one square foot of sign per three linear feet of street frontage on which sign or signs are to be erected up to 100 square feet. For shopping centers fronting U.S. Highway 290, the maximum sign area of a pole sign is 150 square feet. The top of the pole sign shall not exceed 40 feet in height and the base of the pole sign shall be at least seven feet above the ground.

Sec. 32-220. Gasoline stations.

Automobile service and gasoline stations shall comply with all applicable sign regulations within this section, including the regulations for shopping centers if applicable. The following additional regulations shall apply to all automobile service and gasoline stations:

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- (1) *Changeable fuel price signs.* Freestanding signs identifying the name of the business may include changeable copy indicating the current price of fuel dispensed on the premises. The area of the fuel price sign shall not be included in determining the sign area for the business, but said fuel sign area shall be less than forty (40) square feet.

~~(2) *Gas pump signs.* Each gas pump shall be permitted a total of one (1) square foot of sign area to identify the product dispensed.~~

Sec. 32-221. Office and/or industrial centers.

Office and/or industrial centers at least two acres in size and planned as an integrated development shall be authorized to erect signs based on the following criteria:

- (1) *Center identification signs.* One (1) monument sign per public street frontage, not to exceed a total of two (2) monument signs, identifying the name of the center only and not exceeding fifty (50) square feet in area and seven (7) feet in height.
- (2) *Individual building signs.* Where an office and/or industrial center is comprised of two (2) or more buildings, each individual building may erect one (1) monument sign, not to exceed thirty-two (32) square feet in area and five (5) feet in height, identifying the principal establishment within the building.
- (3) *Individual establishment signs.* Each individual establishment within an office and/or industrial building may erect one (1) wall sign of a size which does not exceed zero point seven-five (0.75) square feet of sign area per one (1) linear foot ~~one and one-half square feet of sign area per two linear feet of~~ building frontage on which the sign or signs are to be attached, up to a maximum of thirty (32) square feet in area. The top of the wall sign shall not be located ~~no greater than five feet~~ above the roofline and at a height no greater than fifteen (15) feet above the ground.

Sec. 32-222. Directory signs.

Commercial and industrial properties may erect a directory sign identifying the names and/or addresses of the establishments within individual buildings. A directory sign shall not exceed fifteen (15) square feet in area and six (6) feet in height and precludes the use of any other freestanding sign for the zoning lot on the same street frontage.

Sec. 32-223. Theaters.

Theaters are authorized to erect one (1) of the permitted wall or marquee signs with a changeable copy board displaying the names and times of the current motion picture or theatrical production.

Sec. 32-224. Other uses.

In cases where the regulations within this article do not specifically address a sign requested in conjunction with a permissible use, the administrator shall make a written interpretation of this article, which shall be kept in the permanent record for that application.

Sec. 32-225. Storefronts neighboring historic districts.

- (a) A storefront located within one hundred (100) feet of the historic district, as defined by article VI of chapter 46 of this Code, may have one sidewalk sign located directly in front of the storefront.

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- (b) Sidewalk signs within one hundred (100) feet of the historic district and located within one hundred (100) feet of either an existing residential land use ~~or a residential zoning district~~ shall not face the adjoining residential property.

Sec. 32-226. Wireless communication facility (WCF) identification sign.

Required at a WCF and sign shall not larger than two (2) square feet, unless otherwise required by the Federal Communications Commission (FCC) regulations.

Secs. 32-227—32-241. Reserved.

ARTICLE IV. CONSTRUCTION AND MAINTENANCE

Sec. 32-242. Building and electrical code compliance.

All signs shall be constructed in compliance with the International Building Code (IBC) and National Electrical Code (NEC), as adopted by the City.

Sec. 32-243. General restrictions.

Signs shall not be erected in or over a street or highway right-of-way or any public land except as permitted in section 32-1.

Sec. 32-244. Condition of signs.

All signs and components shall be maintained in good repair and in a safe, clean and attractive condition.

Secs. 32-245—32-266. Reserved.

ARTICLE V. PROHIBITED SIGNS

Sec. 32-267. Enumerated.

The following are expressly prohibited unless specifically stated otherwise in this chapter:

- (1) *Animated and moving signs.* Including, but not limited to, pennants, feather signs, flags with commercial messages, banners, streamers, propellers, discs and searchlights.
- (2) *Flashing signs.* Any signs that include lights which flash, blink or turn on and off intermittently, not including time and temperature signs.
- (3) *Glaring signs.* No sign shall be illuminated to such an intensity or in such a manner as to cause glare of brightness to a degree that it constitutes a hazard or nuisance to traffic. Moving, flashing, intermittently lighted, changing color, beacons, revolving or similarly constructed signs shall not be allowed, except for time and temperature on an otherwise permitted sign.
- (4) *Inflatable signs and objects.* Including, but not limited to, balloons, ~~for a period of over two weeks in any given year.~~

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- (5) *Off-premises signs, including billboards.* Any sign which is not located on the premises that it identifies or advertises.
- (6) *Portable signs.* Any sign that is not permanently affixed to a building, structure or the ground. This shall not apply to authorized temporary signs.
- (7) ~~*Posters and handbills.* Any signs affixed to trees or other natural vegetation, rocks or utility poles. Such as but not limited to, garage sale, lost animals, political, any for sale signs, etc., except as provided in section 32-105, flags, emblems or insignia.~~ *Snipe signs.* Any Sign of any material, including paper, cardboard, wood, or metal, when tacked, nailed, stapled, posted, pasted, glued, or otherwise attached in any way to Trees, poles, stakes, fences, utility boxes, street furniture, fire hydrants or other objects.
- (8) *Roof signs.* Any signs which are erected on a roof.
- (9) *Simulated traffic signs and obstructions.* Any sign which may be confused with or obstruct the view of any authorized traffic sign or signal, obstruct the sight distance triangle at any street intersection or extend into the public right-of-way.
- (10) *Strings of lights.* Including lights that outline property lines, sales areas or any portion of a structure, and are intended to advertise or draw attention to a business or commercial activity, but excluding a string of lights displayed for non-advertising purposes. ~~during the Christmas season, from November 24 to January 4 of each year.~~
- (11) *Vehicular signs.* Any sign displayed on a parked vehicle, where the primary purpose of the vehicle is to advertise a product or business or to direct people to a business or activity. For the purposes of this chapter, vehicular signs shall not include business logos, identification or advertising on vehicles primarily used for other business purposes.
- ~~(12) *Signs in right-of-way or alley.* Any signs located in a right-of-way, alley, or any open access easement functioning as a right-of-way or alley for more than one (1) lot.~~
- ~~(13) *Sign walkers.* A person who walks, paces, jogs, or otherwise moves and carries a sign that is worn, held, or balanced by that person and is not installed or attached to real property.~~
- ~~(14) *Abandoned signs.* Any sign which is void of Copy or advertises a business no longer conducted or product no longer sold at that location. In making the determination that a Sign advertises a business no longer being conducted, the Administrator shall consider the existence or absence of a current occupational license, utility service deposit or account, use of the premises and relocation of the business.~~

Secs. 32-268—32-297. Reserved.

ARTICLE VI. NONCONFORMING SIGNS

Sec. 32-298. Generally.

Any sign which does not conform to the provisions herein on the date of enactment of the ordinance from which this chapter is derived or any date on which the ordinance is amended and any sign which is accessory to a nonconforming use, shall be deemed a nonconforming sign. No nonconforming sign shall be enlarged, extended, structurally reconstructed or altered in any manner, except that a sign face be changed so long as the new face is equal to or reduced in height, sign area and/or projection and a sign permit is issued for the sign face change.

~~Irrespective of the regulations stated in this section, a nonconforming sign can be moved to a new business location and remain unaltered, so long as the physical location of the sign is in conformance with this chapter.~~

Sec. 32-299. Removal.

Nonconforming signs may remain, provided they are maintained in good repair, except for the following:

- (1) *Damage or destruction of sign.* A nonconforming sign which is damaged or destroyed to the extent of fifty (50) percent or more of its sign face shall not be altered, replaced or reinstalled unless it is in conformance with this chapter. If the repair cost of the nonconforming sign is less than fifty (50) percent of the replacement cost of said sign, then said sign may be repaired and retained as a nonconforming sign. The owner of said sign to be repaired shall submit to the city two (2) cost estimates for repair and replacement prior to repair of said sign.
- (2) *Damage or destruction of use.* A nonconforming sign shall be removed according to the provisions of article II, division 3 of this chapter, if the structure or use to which it is accessory is damaged or destroyed to the extent of fifty (50) percent or more of the principal structure's appraised value.
- (3) *Change of use.* Whenever a land use changes, any previously nonconforming signs or signs which become nonconforming because of the change in land use must be modified so as to be in full compliance with these sign regulations.

Secs. 32-300—32-316. Reserved.

ARTICLE VII. SIGNS FOR HISTORIC DISTRICTS AND HISTORIC LANDMARKS

Sec. 32-317. Purpose.

The purpose of this article is to provide for supplemental sign standards to protect and enhance the unique character of the city's historic districts and historic landmarks. Except where they are in direct conflict with this section, the provisions of other sections of this chapter shall apply to historic districts and historic landmarks. In the event of direct conflict, this article controls.

Sec. 32-318. Definitions.

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

Awning sign means a sign placed directly on the surface of an awning that emphasizes the entrance to a store.

Business directory sign means a sign that lists multiple businesses for the same building location. A business directory sign may be a projection sign or a facade sign.

Business shingle means any illustration or symbol which represents the type of business which occupies the building. No wording is allowed on such signs.

Facade sign means any sign attached directly to the exterior of a building also known as a flush-mounted sign.

Freestanding sign means a sign supported from the ground that is not attached to a building or other permanent structure.

Hanging sign means any signboard suspended from chains, hooks or similar means from an awning or canopy.

Historic district means as defined article VI of chapter 46.

Historic landmark means as defined in article VI of chapter 46.

Historic sign means an advertising sign or mural that is at least 50 years old.

Monument sign means a sign with the base affixed to the ground which measures at least two-thirds the length of the sign.

Painted sign means a sign that is painted directly onto the exterior surface of a building, not including a window.

Primary sign means a sign constructed pursuant to section 32-324(a).

Projection sign means a sign that is affixed to the building and that extends perpendicular to the building.

Secondary sign means a sign constructed pursuant to section 32-324(b).

Sidewalk sign means a portable sign that is not affixed to a building, sidewalk or other permanent structure. This includes, but is not limited to, a sign such as an A-frame sign, sandwich board sign or V-shaped sign.

Signboard means any flat, rigid surface not exceeding four inches in depth, as measured front to back, specifically designed as a sign.

Storefront means any business which occupies a ground floor area of a building with an entrance and display area located at the front of a building.

String pennant means any arrangement of small pieces of fabric repetitively fastened to a string, rope, cord or similar item.

Temporary sign means professionally produced canvas banners advertising a new business, product, extended hours or sale.

Window sign means any sign painted on, or applied directly to, any window of a building.

Sec. 32-319. Size.

The street frontage of buildings, storefronts and lots is determined by the length of the side of the building or storefront with the most street frontage. In no event shall the area of any sign exceed ~~50~~ twenty-four (24) square feet.

- (1) Facade signs shall have a maximum area equal to one (1) square foot for every linear foot of building street frontage. If a building has multiple storefronts, the maximum area for facade signs for an individual storefront is determined by the length of street frontage of such storefront.
- (2) Freestanding signs shall have a maximum area equal to one (1) square foot for every linear foot of lot frontage. ~~The area of a freestanding sign is determined by measuring both sides of the sign.~~ The maximum height of a freestanding sign shall be eight (8) feet.
- (3) Hanging signs shall have a maximum measurement of one (1) foot in height and three (3) feet in length, and shall be installed a minimum of eight (8) feet above the sidewalk.
- (4) Projection signs shall have a maximum area equal to one (1) square foot per linear foot of storefront. The area of a projection sign is determined by measuring the area of both sides of the sign.
- (5) Monument signs shall have a maximum area equal to one (1) square foot per linear foot of lot frontage. ~~The area of a monument sign is determined by measuring the area of both sides of the sign.~~ The maximum height of a monument sign shall be four (4) feet.

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- (6) Window signs shall not cover more than thirty (30) percent of ~~the overall~~ any window pane surface area.
 - (7) Painted signs shall have a maximum area equal to one (1) square foot for every linear foot of building street frontage. If a building has multiple storefronts, the maximum area for painted signs for an individual storefront is determined by the length of street frontage of such storefront.
 - (8) The registered trademark of a specific commodity shall not occupy more than fifteen (15) percent of the area of a sign, unless the sale of the specific commodity is the predominant business conducted on the premises.
 - (9) No sign shall obscure architectural features or be oversized in proportion to the building.
 - (10) The total area of all primary signs for a single storefront shall not exceed one (1) square foot for every linear foot of storefront
 - (11) Historic signs or advertising murals may be maintained if in existence. Historic signs that are no longer in existence may be recreated if the applicant produces sufficient proof that the sign existed at that location at least fifty (50) years ago. Historic signs shall not be included in the total signage calculation if they do not advertise a current business operating on the premises.
 - (12) Business shingles shall have a maximum area equal to one (1) -square foot per linear foot of storefront. The area of a business shingle is determined by measuring the area of both sides of the sign.

Sec. 32-320. Design.

- (a) The design of signs shall be compatible with the character of the surrounding historic district and conforming signs.
- (b) All signs shall comply with the city building codes and regulations. In the event of direct conflict with such city building codes and regulations, this article controls.
- (c) Signs that advertise a business, product or service that is no longer available on the premises are prohibited, unless the sign is determined to be of cultural, aesthetic or historical significance to the historic district area by the historic review board.
- (d) Facade signs must be mounted flush with the wall.
- (e) ~~Window signs must be painted with an accent color. A window sign may only display the business name, the individual's name for professional practitioners, physical address, web address and phone number. Windows may be temporarily painted with additional colors and information for seasonal or special community occasions, including, but not limited to, holidays and school-related events. Reserved.~~
- (f) Lettering on awning and canopy signs shall not exceed eight (8) inches in height.
- (g) To the greatest extent possible, all signs on a single building shall be coordinated as to size, shape, ~~color,~~ location, and materials.
- (h) ~~Primary signs shall bear only the name of the business, the kind of business and the year the business was established. Reserved.~~
- (i) Photographic elements are prohibited on all signs.
- (j) Primary and secondary signs must be professionally produced and installed.

Sec. 32-321. Materials.

- (a) The materials used in the construction of a sign shall be the same or similar to those found in the construction of the city's historic districts and historic landmarks.
- (b) Mounting materials may include wood, metal, masonry, glass, or signboard. Application materials may include paint, vinyl, or metal.
- (c) Digitally printed signs may contain lettering and logos.

Sec. 32-322. ~~Color~~Reserved.

- ~~(a) The colors used in a sign shall be compatible with the historic district or historic landmark.~~
- ~~(b) Exceptions to subsection (a) of this section where appropriate may be allowed for colors which are part of a recognized logo.~~

Sec. 32-323. Illuminations.

- (a) Signs may be illuminated to provide for increased visibility. Illumination may only be provided with external lights that do not create overlapping light.
- (b) Neon illumination may be used if the historic review board determines that such illumination is consistent with the character of the surrounding historic district.
- (c) The following are prohibited illuminations:
 - (1) Interior lighting within the body of the sign;
 - (2) Flashing, moving and intermittent lights, including digital displays;
 - (3) Backlighting awnings or canopies.

Sec. 32-324. Number.

- (a) *Primary signs.* Each storefront is entitled to two (2) primary signs, but no more than one (1) of each of the following:
 - (1) Facade sign;
 - (2) Projection sign;
 - (3) Monument sign;
 - (4) Freestanding sign;
 - (5) Awning sign;
 - (6) Painted sign.
- (b) *Secondary signs.* Each storefront is entitled to two (2) secondary signs, but no more than one (1) of each of the following:
 - (1) Hanging sign;
 - (2) Business shingle;
 - (3) Window sign.

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- (c) *Sidewalk signs.* Each storefront within the historic district may have one (1) sidewalk sign located directly in front of the storefront.
 - (d) *Window signs.* Notwithstanding subsection (b) of this section, a storefront may display two (2) window signs as secondary signs, in addition to a hanging sign or business shingle.
 - (e) *Multitenant buildings.*
 - (1) A multitenant building may erect a business directory sign as a secondary sign.
 - (2) A multitenant building located on a street corner shall be permitted to erect one (1) additional awning, canopy, hanging sign or projecting sign along the side street.

Sec. 32-325. Placement.

- (a) Signs shall be placed so as not to create a health or safety hazard due to visual obstruction or physical impediment.
- (b) A facade sign shall be mounted flush to the side of the building but shall not cover, obstruct, damage or otherwise adversely affect the building's prominent architectural or historic features.
- (c) Signs that obstruct or interfere with the opening or closing of windows or doors are prohibited.
- (d) Hanging signs shall be placed so that there is a minimum clearance of eight (8) feet from the bottom of the sign to the sidewalk or other pedestrian walkway. Hanging signs shall not extend beyond the outermost perimeter of the awning, canopy or structural member to which they are attached.
- (e) Projecting signs shall be placed so that there is a minimum clearance of ten (10) feet from the bottom of the sign to the sidewalk or other pedestrian walkway. Projecting signs shall not extend above any public street.
- (f) A painted sign shall not cover, obstruct, damage or otherwise adversely affect the building's prominent architectural or historic features or masonry. A painted sign may only be placed on previously painted masonry or on an I-beam.
- (g) For buildings with more than one (1) story, projecting signs and surface-mounted signs shall not extend higher than the top of the lowest window sills of the second floor.
- (h) No support for a sign shall extend above the cornice line of building to which the sign is attached.
- (i) Secondary signs may be hung from a projection sign, awning or canopy.
- (j) Sidewalk signs located within one hundred (100) feet of either an existing residential land use ~~or a residential zoning district~~ shall not face adjoining residential property.

Sec. 32-326. Temporary signs.

- (a) Professionally produced canvas banners advertising a product, extended hours, or sale may be placed on the building or awning only after obtaining a permit from the administrator. A temporary sign permit expires twenty-one (21) days after issuance. Only one (1) temporary sign permit shall be issued at a time. No business, individual or organization shall be issued more than eight (8) temporary sign permits per calendar year.
- (b) A temporary sign with a new business name shall not be displayed for more than forty-two (42) days or six (6) weeks.
- (c) Two (2) on-site signs, each no larger than ten (10) square feet advertising the premises for sale and/or lease shall be permitted for the period of time required to achieve the advertised transaction.

Sec. 32-327. Sidewalk signs.

- (a) No sidewalk sign may exceed two (2) feet, six (6) inches wide by three (3) feet, six (6) inches tall.
- (b) All sidewalk signs must be secured against wind, maintained in good condition and removed at the close of the business day.
- (c) No sidewalk sign shall impede progress in the public right-of-way.

Sec. 32-328. Maintenance.

All signs shall be properly placed and continuously maintained so as not to become a safety hazard or detract from the appearance of the historic district or historic landmark.

Sec. 32-329. Removal of signs.

All signs advertising or related to a business shall be removed within sixty (60) days of termination of occupancy of that business.

Sec. 32-330. Sign permits.

- (a) No primary or secondary sign shall be erected in an historic district or on an historic landmark without first obtaining a permit. A permit must be used within 12 months or a new permit must be secured.
- (b) In addition to obtaining any required building permit, every applicant for a primary or secondary sign shall submit to the planning department complete information on all aspects of the proposed primary sign, including type, dimensions, design, color, materials, content, purpose and placement. The submittal shall consist of a completed sign application form, construction plans, and a sample set of the proposed materials and/or paint colors. Any other documentation including photographs and catalogs, which may further support the application, are encouraged to be included.
- (c) All applications may be reviewed by the planning department or the city manager's designee, all applications determined to be complete will be placed on a historic review board agenda. If the historic review board determines that an application for a sign permit is not in compliance with this chapter, the application shall be denied. If the applicant wishes to appeal the decision to the board of adjustment, he must file written notice to do so within ten days of receipt of written notice that his application was denied. The decision of the board of adjustment shall be final.
- (d) Normal maintenance of signs and minor changes in wording or design, which maintain the size, color and style of an approved sign do not require a new permit.

Sec. 32-331. Prohibited signs.

The following are prohibited signs:

- (1) Signs that obstruct any door, window or fire escape on a building.
- (2) Roof signs.
- (3) Signs which rotate, oscillate or display any form of motorized movement, except barber poles.
- (4) String pennants.