

BILL NO. 3

ORDINANCE NO. 1799

AN ORDINANCE REPEALING APPENDIX D SIGN REGULATIONS OF THE CODE OF ORDINANCES AND ENACTING IN LIEU THEREOF A NEW APPENDIX D SIGN REGULATIONS.

BE IT ORDAINED BY THE BOARD OF ALDERMEN OF THE CITY OF SUNSET HILLS, MISSOURI, AS FOLLOWS:

- Section 1: Appendix D Sign Regulations of the Code of Ordinances is hereby repealed.
- Section 2: Hereby enacted is a new Appendix D Sign Regulations of the Code of Ordinances, attached hereto and made part hereof.
- Section 3: This ordinance shall take effect immediately upon its passage and approval.

PASSED THIS 26TH DAY OF APRIL, 2011.

APPROVED THIS 26TH DAY OF APRIL, 2011.

MAYOR

ATTEST:

CITY CLERK

APPENDIX D SIGN REGULATIONS*

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Sec. 1. General Information

This ordinance shall be known and may be cited as "The Sign Ordinance of Sunset Hills."

- (a) Nothing contained in this ordinance shall prohibit the display of signs mandated by the federal, state or county government.
- (b) All signs shall be constructed and erected in accordance with the requirements and specifications relating to materials, loads and stresses as set out in the building code of the city.
- (c) All illuminated signs shall comply with the provisions of the electrical code of the city.
- (d) Approval of all signs must be obtained from the director of public works or his/her designee or designees except as provided in this ordinance.
- (e) No permit required by this ordinance shall be issued to any commercial sign company who does not hold a current sign erector's license issued pursuant to this ordinance.

Sec. 2. Application, Permits, Fees & Licensing.

- (a) No sign or any of the types defined herein shall be erected, nor the location of any existing sign changed, until a permit has been issued by the director of public works or his/her designee or designees.
- (b) No permit shall be granted until after an application has been filed with the director of public works or his/her designee or designees showing the plans and specifications, including dimensions, material and details of construction of the

- proposed structure, nor until all the provisions of this section relating to such structure have been complied with.
- (c) Before a permit can be granted for the installation of any sign, the applicant for said permit must submit an agreement signed by the owner or owners of said property granting permission to the applicant to install said sign and binding said owner or owners, their heirs and assigns irrevocably, to permit the city through its agents to enter on said real property for the purpose of removing said sign or signs as provided under the provisions of this ordinance and waiving and holding the city harmless from any damage to said real property and structure thereon occasioned by said sign removal. The said property owner must also sign one (1) copy of the proposed sign drawing for the city's records.
 - (d) The director of public works or his/her designee or designees may prescribe suitable regulations not inconsistent with the provisions of this section concerning the form and content of all applications for the various types of permits herein required.
 - (e) Work authorized under the permit must be started within six (6) months from the date of issuance and completed within one (1) year from date of issuance, otherwise the permit is void.
 - (f) Before any permit required by this ordinance is granted, the applicant therefore shall pay to the city clerk the following respective fee:
One dollar (\$1.00) per square foot, with twenty five dollars (\$25.00) minimum
 - (g) Every person conducting a business of fabricating, erecting or maintaining any sign requiring a permit under this ordinance shall obtain an annual sign erector's license from the city clerk. Before any license required by this division is granted, the applicant therefore shall pay a fee of twenty-five dollars (\$25.00)
 - (h) It shall be unlawful for any person to erect, repair, alter or relocate any sign or other advertising structure in this city without first obtaining a permit therefore from the director of public works or his designee or designees and making payment of the fee required in this section, excepting the following which are exempted:
 - (1) Real estate signs not exceeding six (6) square feet in area which advertise the sale, rental or lease of the premises upon which said signs are located only;
 - (2) Bulletin boards not over twenty-five (25) square feet in area, for public charitable or religious institutions which are located on the premises of said institutions;
 - (3) Signs denoting the architect, engineer or contractor when placed upon work under construction and not exceeding sixteen (16) square feet in area.
 - (4) Memorial signs or tablets, names of buildings and date of erection when cut into any masonry surface or when constructed of bronze or other incombustible materials;
 - (5) Traffic or other municipal signs, legal notices, railroad crossing signs, danger, emergency, or non-advertising signs;
 - (6) Political posters not over four (4) square feet in size;
 - (7) Professional name plates not exceeding three (3) square feet in area;
 - (8) Occupational signs not over four (4) square feet in area (on building);
 - (9) Signs erected inside a building and not visible through windows;
 - (10) Temporary window signs complying with Section 5 of this ordinance
 - (11) Exterior signs for pricing merchandise not exceeding one (1) square foot in area.

- (12) Ingress, egress or signage directing customers to a specific area within a complex complying with Section 9 of this ordinance
- (13) No hunting, no fishing, no trespassing, no soliciting and like signs not exceeding one (1) square foot in area.

Sec. 3. Definitions

Terms used in this ordinance, unless the context otherwise indicates, mean:

Banner: Any sign constructed of lightweight fabric or similar material. Flags shall not be considered banners so long as they are the official flag of a nation, state, city or institution

Electronic Message Sign: Any sign, or portion of a sign, that displays an electronic image, which may or may not include text, where the rate of change is electronically programmed and can be modified by electronic processes. Electronic message signs include computer programmable, microprocessor, or controlled electronic displays and the images can be produced from LED technology, fiber optics, light bulbs, or other illumination devices within the display area. Electronic message signs do not include projected images or messages projected onto buildings or other objects. Electronic signs are permitted only by attachment to or placement as a ground sign.

Erect: To build, construct, attach, hang, place, suspend or affix, and shall also include the painting of wall signs.

Facing or surface: Any surface of a sign upon, against or through which the message is displayed or illustrated on the sign.

Flashing sign: Any illuminated sign on which the artificial light is not maintained stationary or constant in intensity and color at all times when such sign is in use.

Flexible face material: A flexible, translucent, dimensionally stable material consisting of a polyester scrim embedded between two (2) layers of white pigmented vinyl specially treated with ultraviolet inhibitors.

Ground sign (monument sign): A freestanding sign with a maximum height of eight (8) feet, erected or constructed on a masonry base or supported by one (1) or more concealed posts or poles. Such signs may be used for the purpose of owner identification or to indicate services, articles and products offered.

Illuminated sign: Any sign which has characters, letters, figures, designs or outline illuminated by electric lights or luminous tubes as part of the sign proper.

Incombustible material: Any material which will not ignite at or below a temperature of twelve hundred (1200) degrees Fahrenheit and will not continue to burn or glow at that temperature.

Occupational signs: All industrial, commercial and mercantile signs advertising the business on its premises or any of its activities, including permanent theater signs used to advertise performances.

Other advertising structures: Any marquee, canopy, awning, street clock, time and weather information as further defined in this section.

Pole sign: A freestanding sign in excess of eight (8) feet in height that is supported by one (1) or more posts or poles. Such signs may be used for the purpose of owner identification or to indicate services, articles and products offered.

Portable sign: Any sign that is not affixed to a building, post or other outdoor surface or place of land, or which is not attached directly or indirectly to a building, post or other outdoor surface or place of land.

Projecting sign: Any letter, word, model, sign, device or representation used in the nature of an advertisement or announcement projecting perpendicularly from the building.

Roof sign: Any sign painted, erected, constructed or maintained upon the roof of any building, including wall signs or projecting signs attached to a building wall that extend above the roof line.

Shopping center: An area containing four (4) or more shops, stores and other places of business permitted in the "C-1" Local Business District under the zoning ordinances, and providing off-street parking facilities in common for all of the businesses and their customers.

Sign: Every sign, billboard, ground sign, portable sign, pole sign, wall sign, roof sign, illuminated sign, projecting sign, temporary sign, marquee, awning, canopy, time and weather information and street clock, and shall include any announcement, declaration, demonstration, display, illustration or insignia used to advertise or promote the interests of any person when the same is placed out of doors or in show display windows, and is intended to be viewed from outside.

Sign area: A total area of the space to be used for advertising purposes, including the spaces between open-type letters and figures, including the background structure, or other decoration or addition which is an integral part of the sign. Sign supports shall be excluded in determining the area of a sign.

Where the two (2) faces are not substantially parallel, each face shall be construed as a separate sign for calculating total sign area.

Structural trim: The molding, battens, cappings, nailing strips, latticing and platforms which are attached to the sign structure.

Wall sign: Any painted sign, letter, word, model, device or representation used in the nature of an advertisement or announcement that may be affixed to the front, side or rear wall of any building and a plane parallel to the face of the wall.

Sec. 4. Residential districts.

(a) Permanent Signage:

- (1) One (1) unlighted or indirectly illuminated nameplate not exceeding two (2) square feet in gross surface area announcing the name and/or location of the occupants of a residence.

- (2) One (1) ground sign conforming to section 8, Ground signs, of Appendix D of the Code of Ordinances of the City of Sunset Hills, Missouri for churches, places of worship, schools, hospitals, or other public or semi-public institutions. The signs shall be internally illuminated only and made of routed metal or flex-face type material mounted on a permanent base. Electronic message signs are permitted in accordance with section 10, Ground signs of Appendix D. Lighting shall be directed so as not to shine onto any roadway or other property. A site plan shall be submitted with the sign application and a permit for this sign is required.
 - (3) Subdivision name signs located on ground signs not exceeding fifty (50) square feet in total. Electronic message signs are not permitted on subdivision ground signs. Permitted lighting shall be directed so as not to shine onto any roadway or other property. The sign shall be placed on common ground and maintenance shall be the responsibility of the subdivision trustees. Placement shall not impede visibility at any intersection and the signs shall be constructed in accordance with the ground sign requirements. A site plan shall be submitted with the sign application and a permit for this sign is required.
 - (4) Subdivision name signs located on free standing poles not exceeding six (6) square feet in total. Sign shall be located a minimum of eight (8) feet off ground and not more than twelve (12) feet off ground. Lighting shall be directed so as not to shine onto any roadway or other property. The sign shall be placed on common ground and maintenance shall be the responsibility of the subdivision trustees. Placement shall not impede visibility at any intersection. A site plan shall be submitted with the sign application and a permit for this sign is required.
- (b) Temporary Signage:
- (1) Temporary ground signs must be located so that no part of the sign projects beyond a five foot setback line from the street or highway right – of-way.
 - (2) One (1) unlighted real estate "For Sale" or "For Rent" sign not exceeding six (6) square feet in gross surface area. Corner lots may have two (2) such signs. Directional arrows may be used to direct customers to a property for an open house and must be removed immediately after the open house and can not be in place for more than eight hours total.
 - (3) Real estate development signs
 - a.) Real estate signs not exceeding twenty-four (24) square feet in gross surface area and the top of same not being more than five (5) feet above normal ground grade, which directs attention to the opening of a new subdivision may be erected after the permit required by this article is issued by the building official after appropriate application. A site plan shall be submitted with the sign application and a permit for this sign is required. This permit shall be issued after subdivision improvements are done and one (1) house is built. Such permit shall expire twelve (12) months after the date of issue, unless renewed.
 - b.) For rent, for sale or for lease signs for new subdivisions and signs advertising the development of a new subdivision shall not exceed forty-eight (48) square feet or remain more than ninety (90) days after the improvements are completed. Said signs must be posted on the subdivision property. This sign shall apply during the

construction of the subdivision improvements and while the first house is being constructed. A site plan shall be submitted with the sign application and a permit for this sign is required. Temporary signs shall not be located any closer than one hundred (100) feet from any other sign on the same premises. Such permit shall expire twelve (12) months after the date of issue, unless renewed.

- (4) One (1) unlighted sign not exceeding six (6) square feet in area to allow owner to express an opinion, endorse a political candidate, or other purposes in accordance with individual rights, providing that there should be no obscenity attached thereto. Corner lots may have two (2) such signs.

Sec. 5. Non Residential Districts

(a) Permanent Signage

- (1) Shopping Centers: Retail shopping center developments in excess of ten (10) acres may request a "large development" sign for identification of the development and the major tenants. Such shopping centers must contain at least ten (10) acres and have a minimum of one thousand (1,000) feet of frontage along the roadway at which the sign is proposed.

Large development signs may not exceed two hundred (200) square feet (excluding supports) or be over thirty (30) feet in total height (including all supports and ornamental material).

Large development signs shall be reviewed and approved by the board of aldermen before a permit is issued. The petitioner shall submit eleven (11) copies of the sign drawings, including a site plan indicating the exact location of the sign and its relationship to existing signage, buildings and roadways.

Notwithstanding the provisions of the other portions of this section, retail shopping center developments of less than ten (10) acres may petition the board of aldermen for designation as a "Large Development". In the event said designation is granted, the "Large Developments" sign provisions of this section shall be applied.

For shopping centers containing at least thirty five (35) acres, large development signs may not exceed three hundred (300) square feet (excluding supports) or be over forty (40) feet in total height (including all supports and ornamental material).

- (2) Quantity of signs per business
 - (a) Each non residential building occupied by one (1) person or business shall be allowed a maximum of one hundred (100) sq. ft. of total signage, which may include wall signs, ground signs, or poles signs, providing that the conditions of this ordinance be met. No one sign shall exceed 50 square feet. Wall signs cannot exceed ten (10) per cent of the total wall area. For businesses located on corner lots, one (1) such sign is permitted facing each street or roadside of the building.

- (b) Retail businesses located in a multi tenant building (2 or more businesses) shall be allowed a maximum signage of five (5) per cent of their exterior wall surface, for a wall sign. Retail developments containing multiple tenants may use a pole or ground sign to identify the name of the development and/or the tenants but in no case, shall there be more than one (1) pole sign or ground sign on the parcel. Only one of these types of signs is permitted and cannot exceed 50 square feet.
- (c) 1.) Office buildings with two or more tenants shall have a maximum of one (1) pole sign or one (1) ground sign. Only one of these types of signs is permitted and cannot exceed fifty (50) square feet. In addition, wall signs are permitted which cannot exceed five (5) per cent of their exterior wall surface.
2.) Office buildings occupied by one (1) tenant shall be permitted to have a wall sign that cannot exceed ten (10) per cent of the total wall area and one (1) ground sign depicting the name or use of the building.
3.) Office buildings located on corner lots may have one (1) wall sign on each street or roadside of the building
- (d) Permanent painted signs on windows that comply with the provisions of this ordinance are in lieu of a wall sign.
- (e) One (1) non-illuminated small scale "store hours sign" may be lettered on the glass show window or entry door of each storefront of the occupant.
- (f) Within large Developments, including The Shoppes and The Plaza, each retail business, having a total of one hundred thousand (100,000) square feet of gross floor area or less, regardless of whether the business is located in a multi-tenant building or in a building that occupies only one business, wall signage shall be limited to five (5) per cent of the wall area or 200 square feet whichever is less. For each individual retail business having over one hundred thousand (100,000) square feet of gross floor area located within the Development, occupied by one (1) person or business, the maximum amount of signage allowed shall be limited to five (5) per cent of the wall area.
- (g) Retail businesses which are located at the intersection of two (2) roadways having frontage on each of the intersecting roadways shall be allowed a maximum of two hundred (200) square feet of total signage, provided, that no one sign is larger than one-hundred (100) square feet.

(B) Temporary Signage

- (1) Temporary ground sign advertising or announcing the future use or development of the property on which such signs are located may be maintained subject to the provisions of this ordinance, provided such sign does not exceed sixty-four (64) square feet in total area or remain longer than six (6) months. These signs are limited to one (1) sign per development except for those developments that have frontage on two (2) streets. In those cases, one such sign is allowed on each street. A site plan shall be submitted with the sign application and a permit for this sign is required. This type of sign shall be limited to prior to and during

- construction for a non-residential development. Such permit shall expire twelve (12) months after the date of issue, unless renewed.
- (2) Temporary "for rent," "for sale" or "for lease" signs in local business, commercial or industrial districts shall not exceed thirty-two (32) square feet, or remain more than ninety (90) days, but may be renewed upon request and payment of required fees. A site plan shall be submitted with the sign application and a permit for this sign is required. These signs are limited to one (1) sign per property except those on corner lots, which can have one (1) sign on each street.
 - (3) Temporary signs relating to grand openings, going out of business or under new management for businesses, or events sponsored by charitable organizations, to take place within thirty (30) days, shall be allowed. In the case of business grand openings temporary signs shall be limited to banner type signs placed on the wall not to exceed 60 square feet.
 - (4) Temporary Special Event signs, not addressed in Section 5(b)3 will be allowed by permit for a period of 14 days preceding a special event and shall be removed within 48 hours following the special event. The same or similar event shall not be advertised more frequently than twice (2) times a year. Temporary Special Event signs shall be limited to thirty-two (32) square feet.

Sec. 6. Wall signs.

- (a) A wall sign relating to only retail business name, services, articles and products, offered within the building to which the sign is attached, and which does not exceed ten (10) per cent of the total wall area of front-facing walls for each building or store shall be allowed. For multi tenant buildings (2 or more businesses), wall signs shall not exceed five (5) per cent.
- (b) Any advertising sign that shall be attached to a building shall not project beyond the building for a distance of more than twelve (12) inches. If illumination is to be provided, the sign shall be internally illuminated, or back lighted, so as to prevent glare upon the street or adjacent property.
- (c) A wall sign shall be constructed of incombustible materials, providing that moldings and cappings may be made of wood, and provided further, that all such wall signs must be safely and adequately attached to such buildings. No wall sign shall be erected as to cover the doors or windows of any building, or otherwise prevent free ingress and egress to or from any window, door or fire escape of any building.
- (d) If said wall sign shall project from the surface of the wall to which it is attached, it shall be so installed that it will not extend downward nearer than ten (10) feet to the ground.
- (e) No wall sign shall extend above the roofline.
- (f) If a wall sign is composed of individual letters, the area shall be figured by squaring around the outside of the letters and reducing the area by one-third, ($\frac{1}{3}$) to compensate for the open space between and around letters.

Sec. 7. Pole signs.

- (a) No pole sign shall exceed thirty (30) feet in height.

- (b) Where the pole sign projects into a parking area, the minimum height of the sign shall be fourteen (14) feet. In all other areas the minimum height shall be ten (10) feet.
- (c) All pole signs shall set back from the property line so that no part of the sign is closer than five (5) feet to said property line.
- (d) The facing used in all internally illuminated pole signs shall be constructed of Flex-face type material or routed metal.
- (e) No pole sign shall exceed fifty (50) square feet in area. Not more than one (1) pole sign shall be erected on any one (1) lot or tract of land.

Sec. 8. Ground signs.

- (a) No ground sign (as defined in the definitions in section 2 shall be at any point over eight (8) feet above the ground level.
- (b) Every ground sign shall be stoutly constructed and anchored in a secure and substantial manner.
- (c) The ends of all such signs shall be at least six (6) feet distant from any wall or fence, or any obstruction, which would prevent a clear passage around.
- (d) No ground sign shall exceed fifty (50) square feet in area. Not more than one (1) ground sign shall be erected on any one (1) lot or tract of land.
- (e) No ground sign when erected on a lot fronting on intersecting streets shall be erected within fifty (50) feet of the intersection of the streets. Subdivision monument signs shall be located on common ground or on a private parcel requiring the approval from lot owner if not located on common ground. Ground signs shall not impede site visibility for adjacent roadways.
- (f) Ground sign must be located so that no part of the sign projects beyond a five-foot setback line from the street or highway right-of-way.
- (g) The structural supports of all ground signs, including temporary signs shall be concealed within the supporting base or by rigid trim and/or for skirting material.
- (h) The facing material for all permanent, internally illuminated signs shall be routed metal or Flex-face type material.

Sec. 9. Directional signs.

Small post signs indicating the direction to a business (exit and entrance) may be erected and maintained in addition to signs allowed under Section 5, providing;

- (a) The director of public works' designee or designees shall investigate and make finding that the sign will serve a public purpose and that a public necessity for such directional sign exists.
- (b) Such sign shall not exceed eighteen (18) inches by twenty-four (24) inches in size and shall be installed under the supervision of the director of public works or his designee or designees in a manner and at a height so as not to interfere with the ordinary and lawful use of the street.
- (c) Overall height of said signs shall not exceed three (3) feet.

Sec. 10. Electronic Message Signs.

Electronic message signs are permitted as attachment to or placement as a ground or pole sign only and have the following provisions:

- (a) The maximum area cannot exceed fifty (50) square feet.
- (b) Only one (1) electronic message sign per establishment is permitted.

- (c) Electronic message signs must be a minimum distance of one hundred (100) feet from any residentially zoned property.
- (d) Animation, flashing, blinking characters, scrolling text, or continuous movement is not permitted in any circumstance.
- (e) Text displayed per line on the message sign at any one time shall be limited to ten (10) words.
- (f) All displays must be static with a minimum duration of five (5) seconds for text and twenty (20) seconds for images. Transition time must be no longer than one second.
- (g) No sounds can be emitted from electronic message signs.
- (h) Electronic message signs shall contain a default design that will freeze the design in one position if a malfunction occurs.
- (i) The maximum brightness of electronic message signs shall not exceed five thousand (5000) candelas per square meter during the daylight hours or five hundred (500) candelas per square meter between dusk to dawn. The sign must have an automatic dimmer control or other photosensitive device which automatically adjusts the brightness and contrast of the sign from the higher allowed illumination level to the lower allowed level for the time period between one-half (1/2) hour before sunset and one-half (1/2) hour after sunrise.

Sec. 11. Unlawful signs.

- (a) Any new sign installed, erected or maintained in violation of any provisions of this ordinance shall be an unlawful sign.
- (b) Any existing sign enlarged, rebuilt, structurally altered or relocated, except in accordance with the provisions of this ordinance, shall be an unlawful sign.
- (c) Any existing sign which is no longer applicable to the property or building upon which such sign is located shall be considered an unlawful sign. Such sign shall be removed by the property owner within thirty (30) days of notice by the city. Removal shall include the sign and all supports.
- (d) Any sign legally existing under prior ordinances but which shall violate any provision of this ordinance, may continue to be maintained and used at its existing location after passage of this ordinance for the life of the existing business, subject to the following provisions:
 - (1) Any legally existing sign, under previous ordinance that is moved to another location, either on the same or to other premises, shall be considered a new sign, except that any such sign which is hereafter required to be moved by a governmental body for the purpose of construction, relocation, widening or improving a street or highway or for other public purposes, which shall violate any provisions of this ordinance may be relocated and allowed to be maintained and used as it was prior to the passage of this ordinance.
 - (2) Any legally existing sign that is enlarged or reconstructed shall be considered to be a new sign, except that neither the re-lettering, repainting nor ordinary maintenance of such sign, or the repair or restoration to a safe condition after being damaged by storm or other accidental act, as shown and in accordance with the original sign permit, shall constitute such a change as to classify the sign as a new one.
- (e) The following types of existing signs, if in violation of any provisions of this ordinance, must be removed within ninety (90) days from the effective date of this ordinance, unless a further extension of ninety (90) days is granted by the director of public works or his designee or designees for reasonable cause.

- (1) Temporary show or display window signs;
- (2) Temporary ground signs;
- (3) Paper posters applied directly to the wall or roof of a building, or pole or other support;
- (4) Use of advertising devices such as banners and pennants affixed on poles, wires or ropes, streamers, wind operated devices, flashing lights and any other type of fluttering or flashing devices;
- (5) All portable signs, except as herein provided;
- (6) Any sign that revolves or contains flashers, animators or mechanical movement or contrivances of any kind, excepting clocks or time and weather information signs or electronic message signs approved in accordance with Section 10;

Sec. 12. Signs and devices prohibited.

The following signs and advertising devices are prohibited in the city:

- (a) Advertising devices in show or display windows exceeding twenty (20) per cent of the display area.
- (b) Conflicting signs: Signs or devices which by color, location or design resemble or conflict with traffic control signs or devices;
- (c) Use of advertising devices such as banners except as noted in section 5 and pennants affixed on poles, wires or ropes; streamers; wind operated devices; search lights; flashing lights; and any other type of fluttering devices;
- (d) Mechanical contrivances: No sign erected in the city shall contain flashers or animators
- (e) Paper posters and painted signs applied directly to the exterior wall of a building or pole or other support;
- (f) Portable signs; including, but not limited to human beings with signage held by, under the control of or attached to their body.
- (g) Signs advertising an article or product not manufactured, assembled, processed, repaired or sold upon the premises upon which the sign is located;
- (h) Signs advertising a service not rendered on the premises upon which the sign is located;
- (i) Revolving or moving messages signs of any type; excluding time and temperature and electronic message signs that meet the requirements of Section 10.
- (j) Signs in residential districts for home occupation; signs affixed to a private residence or dwelling or displayed upon the grounds thereof, except one personal identification sign not exceeding two (2) square feet.
- (k) Signs on parking lot light standards;
- (l) All portable reader boards: Any legally existing reader board, in the city may continue to be maintained, used and displayed for the life of the existing business, subject to the provisions of this ordinance, and particularly, but not limited to section 9;
- (m) Signs with more than two (2) faces;
- (n) Roof signs
- (o) Projecting signs;
- (p) Marquee signs.
- (q) Signs painted on or attached to trees, fence posts, rocks or other natural features, telephone or utility poles or painted on the roofs of buildings visible from any public thoroughfare.

Sec. 13. Maintenance.

- (a) Signs must be kept in good repair, including painted or otherwise finished surfaces, and supporting structures must be kept in upright condition.
- (b) The director of public works or his/her designee or designees shall order the removal of any sign that is not maintained in accordance with the provisions of this ordinance.

Sec. 14. Unsafe signs.

The director of public works or his/her designee or designees shall order the removal of any sign of immediate danger or hazard to persons or property as provided in the building code. It shall be unlawful for any person to maintain or permit to remain upon any premises owned, leased, occupied or used by him, with notice thereof, any unsafe or insecure sign liable to injure any person or property, or to maintain or permit to remain on any such premises any sign which because of condition would have a damaging effect upon other property in the city.

Sec. 15. Removal--Authorized.

- (a) Unsafe signs may be removed as provided in the building code.
- (b) The director of public works or his/her designee or designees shall order the removal of all unlawful signs as provided for in the case of signs erected without a permit.
- (c) If any sign is erected without a permit, the director of public works or his designee or designees shall order it removed, and if the order is not complied with within three (3) days the director of public works or his designee or designees shall have it removed at the expense of the person erecting or maintaining it and the person causing it to be erected, said sum to become a lien on the property to be certified to the recorder of deeds by the city clerk/collector.
- (d) The director of public works or his/her designee or designees is authorized to go upon any premises in the city for the purpose of removing signs under the provisions of this section. Signs removed by the director of public works or his designee or designees shall be retained for the owner's account for a period of thirty (30) days and shall be returned to the owner upon payment of the expenses of the removal. If not claimed within that time they shall be the property of the city and may be destroyed or sold for the payment of the expense of removal, with any excess from the proceeds of sale, if sold, being returned to the owner.
- (e) The director of public works or his/her designee or designees shall order the removal of all unlawful signs as provided for in section 9.

Sec. 16. Same--Prosecution.

The fact that a sign has been removed by the city shall be no defense to prosecution under this ordinance.

Sec. 17. Obstructing & Obscene signs.

No sign shall be erected or maintained so as to prevent free ingress to or egress from any door, window or fire escape. No sign of any kind shall be attached to a standpipe or fire escape.

It shall be unlawful for any person to display upon any sign or other advertising structure any obscene, indecent or immoral matter. All displays on any shall meet the public decency standards of the City.

Sec. 18. Signs constituting traffic hazard.

No sign or other advertising structure regulated by this ordinance shall be erected at the intersection of any streets in such a manner as to obstruct free and clear vision; or at any location where, by reason of its position, shape, or color, it may interfere with, obstruct the view of or be confused with any authorized traffic sign, signal or device; or which makes use of the words "Stop," "Look," "Drive-in," "Danger" or any word, phrase, symbol or character in such manner as to interfere with, mislead or confuse traffic. Illuminated signs must be so shielded or contain lamps of such reduced intensity to assure that they do not constitute a traffic hazard.

Sec. 19. Right to appeal.

Any person applying for a permit for a sign under the provisions of this ordinance, whose application has been denied, may appeal to the board of adjustment for the issuance of such permit. Any person aggrieved by the issuance of any permit by the director of public works or his designee or designees may appeal to the board of adjustment to hear his grievance. The board of adjustment may revoke such a permit if found not to be in compliance with this ordinance. A non-refundable filing fee of one hundred twenty-five dollars (\$125.00) is required for such appeals.

Sec. 20. Violations and penalties.

The zoning enforcement officer, in addition to any other remedies, may institute any appropriate action or proceeding to prevent any unlawful erection, construction, reconstruction, alteration, conversion, maintenance or use of a sign, or to restrain, correct or abate such violation.

The owner or general agent of the building or premises where violation of any provision of this article has been committed or shall exist, or the lessee or tenant of an entire building or entire premises where such violation has been committed or shall exist, or the owner, general agent, lessee or tenant of any part of the building or premises in which such violation, or on which such violation, has been committed or shall exist, or the general agent, architect, builder, contractor or other person who commits, takes part or assists in any violation, or who maintains any sign in violation, shall be guilty of a misdemeanor, punishable by a fine not to exceed one thousand dollars (\$1,000.00) or imprisonment for a period not to exceed ninety (90) days, or by both such fine and imprisonment for each and every day such violation continues.

Sec. 21. Liability Insurance.

Every person licensed under this ordinance shall, before any license required by this ordinance is issued to said person, file with the city clerk an original certificate of insurance, showing evidence of liability insurance coverage in a minimum amount of five hundred thousand dollars (\$500,000.00).