

Chapter 19

**SIGNS\***

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\*Cross references—Buildings and building regulations, Ch. 4; zoning, Ch. 24.

## ARTICLE I. IN GENERAL

### Sec. 19-1. 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:

*Advertising sign* means a sign relating:

- (1) To a business activity, use or service not carried on the premises upon which the sign is placed.
- (2) To a product not sold, handled, produced, or fabricated on the same premises upon which the sign is placed.
- (3) To a vehicle advertising sign.

Advertising signs are also referred to as "off-site sign" and relate to a business, activity, use, or service primarily conducted off the site, or to a product not incidentally sold on the site.

*Advertising structure* means any device, except a building or vehicle, upon which any sign is placed, painted, fastened or affixed, and the term "advertising structure" is included in the word "sign" when the context would so imply.

*Billboard* means an off-site sign relating to a business, activity, use or service conducted off the site or to a product not sold on the site.

*Board of adjustment* means the board of adjustment described in chapter 24.

*Building line* means a line established by chapter 24 or set by variance thereof, beyond which no part of a principal building or structure may be erected.

*Bulletin board* or *announcement sign* means a business sign:

- (1) Listing church services,
- (2) Stating religious activities, or
- (3) A directory sign listing the names, use and location of the various services, offices or activities within a building or group of buildings of:
  - a. A public or semipublic use,
  - b. A charitable use,

- c. A professional or semiprofessional use,
- d. A medical center,
- e. A clinic or hospital.

*Business sign* means a sign relating to any of the following:

- (1) To a business, activity, use or service conducted on the premises upon which the sign is placed.
- (2) To a product sold, handled, produced, or fabricated on the premises upon which the sign is placed.
- (3) To a vehicle business sign.

Business signs are also referred to as "on-site signs" and relate to a sign that is but a part of and is wholly incidental to the business, activity, use, or service conducted on the premises.

*Chief building official* means the chief inspector of the city and is also referred to as the inspector or building inspector or sign inspector.

*Cloth* or *banner sign* means a temporary sign, with or without a frame, erected or executed upon or composed of any flexible material including streamers.

*Corner lot* means a lot with property lines of two (2) streets bisecting on an angle or on a sanderel curve.

*Cutouts* or *extensions* mean any extension beyond the border of a sign being a part of the same advertisement and not a separate sign.

*Electric sign* means any sign which has electric wiring in, on or attached to it or its advertising structure and is served or energized with electric current for the purpose of illumination or for any other purpose.

*Electrical equipment* means any attached electrical device that, apart from an electrical sign, would have no advertising value, such as raceways, transformers.

*Facing* or *face* means the surface of a sign or sign board upon, against, or through which a message is displayed.

*Festoon lighting* means a business sign if all of the following are satisfied:

- (1) A group of ten (10) or more incandescent light bulbs are hung or strung overhead and not on a building or advertising structure.
- (2) Light bulbs are exposed to persons on public rights-of-way.
- (3) Light bulbs are not shaded or hooded or otherwise screened to prevent the direct rays of the light from shining above four (4) feet from sidewalk grade where they cross street or side lot property lines.

*Flashing, animated or moving sign* means any of the following:

- (1) A sign that intermittently reflects lights from either an artificial source or from the sun.
- (2) A sign which has movement of any illumination such as intermittent, flashing, scintillating or varying intensity.
- (3) A sign that has any visible portion in motion, either constantly or at intervals, which motion may be caused either by artificial or natural sources.

“Flashing animated or moving sign” does not include time and weather signs, billboards, or sky signs.

*Freeway* means a divided arterial highway on the interstate or primary highway system with full control of access and with grade separations of intersections.

*Ground sign* means a sign not attached to any building, and supported by uprights or braces or some object on the ground; and as a type of free-standing sign not a pole sign. The supporting object referred to includes such structures as fences, walls, islands, telephone booths, poles, vending machines, mechanical equipment, and parked vehicles which are primarily used for advertising purposes.

*Home occupation sign* means a sign stating the name of a person and the name of the permitted home occupation or only the occupation.

*Identification sign, professional sign, or nameplate* means a business sign stating the name of a person, firm, or the name or description of a certain permitted use.

*Illuminated sign* means a sign lighted by or exposed to artificial lighting, either by lights on the signs or directed toward the signs.

*Inspector* means building inspector, sign inspector, or chief building official.

*Marquee* means a permanent roofed structure attached to and supported by a building and projecting over public property.

*Marquee sign* means a business sign:

- (1) Attached to, or
- (2) Painted on, or
- (3) Inscribed on; and
- (4) Partly or fully supported by or made an integral part of, a marquee.

*Nonconforming use sign* means a business sign relating to a currently active and existing non-conforming business or use as described in chapter 24.

*Off-site sign* means an advertising sign, other than a sign which is located in the public right-of-way that pertains to goods or services or any announcement whose subject is not available on the premises. “Available on the premises” does not include minor, incidental uses and/or products such as those contained in vending machines.

*On-site sign* means a display designed, used or intended to be used, to advertise the principal purpose of the business such as the major category of goods, materials or services sold or provided on the premises where the sign is located.

*Outdoor advertising business* means any of the following businesses:

- (1) Manufacturing, erecting, repairing, maintaining or painting outdoor signs which are attached to buildings or advertising structures.
- (2) Manufacturing, erecting, repairing or maintaining outdoor advertising structures.

- (3) Placing or servicing outdoor signs or structures on premises not owned by the business.

*Pole cover* means material designed to enclose supports of an advertising structure which is not in any way used for advertising purposes.

*Pole sign* means a type of free standing sign with a clear space of not less than ten (10) feet between the bottom of the face of the sign and the sidewalk grade.

*Political sign* means a sign relating to any of the following:

- (1) The election of a person to public office.
- (2) Relating to a political party.
- (3) Relating to a matter to be voted upon at an election called by a public body.

*Projecting sign* means a sign meeting all of the following criteria:

- (1) Attached to a building or other structure.
- (2) Extending:
  - a. In whole or in part more than twelve (12) inches beyond the surface of the portion of the building to which it is attached; or
  - b. Extending beyond the building line; or
  - c. Extending over public property.

*Real estate development sign* means a business sign placed on the premises of a subdivision or other real estate development.

*Real estate private sign* means a real estate sign owned by the owner or possessor of the premises and showing no name, phone number or other identification of a real estate agent or broker.

*Real estate sign* means a business sign placed upon a property advertising that particular property for sale, or for rent, or for lease.

*Roof sign* means a sign eighty (80) square feet or less in area any part of which is erected upon, over or above a roof of a building.

*Sidewalk* means that portion of the public right-of-way between the property line and the established street curb or established curblines whether paved or not.

*Sidewalk grade* means the elevation of the portion of the sidewalk nearest a sign, which adjoins the property upon which the sign is erected. If no sidewalk grade is established the inspector may designate it subject to public works director's approval.

*Sign* means any object or device or part thereof situated outdoors or indoors and which object or device or the effect produced by it may be seen by persons upon public rights-of-way or in public areas; and which is used to advertise, announce, identify, declare, demonstrate, display, instruct, direct, or attract attention by any means including: words, letters, figures, designs, fixtures, colors, motion or illumination. "Sign" includes window signs, cloth banners, balloons, festoon lighting, vehicle advertising signs, vehicle business signs, and also includes the advertising structure when the context so requires.

*Sky sign* means a sign over eighty (80) square feet in area erected upon or above a roof of a building.

*Temporary sign* means a business sign such as cloth banners, pennants, window signs in business and industrial districts, signs of lightweight cardboard, plastic or paper materials and intended to be displayed for a short time or for special events.

*Time and weather sign* means a sign giving the time or weather information and which may be read by the persons in public rights-of-way.

*Vehicle advertising sign* means any of the following:

- (1) A sign painted on or attached to a vehicle which sign does not relate to the business, nor business activity, nor use, or products, nor services of the owner, or lessor of the vehicle.
- (2) A vehicle sign when the vehicle upon which the sign is painted or attached is:
  - a. Placed upon property not owned or used in the business activity of the vehicle owner, and
  - b. Placed within thirty (30) feet of any street line, and
  - c. Not being actively serviced.

It is presumed that a sign on such a vehicle is not incidental to its primary use and that the vehicle's primary use is for advertising purposes.

*Vehicle business sign* means a vehicle sign when the vehicle upon which the sign is painted or attached is parked or placed upon the owner's premises primarily for advertising purposes.

*Vehicle sign* means a sign painted on or attached to a vehicle which sign relates to any of the following:

- (1) The business, activity, use, service or product of the owner of the vehicle.
- (2) The sale of the vehicle, and which sign is incidental to the primary use of the vehicle.

*Wall sign* means a sign attached to, painted on, or erected against a wall or parapet wall of a building or structure with the exposed face of the sign in a plane approximately parallel to the plane of such wall.

*Window sign* means a temporary or permanent business sign meeting all of the following criteria:

- (1) Oriented to the public right-of-way.
- (2) Legible to persons in vehicles.
- (3) Placed in any of the following locations:
  - a. On the outside of a window.
  - b. On the inside of a glass window.
  - c. Inside a building and within one (1) foot of a window.

(Ord. No. 78-3, §§ 13.110—13.127, 13.127.1, 13.128—13.139, 13.141—13.153, 13.195, 2-14-78; Ord. No. 83-15, §§ 1, 2, 8-11-86)

**Cross reference**—Definitions and rules of construction generally, § 1-2.

### Sec. 19-2. Declaration of intent.

The purpose of this chapter in regulating outdoor advertising, outdoor advertising signs, and outdoor signs of all types, is to preserve and protect the public health, the public welfare, and the public safety. It is intended to enhance the physical appearance of the city, preserve the scenic and natural beauty of designated areas, make the city a more enjoyable and pleasing community, and to create a more attractive economic and busi-

ness climate. It is intended by the provisions of this chapter to reduce sign or advertising distractions that may increase traffic accidents; to reduce hazards that may be caused by signs overhanging or projecting over public rights-of-way; relieve pedestrian and traffic congestion; provide more open space; and avoid the "cancelling out" effect of conflicting adjacent signs.  
(Ord. No. 78-3, § 13.101, 2-14-78)

### Sec. 19-3. Interpretation.

(a) Where there is a conflict between provisions of this chapter and chapter 24, this chapter shall prevail. Where there is a conflict between provisions of this chapter and other provisions of this Code, the more restrictive provisions shall prevail.

(b) Where there is a conflict between the provisions of this chapter the more restrictive provisions shall prevail. Where there is a conflict between a main or general classification and its more specific subclassification, the more specific shall prevail.  
(Ord. No. 78-3, §§ 13.103, 13.104, 2-14-78)

### Sec. 19-4. Civil liability.

Neither the provisions of this chapter nor the issuance of any sign permit shall not be construed as relieving or limiting the responsibility or liability of the person erecting, owning or maintaining any sign from personal injury or property damage resulting from such sign or work relating thereto, nor shall they be construed as imposing upon the city, or its officers or employees any responsibility or liability by reason of the approval of any sign, material or device under any of the provisions of this Code.  
(Ord. No. 78-3, § 13.185, 2-14-78)

### Sec. 19-5. Classification of signs.

The following chart is shown for ready reference. Signs regulated by the provisions of this chapter are classified as to use type and to structural type.

- (1) *Use types.*
  - a. *Off-site type signs:*
    1. Advertising sign (20 sq. ft. in area or smaller).
    2. Billboard (Over 20 sq. ft. in area).

3. Political.
4. Vehicle advertising.
- b. *On-site type signs*:
  1. Business signs not otherwise specified.
  2. Bulletin board.
  3. Festoon lighting.
  4. Identification and nameplate.
  5. Marquee.
  6. Nonconforming use.
  7. Political.
  8. Real estate and real estate private.
  9. Real estate development.
  10. Temporary.
  11. Window.
  12. Vehicle business sign.
- (6) Public service company signs as aids to safety or service, or indicating danger.
- (7) Special event signs on or over public property permitted by the council by special license.
- (8) Specially licensed signs on or over public property permitted by the council by franchise or special license such as signs on bus benches and trash receptacles.
- (9) Street number signs if not larger than required to be clearly visible by a person with 20/20 vision from the opposite side of the street.

(2) *Structure types.*

- a. Freestanding—Ground or pole.
- b. Flashing or moving.
- c. Projecting—Ground, pole or roof.
- d. Roof.
- e. Sky.
- f. Wall.

(Ord. No. 78-3, § 13.273, 2-14-78)

**Sec. 19-6. Exemptions.**

The provisions of this chapter except those relating to hazardous signs do not apply to the following type signs or advertising:

- (1) Inside signs not defined as window signs.
- (2) Signs which are not visible from any public right-of-way or from any public area.
- (3) Official notices of any court or public office and legal notices posted pursuant to law or ordinance.
- (4) Traffic signs or other signs erected or maintained by a governmental body or agency, including danger signs, railroad crossing signs, geographic signs, historical signs.
- (5) Cornerstones or tablets of bronze, brass or other noncombustible material when built into or attached to the wall of a building or structure, which states only the name of the building or structure, its use, the date of erection, names of owner, architect, public officials or which gives information commemorating a person or event.

- (10) Nonadvertising signs not exceeding one (1) square foot in area such as "no trespassing" "private drive" or a person's name.

(Ord. No. 78-3, § 13.215, 2-14-78)

**Sec. 19-7. Outdoor advertising business; licensing, etc.**

(a) Persons engaged in the outdoor advertising business shall be subject to all provisions of this chapter and this Code, and shall comply with the provisions of this section.

(b) An outdoor advertising business license must be obtained pursuant to this Code prior to engaging in the outdoor advertising business.

(c) An applicant for an outdoor advertising business license shall be required before issuance of license to:

- (1) Show a proper state contractor's license to do the work.
- (2) Furnish bond or public liability and property damage insurance to hold the city harmless and free of liability, and to cover injury or damage to others arising out of the applicant's work or from signs or structures, manufactured, erected, repaired or maintained by the applicant as follows:
  - a. A bond running to the city in the amount of ten thousand dollars (\$10,000.00); or

- b. Insurance with the city as co-insured in amounts of not less than:
  - 1. For public liability and bodily injury, one hundred thousand dollars (\$100,000.00) per person and three hundred thousand dollars (\$300,000.00) per occurrence.
  - 2. For property damage, fifty thousand dollars (\$50,000.00).
- (3) As to any signs or advertising structures that may extend over the public right-of-way, the applicant shall furnish additional public liability and property damage insurance with the city as co-insured, as required in the same amounts stated in paragraph (2) of this section.

Such insurance may be furnished by the owner or occupant of the premises in lieu of the licensee.

(d) A license shall automatically be revoked if the required bond or insurance shall lapse.

(e) Any sign or advertising structure over a public right-of-way may be immediately removed if the insurance coverage required thereon lapses. (Ord. No. 78-3, §§ 13.196—13.198, 2-14-78)

**Sec. 19-8. Corner lots.**

- (a) On corner lots with one (1) occupancy:
  - (1) Either street may be chosen as front yard for sign regulation purposes; provided that such choice is determined by the sign inspector as not to be injurious to the existing or to the desirable future development of adjacent properties.
  - (2) Fifty (50) percent of the total maximum area allowed by both front and side street frontages may be located in the permitted portion of bisected corner area.
  - (3) The maximum projection of signs beyond zoning building lines in a bisected corner area shall be twenty-four (24) inches.
  - (4) Both streets shall be counted as frontage to determine allowable sign area.

(b) On corner lots with group or multiple occupancy:

- (1) Both streets may be considered as front yards for sign regulation purposes, provided the sign inspector determines this is necessary so as not to be injurious to the desirable development of the property or adjacent property.
- (2) Fifty (50) percent of the total maximum area allowed by both front and side street frontages may be located in the permitted portion of bisected corner area.
- (3) Both streets shall be counted as frontage to determine allowable sign area.

(c) Traffic visibility at corner lots shall not be obstructed across corners by signs as provided in section 19-19.

(Ord. No. 78-3, § 13.120(1), 2-14-78)

**Sec. 19-9. Measurement of distances.**

Whenever minimum distance between signs are indicated this means horizontal distance measured from the points as if each sign touched the ground. (Ord. No. 78-3, § 13.169, 2-14-78)

**Sec. 19-10. Height limit.**

No sign or advertising structure shall exceed the height permitted for building in the zoning district in which it is erected.

(Ord. No. 78-3, § 13.170, 2-14-78)

**Sec. 19-11. Conformance to construction standards.**

Signs and advertising structures shall be constructed in accordance with construction details, specifications and standards established by the sign inspector, as set forth in the Uniform Sign Code.

(Ord. No. 78-3, § 13.165, 2-14-78)

**Sec. 19-12. Reserved.**

**Sec. 19-13. Conformance to rules, regulations and codes.**

All work, signs and advertising structures shall conform to the specifications and to the rules and

regulations established by the sign inspector and to instructions issued pursuant thereto, and shall be designed, installed and constructed in accordance with provisions of applicable codes of the city including the building code, electrical code and fire code.

(Ord. No. 78-3, § 13.167, 2-14-78)

#### Sec. 19-14. Measurement of sign area.

Sign areas shall be measured as follows:

- (1) Square or rectangular signs, the length times the height of sign face.
  - (2) Irregular shaped signs, the area of rectangles or triangles or combination thereof, necessary to enclose the sign face.
  - (3) Sign made of individual cutout letters, the sum of area of rectangles or triangles necessary to enclose each letter.
  - (4) V-type sign in excess of ninety (90) degrees, the sum of area of all faces.
  - (5) Two-faced signs, the area of one (1) face.
  - (6) Lamps, neon tubing, or artificial illumination on walls of any building or structure, the width times length of each lamp, neon tubing or other illuminating device. This area shall be counted as part of the total allowable sign area.
  - (7) Where any part of the exterior walls of a building, which have more than one (1) occupancy, are outlined by illuminations:
    - a. Prorate horizontal area in ratio to the frontage of each occupancy.
    - b. Charge vertical illumination area equally to occupancies immediately adjacent thereto.
  - (8) Where a group occupancy is divided into smaller occupancies (for example, a shopping center), prorate the large area to each occupancy in proportion to each individual frontage and reduce the group sign area allowance accordingly.
  - (9) Electrical equipment and pole covers shall not be counted in measuring sign area.
- (Ord. No. 78-3, § 13.168, 2-14-78)

#### Sec. 19-15. Certain signs declared nuisance.

Every sign and advertising structure unlawfully on the public right-of-way or unlawfully projecting over the public right-of-way or unlawfully on public property or declared to be hazardous or unsafe by the sign inspector is a public nuisance.

(Ord. No. 78-3, § 13.249, 2-14-78)

#### Sec. 19-16. Obstructing exits, windows, etc.

No sign shall be erected or maintained in such a manner that any portion of its surface or supports will interfere in any way with the free use of any fire escape, exit, stairway or fire equipment, or obstruct any required ventilator, door or stairway. No sign shall obstruct the free use of any window on the premises.

(Ord. No. 78-3, § 13.171, 2-14-78)

#### Sec. 19-17. Information on signs.

Information required by the inspector such as the permit number, name of maker, or erector, installation date, inspector's stamp of approval, and voltages, shall be plainly marked on each sign. This information shall be placed where readily visible and accessible for inspection.

(Ord. No. 78-3, § 13.172, 2-14-78)

#### Sec. 19-18. Interference with traffic.

No sign shall be erected or maintained which does any of the following:

- (1) Interferes in any way with traffic.
  - (2) Confuses traffic.
  - (3) Presents any traffic hazard.
  - (4) Obstructs traffic lights or traffic signs.
  - (5) Obstructs the vision from vehicles necessary for safety or convenience.
- (Ord. No. 78-3, § 13.173, 2-14-78)

#### Sec. 19-19. Obstructing traffic visibility at corners.

No freestanding sign shall be erected or maintained, on any corner lot within twenty (20) feet of the property corner which may interfere with traffic visibility across the corner, nor within twenty (20) feet of any railroad crossing.

(Ord. No. 78-3, § 13.174, 2-14-78)

Cross reference—Obstructions to traffic visibility, § 24-542.



**Sec. 19-20. Maintenance.**

All signs and advertising structures shall be:

- (1) Maintained in good and safe structural condition.
- (2) Painted on all exterior parts, unless coated or made of rust inhibitive material.
- (3) Maintained in good condition of appearance. (Ord. No. 78-3, § 13.175, 2-14-78)

**Sec. 19-21. Combination signs.**

Each portion of a sign which is subject to more than one (1) classification, shall meet the requirements for the classification to which such portion is subject. If a sign falls entirely within the definition of more than one (1) type sign, it shall be subject to the provisions of the most restrictive category.

(Ord. No. 78-3, § 13.176, 2-14-78)

**Sec. 19-22. Removing obsolete signs.**

All signs relating to a product no longer available for purchase by the public and all signs relating to a business which is closed or moved away shall be removed or the advertising copy shall be removed. Painted wall signs shall be painted over with a color that resembles or matches the wall. If the owner of, or person responsible for the sign, or if the tenant closing the business, fails to remove or paint over the sign, the owner of the premises or the city shall be responsible and the work shall be done within thirty (30) days following the date of obsolescence. If removal is done by city, persons charged will be those stated in section 19-53.

(Ord. No. 78-3, § 13.177, 2-14-78)

**Sec. 19-23. Reserved.**

**Sec. 19-24. Signs over public rights-of-way have only a license.**

Every permit and every provision of this Code which allows a sign or advertising structure on or to project over the public right-of-way or public property is hereby declared to be a special license, revocable at will by the council and the city shall

not be liable for any damages by reason of such revocation, whether revocation is caused by amendments to this Code or by separate action.

(Ord. No. 78-3, § 13.182, 2-14-78)

**Sec. 19-25. Curblin changes.**

When the construction of any street or alley is modified without an enlargement of the public right-of-way between existing property lines, so that the new curblin of the street would make an existing sign in violation of the provisions of this chapter, the sign shall be moved or removed so as to comply with the provisions of this chapter without cost to the city. The city shall not be liable in damages by reason of such modification or for the costs of moving or removing a sign.

(Ord. No. 78-3, § 13.183, 2-14-78)

**Sec. 19-26. Placing on poles, trees, etc.**

No person shall attach or maintain any sign upon any public utility pole or structure, light pole, lamp, lamppost, tree or shrub.

(Ord. No. 78-3, § 13.205, 2-14-78)

**Sec. 19-27. Placing on private property without permission.**

No person shall attach or maintain any sign upon any property, or on any building, wall, fence, advertising structure, sign or other structure without first obtaining the permission of the owner of the building or structure, and of the owner or possessor of the premises upon which the building or structure is placed.

(Ord. No. 78-3, § 13.206, 2-14-78)

**Sec. 19-28. Defacing or tearing down.**

No person shall knowingly, remove, deface, cover, or damage any legal sign of another not on such person's premises.

(Ord. No. 78-3, § 13.207, 2-14-78)

**Sec. 19-29. Placing sign on public streets or public property.**

No person shall place, erect or maintain or cause the placing, erecting or maintaining of any sign, except as is permitted by this Code or laws or ordinances of other governmental bodies or agen-

cies, upon any public right-of-way or public area; including streets, sidewalks, alleys, drainageways, parkway areas between the sidewalk and the curb and parks.

(Ord. No. 78-3, § 13.208, 2-14-78)

**Sec. 19-30. Signs on fences.**

No person shall paint a sign on or attach a sign, except an identification sign, to the outside of a property line wall, whether or not on the property line.

(Ord. No. 78-3, § 13.209, 2-14-78)

**Sec. 19-31. Signs on walls.**

No person shall permit a sign on or attach a sign, except an identification sign to the outside of a property line wall, whether or not on the property line, which is not a structural part of a building.

(Ord. No. 78-3, § 13.210, 2-14-78)

**Secs. 19-32—19-50. Reserved.**

**ARTICLE II. ADMINISTRATION  
AND ENFORCEMENT**

**DIVISION 1. GENERALLY**

**Sec. 19-51. Enforcement officer.**

(a) The sign inspector shall enforce the provisions of this chapter. The sign inspector may delegate powers and duties to assistants and employees. The inspector may inspect signs at any reasonable time and may inspect signs or advertising structures at point of manufacture if in the city or the vicinity thereof.

(b) Upon presentation of proper credentials, the inspector and authorized assistants, may enter at reasonable times any building, structure, property or premises to perform any duty imposed by the provisions of this chapter or to enforce the provisions of this chapter.

(Ord. No. 78-3, §§ 13.245—13.247, 2-14-78)

**Sec. 19-52. Violation notice and order.**

(a) The sign inspector may issue a violation notice and order in writing for a violation of this

chapter. A violation notice may be issued without an order to comply. The notice shall state the violation. The notice may also order compliance and grant a time limit for compliance.

(b) The notice and order gives actual notice if given in any of the following manners:

(1) By handing in person either to the owner or occupant of the premises on which the sign is located, the owner of the sign, the person responsible for the sign, or the permittee. In such cases the time for compliance with the order shall run from that date.

(2) By mailing by certified mail, return receipt requested, addressed to either or all of the persons described in paragraph (1) of this subsection to addresses shown on the county tax assessor's current records or in the current city directory or as shown on the permit. In such cases the time for compliance shall start two (2) days following the mailing date.

(3) By posting on the sign or on the advertising structure or on the premises. In such cases the time for compliance shall run from date of posting.

(c) The violation notice shall impose a fine of twenty-five dollars (\$25.00) for each violation. The fine may be suspended if the order for compliance is followed. A fine may be in addition to the charge for costs for removing or storing signs or for work done by the city. If fine is not paid a complaint may be filed for court action in addition to any other remedy.

(d) No person shall remove any posted violation notice without written permission from the sign inspector.

(Ord. No. 78-3, §§ 13.211, 13.254—13.256, 2-14-78)

**Sec. 19-53. Removal, repair, etc., by city.**

(a) The sign inspector may move or remove and dispose of a sign or advertising structure that:

(1) Does not have a required permit.

(2) Has an expired permit.

(3) Is a public nuisance.

- (4) Is unsafe or is a hazard.
- (5) Violates any other provision of this chapter.

(b) The sign inspector may do the work required to make a sign or advertising structure comply with the provisions of this chapter, or if it is unsafe or a hazard may do what is required to correct the matter.

(c) The sign inspector may forthwith remove or correct or cause to be removed or corrected any sign or advertising structure without notice which is a public nuisance. As to any sign or advertising structure on private property that is not a public nuisance, the inspector may correct any sign violation, by removal or otherwise, but not before five (5) days following the effective delivery date of violation notice and order, or after such additional time given for compliance in the notice.

(d) The sign inspector may charge the cost of moving, removing, correcting, storing or doing work on a sign or sign structure against any one (1) of the following, each of whom shall be jointly and severally liable for the charge:

- (1) The permittee.
- (2) The owner of the sign.
- (3) The owner of the premises on which the sign is located.
- (4) The occupant of the premises on which the sign is located.
- (5) The person responsible for the sign.

(e) A removed sign or advertising structure shall be held not less than thirty (30) days by the city during which period it may be recovered by the owner upon paying the city for costs of removal and storage, and upon payment of any fine imposed. If not recovered within the thirty-day period the sign and structure is abandoned and title thereto shall vest in the city. The charge and fine may be in addition to any penalty for the violation, and recovery of sign does not necessarily abrogate the penalty.

(Ord. No. 78-3, §§ 13.250, 13.251—13.253, 13.257, 13.258, 2-14-78)

**Sec. 19-54. Variances.**

The board of adjustment, pursuant to the same powers and authority and in accordance with the same procedures in chapter 24, may grant variances as to the location of signs, but may not grant variances as to maximum sign areas. A fee of thirty-five dollars (\$35.00) shall be paid to the city upon making application for a variance. (Ord. No. 78-3, §§ 13.236, 13.261, 2-14-78)

**Secs. 19-55—19-65. Reserved.**

**DIVISION 2. SIGN PERMIT**

**Sec. 19-66. Required.**

(a) No sign shall be erected, relocated, posted, painted or maintained, and no advertising structure shall be erected, relocated or maintained by any person without first having a written permit from the city. Electrical signs shall also require electrical permits.

(b) The painting, repainting or cleaning of an advertising structure, or the changing of the message of a sign by repainting or changing of letters on an interchangeable letterboard sign, or changing of paper advertising copy, or changing of rotating billboard copy, or rotating of vehicle advertising signs shall not be considered as an erection or alteration, which requires a sign permit. Any other change of structure, copy or message shall require a permit. Notice of rotating billboard copy or vehicle advertising signs shall be furnished inspector.

(c) The following types of signs shall be subject to the provisions of the chapter, but no permits and no permit fees shall be required:

- (1) Real estate private signs.
- (2) Professional or semiprofessional nameplate not exceeding one (1) square foot in area.
- (3) Signs forming an integral part of a marquee or canopy stating only the name of occupant, nature of business and street address.
- (4) A construction sign not exceeding one (1) per street frontage and not exceeding forty-eight (48) square feet in area which may

state only name of architect, engineer, prime contractor and major subcontractors of the structure under construction, alteration or repair, and the name, purpose and character of structure. For purposes of regulation such a sign shall be deemed a temporary sign. However, such sign may be placed on a barrier, fence, temporary building, construction canopy or structure under construction, and shall be removed immediately upon completion of work.

- (5) Signs on buses and taxicabs.  
(Ord. No. 78-3, §§ 13.216, 13.217, 13.227, 2-14-78)

**Sec. 19-67. Application, plans, etc.**

(a) Application for a sign permit shall be made on forms furnished by the city, by the owners, or occupant of the premises upon which the sign is to be placed, or by the owner, erector, or user of the sign. The application shall contain or have attached to it the information required.

(b) Applicant for a sign permit may be required before the issuance of a permit to:

- (1) If not the owner of the premises:
  - a. Give the name and address of the owner and show permission from the owner to place and maintain the sign thereon.
  - b. Give the name of the sign erector.
- (2) Submit plans of the subject property showing the sign location, size, type, height and construction, and area of all existing signs, and such other information as the sign inspector shall require to show compliance with the provisions of this Code.
- (3) Have plans prepared by a registered professional engineer or architect competent to design such structures when deemed necessary in the interest of public safety by the inspector.
- (4) Agree in writing to indemnify and to hold the city harmless from any and all damages, liability, judgment, costs or expense which the city may incur or suffer as to such signs or advertising structures. A bond or a liability and property damage insurance policy approved by the city may be required by the inspector for this purpose in the amounts stated in section 19-7.

- (5) Agree in writing that the city may enter upon the premises to enforce the provisions of this chapter, inspect the sign and to remove the sign should it be hazardous, and that the city may remove and dispose of the sign if it violated any provision of this chapter, should it not be removed by permittee, or owner, or occupant of the premises, as required by this Code, and that the city may charge same for removal, storage, and disposal of the sign.

(c) Applicants for political signs which are thirty-two (32) square feet or smaller in area do not have to comply with paragraphs (b)(3) and (b)(4) of this section.

(Ord. No. 78-3, §§ 13.228, 13.229, 2-14-78)

**Sec. 19-68. Fees and term.**

(a) Fees shall be assessed and collected before issuance of a sign permit as provided in this section. Sign permits shall extend annually with a renewal fee of fifteen dollars (\$15.00) with an extra fee of five dollars (\$5.00) per additional sign. The initial fee schedule is as follows:

*Permanent signs per square foot—*

Under 30 .....	\$ 25.00
30—50 .....	35.00
50—75 .....	50.00
75—100 .....	75.00
100—150 .....	100.00
150—200 .....	125.00
200—250 .....	150.00
Over 250 .....	200.00

*Billboards per square foot—*

0—300 .....	100.00
Over 300 .....	200.00
Temporary, window and real estate broker signs .....	50.00
Across street banners .....	25.00
Political signs .....	no charge

(b) Where plans and specifications are required: One-half of sign permit fee shall be assessed.

(c) When a sign is erected, placed or maintained or work started thereon before obtaining a sign permit, there shall be a late fee equal to twice the amount of the sign permit fee. The late fee does

not excuse full compliance with this chapter. The late fee may be in addition to any other charges or penalties.

(d) If a permit is revoked, the applicant is not entitled to a refund of the fee.  
(Ord. No. 78-3, §§ 13.231–13.234, 2-14-78)

**Sec. 19-69. Issuance.**

(a) No sign permit shall be issued by the sign inspector for any sign or advertising structure that would violate the provisions of a proposed ordinance relating to this chapter or chapter 24, if reduced to writing and under study by the council, for a period of not longer than sixty (60) days following the date of the reduction of such proposed ordinance to written form, unless prior to the expiration of such period the council formally abandons the proposed ordinance. When the council institutes proceedings designed to result in a proposed ordinance being reduced to written form, such action shall be placed upon the agenda.

(b) A sign permit shall be issued upon compliance with the requirements of this chapter and upon payment of the required fees.

(c) A permit may be withheld from an applicant or any premises if prior assessed charges have not been paid as to either or both.  
(Ord. No. 78-3, §§ 13.184, 13.225, 13.226, 2-14-78)

**Sec. 19-70. Installation permit expiration.**

A permit for installation of a sign shall expire if the work is not started within sixty (60) days, nor completed within one hundred twenty (120) days after work is commenced, and a new permit shall be required before beginning or completing the work.  
(Ord. No. 78-3, § 13.238, 2-14-78)

**Sec. 19-71. Void permits.**

Any sign permit is void if it is issued:

- (1) In conflict with the provisions of this chapter; or
  - (2) For a sign which violates any provision of this chapter.
- (Ord. No. 78-3, § 13.240, 2-14-78)

**Sec. 19-72. Notification of completion.**

Where required, an applicant for a sign permit shall notify inspector when sign is fully erected or completed.  
(Ord. No. 78-3, § 13.237, 2-14-78)

**Sec. 19-73. Revocation.**

The sign inspector may revoke any sign permit which violates any provision of this Code, or which has been secured by subterfuge, or is void, or which has been issued by mistake, misunderstanding or error by the city.  
(Ord. No. 78-3, § 13.248, 2-14-78)

**Secs. 19-74–19-90. Reserved.**

**ARTICLE III. ZONING REQUIREMENTS AND REQUIREMENTS FOR SPECIFIC KINDS OF SIGNS**

**DIVISION 1. GENERALLY**

**Sec. 19-91. Scope, interpretation, etc.**

(a) The type of signs permitted and special requirements relating to signs in each zoning district or area are described in this article.

(b) The types of signs permitted are divided into off-site or on-site divisions. The off-site division refers to advertising signs generally or to special type of advertising signs. The on-site division refers to business signs generally or to special type of business signs. The signs are also classified as to structural types. In residential zones and park industrial zones the limitation on signs are generally related to the type sign.

(c) If no limitations are set in the district section, then the general specification for that type sign shall control.

(d) When a minimum setback for a sign is greater than that permitted for a building or structure, a wall sign may be placed upon that face of the structure which extends beyond the minimum setback requirement. In like manner window signs and marquee signs may extend into the minimum setback area.

(Ord. No. 78-3, § 13.271, 2-14-78)

**Sec. 19-92. Determination of maximum number of signs.**

Where the maximum number of a type of sign is specified this maximum number shall apply to each occupancy, whether the occupancy includes one (1) or several adjoining lots or parcels. If the single occupancy (by ownership, or lease) is separated by a different occupancy, then each separated occupancy is considered separately. If a single occupancy includes more than one (1) block, then each block shall be considered a separate occupancy. If the same occupancy is in a block over six hundred sixty (660) feet long, then each six hundred sixty (660) feet shall be considered a block. The limitation applies to each street frontage. Therefore, if a single owner owns a full square block, the limited number of signs could be placed on each of the four (4) street frontages. As to a real estate development, where there is a series of model homes or completed model houses under one (1) ownership or occupancy, each model home or completed small house may be considered as a separate occupancy.

(Ord. No. 78-3, § 13.272, 2-14-78)

**Secs. 19-93—19-105. Reserved.**

**DIVISION 2. ZONING DISTRICT REQUIREMENTS**

**Sec. 19-106. SR-1 single-family residence district.**

(a) *Scope.* This section applies to the SR-1 single-family residence district.

(b) *Permitted type signs.* Permitted types of signs are as follows:

	<i>Maximum Number</i>	<i>Sq. Ft. Area Each</i>
(1) <i>Off-site types:</i>		
Political	1	32
(2) <i>On-site types:</i>		
Bulletin board	1	*
Cloth or banner	1	20
Identification (per dwelling)	1	2

	<i>Maximum Number</i>	<i>Sq. Ft. Area Each</i>
Nonconforming use	(as is)	40
Political (on candidate's residence)	1	32
Real estate	2	4
Real estate development	3	110
Real estate private	1	6
Traffic directional and identification sign on parking lot relating to adjacent commercial use	2	12
Window	1	4

\*As provided elsewhere in this chapter.

(c) *Permitted structural type signs.* Ground, pole, projecting and wall signs are allowed.

(d) *Special requirements.*

(1) The maximum number of signs up to the first fifty (50) feet of street frontage shall be two (2), plus for each additional twenty-five (25) feet, one (1).

(2) The maximum total sign area per foot of street frontage shall be one (1) square foot. The minimum required area shall be twenty (20) square feet.

(3) The minimum setback from street property lines shall be twenty (20) feet, except:

- a. For a bulletin board, it shall be twelve (12) feet.
- b. For traffic directional and identification signs in parking lot, it shall be twelve (12) feet.

(4) The minimum setback from side lot lines shall be seven (7) feet.

(5) Light sources for the sign shall be hidden.

(6) Illumination is permitted only on bulletin board, identification and nonconforming use signs.

(Ord. No. 78-3, § 13.281, 2-14-78)

Cross reference—SR-1 district regulations, § 24-216 et seq.

**Sec. 19-107. SR-2 duplex multi-family residence district.**

(a) *Scope.* This section applies to the SR-2 duplex multi-family residence district.

(b) *Permitted type signs.* Permitted types of signs are as follows:

	<i>Maximum Number</i>	<i>Maximum Sq. Ft. Area Each</i>
(1) <i>Off-site types:</i>		
Political	1	32
(2) <i>On-site types:</i>		
Bulletin board	1	*
Cloth or banner Identification	1	20
If 1 per building		6
If over 1 per building, each		2
Nonconforming use	(as is)	40
Political (on candidate's residence)	1	32
Real estate	2	12
Real estate development	3	100
Real estate private	1	12
Traffic direction sign and identification sign on parking lot relating to adjacent commercial use	2	12
Window	3	4

\*As provided elsewhere in this chapter.

(c) *Permitted structural type signs.* Ground, pole, projecting and wall signs are allowed.

(d) *Special requirements.*

- (1) The maximum number of signs up to the first fifty (50) feet of street frontage shall be one (1), plus for each additional twenty-five (25) feet, one (1).
- (2) The maximum total sign area per foot of street frontage shall be one (1) square foot. The minimum required area shall be twenty (20) square feet.

(3) The minimum setback from street property lines shall be twenty (20) feet, except:

- a. For a bulletin board, it shall be twelve (12) feet.
- b. For traffic directional and identification signs in a parking lot, it shall be twelve (12) feet.

(4) The minimum setback from side lot lines shall be six (6) feet.

(5) The sign's light source shall be hidden.

(6) Illumination is permitted only for bulletin board, identification and nonconforming use signs.

(Ord. No. 78-3, § 13.282, 2-14-78)

Cross reference—SR-2 district regulations, § 24-231 et seq.

**Sec. 19-108. SMH mobile homesite district.**

(a) *Scope.* This section applies to the SMH mobile homesite district.

(b) *Permitted type signs.* Permitted types of signs are as follows:

	<i>Maximum Number</i>	<i>Maximum Sq. Ft. Area Each</i>
(1) <i>Off-site types:</i>		
Political	1	32
(2) <i>On-site types:</i>		
Bulletin board	1	*
Cloth and banner Identification		20
If 1 per building		6
If over 1 per building, each		2
Business sign relating to permitted uses such as apartment hotel, inn, clinic, professional and semi-professional	2	12
Nonconforming use	(as is)	40
Political (on candidate's residence)	1	32
Real estate	2	12

	<i>Maximum Number</i>	<i>Maximum Sq. Ft. Area Each</i>
Real estate develop- mental	3	100
Real estate private	1	12
Traffic directional sign and identifi- cation sign on parking lot relat- ing to adjacent commercial use	2	12
Business sign relat- ing to trailer court	1	See below
Window	1	4

\*As provided elsewhere in this chapter.

(c) *Permitted structural type signs.* Ground, pole, projecting and wall signs are allowed.

(d) *Special requirements.*

- (1) The maximum number of signs up to the first fifty (50) feet of street frontage shall be two (2), plus for each additional twenty-five (25) feet, one (1).
- (2) The maximum total sign area per foot of street frontage shall be one (1) square foot. The minimum required area shall be twenty (20) square feet.
- (3) The maximum area for a trailer court business sign, per acre of land shall be one (1) square foot. The maximum area shall be one hundred (100) square feet. The minimum required area shall be twelve (12) square feet.
- (4) The minimum setback from street property lines shall be twenty (20) feet, except:
  - a. For bulletin boards, it shall be twelve (12) feet.
  - b. For traffic directional or identification signs in a parking lot, it shall be twelve (12) feet.
  - c. For special business signs, it shall be twelve (12) feet.
  - d. For real estate and real estate private signs, it shall be eighteen (18) feet.
- (5) The minimum setback from the side lot lines shall be six (6) feet.

(6) The sign's light source shall be hidden.

(7) Illumination is permitted only for bulletin board, identification, nonconforming use and special business signs.

(Ord. No. 78-3, § 13.283, 2-14-78)

Cross reference—District regulations for SMH district, § 24-246 et seq.

**Sec. 19-109. SR-3 residence district.**

The provisions of section 19-107 also apply to the SR-3 residence district.

Cross reference—District regulations for SR-3 district, § 24-261 et seq.

**Sec. 19-110. SB-1 retail local district.**

(a) *Scope.* This section applies to signs in the SB-1 retail local district.

(b) *Permitted type signs.* Permitted types of signs are as follows:

(1) *Off-site types:*

a. Political.

(2) *On-site types:*

a. Business signs, except festoon and marquee.

(c) *Permitted structural type signs.* The following signs are allowed:

	<i>Maximum Number</i>	<i>Maximum Sq. Ft. Area Each</i>
(1) Maximum number of signs.		
Ground signs, per 30 ft. of street front- age	1	300
Except:		
Vehicle business	1	10
Pole signs, per each street frontage	1	200
Projecting, roof or wall, or combina- tion thereof, per street frontage	2	300
But, if a ground or pole sign is also used	1	
Flashing	1	200



(2) The maximum total sign area per foot of street frontage shall be two (2) square feet. The minimum required area shall be twenty (20) square feet.

(3) The maximum area of all painted wall signs shall be thirty (30) percent of the maximum total sign area allowed.

(4) The minimum setback from street property lines shall be eighteen (18) feet except for a bulletin board it shall be twelve (12) feet.

(5) The minimum setback from side lot line which abuts a residential district shall be six (6) feet.

(Ord. No. 78-3, § 13.285, 2-14-78)

**Cross reference**—District regulations for SB-1 district, § 24-351 et seq.

	<i>Maximum</i>	
	<i>Maximum</i>	<i>Sq. Ft.</i>
	<i>Number</i>	<i>Area Each</i>

Projecting, roof, wall, or combination thereof per street frontage	2	300
But, if a ground or pole sign is also used only:	1	
Sky sign	1	No limit
Flashing or moving	1	300
Festoon		200
Marquee	2	200
Billboard, including cutouts*	1	952

\*As provided elsewhere in this chapter.

**Sec. 19-111. SB-2A local retail center district.**

(a) *Scope.* This section applies to the SB-2A local retail center district.

(b) *Permitted type signs.* Permitted types of signs are as follows:

(1) *Off-site types:*

a. Advertising signs, all types.

(2) *On-site types:*

a. Business signs, all types.

(c) *Permitted structural type signs.* All structural types of signs are allowed.

(d) *Special requirements.*

(2) The maximum total sign area per foot of street frontage shall be four (4) square feet. The minimum required area shall be forty (40) square feet. The area of sky signs and billboards are not counted.

(3) The maximum area of all painted wall signs shall be thirty (30) percent of the maximum total sign area allowed.

(4) The minimum setback from street property lines shall be ten (10) feet.

(5) The minimum setback from side lot line which abuts a residential district shall be six (6) feet.

(Ord. No. 78-3, § 13.286, 2-14-78)

**Cross reference**—District regulations for SB-2A district, § 24-371 et seq.

	<i>Maximum</i>	
	<i>Maximum</i>	<i>Sq. Ft.</i>
	<i>Number</i>	<i>Area Each</i>

(1) Maximum number of signs:

Ground sign, per 30 feet of street frontage	1	400
Except:		
Vehicle advertising	1	20
Vehicle business	1	10
Pole signs, per each street frontage	1	300

**Sec. 19-112. SB-2 business district.**

The provisions of section 19-111 also apply to the SB-2 business district.

**Cross reference**—District regulations for SB-2 district, § 24-386 et seq.

**Sec. 19-113. SP-I park industrial district.**

(a) *Scope.* This section applies to the SP-I park industrial district.

(b) *Permitted type signs.* Permitted types of signs are as follows:

	<i>Maximum Number</i>	<i>Maximum Sq. Ft. Area Each</i>
(1) <i>Off-site types:</i>		
a. None		
(2) <i>On-site types:</i>		
Bulletin board	1	*
Cloth and banner	1	20
Identification (per each building)	1	6
Business		
Name of industri- al park	1	50
Name of industri- al use, per front- age	1	20
Nonconforming use (as is)		40
Real estate	2	12
Real estate develop- ment	2	*
Real estate private	1	12
Traffic directional on parking lot	2	12
Window	1	4

\*As provided elsewhere in this chapter.

(c) *Permitted structural type signs.* Ground, pole, projecting, wall are allowed.

(d) *Special requirements.*

- (1) The maximum number of signs up to first fifty (50) feet of street frontage shall be two (2), plus for each additional twenty-five (25) feet, one (1).
- (2) The maximum total sign area per foot of street frontage shall be one (1) square foot. The minimum required area shall be twenty (20) square feet.
- (3) The minimum setback from street property lines shall be ten (10) feet.
- (4) The minimum setback from side lot lines shall be six (6) feet.
- (5) The sign's light source shall be hidden.

(6) Illumination is permitted only for bulletin board, identification, nonconforming use and business signs.

(7) The maximum sign height for a ground sign shall be eight (8) feet, except a sign showing the name of industrial park may be fifteen (15) feet.

(Ord. No. 78-3, § 13.289, 2-14-78)

Cross reference—District regulations for SP-I district, § 24-451 et seq.

**Sec. 19-114. SI-1 light industrial district.**

(a) *Scope.* This section applies to the SI-1 light industrial district.

(b) *Permitted type signs.* Permitted types of signs are as follows:

(1) *Off-site types:*

    a. Advertising signs, all types.

(2) *On-site types:*

    a. Business signs, all types.

(c) *Permitted structural type signs.* All types of signs as classified by structural type are allowed.

(d) *Special requirements.*

- (1) The maximum number of signs and maximum square foot area for each sign is the same as in SB-2A zone, except festoon signs shall be allowed a maximum area of two thousand (2,000) square feet.
- (2) The maximum total sign area per foot of street frontage shall be four (4) square feet. The minimum required area shall be forty (40) square feet. The area of sky signs and billboards are not counted.
- (3) The maximum area of all painted wall signs shall be thirty (30) percent of maximum total sign area allowed.
- (4) There is no minimum setback from street property lines.
- (5) The maximum projection beyond street property lines shall be two (2) feet, except:
  - a. Marquee signs may project the same as the marquee.
  - b. The minimum setback from any curb shall be one (1) foot.

(6) The minimum setback from side lot line which abuts a residential district shall be six (6) feet.

(Ord. No. 78-3, § 13.287, 2-14-78)

**Cross reference**—District regulations for SI-1 district, § 24-471 et seq.

**Sec. 19-115. Scenic routes.**

(a) This section applies to signs along streets which are designated "scenic" or "scenic route" on the major thoroughfare system, approved and adopted by the council.

(b) Those signs permitted in the underlying zoning district and as regulated therein are allowed.

(c) The minimum setback for advertising signs shall be the greater of:

- a. Three hundred fifty (350) feet from right-of-way line.
- b. Five hundred (500) feet from centerline of the street.

(d) The minimum distance between advertising signs shall be one hundred (100) feet.

(e) The minimum distance between billboards shall be two hundred (200) feet.

(f) Existing signs that violate this section shall be removed before May 1, 1979.  
(Ord. No. 78-3, § 13.292, 2-14-78)

**Sec. 19-116. Major thoroughfares.**

(a) This section applies to signs on or along streets which are declared as major thoroughfares on the land use plan approved and adopted by the council, and as amended or supplemented.

(b) Those signs permitted in the underlying zoning district are allowed.

(c) The minimum setback for advertising signs shall be the greater of:

- a. Three hundred fifty (350) feet from right-of-way line.
- b. Five hundred (500) feet from centerline of the street.

(d) The minimum distance between advertising signs shall be one hundred (100) feet.

(e) The minimum distance between billboards shall be two hundred (200) feet.

(f) Existing signs that violate this section shall be removed before May 1, 1979.  
(Ord. No. 78-3, § 13.293, 2-14-78)

**Secs. 19-117—19-130. Reserved.**

**DIVISION 3. REQUIREMENTS FOR SPECIFIC TYPES OF SIGNS**

**Sec. 19-131. Advertising signs.**

The minimum distance from one (1) advertising sign to another advertising sign shall be thirty (30) feet.

(Ord. No. 78-3, § 13.111(1), 2-14-78)

**Sec. 19-132. Billboards—Generally.**

(a) Billboards are prohibited in the SR-1, SR-2, SR-3, SPR, SP-I, SB-1 and SMH zoning districts.

(b) In the SB-2 and SB-2A zoning districts billboards are permitted, provided:

- (1) The maximum area shall be seventy-two (72) square feet.
- (2) The maximum height shall be sixteen (16) feet.
- (3) The minimum clearance shall be ten (10) feet from grade to the bottom of the sign.
- (4) The maximum number of faces shall be two (2).
- (5) The setback shall be twenty (20) feet from any property line.
- (6) No billboard shall be within six hundred (600) feet of any other billboard.

(c) Billboards are permitted in the SI-1 zoning districts along the freeway, provided:

- (1) The maximum area shall be three hundred seventy-eight (378) square feet.
- (2) The maximum height shall be thirty (30) feet from freeway grade to the top of the sign.
- (3) The minimum clearance shall be ten (10) feet.

- (4) The maximum faces shall be two (2).
- (5) Setbacks shall be twenty (20) feet from any property line.
- (6) Billboards with an area of three hundred seventy-eight (378) square feet or less shall not be within six hundred (600) feet of another billboard. A billboard with an area of more than three hundred seventy-eight (378) square feet shall not be within one thousand two hundred (1,200) feet of another billboard.

(d) Billboard illumination not compatible with chapter 4, article II, division 2 is not permitted. Permission for the illumination shall be subject to such further regulations such as "turn off" hours or complete banning of illumination should this be required or recommended by the regional plan.

(e) A billboard constructed after August 11, 1986 shall be removed prior to the issuance of a certificate of occupancy for a building on the same lot or parcel.

(f) No on-site business identification sign shall be a part of, or attached to, a billboard.

(g) No sign face area or object shall extend beyond the surface or rectangular perimeter of the billboard face.

(h) Whenever a billboard sign application shall be filed with the office of the building inspector, the zoning commission shall hold public hearings. The public hearings shall be for the purpose of determining and/or receiving input from property owners with six hundred (600) feet of the proposed site of erection of a billboard, relative to the decision to grant or deny any such application. Notice shall be governed by those provisions of the Arizona Revised Statute concerning public hearings related to zoning as contained in A.R.S. tit. 9, ch. 4, art. 6 [§ 9-461 et seq.]. (Ord. No. 78-3, § 13.113, 2-14-78; Ord. No. 85-15, § 2, 3, 8-11-86)

#### **Sec. 19-133. Same—Building permit.**

(a) *Requirement.* It shall be unlawful for any person to construct a sign or billboard in the city without filing a permit in accordance with the building code as adopted pursuant to section 4-20

of this Code, 1997 edition and paying a permit fee of twenty-five dollars (\$25.00) per square foot of sign or billboard. A plan checking fee for a sign or billboard over ten (10) square feet shall be required in the amount of one-half (½) the permit fee. In addition, a deposit fee of zero dollars (\$0.00) for plan checking fees and investigation of conflicts shall be required.

(b) *Compliance.* In no way shall this section be construed to mean that any of the applicant's responsibility to other sections of the South Tucson Code are negated.

#### *(c) Definitions.*

(1) *Area of sign* for freestanding letters or cutout letters used as a sign shall be computed by taking the area enclosed within letters, words, insignias or symbols. Otherwise the area shall be computed by taking the total area within the outer edge of any existing border of the sign.

(2) *Sign* shall mean any device for visual communication that is used for the purpose of bringing the subject thereof to the attention of the public, but not including any flag, badge or insignia of any government or governmental agency and not including merchandise normally displayed with a show window of a merchant.

(d) *Exception.* This section shall not apply to any sign less than one and one-half (1½) square feet.

(Code 1976, §§ 6.127—6.130; Ord. No. 85-09, § 10, 9-16-85; Ord. No. 98-05, § 10(6.127—6.130), 6-8-98)

#### **Sec. 19-134. Bulletin board or announcement signs.**

(a) Bulletin board or announcement signs for public, semipublic, charitable or religious uses shall have a maximum area of twelve (12) square feet and a minimum setback from all lot lines of twelve (12) feet. Bulletin board or announcement signs for a sanitorium, hospital, clinic, medical center, professional building or semiprofessional building shall have a maximum area of forty (40) square feet, or one (1) square foot for each busi-

ness occupant, whichever is less and the minimum setback shall be twelve (12) feet from all lot lines, within building lines, or within the perimeter of a parking area, whichever is greater.

(b) The maximum area limitations in this section do not apply in business or industrial zoning districts except the park industrial zoning district.

(c) The light source for a bulletin board or announcement sign shall not be directly visible from any street or from any adjoining property in a residence zoning district.

(d) Only one (1) bulletin board or announcement sign is allowed per building.  
(Ord. No. 78-3, § 13.116(1), 2-14-78)

#### **Sec. 19-135. Business signs.**

The maximum area of business signs is determined by the street footage of each occupancy or as otherwise provided in this chapter.  
(Ord. No. 78-3, § 13.117(1), 2-14-78)

#### **Sec. 19-136. Cloth or banner signs.**

In SR-1 single-family residence zoning districts cloth or banner signs must be taken down and removed not later than one (1) hour after sunset except on Saturdays. The area of each separate piece of a streamer shall be added together to determine sign area.  
(Ord. No. 78-3, § 13.119(1), 2-14-78)

#### **Sec. 19-137. Electric signs.**

All electric signs shall be constructed, installed and maintained pursuant to the city's electrical code.  
(Ord. No. 78-3, § 13.123(1), 2-14-78)

#### **Sec. 19-138. Festoon lighting.**

(a) Festoon lighting shall comply with the requirements for business signs.

(b) The area of each light bulb shall be counted by measuring length of lighting strip by six (6) inches in determining maximum sign areas.

(c) The maximum wattage for each incandescent light bulb in festoon lighting shall be one hundred fifty (150) watts.  
(Ord. No. 78-3, § 13.124(1), 2-14-78)

#### **Sec. 19-139. Flashing, animated or moving signs.**

The maximum wattage for incandescent bulbs in a flashing, animated or moving sign shall be fifteen (15). No incandescent bulbs in a flashing, animated or moving sign shall be red, green or amber. Reflector type light is not permitted on such a sign. The minimum clearance of such a sign from the sidewalk grade shall be sixteen (16) feet.  
(Ord. No. 78-3, § 13.125(1), 2-14-78)

#### **Sec. 19-140. Ground signs.**

(a) No additional signs shall be attached to a ground sign or its supporting structure except cloth or banner signs, and these may be attached not less than ten (10) feet above sidewalk grade.

(b) The minimum distance of a ground sign to any building shall be two (2) feet. The minimum distance from a ground sign to any other sign shall be two (2) feet.

(c) The minimum distance from a ground sign to any other advertising sign shall be thirty (30) feet.

(d) The area around a ground sign shall be kept clean and free from weeds and bushes for a distance of not less than ten (10) feet in all directions.  
(Ord. No. 78-3, § 13.127(1), 2-14-78)

#### **Sec. 19-141. Home occupation signs.**

A home occupation sign shall be permitted only where a home occupation is allowed. The maximum size shall be one (1) square foot in area, and it shall be attached to the residence. There shall be only one (1) sign per residential unit. The sign shall not be illuminated in any way.  
(Ord. No. 78-3, § 13.127.1(1), 2-14-78)

**Sec. 19-142. Identification signs, professional signs or nameplates.**

(a) The permitted uses for which identification signs may be used include professional, semiprofessional, public, semipublic religious uses.

(b) The maximum number of identification signs, professional signs and nameplates per entrance to a building shall be one (1).

(c) The light source from any identification sign, professional sign or nameplate shall not be directly visible from any street or from any adjoining property in a residence district.  
(Ord. No. 78-3, § 13.128(1), 2-14-78)

**Sec. 19-143. Marquee signs.**

No part of a marquee sign shall project more than twelve (12) inches from any face of a marquee.  
(Ord. No. 78-3, § 13.132(1), 2-14-78)

**Sec. 19-144. Nonconforming use signs.**

When a nonconforming business becomes inactive all signs relating thereto shall be within thirty (30) days removed or painted out. If the sign is illuminated, light source shall not be directly visible from any street or from any adjoining property in a residential district.  
(Ord. No. 78-3, § 13.133(1), 2-14-78)

**Sec. 19-145. Pole signs.**

If a pole sign is supported by more than one (1) pole, the space between the poles shall not be enclosed. No additional signs shall be attached to the sign or its supporting structure except cloth or banner signs and these may be attached not less than ten (10) feet above sidewalk grade. The maximum width of pole covers shall be a sum total of eighteen (18) inches in a horizontal direction in addition to the width of the pole covered.  
(Ord. No. 78-3, § 13.135(1), 2-14-78)

**Sec. 19-146. Political signs.**

(a) If there are other type existing signs on the premises, only the remaining unused portion of the total maximum sign area may be used for political signs. Setbacks and distances between political signs are governed by applicable provisions of this chapter. For this purpose, political signs are considered advertising signs except those on the premises of a candidate's residence.

(b) Political signs shall be placed not more than sixty (60) days prior to the election and a winning candidate in a primary election may maintain a political sign until thirty (30) days following the

general election. Persons responsible jointly or severally for political sign removal are the candidate, owner of the premises, the person erecting sign and the person causing its erection.  
(Ord. No. 78-3, § 13.136(1), 2-14-78)

**Sec. 19-147. Projecting signs.**

The minimum distance from bottom of a projecting sign to the sidewalk grade shall be ten (10) feet.  
(Ord. No. 78-3, § 13.137(1), 2-14-78)

**Sec. 19-148. Real estate signs.**

There shall be no illumination of a real estate sign in an SR-1 residential zone or SP-I park industrial district. Real estate signs shall be removed immediately when property is sold, rented or leased.  
(Ord. No. 78-3, § 13.138(1), 2-14-78)

**Sec. 19-149. Real estate development signs.**

(a) The following provisions apply to promotional-type real estate development signs:

- (1) The minimum distance to a residential building not a part of the development shall be two hundred (200) feet.
- (2) If a development is under one (1) acre or has a frontage under four hundred (400) feet on the street on which the sign is to be placed, the minimum distance to residential building not a part of the development shall be one hundred (100) feet.
- (3) The maximum time the sign may be erected is twelve (12) successive months.
- (4) The sign shall be removed when development is completed or upon cessation of active sales program.
- (5) The sign permit is renewable but only provided there is an active sales program at the time.

(b) A permanent-type sign naming a subdivision may be permanently displayed at the major entrances to a subdivision and shall be subject to approval by the board of adjustment as to design, size, and location.

(Ord. No. 78-3, § 13.139(1), 2-14-78)

**Sec. 19-150. Real estate private signs.**

No permit or permit fee is required for a real estate private sign. No illumination of such a sign is allowed in SR-1 residence district residential zone, or SP-I park industrial district. The sign shall be removed immediately when property is sold, rented or leased.  
(Ord. No. 78-3, § 13.141(1), 2-14-78)

**Sec. 19-151. Roof signs.**

The maximum height above roof of a roof sign shall be twenty-six (26) feet. Projecting roof signs may not project more than a projecting sign, and shall be built at an angle to the exterior wall. The projecting portions shall be a continuous and integral part of the sign. If several occupants are in the same building, the sign relating to one (1) or more occupants may be placed on any part of roof and need not be placed directly over the occupant referred to.  
(Ord. No. 78-3, § 13.142(1), 2-14-78)

**Sec. 19-152. Sky signs.**

(a) The maximum height above roof of a sky sign shall be twenty-six (26) feet. The minimum clear space between base of sign and roof shall be eight (8) feet. Only necessary structural members shall support the sign.

(b) The space between supporting members of a sky sign shall not be enclosed. The minimum horizontal clearance between vertical supports shall be five (5) feet. A sky sign shall not project beyond the inside face of the main outside walls of the building.  
(Ord. No. 78-3, § 13.146(1), 2-14-78)

**Sec. 19-153. Temporary signs.**

(a) Temporary signs shall conform to all provisions for permanent signs except as otherwise permitted. Such signs shall be allowed a sign area in addition to the total maximum sign area equal to one-half of maximum area permitted. The maximum permit period shall be thirty (30) days.

(b) Temporary signs shall be promptly removed at termination of permit period. The permittee, or owner of premises, or possessor of premises, or owner of the sign shall be jointly and severally

responsible for sign removal. Extensions over any public sidewalk or right-of-way shall not exceed that permitted for projecting or marquee signs.  
(Ord. No. 78-3, § 13.147(1), 2-14-78)

**Sec. 19-154. Time and weather signs.**

Time and weather signs may not be placed upon public property but may project as permitted for a projecting sign. The information must be kept accurate, otherwise the sign is subject to removal. In SB-1 retail local business districts, the maximum wattage of bulbs shall be forty (40) and the maximum letter height shall be twenty-four (24) inches.  
(Ord. No. 78-3, § 13.148(1), 2-14-78)

**Sec. 19-155. Vehicle signs.**

A vehicle sign is not required to have a sign permit and is exempt from the provisions of this chapter if the sign is incidental to the vehicle's primary use and the vehicle is not used primarily for advertising purposes.  
(Ord. No. 78-3, § 13.149(1), 2-14-78)

**Sec. 19-156. Vehicle advertising signs.**

(a) The vehicle upon which a vehicle advertising sign is placed shall not be driven for advertising purposes in public parks or in residential zoning districts. The vehicle upon which a vehicle advertising sign is placed shall be safe operational condition as required by motor vehicle laws and ordinances. Such vehicle shall have current license plates. The maximum area of all vehicle advertising signs on buses shall be limited to frames as follows:

- (1) On each side of buses: One (1) sign thirty (30) inches by one hundred forty-four (144) inches or smaller and one (1) frame twenty-one (21) inches by forty-four (44) inches or smaller.
- (2) On rear of bus, one (1) frame twenty-one (21) inches by seventy-two (72) inches or smaller.
- (3) On front of bus, two (2) signs not to exceed a total of five (5) square feet.

(b) Buses with vehicle advertising signs shall not be placed or parked on private property for



advertising purposes. If parked on private property for advertising purposes, the vehicle advertising sign must have a sign permit, and shall be counted as part of total maximum area allowed and shall abide by provisions relating to advertising signs. Measurement of sign area shall not include the entire vehicle but only the sign area on the vehicle.

(Ord. No. 78-3, § 13.150(1), 2-14-78)

**Sec. 19-157. Vehicle business signs.**

A vehicle business sign must have a sign permit and shall be subject to the provisions of this chapter relating to business signs. A vehicle business sign may be placed only upon a vehicle which shall be in a safe operation condition as required by motor vehicle laws and ordinances and shall have current license plates.

(Ord. No. 78-3, § 13.151(1), 2-14-78)

**Sec. 19-158. Wall signs.**

(a) This section applies to wall signs.

(b) The minimum distance from the sidewalk grade shall be eight (8) feet if:

- (1) It is located above a sidewalk on public right-of-way;
- (2) Projects six (6) inches or more over pedestrian area.

(c) The maximum projection shall be eighteen (18) inches.

(d) The sign shall not project above the top of the wall or beyond the ends of the wall to which it is attached.

(Ord. No. 78-3, § 13.152(1), 2-14-78)

**Sec. 19-159. Window signs.**

A temporary window sign may not be an advertising sign. Temporary window signs may not exceed fifty (50) percent of total window area on each frontage.

(Ord. No. 78-3, § 13.153(1), 2-14-78)