

ARTICLE 20

Signs

Sec. 12-20-10. Purpose and intent.

(a) General purposes.

(1) Signing is an important aspect of any community. When abused, signing creates a visual blight which detracts from the quality of the environment. When unduly restricted, the act of signing creates a hardship for merchants who rely on effective signing to identify their establishments. Further, in the City, exterior signs affect the economic and aesthetic values and character of the community in that the City is partially dependent upon traveling tourists who seek the City for its character, style and quality of merchandise and who spend money with local merchants. Orderly signing also contributes to the protection and promotion of the health, safety and welfare of the traveling public and the citizens of the City.

(2) The intent of this Article is to provide a legal framework for an orderly but balanced system of signing in the City. Regulations of such factors as size, location, illumination, etc., will encourage the communication of information and orientation for both visitors and citizens, provide for the effective identification of business establishments and minimize distractions to motorists and pedestrians while promoting visual harmony, safety and a respect for the environmental character of the community. Signs in the downtown business area are intended to complement, enhance and promote the revised City of Monte Vista Urban Renewal Plan, adopted in 2005, by the Monte Vista Urban Renewal Authority.

(3) With these goals and purposes in mind, the City Council hereby declares that the enactment of this comprehensive Sign Code is necessary to achieve the above-stated purposes and to accomplish the following objectives.

(b) Objectives.

(1) To enhance the economy and the business and industry of the City by promoting the reasonable, orderly and effective display of signs and esthetic values and encouraging better communication with the public.

(2) To protect and encourage local tourist-related businesses for the general economic well-being of this area and the State.

(3) To encourage sound signing practices and lessen the objectionable effects of competitive signing.

(4) To preserve the value of private property by assuring the compatibility of signing with surrounding land uses.

(5) To promote public pride and spirit both on a statewide and local level.

(6) To ensure that signs erected within the City are compatible with their surroundings.

(7) To establish procedures and regulations which control the location, size, type and number of signs permitted and which regulate and control all other matters pertaining to signs.

(8) To provide for special regulations in areas which, by nature or location, are unique to certain areas of the City.

(9) To provide for an equitable mechanism whereby those signs, which are nonconforming to these regulations, can be removed. (Ord. 789 §18-561, 2006)

Sec. 12-20-20. Definitions.

This Article shall be known as the "Sign Code." All words used in this Article, except where specifically defined herein, shall carry their customary meaning when not inconsistent with the context in which they are used. Definitions contained in this Chapter shall apply to this Article. The following words as hereinafter set forth shall have the meanings as hereinafter defined:

Abandoned sign means a sign no longer in use or a sign providing obsolete or outdated copy information.

Advertising sign means a sign which directs attention to a business commodity, service or entertainment which is conducted, sold or offered.

Animated sign means any sign or part of a sign which changes physical position by any movement or rotation or signs that simulate movement by means of lighting.

Area means the total exposed surface devoted to a sign message, including ornamentation, embellishment and symbols, but excluding supporting structures.

Awning sign means a wall sign which is painted, stitched, sewn or stained onto the exterior of an awning. An *awning* is a movable shelter supported entirely from the exterior wall of a building and composed of nonrigid materials except for the supporting framework.

Billboard sign means a sign supported by multiple poles or posts and at least eight (8) feet in width and four (4) feet in height.

Building facade means the frontage of a building which faces and is most nearly parallel to a public or private street. There can be only one (1) building facade for each street upon which a building faces.

Bulletin board sign means a sign that is accessory to a church, school or public or nonprofit institution announcing the name of the institution or organization and announcements of persons, events or activities occurring at the institution. The sign may also present a greeting or similar message.

Canopy sign means a wall sign that is permanently affixed to a roofed shelter attached to and supported by a building by columns extending from the ground or by a combination of a building and columns.

Changeable-letter sign means a sign whereon provisions are made for letters or characters to be placed in or upon the surface area, either manually or electronically, to provide a message or picture.

Decorative projecting sign means a sign composed of wood, fiberglass, plastic, metal and/or similar materials compatible with and complementing the theme of downtown development and historic restoration and subject to approval by the City Manager.

Direct illumination means a sign characterized by lighted lettering.

Directional sign means any sign that directs the movement or placement of pedestrian or vehicular traffic.

Electrical sign means any sign containing electrical wiring. This does not include signs illuminated by an exterior light source.

Erect means to construct or allow to be constructed.

Face means the surface of a sign directed to the viewer (which may be single-face, double-face or multi-face) upon, against or through which the message is displayed or illuminated.

Freestanding sign means a detached sign which is supported by one (1) or more columns, uprights or braces extended from the ground or from an object on the ground, or a detached sign which is erected on the ground; provided that no part of the sign is attached to any part of any building structure or other sign. A *freestanding sign* shall include billboard signs, pole signs and similar detached signs allowed by this Code.

Ground/monument sign means a type of freestanding sign utilizing no pole or similar supports and constructed from ground level utilizing rock, stone, brick, masonry, stucco and similar building materials. Ground signs may have changeable, affixed or inlaid lettering and may or may not be illuminated. Ground signs shall not exceed six (6) feet in height and twelve (12) feet in length, and may be double- or multi-faced.

Home occupation sign means a decorative sign placed on the premises of a residence in a residential area designed to identify a home occupation but clearly secondary to the character of the residence.

Identification sign means a sign identifying the name of a business or residential neighborhood.

Illegal sign means a sign failing to conform to the provisions and requirements of this Article as further specified in Section 12-20-50 of this Article.

Illuminated sign means a sign lighted by or exposed to artificial lighting either by lights directed towards the sign or by internal illumination.

Indirect lighting means a light from a source projected into the face of the sign.

Internal illumination means a light from a source concealed or contained within the sign, and which becomes visible through a translucent surface.

Maintain means to preserve or keep in repair such sign, including any illumination source, in a neat and orderly condition and in good working order at all times to prevent the development of any rust, corrosion, rotting or other deterioration in the physical appearance or safety of such sign.

Nameplate sign means a sign giving the name and/or address of the occupant of a building or premises on which it is located and, where applicable, a professional status.

Nonconforming sign means a sign which fails to conform to the requirements and provisions of this Article and which was lawfully erected, altered, moved or maintained under previous ordinances of the City, but does not conform to the provisions of this Article or has been subsequently granted a variance from this Article.

Off-premises advertising sign means a sign relating to a business or its products or services, which is not located on the same premises as the business.

Owner means the owner of a sign, the lessee of the sign, the fee holder of the property upon which the sign is located, the lease holder of such property or the individual, person or business who has purchased the sign.

Pedestrian-oriented sign means a sign located in such a manner as to be generally viewed or read by a person who is walking.

Permanent sign means a sign which is permanently affixed or attached to the ground or to a structure.

Pole sign means a sign supported by a single pole, and which sign may be metal, plastic or similar material and may be illuminated.

Portable sign means a sign which is not permanently affixed or attached to the ground or to a structure or which is mounted upon, painted or otherwise erected upon a vehicle, van, truck, automobile, bus, railroad car or other vehicle in operating condition.

Premises means the central, actual, physical location where an activity is routinely conducted. The *premises* include the primary structure, parking facilities and private roadway if they are necessary to the principal activity.

Prohibited sign means a sign failing to conform to the provisions and requirements of this Article and as further specified in Section 12-20-50 of this Article.

Projecting sign means any sign supported by a building wall and projecting therefrom at least twelve (12) inches or more horizontally beyond the surface of the building to which the sign is attached.

Property/parcel means a contiguous area of land under one (1) ownership.

Public use means a use which is owned and operated for the public by school districts or special districts, or by City, county, state or federal government.

Roof line means the low edge of the roof or parapet.

Roof sign means a sign, any part of which is located on or attached to a roof and projecting above the roof line of the building or structure.

Sign means any object, device, display or structure or part thereof which is used to advertise, identify, display, direct or attract attention to an object, person, institution,

organization, business, product, service, event or location by any means, including words, letters, figures, designs, symbols, fixtures, colors, motion, illumination or projected images.

Temporary sign means a banner, pennant, poster or advertising display constructed of cloth, canvas, plastic sheet, cardboard, wallboard or other like materials, or a sign mounted on a trailer or other moveable device which is intended to be displayed for a limited period of time.

Theater marquee sign means a changeable letter sign which may protrude from the building structure which it advertises.

Variance means a special ruling or allowance by the Board of Adjustment which does not require compliance with a specific portion of this Article.

Wall sign means a sign attached to, painted on or erected against a wall of a building or structure which extends no more than twelve (12) inches from the wall surface upon which it is attached and whose display surface is parallel to the face of the building to which the sign is attached.

Wind sign means any sign in the nature of banners, flags, pennants or other objects of material, fastened in such a manner as to move upon being subjected to pressure by wind or breeze.

Window sign means:

a. *Permanent.* Any sign visible from the exterior of a building or structure which is painted, attached, glued or otherwise affixed to a window or depicted upon a card, paper or other material and placed, taped or displayed from a window for the specific purpose of identifying the proprietor or name of the business to the passerby.

b. *Temporary.* A sign visible from the exterior of a building or structure which is painted, attached, glued or otherwise affixed to a window or depicted upon a card, paper or other material and placed, taped or displayed on a window for the specific purpose of attracting attention of the passerby to a sale or to promotional items or other products or services, other than the identity of the proprietor or the name of the business. (Ord. 789 §18-562, 2006; Ord. 811 §1, 2009)

Sec. 12-20-30. Sign permits.

(a) Sign permit required. To ensure compliance with the regulations of this Article, a sign permit shall be required in order to erect, move, alter, reconstruct or repair any permanent or temporary sign, except signs that are exempt from permits in compliance with Section 12-20-40 below. In multiple tenant buildings, a separate permit shall be required for each business entity's signs. All electrical signs must receive an electrical permit prior to receiving a sign permit.

(b) Application for a sign permit.

(1) Sign permit application requirements. Applications for sign permits shall be made in writing on forms furnished by the City. The application shall contain:

a. The location by street number and the legal description of the property upon which the sign is proposed;

b. Names and addresses of the owner, sign contractor and erectors;

c. Legible site plans which include the specific location of the sign and setbacks to adjacent property lines and buildings. The site plan shall also include the outline of building elevations showing all existing and proposed signs. Site plans for off-site signs shall show the location of any other existing off-site signs within one hundred (100) feet;

d. A detailed drawing indicating the sign elevation, dimensions, materials and colors of the proposed sign structure. A certification by a structural engineer may be required for freestanding or projecting signs;

e. A graphic drawing or photograph of the sign copy;

f. A description of the lighting to be used, if applicable;

g. Electrical permit for all illuminated signs;

h. Proof of public liability insurance covering freestanding signs and projecting wall signs;

i. If the sign is to be located off the premises advertised, a written lease or permission from the property owner of the site on which the sign will be located; and

j. Payment of appropriate sign permit fees as established by the current fee schedule.

(2) Sign permit application review: Review of the application shall be by City staff. Review of the sign permit application shall be completed within ten (10) working days following receipt of the completed application. Staff shall either certify the application is complete and in compliance of all submittal requirements or reject it as incomplete and notify the applicant in writing of any deficiencies.

(3) Staff review and approval. When staff has determined the application to be complete, staff shall review the sign permit in accordance with the established review criteria and has the authority to approve, approve with conditions or deny the sign permit. Upon staff's approval of the sign permit, the sign permit and any building or electrical permits required for the sign shall be issued to the applicant.

(4) Sign permit review criteria. The following review criteria will be used by the staff to evaluate all sign permit applications:

a. The sign meets the requirements of this Article.

b. The sign conforms to the requirements of the Building and Electrical Codes.

c. The sign conforms to the size, height, material and location requirements of this Chapter for the zoning district in which it is located.

d. The sign would not interfere with pedestrian or vehicular safety.

- e. The sign would not detract from the character of an architecturally significant or historic structure;
- f. The sign would not be located so as to have a negative impact on adjacent property.
- g. The sign would not detract from the pedestrian quality of street or area;
- h. The sign would not add to an over-proliferation of signs on a particular property or area.

(5) Appeal of sign permit denial or approval with conditions. When a variance is requested for a sign, said request for variance shall be heard and acted upon by the Board of Adjustment after action by the staff. Such request for variance shall not be heard until all other administrative procedures required for issuance of a sign permit have been completed. The Board of Adjustment is authorized to grant a variance from the provisions of this Article when it finds that unique situations require a deviation from such provisions and that the purpose and intent of this Article are not violated, and shall be further governed by the provisions applicable to the Board of Adjustment contained in this Chapter. (Ord. 789 §18-563, 2006)

Sec. 12-20-40. Sign exemptions.

The following types of signs are exempt from the permit requirements of this Article and may be placed in any zoning district subject to the provisions of this Article. Such signs shall otherwise be in conformance with all applicable requirements contained in this Article. All such signs (except government signs) shall be located outside a street right-of-way. Signs shall not interfere with traffic signs or the sight distance triangle at intersections. Evidence of the owner's permission to install a sign may be required. All other signs shall be allowed only with permits and upon proof of compliance with this Article.

(1) Signs that are not visible beyond the boundaries of the lot or parcel upon which they are located and/or from any public thoroughfare or right-of-way, except that such signs shall be subject to the safety regulations of the International Building Code and the National Electrical Code.

(2) A-frame sidewalk signs are not to exceed four (4) feet by three (3) feet in total area. A-frame sidewalk signs may not be placed so as to create a safety hazard or impede the flow of pedestrian traffic.

(3) Address. Nonilluminated signs not to exceed two (2) square feet in area which identify the address and/or occupants of a dwelling unit or of an establishment.

(4) Architectural features. Integral decorative or architectural features of buildings, so long as such features do not contain letters, numerals, trademarks, moving parts or lights.

(5) Art. Integral decorative or architectural features of buildings, works of art, so long as such features or works do not contain letters, trademarks, moving parts or lights.

(6) Banners, seasonal flags, pennants, wind socks and other decorative wind signs. Such items may be flown or hung in any residential, commercial or industrial zone district of the City, provided that they do not obstruct pedestrian traffic, do not present additional advertising

material in addition to a business' wall or hanging signs, do not obstruct neighboring signs and do not present visual clutter in the commercially zoned areas of the City. Such items should be no larger than fifteen (15) square feet in residential areas and forty (40) square feet in commercial areas.

(7) Banners, commercial. Banners applied to paper, plastic or fabric used to attract attention to a business establishment, provided that:

a. The signs are displayed in conjunction with a grand opening celebration for a period not to exceed thirty (30) days.

b. The signs are displayed in conjunction with a special sale for a period not to exceed thirty (30) days.

c. The signs are displayed no more than two (2) times per calendar year per establishment.

d. The banner shall be securely attached to the wall of the establishment, freestanding signs or light poles on private property.

e. One (1) banner per street frontage per establishment shall be permitted.

(8) Building identification, historical markers. Nonilluminated signs constructed of metal or masonry which are permanently affixed to buildings or structures for the purpose of identifying the name of a building, date of erection or other historical information as approved by City staff.

(9) Bulletin board. Bulletin board signs not exceeding fifteen (15) square feet in gross surface area accessory to a church, school or public or nonprofit institution.

(10) Construction. Temporary construction signs, provided that:

a. Signs in conjunction with any residential use shall not exceed eight (8) square feet each.

b. Signs in conjunction with all other uses shall have a maximum area of thirty-two (32) square feet each.

c. Only one (1) such sign oriented per street front per premises shall be erected. Any two such signs located on the same premises shall be located at least one hundred (100) feet apart as measured by using a straight line.

d. Such signs shall not be illuminated.

e. Such signs shall only appear at the construction site.

f. Such signs shall be removed within seven (7) days after completion of the project.

(11) Courtesy. Nonilluminated or indirectly illuminated signs which identify, as a courtesy to customers, items such as credit cards accepted, redemption stamps offered, menus or prices; limited to one (1) such sign for each use, not to exceed four (4) square feet per face

or eight (8) square feet in total area. Such signs may be attached to the building, as projecting or wall signs, suspended from a canopy or included as an integral part of a freestanding sign.

(12) Decorations (holiday). Temporary decorations or displays, when such are clearly incidental to and are customarily and commonly associated with any national, state, local or religious holiday or celebration; provided that such signs shall be displayed for not more than sixty (60) days in any one (1) year, and may be of any type, number, area, height, location, illumination or animation.

(13) Directional. On-premises directional and instructional signs not exceeding six (6) square feet in area apiece.

(14) Doors. Signs affixed to door glass which identify the name and/or address of an establishment.

(15) Farm products. Temporary farm product signs provided that:

a. One (1) on-premises sign may be used. Said sign shall be located off the street right-of-way and at least ten (10) feet away from any side lot line. Such sign shall have a maximum area of nine (9) square feet and may not be illuminated.

b. A maximum of two (2) off-premises signs shall be permitted. Said off-premises signs may be no greater than four (4) square feet apiece and shall not be illuminated. No such sign shall be allowed in the street right-of-way or within ten (10) feet of a side lot line, and only within the CH and I Districts which permit off-site advertising. See Section 12-20-110 of this Article for height requirements.

(16) Flags. Flags or crests of nations, organizations of nations, states and cities or professional, fraternal, religious or civic organizations, except when displayed in connection with commercial promotion. Flags shall be no larger than fifteen (15) square feet in residential areas and forty (40) square feet in commercial areas.

(17) Garage, estate, yard sale or farm auction. Signs which advertise a private garage or yard sale on the lot on which the sign is located; provided that such signs are displayed no more than twice per year per dwelling unit for a period not to exceed three (3) days.

(18) Hazards. Temporary or permanent signs erected by the City, public utility companies, oil and gas companies or construction companies to warn of danger or hazardous conditions, including signs indicating the presence of underground cables, gas lines and similar devices.

(19) Memorial. Memorial signs, plaques or grave markers which are noncommercial in nature.

(20) Merchandise. Merchandise, pictures or models of products or services which are incorporated as an integral part of a window display.

(21) Oil and gas operation. Identification signs for any oil and gas operation, excluding gas and oil retail enterprises.

(22) Political. Political signs displayed on private property in accordance with an official election or signs erected on behalf of candidates for public office, provided that:

- a. The total area of all such signs on a lot does not exceed sixteen (16) square feet.
- b. All such signs may be erected no sooner than sixty (60) days in advance of the election for which they were made.
- c. The signs are removed within seven (7) days after the election for which they were made.

The property owner upon whose land the sign is placed shall give written permission for the placement of said signs and will be responsible for violations. Signs shall not be placed in the public right-of-way.

(23) Public information. Signs which identify restrooms or public telephones or provide instructions as required by law or necessity, provided that the sign does not exceed two (2) square feet in area or as approved by staff and is nonilluminated, internally illuminated or indirectly illuminated. This category shall be interpreted to include such signs as "no smoking," "rest rooms," "no solicitors," "self-service" and similar informational signs.

(24) Religious symbols. Religious symbols located on a building or lot used for organized religious services.

(25) Regulatory signs. Regulatory signs erected on private property, such as "no trespassing" signs, which do not exceed two (2) square feet per face or four (4) square feet in total surface area, limited to four (4) such signs per use or per building, whichever is the greater number.

(26) Sale, lease, rent. Temporary signs used to offer for sale, lease or rent the land or buildings upon which the sign is located, provided that:

- a. One (1) sign per street frontage advertising real estate ("For Sale," "For Rent," "For Lease" or "For Development") not greater than eight (8) square feet in area and five (5) feet in overall height in a residential district.
- b. In nonresidential zone districts, the sign area shall not exceed thirty-two (32) square feet and shall not exceed five (5) feet in overall height.
- c. If the property so advertised lies on a corner lot or double frontage lot, then a second sign may be oriented along the second street so long as the two (2) signs are at least one hundred (100) feet apart as measured by the shortest straight line.
- d. All such temporary signs shall be removed within seven (7) days after the real estate closing or lease transaction.

e. No sign allowed under this Subparagraph shall be lighted.

(27) Scoreboards. Scoreboards for athletic fields.

(28) Special events. Temporary special event signs and banners for religious, charitable, civic, fraternal or similar nonprofit or not-for-profit organizations, provided that:

a. Signs shall be erected no sooner than thirty (30) days prior to and removed no later than seven (7) days after the event.

b. No such sign shall exceed thirty-two (32) square feet.

c. No such sign shall be illuminated.

d. All such signs shall be located off the street right-of-way, unless otherwise granted permission for such location by the City or the Colorado Department of Transportation (CDOT). In no case may any such sign impede the view or travel of any motorists or pedestrians or be attached to any structure within the right-of-way (government signs, telephone poles, etc.)

(29) Strings of light bulbs. Displays of string lights, provided that:

a. They are decorative displays which only outline or highlight landscaping or architectural features of a building.

b. They shall not be assembled or arranged to convey messages, words, commercial advertisements, slogans and/or logos.

c. They shall not create a safety hazard with respect to placement, location of electrical cords or connection to power supply.

d. They shall be maintained and repaired so that no individual light bulb is inoperative. In the event the bulbs are not maintained or repaired, the string lights may be removed at the expense of the owner after giving notice to the owner pursuant to this Article.

(30) Temporary barrier.

(31) Text. No permit shall be required for text or copy changes on conforming or legal nonconforming signs specifically designed to permit changes of the text or copy; provided that no structural changes are made to the sign, and provided that the name of the business to which the sign belongs is not changed.

(32) Time and temperature. Signs displaying time and temperature devices, provided that they are not related to a product.

(33) Traffic control. Signs for the control of traffic or other regulatory purposes, including signs for the control of parking on private property, and official messages erected by, or on the authority of, a public officer in the performance of his or her duty.

(34) Vacancy and no vacancy. All "vacancy" and "no vacancy" signs, where they are nonilluminated, internally illuminated, indirectly illuminated or directly illuminated; provided that the area of the sign does not exceed two and one-half (2½) square feet per face. Also, signs designed to indicate vacancy such as "yes," "no" or "sorry" shall also be exempt under the provisions of this Subparagraph if they meet the area requirement.

(35) Vehicular for sale signs. Motor vehicle for sale signs provided there is only one (1) sign per vehicle and the sign does not exceed two (2) square feet.

(36) Vehicular signs. Signs displayed on trucks, buses, trailers or other vehicles which are being operated or stored in the normal course of a business, such as signs indicating the name of the owner or business which are located on moving vans, delivery trucks, rental trucks and trailers and the like, shall be exempt from the provisions of this Article, provided that the primary purpose of such vehicles is not for the display of signs, and provided that they are parked or stored in areas appropriate to their use as vehicles.

(37) Vending machine signs. A sign permit shall not be required for vending machine signs, provided that the advertisement upon the vending machine sign is limited to the product vended.

(38) Window signs. (Ord. 789 §18-564, 2006; Ord. 811 §1, 2009)

Sec. 12-20-50. Prohibited signs.

The following signs are inconsistent with the purposes and standards in this Article and are prohibited in all zoning districts.

(1) Revolving beacon, flashing, blinking, rotating, moving and animated signs or any other sign that creates the illusion of movement and is designed to compel attention, except for time and temperature devices.

(2) Any sign that is erected in such a location as to cause visual obstruction or interference with motor vehicle traffic or traffic-control devices, including any sign that obstructs clear vision in any direction from any street intersection or driveway.

(3) Any sign, other than traffic-control signs, erected, constructed or maintained within, over or upon the right-of-way of any road or highway, except in the case of a sign for which a permit has been issued within the requirements of this Article.

(4) Off-premises advertising signs or any other sign not pertinent and clearly incidental to the permitted use on the property where located, except for temporary subdivision directional signs and political signs and signs permitted in the CH and I Districts in accordance with Section 12-20-110 of this Article.

(5) Any sign which interferes with free passage from or obstructs any fire escape, downspout, window, door, stairway, ladder or opening intended as a means of ingress or egress or providing light or air.

(6) Any sign located in such a way as to intentionally deny an adjoining property owner visual access to an existing sign.

(7) Vehicle-mounted signs, including but not limited to signs painted on or attached to semi-trailers or cargo containers when exhibited on private property adjacent to public right-of-way for the purpose of advertising a business or service. Vehicle-mounted signs used in connection with a special event are exempted from the requirements of this Section during the duration of the special event only. Upon the conclusion of the special event, such signs must be dismantled. For the purposes of this Paragraph, the term *special event* shall mean a parade,

circus, fair, carnival, festival, farmers' market or other similar event that is different in character from the customary or usual activities generally associated with the property upon which the special event is to occur.

(8) Portable signs or signs not permanently affixed or attached to the ground or to any structure.

(9) Patterned signs that give the illusion of motion or changing of copy.

(10) Inflatable freestanding signs or tethered balloons.

(11) Fabric signs, flags, pennants or banners when used for commercial advertising purposes except as permitted in Section 12-20-40 above.

(12) Electronic message boards except for governmental signs and those within the CH and I Districts.

(13) Abandoned or unused sign, including a sign located off-premises, which is a sign that advertises an activity, business, product or service no longer produced or conducted upon the premises upon which such sign is located.

(14) Any sign or sign structure which:

a. Is structurally unsafe;

b. Constitutes a hazard to safety or health by reason of inadequate maintenance or dilapidation;

c. Is not kept in good repair; or

d. Is capable of causing electrical shocks to persons likely to come in contact with the sign.

(15) Any sign or sign structure which:

a. In any other way obstructs the view of, may be confused with or purports to be an official traffic sign, signal or device or any other official sign;

b. Creates in any other way an unsafe distraction for motor vehicle operators; or

c. Obstructs the view of motor vehicle operators entering a public roadway from any parking area, service drive, private driveway, alley or other thoroughfare. (Ord. 789 §18-565, 2006)

Sec. 12-20-60. Administration and enforcement.

The following regulations apply to all signing and/or to the specific type of sign hereinafter indicated:

(1) Regulation and standards:

a. Sign permits shall not be issued for new signing at business locations where nonconforming signing exists.

b. Only signs specifically identified in this Article shall be eligible to receive a sign permit.

c. In all instances, any sign erected within the City must comply with the provisions of the International Building Code.

d. When a mural includes identification of an establishment or specifies such information, it shall have its area included in calculations pursuant to Section 12-20-70 below.

(2) Enforcement:

a. Unused or abandoned signs. An unused or abandoned sign is a sign which meets any of the following criteria:

1. A sign which identifies an establishment, goods or services which are no longer provided on the premises where the sign is located, except for historical signage as determined by City staff.

2. A sign which identifies a time, event or purpose which has passed or no longer applies.

3. An off-premises advertising sign which advertises an establishment, goods or services which no longer exist.

b. Penalties: A violation of any of the provisions of this Article shall be punishable in accordance with the provisions of Section 1-4-20 of this Code. In addition, after a citation has been issued, each day a violation continues to occur shall constitute a separate violation for the above-described fine. Further, the Municipal Court may enjoin the removal of signs which do not conform to the provisions of this Article.

c. Removal of illegal signs:

1. Removal. Any illegal, nonconforming or unused sign which is not removed from the premises by the owner, user or property owner within the time frames prescribed in this Article shall be subject to removal by order of the City Manager in accordance with the provisions and procedures detailed in this Subparagraph c. Any prohibited sign (unused sign) which is not removed from the premises by the owner, user or property owner within the time frames prescribed herein shall also be considered a violation of the provisions of this Article, and shall be subject to the penalty as set forth in Subparagraph b. above.

2. Removal by City. Upon failure of the owner, user or property owner to comply within the specified time requirements as set forth in this Article, the City Manager is hereby authorized to cause such illegal, nonconforming or unused sign to be removed, and any expense attendant thereto shall be paid by the owner, agent or person having the beneficial use of the building, structure or premises upon which the sign is located. If said removal or alteration expense remains unpaid for more than thirty (30) days after

said removal or alteration is performed and a bill for the same was mailed to the owner, agent or person having beneficial use of the building, structure or premises, by first-class mail, postage prepaid, with a certificate of mailing, said unpaid charge shall constitute a lien upon the real estate and may be certified by the City Clerk to the County Treasurer as a lien assessment, to be applied and collected by the County Treasurer as an addition to the ad valorem taxes upon said property.

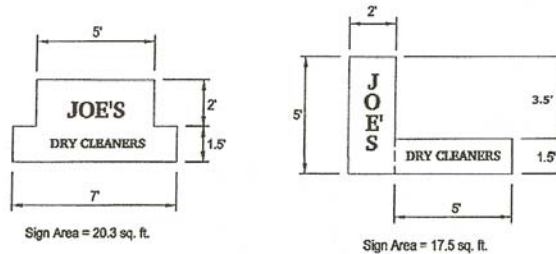
3. Storage of removed signs. Signs removed in compliance with this Subparagraph shall be stored by the City for thirty (30) days, during which they may be recovered by the owner only upon payment to the City for costs of removal and storage. If not recovered within the thirty-day period, the sign and supporting structure shall be declared abandoned and the title shall vest with the City. The costs of removal and storage (up to thirty [30] days) may be billed to the owner. If not paid, the applicable costs may be imposed as a tax lien against the property. (Ord. 789 §18-566, 2006; Ord. 811 §1, 2009)

Sec. 12-20-70. Measurement of sign area and height.

(a) Sign surface area. The area of a geometric shape enclosing any message, logo, symbol, name, photograph or display face shall be measured using standard mathematical formulas. Time and temperature devices shall not be included within the measurement of maximum sign area.

- (1) Please reference Section 12-20-100 below for sign height regulations.
- (2) Please reference Section 12-20-110 below for sign area regulations.

SIGN AREA MEASUREMENT



(b) Sign support. Supporting framework or bracing that is clearly incidental to the display itself shall not be computed as sign area.

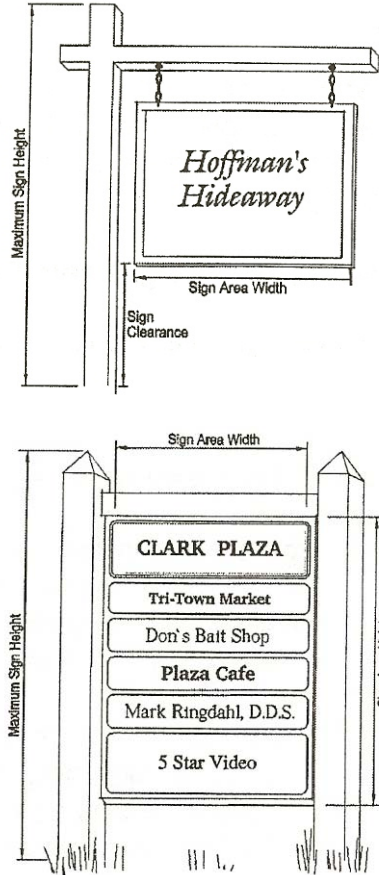
(c) Back-to-back (double-faced) signs. Back-to-back signs shall be regarded as a single sign only if mounted on a single structure and the distance between each sign face does not exceed two (2) feet at any point.

(d) Three-dimensional signs. Where a sign consists of one (1) or more three-dimensional objects (i.e.; balls, cubes, clusters of objects, sculpture), the sign area shall be measured as their maximum projection upon a vertical plane.

(e) Wall signs. If a sign is attached to a wall, only that portion of the wall onto which the sign face or letters are placed shall be calculated in the sign area.

(f) Sign height. The height of a sign shall be measured from the highest point of a sign to the ground surface beneath it. When berms are used in conjunction with signage, the height of the sign shall be measured from the mean elevation of the fronting street.

**Sign Surface Area
SIGN MEASUREMENT DETAILS**



(Ord. 789 §18-567, 2006)

Sec. 12-20-80. Sign design.

(a) Design compatibility.

(1) Creative design encouraged. Signs shall make a positive contribution to the general appearance of the street and commercial area in which they are located. A well-designed sign can be a major asset to a building. The City encourages imaginative and innovative sign design.

(2) Professional. Signs shall be made by a professional sign company or other qualified entity.

(3) Proportionate size and scale. The scale of signs shall be appropriate for the building on which they are placed and the area in which they are located. Building signs shall be

harmonious in scale and proportion with the building facade and conform to Section 12-20-100 below.

(4) Sign location and placement.

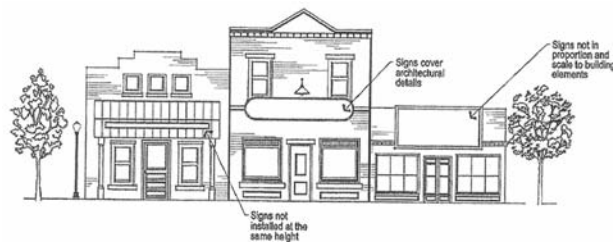
(5) Visibility. Signs shall not visually overpower nor obscure architectural features.

(6) Integrate signs with the building and landscaping. Carefully coordinate the sign with the architectural design, overall color scheme and landscaping. Signs shall be designed to complement or enhance the other signs for a building.

(7) Unified sign band. Whenever possible, signs located on buildings with the same block face shall be placed at the same height in order to create a unified sign band. Locate wall signs at the first floor level only for retail uses.



THIS



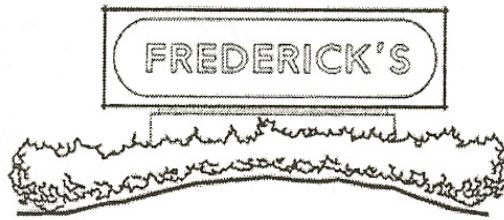
NOT THIS

(8) Monument signs. Locate monument signs in a planter setting within a landscaped area at the primary entries to residential, commercial and industrial subdivisions to provide an overall project identity. A maximum of one (1) monument sign per entry is permitted.

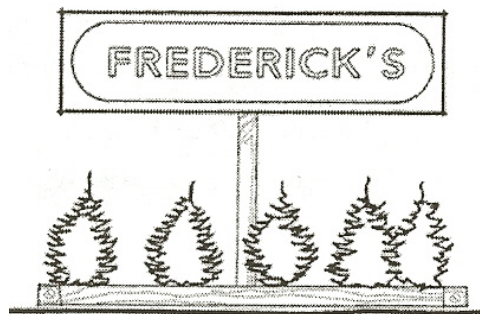
(9) Pedestrian-oriented signs. Pedestrian-oriented signs are encouraged. It is desirable to include a pedestrian-oriented sign as one (1) of the permitted signs for a business. These signs are designed for and directed toward pedestrians so they can easily and comfortably read the sign as they stand adjacent to the business.

(10) Road right-of-way. No sign shall be erected within the road right-of-way or near the intersection of any road or driveway in such a manner as to obstruct free and clear vision of motorists or pedestrians or at any location where, by reason of the position, shape or color, it may interfere with, obstruct the view of or be confused with any authorized traffic sign, signal or device. Signs located at an intersection must be outside of the sight distance triangle.

(11) Landscaping. Freestanding signs shall be landscaped at their base in a way harmonious with the landscape concept for the whole site. Landscaping shall form an attractive, dense cluster at the base of the sign that is equally attractive in winter and summer.



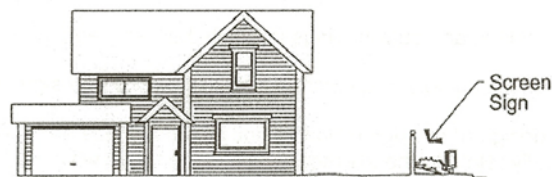
THIS
Born and foundations plantings
to relate to building treatment



NOT THIS
Landscaping too sparse and
poor visual base for sign

(12) Reduce sign impact. Because residential and commercial uses generally exist in close proximity, signs shall be designed and located so that they have little or no impact on adjacent residential neighborhoods. Small-scale signs are encouraged.

REDUCE SIGN IMPACT



(b) Color.

(1) Select colors carefully. Colors shall be selected to contribute to legibility and design integrity. Sign colors shall complement the colors used on the structures and the project as a whole. Colors or combinations of colors that are harsh and disrupt the visual harmony and order of the street are unacceptable.

(2) Use contrasting colors. Provide a substantial contrast between the color and material of the background and the letters or symbols to make the sign easier to read during both the day and night. Light letters on a dark background or dark letters on a light background are most legible.

(3) Avoid using too many colors. Colors or color combinations that interfere with legibility of the sign copy or that interfere with viewer identification of other signs shall be avoided.

(c) Materials. Signs shall be constructed of durable, high-quality architectural materials. The sign package must use materials, colors and designs that are compatible with the building facade. Sign materials must be of proven durability. Treated wood, painted metal, stone, brick and stucco are the preferred materials for signs.

(d) Legibility. Signs shall be adequately legible under the circumstances in which they are primarily seen. The legibility of signs is related to:

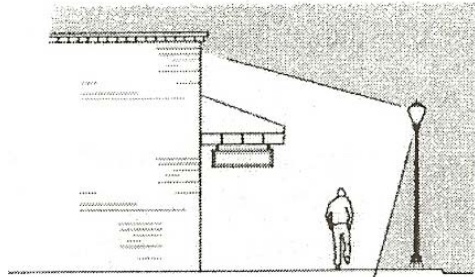
- (1) The speed at which they are viewed;
- (2) The context and surroundings in which they are seen; and
- (3) The design, colors and contrast of the sign copy and sign face.

The design of the sign, including copy, lettering size and style and colors, shall logically relate to the average speed of the traffic which will see it. Signs shall legibly convey their messages without being distracting or unsafe to motorists reading them. Symbols and logos can be used in place of words whenever appropriate.

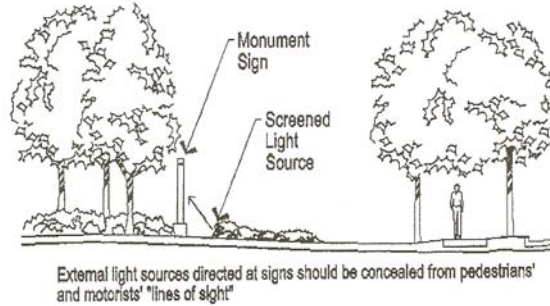
(e) Sign illumination.

- (1) Use illumination only if necessary.
- (2) Sign illumination shall complement, not overpower, the overall composition of the site.

USE OF EXISTING ILLUMINATION



(3) Use a direct light source. All lighted signs shall have their lighting directed in such a manner as to illuminate only the face of the sign. When external light sources are directed at the sign surface, the light source must be concealed from pedestrians' and motorists' "lines of sight."



(4) Signs must be illuminated in a way that does not cause glare onto the street and adjacent properties. Signs shall be lit only to the minimum level for nighttime readability.

(5) All lighted signs shall meet all applicable electrical codes, and the electrical components used shall bear the label of an approval agency. Additionally, electrical permits shall be obtained for electric signs.

(6) Flashing, moving, blinking, chasing or other animation effects shall be prohibited on all signs except time and temperature signs.

(7) Neon tubing is an acceptable method of sign illumination for window signs in commercial districts.

(8) The use of individually cut, back-lit letter signs is encouraged.

(9) No commercial sign within five hundred (500) linear feet of a pre-existing residential structure may be illuminated between the hours of 11:00 p.m. and 6:00 a.m. A residence shall be deemed *pre-existing* for purposes of this Section if it has a valid building permit in effect for construction of said structure or if construction of said structure was complete on or prior to the effective date of the ordinance codified herein. (Ord. 789 §18-568, 2006)

Sec. 12-20-90. Sign installation and maintenance.

(a) Installation.

(1) All signs shall be mounted so that the method of installation is concealed.

(2) Projecting signs shall be mounted so they generally align with others in the block.

(3) All signs and all components thereof, including sign structures and sign faces, shall be kept neatly painted, in a good state of repair and in compliance with all building and electrical codes. The City Manager may inspect any sign governed by this Article and shall have the authority to order the painting, repair, alteration or removal of a sign which constitutes a hazard to safety, health or public welfare by reason of inadequate maintenance, dilapidation or obsolescence.

(b) Maintenance.

(1) The owner of a sign and the owner of the premises on which such sign is located shall be jointly and severally liable to maintain such sign, including any illumination sources in a neat and orderly condition and in good working order at all times, and to prevent the

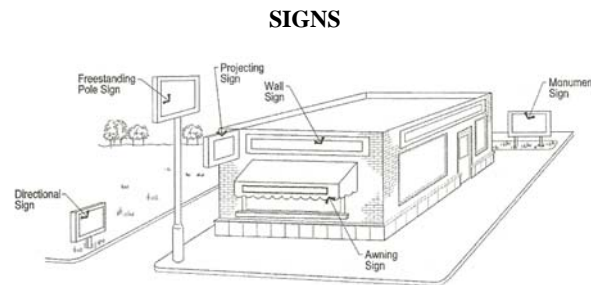
development of any rust, corrosion, rotting or other deterioration in the physical appearance or safety of such sign. The sign must also be in compliance with all building and electrical codes.

(2) The owner of any sign regulated by this Article shall be required to keep signs and supporting hardware, including temporary signs and time and temperature signs, structurally safe, clean, free of visible defects and functioning properly at all times. Repairs to signs shall be equal to or better in quality of materials and design than the original sign.

(3) The City Manager may inspect any sign governed by this Article and shall have the authority to order the painting, repair, alteration or removal of a sign which constitutes a hazard to safety, health or public welfare by reason of inadequate maintenance, dilapidation or obsolescence. (Ord. 789 §18-569, 2006)

Sec. 12-20-100. Standards for specific types of signs.

(a) **Awning signs.** An awning sign is a wall sign which is painted, stitched, sewn or stained onto the exterior of an awning. An awning is a movable shelter supported entirely from the exterior wall of a building and composed of nonrigid materials except for the supporting framework.



(1) **Location.** Signs may be placed only on awnings that are located on first- and second-story building frontages, including those fronting a parking lot or pedestrian way. No awning sign shall project beyond, above or below the face of an awning.

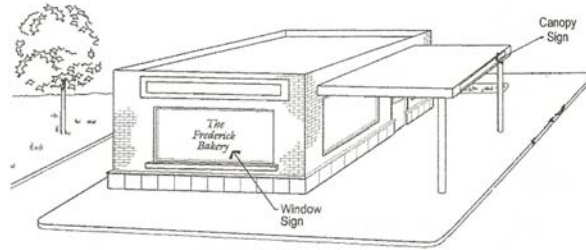
(2) **Maximum area and height.** Sign area shall comply with the requirements established by Section 12-20-110 below. No structural element of an awning shall be located less than eight (8) feet above finished grade. Awnings on which awning signs are mounted may extend over a public right-of-way no more than seven (7) feet from the face of a supporting building. No awning, with or without signage, shall extend above the roof line of any building.

(3) **Lighting.** Awnings shall not be internally illuminated except as part of a creative sign. Lighting directed downwards that does not illuminate the awning is allowed.

(4) **Required maintenance.** Awnings shall be regularly cleaned and kept free of dust and visible defects.

(b) **Canopy signs.** A canopy sign is a wall sign that is permanently affixed to a roofed shelter attached to and supported by a building, by columns extending from the ground or by a combination of a building and columns.

WINDOW AND CANOPY SIGNS



(1) Maximum area and height. Sign area shall comply with the requirements established by Section 12-20-110 below. No canopy, with or without signage, shall extend above the roof line of any building. No canopy sign shall project above the top of the canopy upon which it is mounted. However, such sign may project horizontally from the face of a canopy the distance necessary to accommodate the letter thickness and required electrical equipment, but not more than twelve (12) inches (measured from the bottom of the sign). Under-canopy signs which are perpendicular to the face of the building shall be deemed to be projecting wall signs. Under-canopy signs which are parallel to the face of the building shall be a minimum of eight (8) feet above grade and shall be deemed to be flush wall signs.

(2) Required maintenance. Canopies shall be regularly cleaned and kept free of dust and visible defects.

(c) Freestanding signs. A freestanding sign is a sign which is supported by one (1) or more columns, uprights, poles or braces extended from the ground, or which is erected on the ground, and shall also include a monument sign and pole signs but does not include a sign attached to a structure.

(1) Location. The sign may be located only on a site frontage adjoining a public street. No freestanding sign in any zoning district can be erected closer than eight (8) feet from any curblineline, nor closer than four (4) feet to any building. No freestanding signs in business and industrial districts may be located less than twenty-five (25) feet from any property line adjacent to a residential zoning district line.

(2) Maximum area and height. The sign shall comply with the height and area requirements established in Section 12-20-110 below.

(3) Sign mounting. The sign shall be mounted on one (1) or more posts or have a solid monument-type base. Posts shall not have a diameter greater than twelve (12) inches.

(4) Pole signs. Pole signs should not be so large as to obscure the patterns of front facades and yards. Pole signs shall be no higher than a structure's roofline or the first-floor roofline of a multi-story building.

(d) Monument signs. A monument sign is a permanent sign where the entire bottom of the sign is affixed to the ground, not to a building.

(1) Location. The sign may be located only along a site frontage adjoining a public street.

(2) Maximum area and height. The sign shall comply with the height and area requirements established in Section 12-20-110 below.

(3) Design. The design of a monument sign shall be consistent with the overall scale of the building. The design and placement of the sign shall not obstruct traffic safety sight distance areas. Project monument signs shall contain only the name and address of the project which it identifies.

(4) Landscaping requirements. Landscaping shall be provided at the base of the supporting structure equal to twice the area of one (1) face of the sign. For example, twenty (20) square feet of sign area equals forty (40) square feet of landscaped area. The Planning and Zoning Commission may reduce or waive this requirement if it is determined that the additional landscaping would not contribute significantly to the overall aesthetic character of the project.

(e) Off-premises advertising signs. Off-premises advertising signs, also known as off-site signs, are generally prohibited, except for those placed within the CH and I Districts. Off-premises signs shall not:

- (1) Interfere with pedestrian or vehicular safety.
- (2) Detract from the pedestrian quality of the surrounding area.
- (3) Add to an over-proliferation of signs on one (1) property or in an area.
- (4) Measure more than four (4) square feet.
- (5) Measure more than twelve (12) feet in height.
- (6) Number more than three (3) for any organization.

The owner of the sign shall be responsible for repair and maintenance of the sign.

(f) Projecting signs. A projecting sign is any sign supported by a building wall and projects at least twelve (12) inches or more horizontally beyond the surface of the building to which the sign is attached.

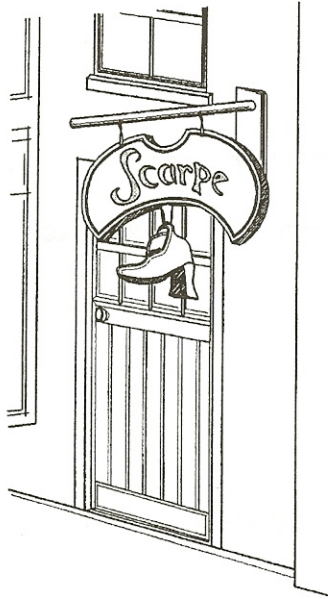
(1) Location. Projecting signs shall be placed only on a ground-floor facade except for businesses located above the ground level with direct exterior pedestrian access. Projecting signs should be mounted so that they generally align with others in the block. This helps to create a "canopy line" that gives scale to the sidewalk.

(2) Maximum area and height. Projecting signs shall not be higher than the wall from which the sign projects if attached to a single-story building or the height of the bottom of any second-story window if attached to a multi-story building. Projecting signs must have eight (8) feet of clearance, and may not extend more than four (4) feet from the building wall except where the sign is an integral part of an approved canopy or awning. The size of projecting signs is limited to three (3) feet wide and six (6) square feet.

(3) Sign structure. Sign supports and brackets shall be compatible with the design and scale of the sign.

(4) Quantity. The number of projecting signs is limited to one (1) per business.

PROJECTING SIGN



(g) Standard brand-name signs. A standard brand-name sign is any sign devoted to the advertising of any standard brand-name commodity or service which is not the principal commodity or service being sold or rendered on the premises, or are not a part of the name or business concern involved. Not more than twenty percent (20%) of the total allowable sign area for any permitted use shall be devoted to the advertising of any standard brand-name commodity or service.

(h) Time and/or temperature signs. A time and/or temperature sign is any sign intended to be displayed for a limited period of time and capable of being viewed from any public right-of-way, parking area or neighboring property.

(1) Maximum area. Time and/or temperature signs which do not exceed ten (10) square feet shall not be required to be included in the allowable sign area permitted in Section 12-20-70 above provided that any identification or advertising which is attached to or made part of the same sign structure shall be included in the allowable sign area for the premises.

(2) Design. The sign shall be designed in a manner that is compatible with other signs on the site and with the structure on which it is placed.

(3) Maintenance. It shall be the responsibility of the owner of such signs to maintain such signs and ensure that they are kept accurate. If these conditions are not met, the sign shall be repaired or removed.

(i) Wall signs. A wall sign is any sign painted on, incorporated in or affixed to the building wall or any sign consisting of cut-out letters or devices affixed to the building wall with no background defined on the building wall.

(1) Location. The sign shall not be placed to obstruct any portion of a window, doorway or other architectural detail. Locate wall signs on buildings at the first-floor level only for retail uses. No part of a wall sign shall be located more than twenty-five (25) feet above grade level.

(2) Maximum area and height. Wall signs shall not be higher than the eave line of the principal building. The sign shall comply with the height and area requirements established in Section 12-20-110 below.

(3) Projection from wall. No sign part, including cut-out letters, may project from the surface upon which it is attached more than required for construction purposes, and in no case more than twelve (12) inches.

(4) Design. Wall signs shall identify the individual business, building or building complex by name or trademark only.

(j) Window signs. A window sign is a sign that is painted on, applied or attached to a window or that can be read through the window from the public right-of-way, placed at or below the second-floor level.

(1) Maximum area. When a sign is displayed in a window and is visible beyond the boundaries of the lot upon which the sign is displayed, the total area of such sign shall not exceed:

- a. Twenty-five percent (25%) of the window or door area at the ground-floor level; and
- b. Twenty-five percent (25%) of the total allowable sign area for the premises.

(2) Lighting. All illuminated window signs shall be included in the total allowable sign area for the premises. Temporary posters announcing or advertising events sponsored by noncommercial organizations shall be exempt from limitations for window signs. (Ord. 789 §18-570, 2006)

Sec. 12-20-110. Sign standards by zone district.

(a) Residential signs. Signs in the RU, RE, RL, RM, RH, Mfg-H and MSW Districts, listed in Table 12-22 below, may include and shall be limited to:

**Table 12-22
Residential Sign Standards**

<i>Type of Sign</i>	<i>Number of Signs</i>	<i>Maximum Area (sq. ft.)</i>	<i>Maximum Height of Freestanding Signs</i>	<i>Comments</i>
Identification Signs (Freestanding, Monument or Wall Sign)	1 per one-unit dwelling or manufactured home single-wide	2	4 ft.	Wall signs may be no higher than the eave line of the principal building or the first-floor eave line of a multi-story building.
	1 per multi-unit dwelling	16	6 ft.	Wall signs may be no higher than the eave line of the principal building or the first-floor eave line of a multi-story building.
	1 per public or quasi-public use	20	8 ft.	Wall signs may be no higher than the eave line of the principal building or the first-floor eave line of a multi-story building.
	1 per subdivision entrance (monument sign)	32 per face	6 ft.	Direct illumination only; when placed on subdivision entry features, only the sign face shall be used to calculate the area.

Bed and Breakfast	1 per street frontage	16	Below edge of roof, 4 ft. freestanding	May be lighted; name and address of facility only.
Child Care Center	1	6	5 ft.	Unlighted.
Home Occupation	1	6 per face	5 ft.	Indirect illumination dusk to 10:00 p.m.
Temporary Sign	See Section 12-20-40 Sign Exemptions			

(b) Commercial Business signs. Signs in the CB District, listed in Table 12-23 below, may include and shall be limited to:

**Table 12-23
CB District Sign Standards**

<i>Type of Sign</i>	<i>Number of Signs</i>	<i>Maximum Area (sq. ft.)</i>	<i>Maximum Height of Freestanding Signs</i>	<i>Comments</i>
Identification Signs (Freestanding, Monument, Wall, Window, Awning, Canopy, Projecting or Standard Brand-Name Signs)	Freestanding	24 per face	Maximum of eave line height or first-story eave line height of a multi-story building	No freestanding sign shall be built or placed on the sidewalk, curb or area between the sidewalk and curb except for exempt signs.
	Arterial street pole sign: 1 for every 1,500 ft. of street frontage	24 per face	Maximum of eave line height or first-story eave line height of a multi-story building	In place of project monument sign; not allowed on local or collector streets.
	Wall sign or Projecting sign: 1 per individual building tenant	3 sq. ft. per linear foot of building façade not to exceed 150 sq. ft.	N/A	The sum of all wall signs on a given wall shall not exceed 5% of the wall area. Projecting signs shall be mounted so that they generally align with others on the block and have a minimum clearance of 8'.
	Canopy or awning sign: 1 per individual building tenant	10 if main business sign; 4 if an auxiliary business sign	Minimum 8 ft. above finished grade	May not be in addition to a wall sign; auxiliary on valance only.
	Information signs	5	6 ft.	Permitted at rear and loading door entrances.
Time and/or Temperature signs	See Section 12-20-40 Sign Exemptions			
Temporary Signs	See Section 12-20-40 Sign Exemptions			

(c) Commercial Highway and Industrial District signs. Signs in the CH and I Districts, listed in Table 12-23 below, may include and shall be limited to:

**Table 12-24
CH and I District Sign Standards**

<i>Type of Sign</i>	<i>Number of Signs</i>	<i>Maximum Area (sq. ft.)</i>	<i>Maximum Height of Freestanding Signs</i>	<i>Comments</i>
Identification Signs (Freestanding, Monument, Wall, Window, Awning, Canopy, Projecting, Off-Premises or Standard Brand-Name Signs)	Wall sign or projecting sign: 1 per individual tenant building frontage	1 square foot for the first 100 lineal feet of building frontage plus 1 square foot for each 2 lineal feet of building frontage up to 200 square feet maximum	Maximum of eave line height or first-story eave line height of a multi-story building	The sum of all wall signs on a given wall shall not exceed 5% of the wall area; cannot be 25 ft. above grade level or higher than the eave line of the principal building
	Canopy or awning sign: 1 per individual building tenant	10 if main business sign; 4 if an auxiliary business sign	Minimum 8 ft. above finished grade	May not be in addition to a wall sign; auxiliary on valance only
	Information signs	5	6 ft.	Permitted at rear and loading door entrances
	Pole signs adjacent to Interstate or State Highway: Off-premises signs limited to 2	1 every 1,500 ft. of frontage up to 200 square feet; 4 if off-premises sign	Maximum of eave line height or first-story eave line of multi-story building; off-premises sign maximum of 12 ft.	Permitted along with entry monument sign; can be no closer than 150 ft. from each other
Time and/or Temperature signs	See Section 12-20-40 Sign Exemptions			
Temporary Signs	See Section 12-20-40 Sign Exemptions			

(Ord. 789 §18-571, 2006)