

Article 19

Signs

Section 19.01 Intent

This article is intended to regulate signs and to minimize outdoor advertising in order to protect public safety, health and welfare; minimize abundance and size of signs to reduce visual clutter, motorist distraction, and loss of visibility; promote public convenience; preserve property values; and enhance the aesthetic appearance and quality of life of the community. The requirements contained herein are intended to be content neutral. The following objectives are accomplished by establishing the minimum amount of regulations necessary concerning the size, placement, construction, illumination, and other aspects of signs in the county and cities in order to:

- (a) Protect the public right to receive messages, including religious, political, economic, social, philosophical and other types of information protected by the First Amendment of the U.S. Constitution.
- (b) Recognize that the proliferation of signs is unduly distracting to motorists and non-motorized travelers, reduces the effectiveness of signs directing and warning the public, causes confusion, reduces desired uniform traffic flow, and creates potential for crashes.
- (c) Maintain and improve the image of the community by encouraging signs of consistent size which are compatible with and complementary to related buildings and uses, and harmonious with their surroundings.
- (d) Recognize that the principal intent of commercial signs, to meet the purpose of these requirements and serve the public interest, should be for identification of an establishment on the premises, and not for advertising special events, brand names or off-premise activities, as these can be advertised more appropriately by other methods.
- (e) Eliminate potential conflicts between business signs and traffic control signs, thereby minimizing the potential for confusion and hazardous consequences.
- (f) Enable the public to locate goods, services and facilities without undue difficulty and confusion by restricting the number and placement of signs.
- (g) Prevent placement of signs which will conceal or obscure signs of adjacent uses.
- (h) Prevent off-premise signs from conflicting with other land uses.
- (i) Prevent signs that are potentially dangerous to the public due to structural deficiencies or disrepair.
- (j) Prohibit portable commercial signs in recognition of their significant negative impact on traffic safety and aesthetics.

Section 19.02 Scope of Requirements

A sign shall not hereafter be erected, re-erected, constructed, altered or maintained without receiving the proper sign permit, except as provided by this section.

Section 19.03 Signs Not Requiring Permit

A sign of the following type shall be permitted without the issuance of a sign permit, subject to all other requirements of this Article:

- (a) **Device Signs.** Permanent signs on vending machines or other containers indicating only the contents of such devices, provided that the sign area of each device shall not exceed three (3) square feet.
- (b) **Flags.** Flags provided there shall be no more than three (3) flags per lot, the maximum size of each flag shall be 50 square feet, and the flag poles comply with height limitations of section 15.04.
- (c) **Employment Signs.** "Help wanted" signs soliciting employees for the place of business where posted, provided that the maximum total area for all such signs shall not exceed six (6) square feet.
- (d) **Enclosed Signs.** Any sign that is located completely within a building and is not visible from the outside.
- (e) **Historical Signs.** Plaques or signs designating a building or premises as a historic structure or premises not to exceed six (6) square feet.
- (f) **Incidental Signs.** Small signs, emblems, or decals informing the public of goods, facilities, or services available on the premises. Examples of incidental signs include credit card signs, signs indicating the hours of business, no smoking signs, signs used to designate bathrooms, and signs providing information on business affiliations. The total area of all such incidental signs shall not exceed two (2) square feet.
- (g) **Murals.** Murals shall be allowed; provided no text, commercial logos or other identifiable commercial representation are included.
- (h) **Nameplate/Identification Signs.** Signs for the sole purpose of identifying an assigned house number, owner name, occupant, or building name. Identification signs of one (1) square foot in surface display area shall not be counted in the total sign area allowed on the premises, however, such signs larger than one (1) square foot shall be counted in the computation of total sign area otherwise allowed by this Ordinance.
- (i) **Public Signs.** Public signs, including the authorized signs of a government body or public utility, including traffic signs, legal notices, railroad crossing signs, warnings of a hazard, and similar signs.

- (j) **Temporary Signs.** Temporary signs shall be limited in size to 16 square feet and shall be permitted provided they are setback a minimum of ten (10) feet from the public right-of-way or any lot line and shall be removed within thirty days after the event the sign advertises.

**Table 19.03
Temporary Sign Regulations**

Type of Sign	Maximum Size	Maximum Height	Maximum Number	Permitted Duration
Community Special Event Signs	32 sq. ft.	10 ft.	1 per street frontage	
Construction Signs	64 sq. ft.	15 ft.	1 per lot, 2 on corner lot (1 facing each street)	Shall be removed from premises within 30 days after issuance of the occupancy permit or temporary occupancy permit
Garage Sale Signs	6 sq. ft.	6 ft.	1 per lot	Shall be erected no more than 7 business days before and removed within 1 business day after the sale
Grand Opening Sign, Special Sale & Promotional Signs and Banners	16 sq. ft.	Ground sign 6 ft. Wall sign not higher than building	1 per lot, 2 on corner lot (1 facing each street)	May be erected for a maximum of 20 consecutive days every 6 months
<u>Political Signs</u>	<u>16 sq. ft.</u>	-	-	<u>The owner of the property or the person in charge thereof shall be responsible for the removal of the signs within a reasonable time after an election.</u>
Real Estate: Sale or Lease of Individual Business or Lot	12 sq. ft.	6 ft.	1 per lot, 2 on corner lot (1 facing each street)	Shall be removed within 15 days of sale closing, or the lease or rental of the premises

- (k) **Traffic Control Signs.** Signs directing and guiding traffic and parking on private property, but bearing no advertising, including logos. Driveway entry/exit signs shall only be allowed as an exempt sign under this section where there are one-way drives or restricted turning movements that require signage to direct motorists; directional signage at full-movement driveways shall be regulated as a freestanding sign under section 19.04.
- (l) **Warning signs.** "No Trespassing" and other types of warning signs are allowed in all areas; not to exceed one and a half (1½) square feet per sign.
- (m) **Window Signs.** Window signs shall be permitted in all non-residential districts, up to 25% of the glass surface provided:
 - (1) The area of permanent window signs shall be counted in determining compliance with requirements for total area of wall signs.
 - (2) Window signs that are faded, yellowed, ripped, or otherwise damaged shall be removed immediately.

Section 19.04 Permitted Signs

- (a) The following signs require a permit under section 19.07. The number, display area, and height of signs within the non-residential zoning districts are provided in Table 19.04 and its accompanying set of additional requirements.

Table 19.04
Specific Sign Requirements

Type of Sign	Max. Height	Max. Size (1)	Max. Number	Additional Requirements
Agricultural	12 ft.	32 sq. ft. per face	1 per farm	
Awning	Must not exceed height of building	25% of awning up to a maximum of 50 sq. ft.	1 per awning	(2)
Billboard	30 ft.			(3)
Business Center	12 ft.	72 sq. ft. per face	1 per street frontage	(4)
Development and Subdivision Entry	4 ft.	20 sq. ft. per face	1 per entrance	(5)
Gasoline Price	12 ft.	12 sq. ft. per face	1 per street frontage	(6)
Home Occupation	--	1 sq. ft.	--	--
Marquee (Canopy)	<u>Must not exceed height of building</u>	<u>25% of awning up to a maximum of 50 sq. ft.</u>	<u>1 per street frontage</u>	<u>(7)</u>
Menu Boards (incl. A-frame; Sandwich Boards)	5 ft.	16 sq. ft. per side	1 per entrance	--
Monument or Ground	6 ft.	72 sq. ft. per side	1 per street frontage	(8)
Multiple family development signs	4 ft. unless on wall	12 sq. ft.		
Parking lot	12 ft.	12 sq. ft. per side	1 per parking lot	--
Pole	30 ft.	72 sq. ft. per side	1 per street frontage	(9)
Real Estate: Development Signs	12 ft.	72 sq. ft.	1 per development	(10)
Wall	Must not exceed height of building	10% of wall up to a maximum of 100 sq. ft.	1 per façade facing a street or public right-of-way	(11)
Projecting Signs	<u>Must not exceed Height of building</u>	<u>16 sq. ft.</u>	<u>1 per street frontage</u>	<u>(12)</u>

- (b) Signs noted in Table 19.04 shall comply with the following requirements:

- (1) The BZA may permit a fifteen 15% increase in the allowable sign area where the site has shared access with an adjoining site in accordance with Section 18.05.
- (2) **Awnings.** Awnings may project over the public sidewalk, provided they are a minimum of eight (8) feet above the sidewalk.
- (3) **Billboard.** Billboards shall only be permitted where in compliance with all of the following requirements:
 - a. **Districts Allowed.** Billboards are allowed only in the following districts:
 1. For sites located in the unincorporated areas of the county outside of the boundaries of the cities, billboards shall be allowed in the business or industrial zoning districts within 1,000 feet of the right-of-way for I-90/I-80 and I-94/U.S. 30 Freeways.
 2. For sites located within the boundaries of the cities of La Porte and Michigan City, billboards shall be allowed in the B3, M1 and M2 zoning districts.

- b. **Location.** Billboards shall be constructed so that its principal view is fully screened from an interchange area involving merging traffic. Any billboard shall comply with the following:
1. The billboard must be constructed in such a manner as to be viewed principally from the freeway(s) and not from auxiliary roadways, side road, traffic intersections, or residential areas.
 2. The premises must have a roadway easement to a non-freeway primary or secondary road such that the persons maintaining and servicing the sign may reach the site without danger.
- c. **Size and Configuration.** A billboard shall be constructed according to applicable building requirements, codes, and zoning regulations, including the following:
1. The maximum height shall be 30 feet above the median ground level within a 500 feet radius of the site.
 2. The maximum sign surface area shall be 672 square feet, except within the city of La Porte the maximum sign surface area shall be 384 square feet.
 3. Billboards shall be back to back or a “v” design; for a “v” design maximum separation between sign ends shall be 20 feet.
 4. Side-by-side or deck/stacked structures shall not be permitted.
 5. Billboards shall be prohibited from:
 - a. Extending above the tree line or horizon when viewed from any portion of the roadway that it faces.
 - b. Being located on or over the roofs of buildings.
 - c. Projecting over any public easement or right-of-way.
- d. **Spacing and Separation.** A billboard shall maintain all of the following spacing and setback requirements:
1. Along the I-80/90 Toll Road and I-94, a minimum spacing of 1,000 feet, measured along the road in all directions, from any other billboard, including billboards in an adjacent municipality. Along all other highways a minimum spacing of 1,320 feet, measured along the road in all directions, from any other billboard, including billboards in an adjacent municipality.
 2. At least 500 feet from any residential zoning district, historic district or outdoor park/recreational facility.
 3. At least 300 feet from any park, school, church, hospital, cemetery, or government building.
 4. The application shall include a certified site plan showing compliance with the spacing and separation distances required by this subsection.
- e. **Setbacks.** Billboards shall comply with all setback requirements for a structure in the district in which they are located.
- f. **Limitations on Movement.** A billboard shall be prohibited from having moving, flashing, oscillating or other distracting parts visible to drivers or vehicles. Rotating signs shall not be permitted.
- g. **Illumination.** A billboard may be illuminated subject to all of the following requirements:

1. Illumination must be directed in such a manner that all incidental light generated falls on the sign face.
 2. All lights must be shielded such that the light is not visible to traffic or surrounding homes or businesses.
 3. The use of animated electrical signage shall be prohibited.
 4. Billboards within 500 feet of any residential district may not be illuminated between the hours of 10:00 p.m. and 6:00 a.m.
- h. **Non-use.** Any billboard not in use shall have the unused surface display a scenic view, consistent with the area scenery or a public service display.
- i. **Maintenance and Unsafe Conditions.** Any billboard that collapses, topples or disintegrates shall be made safe within 30 days or the site shall be cleared of the debris.
- j. **State Compliance Required.** All billboards shall comply with applicable requirements and conditions the State of Indiana. A billboard permit shall be first obtained from the Indiana Department of Transportation prior to approval.
- k. **Identification Plate.** The framework, foundations or superstructure of the billboard shall have a metal identification plate, as defined, firmly attached thereto.
- (4) **Business Centers.** Each business center with at least 300 feet of major road frontage may be allowed one (1) on-premises freestanding business center sign, subject to the following:
- a. May be directly or indirectly illuminated.
 - b. May be double-faced.
 - c. Shall not reduce the number of signs or sign area otherwise allowed for the premises included within the business center, but shall prohibit any other freestanding signs from being located within the business center.
- (5) **Community, Neighborhood, Development or Subdivision Entry Signs**
- a. Freestanding signs of low profile design.
 - b. May be directly or indirectly illuminated.
- (6) **Gasoline Service Stations.** Each gasoline service station may be allowed the following signs in addition to the signs otherwise allowed by this Article:
- a. Gasoline pump signs not exceeding three (3) square feet per pump containing customary information regarding the brand, type of gasoline sold, and service provided.
 - b. Signage on the canopy, which shall be counted toward determining compliance with the requirements for total allowable area of wall signs allowed on the parcel.
 - c. May contain up to two (2) pump island signs located on the structural supports identifying "self-serve" and "full-serve" operations, provided that there is no business identification or advertising copy on such signs and that such signs do not exceed four (4) square feet in area.
- (7) **Marquee Signs (Canopy).** May project over the public sidewalk provided they are a minimum of eight (8) feet above the sidewalk.
- (8) **Monument or Ground Signs.** Monument signs shall have a brick base and landscaping around the base of the sign.
- (9) **Pole Signs.** Pole signs shall be prohibited in the CBD1 and CBD2 districts.

(10) **Real Estate Development Signs.** Permits for real estate development signs shall be issued for one (1) year and may be renewed on annual basis.

(11) **Wall Signs**

- a. Sign shall not extend more than 18 inches perpendicular to the surface of the building wall area upon which it is painted, erected, or fastened. Wall signs may extend over a public sidewalk, provided they have a minimum 10-foot clearance from the sidewalk to the bottom of the sign.
- b. For businesses that face directly onto adjacent public street right-of-way, the maximum allowable wall sign area may be increased as indicated in the table below: ~~or 10% of the wall area, whichever is less.~~

Distance of Sign from Right of Way	Allowable Sign Area
0-200ft	100Sqft
201-300ft	150Sqft
301-400ft	200Sqft
401-500ft	250Sqft
501-600ft	300Sqft
600ft +	400Sqft

- c. Wall signs may be directly or indirectly illuminated.

(12) No sign shall project more than 48 inches into a public way, sidewalk, or dedicated easement. Any such projecting sign shall be oriented so that the face surfaces of the sign are perpendicular to the face of the wall from which it projects, provided, however, that a sign projecting from a point at which two walls converge to form a corner in any direction. Projecting signs shall not exceed 2 ½ inches in thickness, and be no larger than 16 square feet. The projecting sign must be a minimum of 10 feet from the sidewalk to the bottom of the projecting sign.

Section 19.05 Prohibited Signs

The following devices and locations are specifically prohibited:

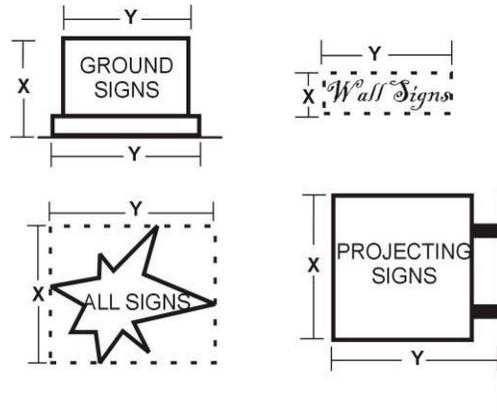
- (a) **Unspecified Signs.** Any signs not expressly permitted are prohibited.
- (b) **Commercial Vehicles used as Signs.** Unlicensed or inoperable stationary or abandoned motor vehicles, trailers or water craft parked on public or private property used specifically for signage and not for the intended use of the vehicle are prohibited. No commercial vehicle may be parked on a business or industrial premise for a time period exceeding 48 hours for the intended purpose of advertising a product or serving as a business sign.
- (c) **Double Signs.** Double-wide sign structures, that is, a single sign structure on which two or more billboards, or other type of signs, are placed or located side-by-side and facing the same direction are prohibited. A double stack, or deck sign structure, that is, a structure on which two signs are placed on one pole or structure, such that one sign is above the other and facing the same direction.

- (d) **Emergency Vehicles Simulation Signs.** Signs that simulate or could in any way be confused with the lighting of emergency vehicles or traffic signals are prohibited.
- (e) **Exterior String Lights.** String lights used in connection with a commercial enterprise are prohibited, other than holiday decorations which are strung no more than 60 days before the holiday and removed within 10 days following the holiday for which they were erected.
- (f) **High Intensity/Flashing Light Signs.** Signs that blink, flash, are animated by lighting in any fashion or have the appearance of traffic safety signs, or lights, or municipal vehicle warnings from a distance are prohibited.
- (g) **Illuminated Signs Adjacent to Residential.** Illuminated signs within 50 feet of a residential district are prohibited unless it is designed to not reflect or shine light onto the residential district.
- (h) **Moving Signs.** Rotating signs or signs having moving members or parts or appearance of movement are prohibited.
- (i) **Snipe Signs.** Signs attached to any utility pole, light standard, street tree or any other public facility located within the public right-of-way are prohibited.
- (j) **Obsolete Signs.** Signs that advertise a product that is no longer made, an event that has already occurred or a business that has closed are prohibited. The enforcement official shall provide a letter to the property owner giving a set time for removal of the obsolete sign.
- (k) **Off-Premise Signs.** Signs, except for billboards, which identify a use or advertises products and services not available on the premises on which the sign is located (e.g. garage sale signs, residential open house signs, signs providing directions to a business) are prohibited.
- (l) **Portable Signs.** Portable signs are prohibited except where expressly allowed in this article.
- (m) **Roof Signs.** Signs erected above the roof line of a building are prohibited.
- (n) **Signs that Confuse Traffic.** Signs that make use of the words "Stop", "Look", "Go", "Slow", "Caution", or "Danger", or any other words, phrases, symbols, or characters, in such a manner as to interfere with, mislead, or confuse traffic are prohibited.
- (o) **Signs that Obstruct Access.** Signs that prevent free and unobstructed access to any door, window, fire escape, or other required exit are prohibited.
- (p) **Signs that Obstruct Vision.** Signs located in such a manner as to obstruct or otherwise interfere with an official traffic sign, signal or device or obstruct or interfere with a driver's view of approaching, merging or intersecting traffic are prohibited.
- (q) **Signs Located in Public Right-of-way.** Signs located in, encroaching upon or overhanging public rights-of-way are prohibited, except awning, marquee and wall signs overhanging the sidewalk, as permitted in section 19.04.
- (r) **Structurally Unsafe Signs.** Signs which are deemed structurally unsafe or are constructed in violation of the requirements of any adopted Construction Code are prohibited.
- (s) **Objects Attached to Public Signs or Utility Structures.** For sale signs or other similar signs and objects shall not be attached to street signs, way-finding signs or utility poles in the public right-of-way.

Section 19.06**General Provisions for Permitted Signs**

Signs which are permitted as accessory uses serving a commercial or informational purpose may be permitted subject to the requirements of this section.

- (a) **Determination of Sign Display Area.** No sign shall exceed the maximum sign display area allowed for a district. The sign display area is to be expressed in square feet, computed to the nearest tenth of a square foot, and shall be computed as follows:



- (1) **Single-Faced Sign.** The allowable area for a single-faced sign shall be measured by calculating the square footage of the sign face by enclosing the most protruding points or edges of a sign within a parallelogram or rectangle, including any frame.
- (2) **Wall Signs.** Where a sign consists of individual letters and/or a logo affixed directly to a building, the area of the sign shall be computed by measuring the area of the envelope required to enclose the lettering and logo.
- (3) **Double-Face Signs.** Where a sign has two (2) or more faces, the area of only the larger face shall be considered when calculating maximum size, provided all faces are part of the same structure, back-to-back and are separated by no more than two (2) feet.

- (b) **Setbacks.** All freestanding signs, unless otherwise provided for, shall be set back as follows. This distance shall be measured from the nearest edge of the sign, measured at a vertical line perpendicular to the ground to the right-of-way.

- (1) For sites located in the unincorporated areas of the county outside of the boundaries of the cities, signs shall be set back a minimum of ten (10) feet from any public road right-of-way.
- (2) For sites located within the boundaries of the cities of La Porte and Michigan City, signs shall be set back a minimum of one (1) foot from any public road right-of-way.

(c) **Design Requirements**

- (1) **Architectural Features.** All signs shall be placed in a manner that does not obstruct or intrude upon architectural features of a building.
- (2) **Materials.** Sign materials shall be designed to complement the original construction materials and architectural style of the building façade to promote an overall unified and aesthetic effect as permitted in the various zoning districts. Signs shall not be constructed from materials that are remnants or manufactured for a different purpose.

(d) **Illumination**

- (1) **General Requirements.** Signs may be illuminated only by steady, stationary, shielded light sources using approved electrical devices directed solely at the sign, or internal to it. Signage lighting shall be subject to the lighting intensity limits specified in section 17.05.
- (2) **Non-glare, Shielded Lighting.** Use of glaring undiffused lights or bulbs shall be prohibited. Lights shall be shaded and/or shielded downward so as not to project onto adjoining properties or thoroughfares.
- (3) **Traffic Hazards.** Sign illumination that could distract motorists or otherwise create a traffic hazard shall be prohibited. The characters incorporated into any changeable message shall remain constant and not change in hue or intensity during the automatic changing of the sign's copy area.

- (4) **Illumination by Other Sources.** Illumination by bare bulbs, luminous tubing or flames is prohibited, except that bare bulbs are permitted on theater marquees.
- (5) **Electronic Changeable Message Sign.** Electronic changeable message signs illuminated by Light-Emitting Diode (LED) or other similar method shall be permitted, subject to the following requirements:
 - (a) Electronic changeable message signs shall only be permitted in non-residential zoning districts.
 - (b) Only one (1) electronic changeable message sign shall be permitted per business.
 - (c) Electronic changeable message signs that are greater than 12 square feet in area shall not be located with 600 feet any other electronic changeable message sign greater than 12 square feet in area on the same parcel.
 - (d) Electronic changeable message signs shall not exceed the following illuminative brightness:

Time of Day	Brightness	
	Within 500 feet of residential district or use	At least 500 feet from residential district or use
Night time	500 nits (cd/m ²)	1250 nits (cd/m ²)
Day time	3,500 nits (cd/m ²)	5,000 nits (cd/m ²)

- (e) The message on an electronic changeable message sign shall remain static a minimum of twenty (20) seconds and shall not take longer than one (1) second to change. If the sign is within 500 feet of a residential use or zoning district, the message shall remain static from dusk until dawn.
- (f) Electronic changeable message signs shall not contain any moving, blinking, flashing, scrolling or animated parts nor have the appearance of having any movement or animation. Only static messages shall be displayed. The lettering and/or message components being displayed at any given time shall not change, flash or fade to another color. The changeable message sign shall have a default design that will freeze the sign in a dark or blank position if a malfunction occurs.
- (g) Conversion of an existing sign to a changeable message signs shall require a permit under this article. Electronic changeable message signs may not be added to a nonconforming sign.
- (6) **Wiring.** Underground wiring shall be required for all illuminated signs not attached to a building.
- (7) **If a sign is illuminated by light beamed or reflected upon it, direct rays of light shall not beam upon any part of any existing residential area nor into a residential district, nor any street.**
- (e) **Construction Requirements.** The following construction requirements apply to all permanent signs.
 - (1) **Fastenings.** All signs must be erected in such a manner and with such materials to remain safe and secure during the period of use and all bolts, cables, and other parts of such signs shall be kept painted and free from corrosion. No sign may be placed upon a tree or utility pole, except signs of a unit of government or utility.
 - (2) **Support Location.** No pole, cable or support of any nature shall be placed on any publicly owned property, road right-of-way, or proposed road right-of-way.
 - (3) **Sign Safety**
 - a. All signs erected, constructed, reconstructed, altered or moved shall be constructed in such a manner and of such materials so that they shall be able to withstand wind pressure of at least 20 pounds per square foot.

- b. All signs shall be erected so that any part including cables, guys, etc. shall have a minimum clearance of four (4) feet from any electrical conductor, electric light pole, road lamp, traffic light, or other public utility pole or standard.
 - c. All signs shall be designed to comply with minimum wind pressure and other requirements set forth in the adopted building code. Signs with electrical connections shall comply with electrical code requirements, including the application, inspection, and approval of an electrical permit.
- (4) **Safety Triangle.** No sign shall be located within, project into, or overhang the triangular area formed at the intersection of any two road right-of-way lines or a driveway approach, as required by section 15.06.

Section 19.07 Sign permits

- (a) A sign permit shall be required prior to installing, changing the height, increasing the area or structurally altering any sign for which a permit is required. Before such a permit is issued, an inspection shall be made to determine that the sign location complies with the provisions of this article.
- (b) As a condition to approval of a sign permit, all signs to be located along state road right-of-way shall obtain the proper state sign permit or written non-objection from the Indiana Department of Transportation, and a copy shall be provided to the enforcement official.
- (c) For an off-premise sign, written consent of the property's owner or legal representative shall be submitted with the application for a sign permit.
- (d) The sign permit shall be valid for a period of 90 days. The sign must be installed within that time period or the permit shall expire, provided the enforcement official may grant an extension for an additional 90 days. When a sign permit is issued in connection with an improvement location permit for a structure on the site, the sign permit shall run concurrent with the improvement location permit.
- (e) No permit shall be required for ordinary servicing or repainting of an existing sign message, cleaning of a sign, or changing the message on the sign where the sign is designed for such changes (such as lettering on a marquee or numbers on a gasoline price sign). Furthermore, a permit shall not be required for signs which are stated as being allowable without a permit.

Section 19.08 Application Procedure

- (a) **Application Form.** Application for a permit for a sign shall be filed with the enforcement official and shall provide the following information:
 - (1) Name, address, and telephone number of the applicant.
 - (2) Location of the building, structure, or lot on which the sign is to be attached or erected.
 - (3) Position of the sign in relation to buildings, structures, and property lines within 100 feet of the proposed sign, **if deemed necessary.**
 - (4) Plans showing the dimensions, materials, method of construction, and attachment to the building or in the ground.
 - (5) Copies of stress sheets and calculations, if deemed necessary, showing the structure as designed for dead load and wind pressure.

- (6) Name and address of the person, firm, or corporation owning, erecting, and maintaining the sign, **if deemed necessary.**
- (7) Information concerning required electrical connections.
- (8) Written consent of the owner or lessee of the premises upon which the sign is to be erected, **if deemed necessary.**
- (9) Other information required by the enforcement official to make the determination that the sign is in compliance with all applicable laws and regulations.

(b) Application Review

- (1) **Location Improvement Permit Review.** All locations for placement of a sign submitted in conjunction with the proposed construction of a new building or addition to an existing building shall be reviewed as a part of the required location improvement permit review. The location, size and height of all existing and proposed signs must be shown on the site plan.
- (2) **Enforcement official Review.** The enforcement official shall review the sign permit application for any sign proposed on a site or existing building where no other new construction is proposed.
- (3) **Issuance of a Permit.** Following review and approval of a sign application, the enforcement official shall have the authority to issue a sign permit upon payment by the applicant of the required fees.
- (4) **Denial of a Permit.** The enforcement official shall deny the application for any sign that does not comply with the requirements of this article.

Section 19.09 Sign Inspection and Maintenance

(a) Sign Inspection

- (1) **Responsibility for Compliance.** The owner of any property on which a sign is located is declared to be responsible for the permit, erection, inspection, safety, condition, and removal of a sign.
- (2) **Inspection of New Signs.** All signs for which a permit has been issued shall be inspected by the enforcement official when erected. Approval shall be granted only if the sign has been constructed in compliance with the approved plans and applicable requirements of other ordinances and codes.
- (3) **Inspection before Enclosure.** In cases where fastenings or anchorages are to be eventually bricked in or otherwise enclosed, the sign erector shall advise the enforcement official when such fastenings are to be installed so that inspection may be completed before enclosure.
- (4) **Inspection of Existing Signs.** The enforcement official may, at such times as deemed necessary, inspect any sign allowed under this section, and if upon inspection a sign is found to be unsafe or in a condition that does not comply with all the provisions of this section, the enforcement official shall give notice of that condition to the owner of the sign and cause the necessary repairs or alterations to be made, or require removal of the sign.

(b) Sign Maintenance

- (1) **Maintenance of Signs.** All signs for which a permit is required and all supports therefore shall:
 - a. Be kept in compliance with the plans and specifications filed and approved for issuance of the construction permit.
 - b. Be kept and maintained in a safe condition, consistent with adopted building and mechanical codes.

c. At all times conform to all the provisions of this article.

- (2) **Correction of Defects.** If the enforcement official finds that any sign is unsafe, insecure, improperly constructed, or poorly maintained, the owner of the sign shall make the sign safe and secure by completing any necessary reconstruction or repairs, or entirely remove the sign in accordance with the timetable established by the enforcement official. Existing signs determined to be unsafe and an immediate hazard to health or safety shall be removed or repaired within 12 hours of notification.

(c) **Obsolete Signs.**

- (1) Signs which are no longer functional, in disrepair, or are abandoned for more than 60 days, shall be removed, at the expense of the property owner on which the sign is located, within 30 days following notice of non-compliance. The owner shall be notified by certified mail.
- (2) A sign which no longer identifies a use, product, business or entity located on the property, but is otherwise in conformity with the other provisions of this ordinance, may remain in place if the sign face is completely covered or obscured by a blank panel attached within the frame of the sign. In such case, the sign shall be permitted to remain for a period not to exceed 120 days. Following expiration of the 120 days, the sign shall be removed, unless identifying a new use, product, business or entity located on the property.

(d) **Legal Nonconforming Signs**

- (1) **Status.** Any sign lawfully existing at the time of the adoption of this article that does not fully comply with all provisions of this ordinance shall be considered a legal nonconforming sign and may be permitted to remain as long as the sign is properly maintained and not detrimental to the health, safety and welfare of the community, except as herein provided.
- (2) **Continuance.** The nonconforming sign may continue as long as it is not destroyed, abandoned, or discontinued under 19.09(c) above. A sign damaged in excess of 60% of its replacement cost is considered destroyed and shall be removed by the property owner. If the sign is not removed, the county or city may remove the sign.
- (3) **Restrictions.** A nonconforming sign shall not be altered or reconstructed, unless the alteration or reconstruction is in compliance with the provisions of this article. For the purpose of this article only, the terms "altered" or "reconstructed" shall not include any of the following:
- a. Normal maintenance.
 - b. Changing of surface sign space to a lesser or equal area.
 - c. Ornamental molding, frames, trellises, or ornamental features or landscaping below the base line.
 - d. The addition, construction, installation, or changing of electrical wiring or electrical devices.
 - e. Changing backgrounds, letters, figures, or characters, or other embellishments.
- (4) **Repairs and Maintenance.** Normal maintenance shall be allowed, provided that any nonconforming sign that is destroyed by any means to an extent greater than 60% of the sign's replacement value, exclusive of the foundation, shall not be reconstructed. Normal maintenance shall include painting of chipped or faded signs; replacement of faded or damaged surface panels; or repair or replacement of electrical wiring or electrical devices.
- (5) **Nonconforming Changeable Copy Signs.** The message on a nonconforming changeable copy sign or nonconforming bulletin board sign may be changed provided that the change does not create

any greater nonconformity. Conversion of a nonconforming sign to an electronic changeable message sign shall not be permitted.

- (6) **Substitution.** A nonconforming sign may not be replaced with another nonconforming sign.

Section 19.10 Fees

Any application for a sign permit or other request for action pursuant to the regulations set forth in this Article shall be subject to and accompanied by a fee as established by the legislative body. Such fees shall be collected in advance of any application review, inspection, or issuance of any permit or approval. Upon notification of deficient payment of fees, the enforcement official shall cause any permits to be suspended and reject applications for new permits directly associated with the request.

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