

## Chapter 113 SIGNS

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### Sec. 113-1. Definitions.

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

*Auxiliary sign* means a sign that has a purpose secondary to the use of the lot on which it is located, such as telephone, drive-through, cash machine, air, entrance, exit, parking restrictions, security warnings or similar directives. No part of the sign may display a product or logo message nor be illuminated.

*Awning sign* means a sign printed on or in some fashion attached directly to an awning.

*Back-to-back sign* means a sign structure with two sign faces oriented in opposite directions and spread not more than two feet apart.

*Balloon sign* means a sign consisting of a bag or similar device made of lightweight material supported by helium, hot, or pressurized air, which is greater than 18 inches in diameter.

*Building sign* means a sign attached to a building, including, but not limited to, an awning, canopy, or marquee, wall, projecting or window sign.

*Canopy sign* means a sign printed on or in some fashion attached directly to a canopy.

*Changeable copy sign* means a sign or portion thereof with characters, letters or illustrations that can be changed or rearranged mechanically without altering the face or the surface of the sign.

*Dynamic signs* means electronically or other technologically controlled signs where the message is formed by electronic or other digital or dynamic media, and when not static for more than one hour are considered flashing signs, except when used to provide primarily time and temperature or other public service information and not to exceed 25 percent of the area of the sign face when located as an on-premises sign. On-premises dynamic signs may not change more than once per hour, except as required to update time and temperature. Transition between time, temperature and public service announcements must be instantaneous and have no special effects of any kind.

*Face* means the surface of the sign upon, against or through which the message on the sign is exhibited.

*Flashing sign* a sign which exhibits changing light or color effect by any means, so as to provide intermittent illumination or the illusion of intermittent flashing light by any means. In addition, any mode of lighting that resembles zooming, twinkling, sparkling, fading or enhancing. Electronic or other digitally displayed signs that are static for more than one hour shall not be considered to be flashing signs.

*Freestanding sign* means a sign that has supporting framework that is placed on, or anchored in, the ground and which is independent of any building or other structure.

*Graphic sign* means an object, sculpture or sign, either freestanding, attached or painted directly to a wall that is primarily symbolic or representational in nature. Graphic signs also include pennants, streamers, strings of lights, searchlights, flags of other than a political jurisdiction, beacons or any other similar signs.

*Ground sign* means a freestanding sign with its sign face mounted on the ground, on a solid base at least as wide as the sign and extending vertically at least two-thirds of the height of the sign copy.

*Identification sign* means a sign containing principally the name of the individual or establishment occupying the premises, and which also may include the street address, telephone number or other information identifying the use.

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

*Interior sign* means a sign that is located within the interior of any building, or within an enclosed courtyard, that is not visible from the property line or public right-of-way.

*Marquee sign* means a building sign painted on or attached to a marquee.

*Off-premises advertising sign or billboard* means a sign that directs attention to a business, establishment, product, service, interest, activity or entertainment not exclusively related to the premises where such sign is located.

*On-premises sign* means a sign that directs attention to or promotes a business, establishment or activity conducted, or a product, service, interest or entertainment sold or offered, on the premises where such sign is located.

*Pole sign* means a freestanding sign which has its supportive structure anchored in the ground or on a solid base not at least as wide as the sign, or which has a sign face elevated above the ground or base by one or more poles or beams and with an open area between the sign face and the ground or base of more than one foot.

*Political or noncommercial sign* means a sign posted by a person or group promoting or commenting on a political issue, opinion or candidate for political office. All signs of noncommercial speech may be posted from August 1 in any general election year until ten days following the general election and 13 weeks prior to any special election until ten days following the special election. Signage shall be placed on private property, not within ten feet of a driveway.

*Portable sign* means a sign which is designed or intended to be moveable, including by trailer or on its own wheels, even though the wheels of such sign may be removed.

*Principal structure or use* means the main use of land or buildings and structures, as distinguished from or contrasted to subordinate or accessory uses, buildings or structures.

*Project information sign* means a sign erected on the premises on which construction is taking place, identifying the project, the architects, engineers, landscape architects, contractors or similar artisans, or the owners, financial supporters, sponsors or similar individuals having a role or interest in the project.

*Projecting sign* means a sign that projects from a wall of a building in such manner that the sign face is perpendicular to the wall, or a sign that is suspended from a soffit or other permanent overhang. Projecting signs shall not extend into the right-of-way.

*Real estate sign* means a sign which advertises the sale, rental or lease of the property on which the sign is located.

*Roof sign* means a sign which is mounted on the roof of a building or which projects above the top of the wall of a building with a flat, gambrel, gable or hip roof, or the deck line of a building with a mansard roof.

*Service area canopy sign* means a sign that is part of, or attached to, a service area canopy.

*Sign* means a structure, fixture, placard, announcement, declaration, image, device, demonstration, logo or insignia used for direction, information, identification, attraction, or to advertise or promote any business, product, activity, service, interest or entertainment.

*Sign area.*

(1) *Address exempted.* A building sign containing only the street number and street name shall be exempt from total sign face area calculations, provided such address lettering shall not exceed eight inches in height and three feet in length.

(2) *Awnings, canopies and marquees.* When signs are incorporated into awnings, canopies and marquees, the sign area shall be determined by computing the area of an imaginary rectangle drawn around the sign. Backlit awnings and canopies, with or without signage, shall be considered a sign and shall be included in the calculation of total permitted building sign area.

(3) *Back-to-back signs.* The sign face area shall be determined on the basis of only one side of such sign. If the sign faces are not parallel, the sign face area shall be determined on the basis of the sum of the areas of each sign face.

(4) *Banners*. When signs are incorporated into banners, the sign area shall be determined on the basis of the outer dimensions of the banner.

(5) *Building facades*. Backlit building facades, with or without signage, shall be included in the calculation of total permitted building sign area.

(6) *Framed signs*. The area of a sign face enclosed in a frame or cabinet shall be determined on the basis of the outer dimensions of the frame or cabinet surrounding the sign face. Where the frame or cabinet is not in the shape of a rectangle, square, triangle or circle, the sign face area shall be determined by calculating the area of an imaginary rectangle drawn around the frame or cabinet.

(7) *Individual elements*. When signs are constructed of individual elements attached to a building or wall, the sign face area shall be determined by calculating the area of an imaginary rectangle drawn around the sign elements.

(8) *Multiple-framed signs*. For freestanding and projecting signs that contain multiple frames on a single structure and oriented in the same direction, the sign face area shall be determined on the basis of the sum of the areas of each cabinet.

(9) *Painted wall signs*. If a painted wall sign is incorporated into a painted wall decoration, both the wall sign and decoration shall be counted as the sign face area.

(10) *Three-dimensional signs*. For globe signs, three-dimensional, three or more sided signs, or signs with indistinct sign faces, the sign face area shall be determined on the basis of the maximum surface area visible at any one time.

*Structure* means a structure, including the supports, uprights, bracing and framework, that supports or is capable of supporting a sign.

*Temporary sign* means a sign that is intended to be displayed for a limited time period only.

*Wall sign* means a sign mounted parallel to the building facade. A wall sign must be attached to a wall. Wall signs may not be attached to any other feature of a structure other than to a wall. Wall signs may not extend more than 18 inches from the wall to which they are attached.

*Window sign* means a sign that is placed inside a window or upon the surface of a window and is visible or is intended to be viewed from the exterior of the window.

(Ord. No. 2008-03, § 3, 2-26-2008)

## **Sec. 113-2. Intent; scope of regulations.**

(a) *Intent*. Regulations governing signs are established to allow effective signage appropriate to the planned character of each district, to promote an attractive environment, to minimize adverse effects on nearby property, and to protect the public health, safety, and welfare. The intent of this chapter shall be established by utilizing and adhering to the following:

- (1) Having permanent signs of high aesthetic value.
- (2) Signs that are compatible with their surroundings.
- (3) Signs that do not obstruct public safety, nor unduly distract motorists.
- (4) Signs that are architecturally compatible and in scale with the associated structure.

(b) *Scope of regulations*. The sign regulations set forth in this chapter shall apply to all structures and all land uses. This chapter describes the signage standards for permitted and conditional uses in the seven special sign districts that overlay the zoning districts of the city. Specific additional regulations are established for signs that are unique in purpose and not easily addressed by district regulations. No person shall place, erect or maintain a sign, nor shall a lessee or owner permit property under their control to be used for such sign, which does not conform to the requirements of this chapter, and all other applicable regulations.

(Ord. No. 2008-03, § 1(b), (c), 2-26-2008)

## **Sec. 113-3. Loss of nonconforming rights.**

- (a) No sign shall be enlarged or altered in a way that increases its nonconformity.
- (b) A nonconforming sign for a use or site that is discontinued for a continuous period of more than one calendar year shall be deemed to be abandoned and may not thereafter be reestablished or resumed except in conformity with all applicable regulations of this chapter. This provision shall include all signs for businesses that are vacant for a period of one year, even if the eventual use of the site remains the same.
- (c) Should such nonconforming sign or sign structure be damaged or structure be destroyed by any means to an extent greater than 50 percent and all required permits for its reconstruction have not been applied for within 180 days of when the sign or sign structure was damaged, it shall not be reconstructed or used except in conformity with the provisions of this chapter.
- (d) Should such sign or sign structure be moved for any reason for any distance whatsoever, it shall thereafter conform to the regulations for the zoning district in which it is located after it is moved.
- (e) No existing sign devoted to a use not permitted by the zoning code in the zoning district in which it is located shall be enlarged, expanded or moved except in changing the sign to a sign permitted in the zoning district in which it is located.
- (f) When a building loses its nonconforming status, all signs devoted to the structure shall be removed and all signs painted directly on the structure shall be repainted in a neutral color or a color that will harmonize with the structure.

(Ord. No. 2008-03, § 17, 2-26-2008)

#### **Sec. 113-4. Sign measurement, area.**

- (a) For wall, canopy, or projection signs consisting of individual letters, numbers, characters, figures, or displays attached in some manner to a building: The area of the sign shall be deemed to be the area included in the smallest square or rectangle that can be drawn around each of the individual letters, numbers, characters, figures, or displays. Such signs may only contain the name of the individual business to be measured in this way.
- (b) For ground signs or wall, canopy, or projection signs consisting of a background with more than individual letters, numbers, characters, figures, or displays attached in some manner to a building, or for any form of advertising the business other than the name of the individual business: The area of a sign shall be deemed to be the area included in the smallest square or rectangle that can be drawn around the total sign area composed of individual letters, numbers, characters, figures, or displays. Such signs include the copy area devoted to conveying a message, excluding structural supports, but including trim or framing devices. Where signs have appendages or additions, such as "pop-ups" or "cutouts" that extend beyond the copy area, the area of such appendages or additions shall be measured separately, but included in the total sign area. In addition, to be included in the total sign area shall be the area contained in the changeable copy sign. Portions of a sign that are designed to attract attention are considered a part of the sign for measurement purposes.
- (c) For measuring the area of a sign, only one side of the sign shall be included. No more than two sign areas, with a total of four sign faces, are permitted for each ground sign. In computing the measurable area of signs, those signs or portions of signs required by federal or state laws and regulations shall not be computed or considered as a part of the total sign area.

(Ord. No. 2008-03, § 18, 2-26-2008)

#### **Sec. 113-5. Exempt signs.**

The following signs shall be exempt from the regulations of this chapter:

- (1) Official public notices or warning signs required by local, state or federal law, including, but not limited to, traffic control and other regulatory purpose signs.
- (2) Any sign located inside a building that is not legible from more than three feet beyond the property line of the parcel or lot the sign is located on.
- (3) Religious symbols or works of art that do not contain a commercial message.
- (4) Any temporary for sale or for rent sign that advertises the sale or rental of personal property or

residential premises upon which the sign is located as long as the sign is not illuminated and does not exceed 24 square feet in area or four feet in height, or the height permitted for an auxiliary sign in that sign district, if greater. "For Sale" or "For Rent" signs on nonresidential properties shall be regulated as provided in section 113-11, pertaining to special sign types.

(5) Any political or noncommercial sign in compliance with the standards of Minn. Stats. § 211B.045, and any political or noncommercial sign in the residential or residential, multifamily and institutional sign overlay districts outside of the period regulated by Minn. Stats. § 211B.045, provided such signs do not exceed six square feet, not extending more than six feet above the grade at the base of the sign and are limited to one wall sign or freestanding sign per street frontage. In all other sign overlay districts, any sign display or device allowed under this section may contain, in lieu of other copy, any otherwise lawful political or noncommercial message that does not direct attention to a business operated for profit, or to a commodity or service for sale, and that complies with the size, height and lighting requirements of this section.

(6) Any sign placed within the right-of-way of a roadway with the permission and approval of the roadway authority.

(7) Any nonilluminated project information sign not exceeding 64 square feet in area and 12 feet in height and removed upon building occupancy.

(Ord. No. 2008-03, § 4, 2-26-2008)

### **Sec. 113-6. Prohibited signs.**

The following signs shall be prohibited in all zoning districts.

- (1) Signs with moving or swinging parts, with the exception of projection signage.
- (2) Flashing signs, except when used to provide primarily time and temperature or other public service information and not to exceed 25 percent of the area of the sign face.
- (3) Roof signs, a sign mounted on the roof of a building or on a parapet wall.
- (4) Off-premises, billboard or advertising signs, or any sign that directs attention to a business, service, product or event not related to or on the premises where the sign is located if not located in the SI special industrial zoning district, with the exception of those signs permitted through sections 113-13 and 113-14.
- (5) Any sign not constructed, wired, assembled, attached or supported in conformance with applicable building or other codes and regulations.
- (6) Pennants, streamers, strings of lights, searchlights, flags of other than a political jurisdiction, beacons or any other similar signs, except as permitted through sections 113-13 and 113-14.
- (7) Any sign not specifically permitted in this chapter.
- (8) Any signage placed in the right-of-way will be immediately removed by the city. Any damage occurring to the sign during the removal process will not result in a reimbursement as the sign was placed on public property.

(Ord. No. 2008-03, § 5, 2-26-2008)

### **Sec. 113-7. Sign permit required.**

Except for routine maintenance, no sign may be painted, constructed, erected, remodeled, relocated, or expanded until a sign permit is obtained in accordance with the applicable building code. No sign permit shall be issued for any sign unless the sign is permitted by, and complies with, the regulations of this chapter.

(Ord. No. 2008-03, § 2, 2-26-2008)

### **Sec. 113-8. Sign overlay districts established.**

For the purpose of regulation of signs, the following seven sign overlay districts are adopted:

- (1) *R residential sign overlay district.* All residential properties zoned R-2.
- (2) *RMI residential, multifamily and institutional sign overlay district.* All properties zoned AG or AG-PUD; and all nonresidential uses in any R-2 through R-4 zoning district; and all residential properties zoned R-3 and R-4, and all city parks and facilities.
- (3) *TTC traditional town center sign overlay district.* All properties zoned B-1, L-1 or R-2 and fronting on Main Street but not on Cty. Rd. 81 and located between Cty. Rd. 81 and Rouillard Blvd., or on Rogers Memorial Drive.
- (4) *CB community business sign overlay district.* All properties zoned B-1 and fronting on Cty. Rd. 81 or located between Cty. Rd. 81 and I-94.
- (5) *RB regional business sign overlay district.* All properties zoned B-1 or B-2 and located north of I-94.
- (6) *IG industry general sign overlay district.* All properties zoned I-1 light industrial or SI special industrial districts and located south of I-94 and located north of I-94 and west of Highway 101.
- (7) *ILS industry large site sign overlay district.* All properties zoned I-1 light industrial or SI special industrial and located north of I-94 and east of Highway 101.

(Ord. No. 2008-03, § 6, 2-26-2008)

### **Sec. 113-9. Permitted sign type, area, height and illumination by sign overlay district.**

All signs, unless specifically regulated in section 113-11, pertaining to special sign types, of this section shall conform to the applicable standards in the following table. For parcels with frontage on more than one street, the permitted wall sign area shall be allowed on each wall fronting on a street. Wall sign area may not be transferred between wall surfaces except by the provisions of section 113-12, pertaining to sign adjustments.

Table One. Sign Standards by Overlay Sign District

**GRAPHIC LINK:** [Click here](#)

Notes for Table One:

1. Parcels with frontage on more than one street. For parcels with frontage on more than one street, the permitted wall sign area shall be allowed on each wall fronting on a street. Permitted wall sign area may not be transferred between wall surfaces except by the provisions of section 113-12, pertaining to sign adjustments.
2. Sign lighting shall be allowed as follows:
  - a. Not permitted: The sign is neither lighted internally nor has a specific source of light directed at it. It depends on the general illumination in the area for its lighting.
  - b. EXT = External. The sign is illuminated by means of external light fixtures directed at the sign. Lighting shall be directed at the proposed signage only, and not visible from the street. All lighting shall be downward facing.
  - c. INT = Internal. The sign is illuminated by a light source located inside of the sign. Only the letters or other symbols are illuminated within an opaque background. This includes neon and or channel letter signs.
  - d. Backlit. The message is applied to a translucent panel, through which light is directed from a source behind the sign face, illuminating the copy and background of the sign. Backlighting is not a permitted method of sign illumination.
  - e. Site lighting shall be zero footcandles at all property lines.
3. Freestanding signs. The permitted sign area for a freestanding sign is the maximum area of the sign face, not the combined area of the sign faces. No more than one freestanding sign is permitted on any site. Freestanding signs must be must located to provide at least a one-foot setback from any property line. If the bottom edge of the sign copy is not located more than ten feet above the ground

with supports that do not encroach on the clear vision of approaching traffic from any exit from the site, the sign must be located to preserve the following clear vision area. The clear vision area shall be an area within a triangle created beginning at the intersection of the mid point of the driveway and the curb or edge of pavement line of the street, and extending 35 feet in the direction of approaching traffic and 25 feet toward the interior of the property, and then a line connecting these two points. Signage on a single pole is prohibited.

4. Special provision for freestanding signs in these overlay districts. All freestanding signs in these districts must be designed to be ground signs.

(Ord. No. 2008-03, § 7, 2-26-2008)

### **Sec. 113-10. Allocation of permitted sign type and sign area and provisions for multitenant developments and sites.**

(a) In multitenant buildings or sites, the permitted sign area and sign types, except for permitted freestanding signs, may be installed by each individual business establishment that has exclusive use of some portion of the street or otherwise primary level of the building and direct access to the outside. Tenants located on the street or otherwise primary level in a center with a common mall or atrium shall be considered to have direct access to the outside for the purpose of this section.

(b) The management and ownership of any business establishment proposing to install signage must be separate and distinct from the management and ownership of any other establishment in the same building or on the same building lot. Each establishment must be separated from all other establishments by party walls having no openings or passages.

(c) Signage for establishments occupying a multitenant building or site, but not located on the street or primary level of the building must be provided from the allocation of sign area and type to the occupants of the street or primary level of the building.

(d) Only one freestanding sign is permitted for each development or parcel whether occupied by a single or by multiple tenants.

(e) Each multitenant building shall be permitted up to 2.0 square feet of sign area per lineal foot of building frontage, except in the TTC zone, where multitenant is limited to 1.5 square feet of sign area per lineal foot of building frontage.

(f) If a multitenant structure fronts on more than one street, the 2.0 per linear foot of sign may be split between the two street frontages. Sign calculations shall be based upon the main entrance of the site.

(g) Freestanding sign area and height for a multitenant structure shall be determined by the Table One standards above, unless approval for additional signage is granted through the city council.

(Ord. No. 2008-03, § 8, 2-26-2008)

### **Sec. 113-11. Special sign types.**

(a) *Service area canopy signs.* Each edge of a service area canopy facing a street is permitted 25 square feet of sign area in addition to all other sign area permitted on the site. Such signage may be illuminated externally, internally, or backlit, but no other part of the face of the canopy shall be illuminated.

(b) *Awning or sun canopy.* No part may be less than eight feet or greater than 12 feet above grade. Any sign area on the awning, if illuminated, will be deducted from the permitted wall sign area. The fabric or material used for the awning or canopy must be opaque and no internal illumination is permitted.

(c) *Commercial real estate signs.* "For Sale" or "For Rent" signs on commercial or industrial properties, whether attached to the wall or freestanding are permitted as part of the unused sign area allocated to the site. No freestanding for sale or for rent signage is permitted except as part of or attached to the permitted freestanding sign or signs on the site. If adequate unallocated sign area is not available, temporary signage may be attached to the wall or an existing freestanding sign as regulated in section 113-8.

(d) *Subdivision identification signs.* Signs identifying the name of the subdivision may be placed in outlots located at each entrance to the subdivision. Such signs shall not exceed 32 square feet in area, five feet in height, be designed as ground signs and shall not be illuminated.

(e) *Dynamic signs.* Electronically or other technologically controlled signs where the message is formed by electronic or other digital or dynamic media, and when not static for more than one hour are considered flashing signs, except when used to provide primarily time and temperature or other public service information and not to exceed 25 percent of the area of the sign face when located as an on-premises sign. On-premises dynamic signs may not change more than once per hour, except as required to update time, temperature and public service announcements. Transition between time, temperature and public service announcements must be instantaneous and have no special effects of any kind.

(f) *Graphic signs.* Permitted graphic signs are allowed in the TTC traditional town center overlay district when part of a permitted wall, projecting or freestanding sign.

(g) *Subject to the expiration provision.* Off-premises, billboard or advertising signs existing at the time of the adoption of this ordinance if constructed in the S-I district in accordance with the provisions of Ordinance No. 94-26 adopted by the city council on August 23, 1994, shall continue to be subject to the expiration provision provided by that district. In all districts, a billboard sign shall be considered a freestanding sign and subject to the limitation of no more than one freestanding sign per site as provided in note 3 freestanding signs in the "Notes for Table One" in Section 113-9, pertaining to permitted sign type, height and illumination by sign district.

(1) Off-premises signage shall be located a minimum of 200 feet from residentially zoned property. In addition, off-premises signage shall not be located within 1,000 feet of another off-premises sign on the same side of the right-of-way where located.

(2) Off-premises signage shall be limited to 680 square feet in total size.

(3) Off-premises signage requests for digital displays shall be limited to parcels immediately adjacent to rights-of-way where the speed limit is greater than 55 miles per hour. In addition, digital displays shall be limited to be no closer than 4,000 feet from another digital display off-premises sign, in addition to being at least 1,000 feet from a standard billboard. The digital display shall only be located on one side of an off-premises sign. The basis for the distance requirement in part is to prevent a motorist from the effect of seeing two digital display billboards at the same time.

(4) The digital display may not change more than once every ten seconds. Fading, enhancing, scrolling and other changes are not permitted. The change must be immediately from one image to another.

(5) The brightness of a digital display shall not be brighter than is necessary for clear and adequate visibility as determined by the zoning administrator. All lighting on off-premises signage shall be full cut off and downward facing. No off-premises sign shall be of such visibility as to impair the vision of a driver. In addition, no such sign shall be permitted to appear as any type of a traffic signal. Should the zoning administrator deem the sign too bright, the owner of the sign may appeal the decision to the city council once the sign has been amended to meet the zoning administrator's request.

(6) Any owner of a digital display off-premises sign also hereby agrees to post public service messages, if requested by the city, as deemed necessary by the city.

(Ord. No. 2008-03, § 9, 2-26-2008)

### **Sec. 113-12. Sign standard adjustments.**

Adjustments to the requirements and standards for the height, number, type, lighting, area or location of a sign or signs established by this chapter may be approved through the site plan review process if the following criteria are met:

(1) There are site conditions which require a sign adjustment to allow the sign to be reasonably visible from a street immediately adjacent to the site; or

(2) The sign adjustment will allow a sign of exceptional design or a style that will enhance the area or that is more consistent with the architecture and design of the site; and

(3) The sign adjustment will not result in a sign that is inconsistent with the purpose of the zoning district in which the property is located.

(Ord. No. 2008-03, § 10, 2-26-2008)

**Sec. 113-13. Banners.**

Banners are permitted in all sign overlay districts subject to the following conditions:

- (1) Banners shall not exceed five percent of the wall face on which they are placed, nor shall a banner exceed 40 square feet.
- (2) A business is permitted a maximum of two banners during their temporary display.
- (3) All banners shall be affixed to a principal or accessory building or structure, or both, which is owned or leased by the business for which the sign is advertising. Banners shall not be placed above the cornice or parapet wall of a structure.
- (4) The permitting process shall include individual applications for each ten-day permit with acknowledgement by the owner/tenant regarding his responsibilities to maintain the banner and penalties for violation of the permit.
- (5) The total allowable period shall not exceed 30 days within any calendar year.
- (6) Ten days will be subtracted from the allotted number of days during a calendar year when a temporary sign is used past the expiration date for the permit.
- (7) Any sign to which a permit has not been issued and the town has notified the business with no response to the deadline, shall lose all remaining temporary signage for 12 months from the date the business owner was given to comply.
- (8) Banners placed in the right-of-way will be confiscated without warning.

(Ord. No. 2008-03, § 11, 2-26-2008)

**Sec. 113-14. Portable signs.**

- (a) Portable signs in the TTC traditional town center overlay district. One portable sign not exceeding six square feet in area, which shall not be illuminated, and shall be of sufficient weight to prevent movement by wind, shall be permitted for each parcel that does not have a freestanding sign. Portable signs may be allowed on the public right-of-way, provided an encroachment permit is obtained for such sign. Portable signs are not permitted on or adjacent to parcels that have a freestanding sign.
- (b) Portable and balloon signs in the CB community business overlay district. Provided a permit is obtained from the zoning administrator a business or parcel may display a portable sign or a balloon sign not exceeding 30 square feet in area on two occasions per calendar year with a maximum of a ten-day period per occasion. Five days shall be subtracted from a business activity's or parcel's allotted number of days during a calendar year when a portable sign is maintained past the expiration date for the permit.
- (c) Portable and balloon signs in all other overlay districts. Portable and balloon signs are not permitted in any overlay district except the TTC traditional town center and CB community business overlay districts.
- (d) Grand opening signage. Grand opening signage shall be subject to the rules and regulations for temporary signage as stated in sections 113-6, 113-13 and 113-15.
- (e) Signs on wheels and signage on trucks or other vehicles that are not parked in a parking lot or that are parked for the sole purpose of off-site advertising are prohibited.
- (f) Portable off-premises signage.
  - (1) Garage sale signs shall not require a permit, and may be placed off-premises from the actual garage sale site. Garage sale signs shall be posted no more than two calendar days prior to the sale, and must be removed within 24 hours after the conclusion of the sale. Garage sale signs shall be limited to four square feet in size and shall contain the address of the property owner.
  - (2) Real estate signage shall be permitted to be placed off-premises, not in the right-of-way, only with the permission of the owner of the off-premises site; and only for the purpose of holding open houses. Off-premises real estate signage shall be limited to four square feet in size. Signage shall contain the name of the agent or property owner and shall also contain a phone number. Real estate signage may be placed on off-site locations beginning at 6:00 p.m. of the Friday before the open house, and must be

removed by 7:00 a.m. of the Monday after the after open house. No permit is required for this kind of signage.

(3) All other off-premises signage, such as, but not limited to charitable organizations or sports associations shall be permitted with the permission of each property owner where the signage is to be placed, a map of the signage locations, and shall be located for no longer than ten consecutive days, and no more than 30 days in a calendar year. This type of signage requires a temporary permit application, and is limited to four square feet in size.

(4) Governmental purpose temporary signage may be placed within the right-of-way for no more than ten consecutive days, and must not impact visibility of drivers or pedestrians.

(Ord. No. 2008-03, § 12, 2-26-2008)

### **Sec. 113-15. Pennants, streamers, strings of lights, searchlights, etc.**

Pennants, streamers, strings of lights, searchlights, flags of other than a political jurisdiction, beacons or any other similar signs shall be considered prohibited graphic signs and are not permitted in any of the sign overlay districts.

(Ord. No. 2008-03, § 13, 2-26-2008)

### **Sec. 113-16. Maintenance and repair.**

(a) *Required.* All signs shall be kept in good repair and free from peeling paint, rust, damaged or rotted supports, framework or other material, broken or missing faces or missing letters. Any structure from which a sign has been moved or removed shall be repaired with materials and/or painted or stained to match the existing background.

(b) *Activities considered normal maintenance and repair.* Activities considered normal maintenance and repair include activities such as replacement, restoration or improvement of parts of the sign.

(c) *Items not considered normal maintenance and repair.* Changes made to the location, size, height or bulk of the sign or addition of illumination are not considered normal maintenance and repair and shall require the nonconforming sign be brought into conformance with all requirements of this chapter.

(Ord. No. 2008-03, §§ 14--16, 2-26-2008)