

Chapter 14

BILLBOARDS AND SIGNS

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10-14-1: TACKING CARDS, BILLS OR POSTERS TO TELEGRAPH POLES, ETC.:  

It shall be unlawful for any person to tack, paste, place or fasten upon any pole or post used for carrying telegraph, telephone or electric light wires upon any signpost, or tree in the city, any card, bill, poster or other written or printed matter except such card, bill, or poster or other written or printed matter which shall contain any official municipal notice posted in furtherance of governmental functions. Any card, bill, poster or other written matter erected or placed in violation of this section may be removed by the city and any costs involved shall be paid by the person causing such violation. (Ord. 168)

10-14-2: TACKING TO PRIVATE BUILDINGS OR STRUCTURES:  

It shall be unlawful for any person to tack, paste, place or fasten upon any building, wall, fence, signboard or other structure in the city, any card, bill, poster or other written or printed matter

without having first obtained permission of the owner or person in control of such building, wall, fence, signboard or other structure so to do. (Ord. 168)

10-14-3: DEFACING OR TEARING DOWN BILLS, POSTERS:  

If any person shall knowingly tear down, deface or cover up any legally posted advertisements or bills, such person shall be guilty of a misdemeanor. (Ord. 168)

10-14-4: HEIGHT:  

No sign or advertising structure or any part thereof shall extend above the maximum building height for the zone in which it is located. (Ord. 168)

10-14-5: DEFINITIONS:  

For the purpose of this chapter, the following words and phrases shall have the following meanings:

ADVERTISING STRUCTURE: All structures and all parts thereof which are erected or used for advertising purposes upon which any poster, bill, bulletin, printing, painting, device or other advertisement of any kind whatsoever is placed, posted, tacked, nailed, pasted, painted or otherwise fastened or affixed. This definition shall not be held to include any board, sign or surface used exclusively to display official notices issued by any court or public office or posted by any public officer in performance of a public duty or a private person in giving a legal notice.

AREA OF SIGN: The area of the largest rectangle or triangle that is required to enclose the sign. In the case of an irregularly shaped sign, or a sign made of individual cutout letters, the area shall be the sum of the areas of the rectangles or triangles necessary to enclose each letter or part of the sign. The area of V-type signs shall be the total area of all faces. The area of any two-faced sign shall be the area of one side or face.

BILLBOARD: An advertising structure which advertises a use not conducted on the same premises or a product not produced or fabricated on the same premises.

BUILDING LINE: That line established by the zoning ordinance, or by increased variance thereof, beyond which no part of the main building or structure may be erected or constructed, or a further setback from lot lines agreed to as building line by adjoining property owners within any particular block frontage.

ELECTRIC SIGN: Any advertising device which has electric wiring in, on or attached to such structure and is served or energized with electric current for the purpose of illumination or for any other purpose.

GROUND SIGN: A detached sign entirely within the property lines erected upon or supported by the ground.

IDENTIFICATION OR ANNOUNCEMENT SIGN: Any announcement sign, professional sign or nameplate giving the name and a permitted occupation or use located on the premises.

PROJECTING SIGN: Any sign attached to a building or other structure and extending in whole or in part more than twelve inches (12") beyond the building line.

REAL ESTATE SIGN: A sign placed upon a property advertising that particular property for sale or for rent or for lease.

SIDEWALK: That public property which exists between the property line and the established street curb.

SIGN: Any advertising structure, display board, screen structure, circus poster, poster, bill, bulletin, printing, painting, device, object or part thereof used to announce, identify, declare, demonstrate, display or otherwise advertise and attract the attention of the public by words, letters, figures, designs, fixtures, colors or illumination publicly displayed out of doors.

WALL SIGN: A sign attached to, painted or erected against a wall of a building or structure with the exposed face of the sign in a plane approximately parallel to the plane of such wall. (Ord. 168)

10-14-6: PERMIT; GENERAL REQUIREMENTS:  

A building permit shall be required for every sign and advertising structure regulated by this chapter. The city building inspector is hereby authorized to cause removal of any sign erected in violation of this chapter. Such signs may be recovered by the owner reimbursing the city for all costs incurred by such removal. (Ord. 168)

10-14-7: PLANS AND SPECIFICATIONS FOR PERMIT:  

Two (2) copies of plans and specifications shall be submitted with the application for a permit for each sign regulated by this chapter, one copy to be returned to the applicant at the time the permit is granted. Such plans shall show complete details, size of the sign, method of attachment or support, and location and materials to be used and the name, address and profession of the person designing plans and specifications of such sign. Plans for supports of all roof signs and other signs subject to excessive stresses shall be submitted to show that supporting surfaces and other members of an existing building to which the sign is to be attached are in good condition and are adequately strong to support the load. (Ord. 168)

10-14-8: ERECTION; CONSTRUCTION:  

A. No person shall erect, construct or cause or permit to be erected or constructed, any advertising structure or sign upon or over any public sidewalk, street, alley or public place or property, except as may be permitted in this chapter or as required by any other law or ordinance of the city.

B. Hanging signs over the boardwalk and/or sidewalk over public right of way shall be permitted; provided however that said signs shall not exceed the size of two feet (2') in height by eight feet (8') in length, and provided that said sign must clear eight feet (8') over the walkway. Hanging signs existing at the time of the effective date of this amendment shall be permitted to remain, but must be made to conform to the above requirements whenever the name of the business changes, and/or the existing sign is to be renewed or changed. (Ord. 2-1985, 5-20-1985)

10-14-9: IDENTIFICATION REQUIREMENTS:  

All signs shall be marked with the maker's name and the name of the person or firm erecting such sign, and the date of installation and permit number. Such required marking shall be plainly placed on the exterior surface of the sign in a location where such information will be readily visible and legible after installation and erection, and shall be kept legible thereafter. (Ord. 168)

10-14-10: GENERAL MAINTENANCE REQUIREMENTS:  

Signs coming under the regulations of this chapter shall be maintained in good and safe structural condition at all times. Signs found to be unsafe or defective may be removed by the building inspector. (Ord. 168)

10-14-11: INTERFERENCE WITH TRAFFIC:  

No sign shall be erected in such a manner as to interfere in any way with, or confuse traffic, or present any traffic hazard. (Ord. 168)

10-14-12: DESIGN AND CONSTRUCTION:  



All signs and other advertising structures shall be designed and constructed in accordance with the building code of the city. (Ord. 168)

10-14-13: ELECTRICAL SIGNS:  

All electrical signs shall be constructed and installed in accordance with the currently adopted electrical code and the requirements of the city. (Ord. 168)

10-14-14: AREA AND LOCATION REQUIREMENTS:  

Only the signs hereinafter specified and listed in this section shall be permitted in the districts herein specified as follows. (Ord. 168)

10-14-14-1: R-1, MH-1 AND R-2 RESIDENCE ZONES:  

Permitted signs:

A. Real Estate Signs: Real estate signs not over eight (8) square feet in aggregate area on any one lot fifty feet (50') or less in width. For each ten feet (10') by which the width of the lot or of two (2) or more contiguous lots in single ownership exceeds fifty feet (50'), one square foot may be added to the above aggregate area of eight (8) square feet. Such signs may set or project a

maximum of two feet (2') from the building line into a required yard. The area of any such sign shall not exceed twenty five (25) square feet.

B. Identification Or Announcement Signs: Small announcement or professional signs attached flat against the building, not over two (2) square feet in area, except that a public, charitable or religious institution may have for its own use an announcement sign or bulletin board not over twelve (12) square feet in area, which, if not attached flat against a building, shall be distant at least twelve feet (12') from all lot lines. Such signs may be illuminated provided the source of light is not visible.

C. Wall Signs: Wall signs appertaining to a nonconforming business use upon the premises on which they are maintained and not exceeding in the aggregate twenty (20) square feet in area per street frontage. Such signs may be illuminated provided the source of light is not visible. (Ord. 168)

10-14-14-2: R-3 AND R-4 RESIDENCE ZONES:  

A. Permitted Signs: All signs permitted in R-2.

B. Hotel, Inn, Lodging House And Trailer Court Announcement Signs: A hotel, inn, lodging house and trailer court, as allowed in R-3 and R-4 may have an announcement sign not over six (6) square feet in area, which, if not attached to a building, shall be distant at least twelve feet (12') from all lot lines. Such signs may be illuminated provided the source of light is not visible. (Ord. 168)

10-14-14-3: B-1 BUSINESS ZONES:  

A. Permitted Signs: All signs permitted in R-4.

B. Signs Bearing Firm Names: Any sign in this zone shall be used to show the name of the firm or business or to set forth the character of goods sold or services offered upon the premises. The total area of all such signs permitted for any one occupancy on any one street shall not exceed one square foot for each linear foot of lot frontage, except that such area need not be less than twenty (20) square feet.

C. Maximum Projection: Any sign, including wall signs and ground signs, may extend twenty four inches (24") beyond the building lines. (Ord. 168)

10-14-14-4: B-2, I-1 AND I-2 ZONES:  

A. Permitted Signs: All signs permitted in B-1.

B. Signs Bearing Firm Names: Signs used to show the name of the firm or business or to set forth the character of goods sold and services offered on the premises; provided, the total area of all such signs, except billboards, used by any one firm or business on any one street shall not be more than five (5) square feet for each linear foot of lot frontage with a total area limit of all signs, except billboards of seven hundred fifty (750) square feet.

C. Billboards: Billboards or advertising signboards attached or unattached to a building; provided, each such signboard shall have at least three feet (3') of clear space beneath it, and the advertising surface of the signboard, including the latticework and ornamental molding, shall not exceed sixteen feet (16') in height and forty seven feet (47') in length. Any such signboard shall not set closer than twenty feet (20') to the intersection of the street lot lines of a vacant corner lot. (Ord. 168)

10-14-15: EXCEPTIONS:  

The provisions and regulations of this chapter shall not apply to the following:

A. Any sign placed or painted on the inside of a building or on the inside or outside of any bus or vehicle.

B. Miscellaneous traffic or other municipal signs, danger signs, railroad crossing signs, legal notices, trespassing signs or signs of public service companies indicating danger or aids to service or safety.

C. Cornerstones or tablets when built into or attached to the walls of a building or structure; provided, such cornerstones or tablets bear only names, uses and events pertaining to the building. (Ord. 168)

10-14-16: OUTDOOR ADVERTISING BUSINESSES:

10-14-16-1: DEFINED:

For the purpose of this chapter, any person, firm or corporation who erects or maintains a sign advertising a business other than his own shall be deemed to be in the business of outdoor advertising. (Ord. 168)

10-14-16-2: LICENSE REQUIRED:

Every person in the outdoor advertising business or repair of advertising structures shall obtain a city license to conduct such operations. The license to erect signs shall be known as an "outdoor advertising license" and shall be issued by the license department of the city. (Ord. 02-69-70, 4-30-1970)

10-14-16-3: BOND AND INSURANCE REQUIREMENT:

Prior to the issuance of a license to install outdoor advertising, the person desiring such a license shall file with the city a good and sufficient bond running to the city, the penal sum of which shall be ten thousand dollars (\$10,000.00) to indemnify, save and keep harmless the city from any and all costs, damages or expenses of any kind whatsoever which may be suffered by the city or which it may be put to, or which may accrue against it from, or by reason of failure or refusal of such person to comply with all the provisions of this chapter applicable to such signs. Such bond shall be noncancellable except with permission of the city. An insurance policy covering bodily injury liability with the minimum coverage of fifty thousand dollars (\$50,000.00) for one person and one hundred thousand dollars (\$100,000.00) per accident and property damage insurance for a minimum coverage of twenty five thousand dollars (\$25,000.00), issued by an insurance company authorized to do business in the state, shall be maintained during the period for which the license is issued. In lieu of the indemnity bond required by this section the licensee may cause the city to be named a coinsured in the policy of liability insurance required by this section, or cause said policy to contain a standard contractual liability clause covering a save harmless agreement to and with the city and said licensee. If such save harmless agreement is executed by said licensee and filed with the city treasurer and a copy of said liability insurance policy or certificate of the existence thereof, with such provision, is filed with the application for license, then the indemnity bond need not be filed or furnished. (Ord. 168)

10-14-16-4: REVOCATION OF LICENSE:

At any time the bond or insurance policy required by the preceding section is permitted to lapse, the license shall be automatically revoked. (Ord. 168)

10-14-17: INSPECTION OF SIGNS:

All signs existing at the time of passage of this chapter or any signs erected at any time in the future which require a permit shall be subject to inspection by the building inspection department at any time, and if found not to comply with the requirements of the city as to safety, shall be corrected within such reasonable time as specified by the building inspection department or shall be subject to the penalties provided in this code. (Ord. 168)

10-14-18: NONCONFORMING SIGNS:  

No sign within the scope of this chapter shall be erected in the city after the effective date hereof, unless it complies with the requirements of this chapter. Any sign erected before the effective date of this chapter and not complying with its requirements shall be removed when the use of the premises changes and in any case not later than five (5) years from the effective date of this chapter, and after that time no sign shall be erected, maintained or used that does not comply with all provisions of this chapter. (Ord. 168)

10-14-19: POWER AND AUTHORITY OF BOARD OF ADJUSTMENT AND APPEALS: 


The city board of adjustment and appeals shall have the same powers and authority, and shall follow the same procedures, with regard to the provisions of this chapter as provided in the zoning ordinance of the city. (Ord. 168)