

ARTICLE V. SIGNS*

***Editor's note:** Ord. No. 2003-06, § 1, adopted May 27, 2003, amended Art. V, Signs, to read as set forth in §§ 78-416--78-421. Formerly, such article, §§ 78-416--78-421, pertained to the same subject matter and was derived from the 1978 Code, § 12-105; Ord. No. 91-31, § 1, adopted June 20, 1991; Ord. No. 94-25, adopted June 13, 1994; and Ord. No. 99-17, § 1, adopted Oct. 25, 1999.

Sec. 78-416. Findings, purpose and effect.

(a) *Findings.* The board of commissioners hereby finds as follows:

- (1) Exterior signs have a substantial impact on the character and quality of the environment.
- (2) Signs provide an important medium through which individuals may convey a variety of messages.
- (3) Signs can create traffic hazards, aesthetic concerns and detriments to property values, thereby threatening the public health, safety and welfare.
- (4) The city's zoning regulations have always included the regulation of signs in an effort to provide adequate means of expression and to promote the economic viability of the business community, while protecting the city and its citizens from a proliferation of signs of a type, size, location and character that would adversely impact upon the aesthetics of the community and threaten the health, safety and welfare of the community. The regulation of the physical characteristics of signs within the city has had a positive impact on traffic safety and the appearance of the community.

(b) *Purpose and intent.* It is not the purpose or intent of this article to regulate the message displayed on any sign; nor is it the purpose or intent of this article to regulate any building design or any display not defined as a sign, or any sign which cannot be viewed from outside a building. The purpose and intent of this article is to:

- (1) Regulate the number, location, size, type, illumination and other physical characteristics of signs within the city in order to promote the public health, safety and welfare.
- (2) Maintain, enhance and improve the aesthetic environment of the city by preventing visual clutter that is a threat to traffic safety and is harmful to the appearance of the community.
- (3) Improve the visual appearance of the city while providing for effective means of communication, consistent with constitutional guarantees.
- (4) Provide for fair and consistent enforcement of the sign regulations set for herein under the zoning authority of the city.

(c) *Effect.* A sign may be erected, mounted, displayed or maintained in the city if it is in conformance with the provisions of these regulations. The effect of this article, as more specifically set forth herein, is to:

- (1) Allow a wide variety of sign types in commercial zones, and a more limited variety of signs in other zones, subject to the standards set forth in this article.

- (2) Allow certain small, unobtrusive signs incidental to the principal use of a site in all zones when in compliance with the requirements of this article.
- (3) Provide for temporary signs in limited circumstances.
- (4) Prohibit signs whose location, size, type, illumination or other physical characteristics negatively affect the environment and where the communication can be accomplished by means having a lesser impact on the environment and the public health, safety and welfare.
- (5) Provide for the enforcement of the provisions of this article.

(Ord. No. 2003-06, § 1, 5-27-2003)

Sec. 78-417. Definitions.

The words, terms and phrases set out below, when used in this article, shall have the meanings ascribed to them in this section, except where the context clearly indicates a different meaning.

Abandoned sign means a sign that was lawfully erected on the property in conjunction with a particular use, that use having been subsequently discontinued for a period of 30 days or more, or a lawfully erected temporary sign for which the time period allowed for display of the sign has expired.

Animated sign means any sign or permanent structure that uses movement, projection, or change of lighting or other electrical impulses to depict action or create a special effect. Variable display signs, beacons and moving message boards are considered to be animated signs under this article.

Banners, pennants, festoons and balloons means any sign of fabric or other flexible material that is permanently mounted to a pole, enclosed in a frame, or otherwise mounted to allow movement caused by wind. Flags shall not be considered as banners under this article.

Building marker means any sign indicating the name of a building or date and incidental information about its construction, which sign is cut into a masonry surface or made of bronze or other permanent material which is architecturally compatible with the building.

Canopy sign means any sign that is a part of, attached to, or made up of an awning, canopy, or other protective cover over a door, entrance, window or outdoor service area. A marquee is not a canopy.

Commercial message means any sign wording, logo or other representation that directly or indirectly names, advertises or calls attention to a business, product, service or other commercial activity.

Construction sign means a sign conveying information about a building project, such as the name and use of the building being constructed, and the names of architects, engineers, contractors, and other persons involved with the construction project.

Dilapidated sign means any sign that is structurally unsound, has defective parts, or is in need of painting or other maintenance.

Directional sign means a permanent sign erected for or by a public entity for purposes of identification, direction or public safety.

Directory sign means a sign providing orientation within an office or commercial subdivision, listing such information as on-site businesses and other tenants and their respective activities.

Electronic message display means any sign that displays still images, scrolling images or moving images, including video and animation, utilizing a series or grid of lights that may be changed through electronic means, including cathode ray, light emitting diode (LED) display, plasma screen, liquid crystal display (LCD), fiber optic or other electronic media or technology.

Flag means any fabric or bunting containing distinctive colors, patterns or symbols that is used as a symbol of a governmental, commercial or non-commercial entity.

(1) *Commercial flag* means any flag which displays a commercial name, message, logo or symbol.

(2) *Decorative flag* means any flag which displays any holiday or seasonal insignia, design or the like which does not include any commercial name, message, logo or symbol.

(3) *Non-commercial/government/civic flag* means any flag displaying a name, message, logo or symbol of any governmental, religious, civic or non-profit agency.

Freestanding sign means any sign supported by structures or supports that are anchored in the ground and that are independent of any building or other structure.

Front facade means the front elevation of a building that faces the front property line, as recorded on the plat and/or site plan. If a structure is located on a corner parcel, the side which includes the primary entrance shall be considered the front facade. If a structure located on a corner parcel contains a primary entrance on more than one side, the longer side with a primary entrance shall be considered the front facade.

Illegal sign means any sign which is a prohibited sign or does not comply with the requirements established herein, is not a lawful nonconforming sign and is not exempted by law from the requirements established herein.

Illuminated sign, (internally) means any sign that transmits light through its face or any part thereof.

Incidental sign means a sign, generally informational, that has a purpose secondary to the use of the lot on which it is located, such as "no parking", "entrance", "exit", "loading only", "no trespassing", "no hunting", "phone", "ATM", etc.

Inflatable sign means any sign that is either expanded to its full dimensions or supported by gases contained within the sign, or sign parts, at a pressure greater than atmospheric pressure.

Marquee sign means any sign attached to, or made part of, a marquee or other permanent roof-like structure that projects beyond a building face and is not supported from the ground.

Menu board means a structure primarily designed for the display of menu items and prices for the purpose of placing orders for such items in conjunction with a restaurant utilizing drive-through or curbside service.

Non-commercial means not naming, advertising or calling attention to a business or commercial product, service or activity. However, where the name of a business is merely incidental to the primary purpose of a sign displayed on residential property, such as may be the case with a real estate sign or baby announcement, such sign shall be deemed non-commercial.

Nonconforming sign or sign structure means any existing permanent sign or sign structure which does not conform to the provisions of this article, but was lawfully erected and complied with the sign regulations in effect at the time it was erected.

Painted wall sign means any sign or display painted directly on any exterior surface, exclusive of window or door glass areas.

Pennant. See definition of "banners, pennants, festoons, and balloons."

Permanent sign means any sign that is intended for other than temporary use or a limited period. A permanent sign is generally affixed or attached to the exterior of a building, or to a pole or other structure, by adhesive or mechanical means, or is otherwise characterized by construction materials, a foundation or anchoring indicative of an intent to display the sign for more than a limited period.

Political preference sign means any temporary sign erected on private property for the purpose of supporting a political candidate, stating a position regarding a political issue or similar purpose.

Portable sign means any sign designed or intended to be readily relocated, and not permanently affixed to the ground or to a structure. Portable signs include such signs as a sidewalk sign; A-frame sign; or any sign attached to or painted on a vehicle or trailer parked and visible from the public right-of-way for more than two consecutive hours or more than four total hours between sunrise and sunset. For the purposes of this article, portable signs shall not be considered permanent signs. Real estate signs and other temporary signs which are otherwise provided for in this article shall not be considered portable signs for purposes of this article.

Projecting sign means any sign, other than a wall sign, whose leading edge extends beyond the building or wall to which it is affixed, forming an angle with said building or wall.

Public right-of-way/public way means a strip of ground dedicated for public use, usually for a public street, public infrastructure and/or waterway. For the purposes of this article, such rights-of way shall be considered to extend a minimum of ten feet from the edge of pavement, or to the dedicated right-of-way boundary, whichever is further.

Real estate sign means a temporary sign erected by the owner, or his agent, advertising the real property upon which the sign is located for rent, lease or sale.

Roof line means the highest horizontal point of the wall visible to the public, excluding any architectural feature which extends above such apparent horizontal roof line if such feature is fully enclosed and considered an integral part of the occupied space, such as an atrium or high ceiling.

Roof sign means any sign erected wholly or partially above the roof line.

Scoreboard means a structure located within an athletic field, displaying changing scores and related information; provided, however, the scoreboard may also display additional content, including but not limited to the names and logos of any sponsors.

Sign means any device, fixture, placard, or structure that uses color, form, graphic, illumination, symbol, or writing to advertise, announce, or identify a person or entity, or to communicate information of any kind.

Sign administrator means the person designated by the city manager as the staff member assigned to oversee the enforcement and interpretation of this article.

Sign area means square foot area enclosed by the perimeter of the sign face. With respect to signs that are composed of individual symbols, letters, figures, illustrations, messages, forms, or panels, sign area shall be considered to include all such components together with their background, surrounding frame, and any "cutouts" or extensions. The sign area shall not include any supporting structure or bracing.

Sign face means the entire area of a sign upon, against or through which sign copy is placed.

Sign structure means any structure that supports, has supported, or is capable of supporting a sign, including any decorative cover for the sign structure. This definition shall not include a building, fence, wall, or earthen berm.

Snipe sign means any sign that is affixed by any means to trees, utility poles, fences or other objects, where the sign does not qualify as an incidental sign allowed pursuant to section 78-420 herein.

Subdivision means the division of land into smaller tracts for any planned, self-contained residential or office development which, for the purpose of this article, shall meet one or both of the criteria as listed below:

- (1) Such division of land shall abut directly on an arterial street or collector street as designated in section 78-483 of this Code, as the same may be amended or replaced; or

(2) Such division of land shall initially consist of a minimum of 25 acres or shall create 25 or more individual lots.

Subdivision sign means any sign located at the entrance to a subdivision as defined in this article, for the purpose of identifying the subdivision.

Subdivision temporary development sign means any temporary sign for the purpose of advertising the sale of lots and the development of the subdivision. The names of participating home builders may be included on such signs. For purposes of this article, such signs shall not be classified as the same as a construction sign.

Swinging sign means any sign installed on an arm, mast or similar appendage that is not, in addition, permanently fastened to an adjacent wall or upright pole.

Temporary sign means any sign that is intended for temporary use and a limited period, as allowed by this article.

Tubular lighting means lighting such as but not limited to neon, gas, fiber optics, or other similar forms of lighting, installed on an exterior building facade, canopy, awning, architectural feature or any other structural component of the building outside the area of any allowable wall signs, for the purpose of drawing visual attention to the business.

Two sign faces means any sign constructed on a single set of supports, with messages visible on either side, or a "V" type sign with a common support in the center of the "V".

Wall sign means any sign, other than a projecting sign, that is attached to or painted on any wall of any building, awning or canopy and projects from the plane of the wall, canopy or awning less than 12 inches. This definition shall not include freestanding walls or multiple sign surfaces.

Window sign means any sign, graphic, or interior design element placed inside the window or upon the window pane, used to advertise, announce, or identify a person or entity, or to communicate information of any kind, or to draw visual attention to the business or use, and which is visible from the public right-of-way. For purposes of this article, window signs may be permanent or temporary and are subject to applicable provisions herein.

(Ord. No. 2003-06, § 1, 5-27-2003; Ord. No. 2006-14, § 1, 7-24-2006; Ord. No. 2007-01, § 1, 2-26-2007)

Sec. 78-418. General provisions.

(a) Nonconforming signs.

(1) The utilization of a nonconforming sign and/or sign structure, as defined herein, may continue subject to the conditions and requirements noted below. When the use of a property changes (including but not limited to the redevelopment of the site or a change in the use of the business(es)), the signs on that property must be brought into compliance with the provisions of this article.

(2) With the exception of minor repairs and maintenance and alterations allowed pursuant to state law, no alterations to a nonconforming sign/sign structure shall be allowed. Unless otherwise allowed by law, any structural or other substantial improvement to a nonconforming sign (except for printing or refinishing the surface of the existing sign face or sign structure so as to maintain the appearance) shall be deemed an abandonment of the nonconforming status and shall result in the reclassification of such sign as an illegal sign.

(b) *Calculations-measurement standards.* The following principals shall control the computation of sign area and sign height:

- (1) Computation of the area of individual signs. The sign area shall be determined by computing the area of the smallest square, rectangle, circle and/or triangle that will encompass the extreme limits of the sign face, including any open areas within the sign face (see definition, sign area).
- (2) Computation of area of multi-faced signs. The sign area for a sign with more than one face shall be computed by adding together the area of all sign faces, except where otherwise provided herein for temporary signs in residential districts.
- (3) Computation of height. Sign height is measured from the average level of the grade below the sign to the topmost point of the sign. Average grade shall be the lower of existing grade prior to construction or newly established grade after construction. Any berming, filling, or excavating solely for the purpose of locating the sign, shall be computed as part of the sign height.

(c) *Design, construction and maintenance of signs.* All signs shall be designed, constructed and maintained in accordance with the follow standards:

- (1) General provisions. All signs shall comply with applicable provisions of the adopted building codes and the state electrical code. Except for banners, flags, pennants, temporary signs and window signs allowed hereunder, all signs shall be constructed of permanent materials that are permanently attached to the ground or a structure. All signs shall be maintained in good structural condition, in compliance with all applicable codes.
- (2) Spacing. All permanent freestanding signs on any premises shall be spaced at minimum 200-foot intervals along each public way that views the premises, unless otherwise provided for by this article.
- (3) Sight distance triangle. All entrance signs and freestanding signs located near the corners of an intersection, shall be located outside of the sight distance triangle. Such triangle shall be measured at a distance of 35 feet running parallel along each leg of the road or driveway pavement surfaces and connecting them to form a triangular area. This area shall be free of any permanent or temporary signs that may inhibit a clear sight visibility for motorists.
- (4) Sign illumination. Sign illumination shall only be achieved through the following standards:
 - a. A white, steady, stationary light of reasonable intensity that is directed solely at the sign. The light source shall be shielded from adjacent buildings and streets, and shall not be of sufficient brightness to cause glare or other nuisances to adjacent land uses.
 - b. Internal illumination shall provide steady, stationary lighting through translucent materials.
 - c. If the sign or sign structure is internally illuminated or back lit by any means, the entire lighted area shall be included within the allowable signage calculation for the site. This standard shall also apply to signs affixed to any portion of a building as an architectural feature, such as but not limited to, awnings, canopies or roof lines.
 - d. All electrical service to ground mounted signs shall be placed underground. Electrical service to other signs shall be concealed from public view.
- (5) Setback. All permanent signs shall be set back at least five feet from the street right-of-way, unless otherwise specified by this article. No permanent sign shall be located within a public utility or drainage easement, without written approval from the affected agencies. Temporary signs shall be located at least ten feet from the back of

the street curb, edge of pavement or stabilized shoulder, unless a greater distance is required to remove such sign from the street right-of-way or sight distance triangle. No temporary signs shall be permitted within any median which is within a public right-of-way.

(6) Design. The various parts of a sign shall be compatible in design quality. Signs shall not be in the shape of a commercial sponsor name or motif (e.g., soda bottles, hamburgers, boot, etc.)

(Ord. No. 2003-06, § 1, 5-27-2003; Ord. No. 2006-01, § 2, 2-26-2007)

Sec. 78-419. Prohibited signs.

Except as may be authorized by this article, the following signs shall be prohibited, and may neither be erected nor maintained:

- (a) Banners, pennants, festoons, and balloons, except for those otherwise provided for in this article.
- (b) Swinging signs.
- (c) Snipe signs.
- (d) Animated signs of any type, other than those showing time and temperature only or operated by a governmental entity.
- (e) Any sign erected in a public right-of-way, except for signs with non-commercial messages placed by or on behalf of a governmental entity.
- (f) Roof signs, or signs extending beyond the main roof line, provided that signs may be mounted on an architectural feature extending beyond the roof line if such feature is fully enclosed and considered an integral part of the occupied space, such as an atrium or high ceiling.
- (g) Abandoned or dilapidated signs.
- (h) Portable signs.
- (i) Inflatable signs.
- (j) Projecting signs.
- (k) Any tubular lighting used to outline the exterior of a building, canopy, awning or structure, and not included in the measurable area of the sign face.
- (l) Any internally illuminated sign, unless allowed within a commercial district.
- (m) Marquee signs.
- (n) Any commercial sign located in a residential district not otherwise provided for in this article.
- (o) Any sign that obstructs free ingress or egress through a required door, window, fire escape or other required exit way.
- (p) Any sign which by reason of its location, position, size, shape or color may obstruct, impair or otherwise interfere with the view of, or be confused with, any traffic control sign or signal erected by a public authority. To those ends, no sign shall use the words, "slow", "stop", "caution", "yield", "danger", "warning" or "go" in a manner that misleads, confuses or distracts a vehicle driver.
- (q) Any sign which by reason of its location, position, size, shape, materials or other physical characteristics poses a safety hazard to drivers, pedestrians or residents.

(r) Any sign that exhibits statements, words or pictures of an obscene nature, as defined by the United States Supreme Court.

(s) Any other sign not specified in section 78-420 herein and which is not a lawful nonconforming sign.

(t) Electronic message display signs.

(Ord. No. 2003-06, § 1, 5-27-2003; Ord. No. 2006-14, § 2, 7-24-2006)

Sec. 78-420. Allowable signs by zoning district.

All signs designated in this section shall conform to the standards established herein, in addition to those applicable standards set forth elsewhere in chapter 78.

(a) Signs allowed in all zoning districts. The signs listed below are allowed in all zoning districts, provided that such signs are on private property unless otherwise provided; that such signs are maintained in a manner that does not create a safety hazard; and that the specific restrictions set forth for each type of sign listed below shall apply wherever such a sign is erected, displayed or maintained.

(1) An official sign or notice issued or required to be displayed on private property by any court, public agency or public office, whether permanent or temporary.

(2) A traffic directional, warning or information sign authorized by any public agency, whether permanent or temporary.

(3) A private street or road name sign located at an intersection that does not exceed two square feet per face and does not advertise any commercial name, message or logo.

(4) Incidental signs not exceeding two square feet in area per face. Such signs proclaiming "no trespassing", "no hunting", "no parking", "entrance", "exit", "loading only", "phone", "ATM" and the like shall be considered incidental to the use of property.

(5) Temporary window signs that do not exceed 25 percent of the area of the window or any glass door to which they are attached. All window signs shall be in conformance with all applicable safety and electrical codes.

(6) Permanent window signs, that do not exceed ten percent of the area of the window or any glass door to which they are attached. All window graphics signs shall be in conformance with all applicable safety and electrical codes.

(7) Signs denoting a property as historic. Such signs shall be authorized by the Brentwood Historic Commission and shall not exceed 16 square feet per face nor exceed nine feet in height.

(8) Non-commercial flags/government flags/civic flags, limited to 60 square feet per face, displayed in a non-commercial manner; provided that planning commission approval shall be required for supporting flag poles erected on property zoned for commercial or service-institution uses and for flag poles exceeding 30 feet in height in any zoning district.

(9) Decorative flags (non-commercial.) One decorative flag, whether temporary or permanent, may be displayed on any lot provided that it does not contain any commercial message, logo or symbol. No flag pole shall exceed 30 feet in height.

(10) Building marker. Any permanent building marker shall be limited to four

square feet of sign face and composed of materials compatible to the identified building.

(11) Holiday/seasonal. Temporary signs or displays of a seasonal or holiday occasion may be displayed on any lot for periods of up to 60 days, provided that they do not contain any commercial message or logo and do not create a sight visibility hazard.

(12) Non-commercial art. Any outdoor artwork, mural, sculpture and the like may be displayed on a lot, provided that it does not contain any commercial message or logo and does not create a sight visibility hazard. Where such outdoor art is part of a site that is subject to the planning commission's jurisdiction, the outdoor art shall be considered part of the development that is subject to the planning commission's review and approval.

(13) Real estate signs. Freestanding real estate signs may be erected for any property that is offered for sale, rent or lease. The area for such signs shall count toward the total allowable area for temporary signs on the property and shall comply with other applicable size and height restrictions for temporary signs. Open house notification may be incorporated within the maximum sign area of the real estate sign or on a separate sign, provided that if such notification is on a separate sign, it shall also count toward the allowable area for temporary signs on the property. The signs shall not be located within a public right-of-way and shall not create any sight visibility hazard.

(b) Signs permitted in all residential districts (AR, R-1, R-2, OSRD and OSRD-IP):

(1) Signs listed in section 78-420(a) herein.

(2) Residential subdivision signs. Such signs shall be located at the primary entrance(s) to a development as identified on a preliminary plan approved by the planning commission. The signs shall be located on private property and may be within any platted sign and/or landscape easement or within the common open space and approved by the planning commission. Such signs shall be maintained by an established property owners' association.

Specifications : Sign area - 120 square feet per sign maximum per entrance, which may be divided among not more than two freestanding sign faces (no single sign face shall exceed 60 square feet); with a maximum placement at three entrances per subdivision; sign height - six feet, maximum; setback - ten feet, minimum.

(3) Subdivision temporary development sign. One such sign may be erected on-site for the purpose of advertising the development of a subdivision and the sale of included lots. The sign may remain until sale of all subdivision lots is completed. No other temporary development signs shall be allowed, including individual builder signs. The names of participating builders may be included on the subdivision temporary development sign.

Specifications: Sign area - 32 square feet per sign, maximum, on one sign face; sign width - ten feet, maximum; sign height - six feet, maximum.

(4) Permanent residential subdivision informational sign. One such sign may be erected by the homeowners' association for the purpose of displaying information regarding the association. The sign shall be located on dedicated common open space or private property only and maintained by a private homeowners' association.

Specifications: Sign area - 20 square feet, maximum, which may be divided by two sign faces; sign height - six feet, maximum.

(5) Bed and breakfast lodge sign. One identification sign may be erected at the entrance to a permitted bed and breakfast lodge for the purpose of identifying the use. The sign shall be compatible in design with the historic elements of the site and shall not be internally or externally illuminated.

Specifications: Sign area - Eight square feet total, to be contained on a maximum of two sign faces, no one sign face containing more than four square feet; sign height - six feet, maximum.

(6) Residential personal identification signs. One personal identification sign per residence not to exceed two square feet shall be allowed; except that residential tracts of ten acres or more shall be allowed two such sign faces not to exceed 20 square feet per face.

(7) Temporary signs. In addition to the other signs identified in this subsection, temporary, freestanding, non-commercial signs may be posted on any lot in a residential district at any given time. This category includes, but is not limited to: real estate signs; political preference signs; garage sale signs; non-commercial baby announcements; lost pet signs; social/special event announcements; or any other non-commercial messages. Any such signs announcing a social/special event shall be removed within 48 hours after the event. Home occupation or contractor signs shall be considered commercial signs, and are not allowed within any residential district.

Specifications: Sign area for lots of five acres or less - 20 square feet, maximum, which may be divided into a maximum of five signs, provided that no single sign may exceed eight square feet in area; sign area for lots exceeding five acres - 32 square feet, maximum, which may be contained on one sign or multiple signs; sign height for all lots - six feet, maximum. Where a temporary sign contains two back-to-back sign faces, the sign area shall be computed using only one of the sign faces.

(c) Signs allowed in service institutional districts:

(1) Signs listed in section 78-420(a) herein.

(2) Freestanding signs specified in this subsection. The size of the support structure for any freestanding sign shall not exceed the sign face by more than 100 percent. Such signs shall not be internally illuminated.

a. Directory signs. Such signs shall be located at driveway intersections within a development, and shall be limited to one freestanding sign per driveway entrance from a public street. The signs may be located in a joint user access easement or private platted sign easement abutting the nearest public road, if specifically approved by the planning commission prior to construction.

Specifications: Sign area - 16 square feet, maximum; sign height - six feet, maximum.

b. Other permanent signs. Such signs shall be limited to two freestanding sign faces per road frontage, up to a maximum of four sign faces on a property with multiple entrances.

Specifications: Sign area - 160 square feet maximum, which may be divided by a maximum of four sign faces (no sign face shall exceed 40 square feet); sign height - six feet, maximum; sign structure width - 20 feet, maximum.

c. Temporary signs, including banners. Temporary freestanding signs

shall be limited to two per lot at any given time. Such signs include but are not limited to construction signs, political preference signs and social/special event announcements. One construction sign may be maintained for the duration of the construction project, from the issuance of the building permit to the issuance of a certificate of occupancy. Other temporary freestanding signs shall be limited to a period of not to exceed 60 days in any calendar year. Any signs announcing a social/special event shall be removed within 48 hours after the event.

Specifications: Sign area - 32 square feet sign maximum, which may be divided by a maximum of two sign faces; sign height - six feet, maximum.

(3) Wall signs. Wall signs shall be mounted in a flat fashion, shall be limited to ten percent of the building elevation at which they are installed, and shall not be internally illuminated.

Specifications: Sign area - Total sign area is limited to 40 square feet, using a maximum of three wall signs. For the purposes of this article, painted wall signs and canopy signs shall be calculated and deducted from the total allowable wall sign area. In no event shall canopy signage exceed 30 square feet.

(4) Athletic field signs (temporary). Such signs shall be limited to 60 square feet each; shall not be visible from a public road; shall be mounted to the interior athletic field fence in a safe and secure manner; and shall be erected at the beginning of the athletic season and removed within seven days of the final season game.

(5) Scoreboards.

(d) Signs allowed in C-1 (commercial office) districts:

(1) Signs listed in section 78-420(a) herein.

(2) Freestanding signs specified in this subsection. The size of the support structure for any freestanding sign shall not exceed the sign face by more than 100 percent.

a. Office subdivision signs. Such signs shall be located at the primary entrance(s) to the development. The signs may be located in a joint user access easement or private platted sign easement abutting the nearest public road, if such easement is specifically approved by the planning commission prior to construction.

Specifications: Sign area - 160 square feet, maximum, which may be divided by a maximum of four sign faces (no single sign face shall exceed 80 square feet); sign height - six feet, maximum; sign structure width - 20 feet, maximum, for each sign face, or 40 feet, maximum, for single-faced signs which are set back a minimum of 100 feet from the right-of-way.

b. Directory signs. Such signs shall be located at driveway intersections within a development, and shall be limited to one freestanding sign per driveway entrance from a public street. The signs may be located in a joint user access easement or private platted sign easement abutting the nearest public road, if specifically approved by the planning commission prior to construction.

Specifications: Sign area - 16 square feet, maximum; sign height - six feet, maximum.

c. Other permanent signs. Such signs shall be limited to one freestanding sign per road frontage. The signs may be located in a joint

(2) Freestanding signs specified in this subsection. The size of the support structure for any freestanding sign shall not exceed the sign face by more than 100 percent.

a. Office subdivision signs. Such signs shall be located at the primary entrance(s) to the development. The signs may be located in a joint user access easement or platted private sign easement abutting the nearest public road, if such easement is specifically approved by the planning commission prior to construction. Such signs shall be maintained by an identified commercial entity or an established property owners association.

Specifications: Sign area - 160 square feet, maximum, which may be divided by a maximum of four sign faces (no sign face shall exceed 80 square feet); sign height - six feet, maximum; sign structure width - 20 feet, maximum, for each sign face, or 40 feet, maximum, for single faced signs which are set back a minimum of 100 feet from the right-of-way.

b. Directory signs. Such signs shall be located at driveway intersections within a development, and shall be limited to one freestanding sign per driveway entrance from a public street. The signs may be located in a joint user access easement or private platted sign easement abutting the nearest public road, if specifically approved by the planning commission prior to construction.

Specifications: Sign area - 16 square feet, maximum; sign height - six feet, maximum.

c. Other permanent signs. Such signs shall be limited to one freestanding sign per road frontage. The signs may be located in a joint user access easement or platted private sign easement abutting the nearest public road, if such easement is specifically approved by the planning commission prior to construction.

Specifications: Sign height - 6.5 feet, maximum; sign structure width - 20 feet, maximum; sign area - businesses less than 10,000 square feet (of gross square footage): 80 square feet total, to be contained on a maximum of two sign faces, no one sign face containing more than 40 square feet; businesses of 10,000 to 100,000 square feet (of gross square footage): 160 square feet total, to be contained on a maximum of four sign faces, no one sign face containing more than 80 square feet; businesses over 100,000 square feet (of gross square footage): 250 square feet total, to be contained on a maximum of four sign faces, no one sign face containing more than 125 square feet.

d. Gasoline trade signs. Petroleum product pumps and dispensers that are within view of a public way shall be allowed to display only that information required by law on gasoline trade signs, along with the brand name and type of product being dispensed. No other advertising shall be displayed on the pumps, temporary or permanent.

1. Freestanding signs. Premises that dispense retail bulk petroleum products by pump shall be allowed to display the pricing of such products within a single freestanding sign.

Specifications: Sign area - 120 feet, maximum, which may be divided by a maximum of two sign faces (no single sign face shall exceed 60 square feet); sign height - six feet.

2. Canopy signs. When an enclosed principal structure exists, all canopy signs shall be calculated and deducted from the total allowable wall sign area. In the absence of an enclosed principal structure, for the purposes of this subsection, canopy signage shall be allowed in addition to the allowable freestanding sign. With the exception of the measurable area for placement of the canopy sign, no internal illumination or back lighting of the outside canopy area or canopy roof line shall be allowed.

Specifications: Sign area - 30 square feet, maximum divided between not more than three canopy signs (no single sign shall exceed ten percent per facade).

3. Gasoline pump identification signs. For the purpose of identifying the brand of gasoline, each pump facade shall be allowed one sign not to exceed two square feet mounted on the pump facade. No other commercial advertising shall be displayed.

e. Temporary signs. Temporary freestanding signs shall be limited to two per lot at any given time. Such signs include but are not limited to real estate signs, construction signs, political preference signs notices such as "now hiring" or "grand opening" and social/special event announcements. One real estate sign may be maintained while the property is available for sale or while ten percent or more of the rentable space is available for lease. One construction sign may be maintained for the duration of the construction project, from the issuance of the building permit to the issuance of a certificate of occupancy. Other temporary freestanding signs shall be limited to a period of not to exceed 60 days in any calendar year. Any signs announcing a social/special event shall be removed within 48 hours after the event.

Specifications: Sign area - 32 square feet sign maximum, which may be divided by a maximum of two sign faces; sign height - six feet, maximum.

(3) Wall signs. Wall signs shall be mounted in a flat fashion, and shall be limited to ten percent of the building elevation at which they are installed. For the purposes of this article, painted wall signs and canopy signs shall be calculated and deducted from the total allowable wall sign area. In no event shall signage on the canopy exceed 30 square feet.

a. Retail or service use/individual principal entrance. The primary entrance to the occupied space shall be considered the front facade.

Specifications: Sign area - One square foot of signage per linear foot of front facade space for the building, maximum, provided that no single sign shall exceed 90 square feet, with a total signage limitation of three signs and 270 square feet per business.

b. Retail or service use/common principal entrance. Each business, of a retail or service nature, sharing a common entrance shall be allowed to have at least one wall sign.

Specifications: Sign area - 20 square feet per sign, maximum.

c. Office use. Wall signs for this use shall not be internally illuminated.

1. One-story building (any) or multistory building with single tenant. The primary entrance shall be considered the front facade.

Specifications: Sign area - One square foot of signage per linear

foot of the front facade space for the building, maximum, provided that no single sign shall exceed 60 square feet, with a total signage limitation of three signs and 180 square feet per business.

2. Multistory building with multiple tenants or service/institution uses. Wall signage shall be used for building identification only, not to identify individual tenant businesses or institutions.

Specifications: Sign area - Total sign area is limited to 40 square feet using a maximum of three wall signs.

(5) Menu boards, as defined herein, for use in conjunction with a restaurant providing drive-through or curbside service, provided that:

a. Such structures shall be included in the development site plan as approved by the planning commission and shall be contained within the buildable area of the site.

b. Restaurants providing drive-through but not curbside service may have no more than one menu board, not to exceed six feet in height and 30 square feet in total size.

c. Restaurants providing curbside service may have no more than one menu board per bay, not to exceed six square feet per sign face for each menu board.

(6) Commercial flags/non-governmental flags. Non-governmental flags are considered signs subject to the provisions of this section, as applied to freestanding signs. The total area of the flag shall be doubled (considering both flag faces and height) and this amount deducted against the allowable freestanding sign area for the site. A flag and a freestanding sign combination is permissible only in those circumstances where the total area of both the flag (doubled) and the freestanding sign do not exceed the total allowable area for freestanding signs on the site.

Specifications: Sign area - No flag shall exceed 24 square feet per face; flag pole height - 30 feet, maximum.

(7) Decorative pennants. Decorative pennants may be displayed on light poles within a planned commercial retail development. Such pennants shall not contain any name, logo or message.

(Ord. No. 2003-06, § 1, 5-27-2003; Ord. No. 2003-25, § 1, 11-25-2003; Ord. No. 2005-06, §§ 1, 2, 4-25-2005; Ord. No. 2005-16, §§ 1, 2, 6-27-2005; Ord. No. 2007-01, §§ 3--8, 2-26-2007)

Sec. 78-421. Administration and enforcement.

(a) *Regulatory enforcement.* The sign administrator and/or his designees are hereby authorized and directed to enforce all of the provisions of this article. This authority empowers such individuals to perform any necessary inspections, including entering upon private property, and to issue related citations for the enforcement of this article.

(1) Violation notice. The sign administrator shall order the removal of any sign erected or maintained in violation of this article, providing ten days' written notice to the owner of the premises upon which the offending permanent sign is located to achieve compliance with provisions of this article. If, after ten days, the property owner has failed to achieve compliance with this article, a citation to municipal court shall be issued. When good faith efforts to bring a sign into compliance have begun within ten days of notice of

violation, the sign administrator may extend the time period for compliance with this article to a period not to exceed 30 days. In cases where the owner of the premises has previously been notified of violations on two or more occasions, a citation may be issued without prior written notice.

(2) Impoundment/disposal of signs. The sign administrator, the municipal codes officer and their designees shall have the authority to remove without notice any illegal sign on public property or a public right-of-way, or any illegal sign attached to trees, fences, posts, utility poles or other natural features. Such signs shall be considered litter and shall be subject to disposal.

(b) *Letter of compliance.* Prior to erecting or displaying a sign, a property owner or the owner's agent may submit a written request to the sign administrator for verification that the sign as proposed complies with the requirements of this article. The sign administrator may require that any person requesting such verification complete such forms or submit such information as may be needed by the sign administrator to make his determination.

(Ord. No. 2003-06, § 1, 5-27-2003)