

ARTICLE XXIX

Signs**§ 485-118. Purposes and intent.**

The purposes and intent of this article are:

- A. To regulate the size, type, construction standards, maintenance and placement of signs situated within the boundaries of the City of Port Washington, Wisconsin.
- B. To promote the public health, safety, welfare and comfort of the general public by:
 - (1) Reducing distractions and obstructions from signs which would adversely affect pedestrian and/or traffic safety and alleviate hazards caused by signs projecting over or encroaching upon the public rights-of-way.
 - (2) Discouraging excessive visual competition in signage and ensuring that signs aid orientation and adequately identify uses and activities to the public.
 - (3) Preserving or enhancing the natural beauty and unique physical characteristics of the City of Port Washington as a community in which to live and work by requiring new and replacement signage which is:
 - (a) Creative and distinctive;
 - (b) Harmonious with the buildings, surrounding neighborhood aesthetics and other signs in the area;
 - (c) Appropriate to the type of activity to which it pertains;
 - (d) Expressive of the City's identity in a manner which will not diminish property values;
 - (e) Complimentary to the City's architectural character and to unobtrusive commercial developments; and
 - (f) Professionally designed and/or manufactured, except as may otherwise be approved by the Plan Commission.
 - (4) Promoting a healthy and properly designed business environment.
 - (5) Protecting property values within the City.

§ 485-119. Uniform application; variances and special exceptions.

- A. The restrictions and limitations expressed in this article are intended to provide uniformity in sign use, design, placement, etc., throughout the City. However, the Plan Commission may grant a special exception to the setback, offset, height, size, landscaping, and permitted sign requirements if the Plan Commission determines that granting such special exception would not have a substantial adverse effect on surrounding properties by reason of appearance or other objectionable factors, or create a nuisance, or have a substantial adverse effect on property values, or

interfere with the reasonable enjoyment of the surrounding properties.

- B. In granting a special exception, the Plan Commission may require such architectural treatment, screening by landscape or architectural means, lighting requirements or limitations, or other measures which, in the judgment of the Plan Commission, shall be necessary conditions of such special exception.

§ 485-120. Definitions.

When used in this article, the following words and phrases shall have the specific meaning as hereinafter defined, and any words not listed shall have the meaning defined by this chapter:¹

ABANDONED SIGN — A sign that no longer correctly advertises an existing, bona fide business, lessor, product or activity conducted or available on the premises where the sign is displayed.

ANIMATED SIGN — A sign that creates an illusion of movement or motion, but excluding a flashing sign as defined in this section.

AREA OF SIGN — Measurement of sign area shall be calculated as the sum of the area within the smallest regular rectangle that will encompass all elements of the actual sign face, including any writing, logo, representation, emblem, or any figure or similar character together with any material forming an integral part of the display or forming the backing surface or background on which the message or symbols are displayed.

- A. For a sign painted on or applied to a building or to a freestanding wall, the area shall be considered to include all lettering, wording, and accompanying designs or symbols, together with any background of a different color than the natural color or finish material of the building or architectural wall. The architectural wall shall be subject to Plan Commission approval of the site and landscaping plan.
- B. The main supporting sign structure (i.e., brackets, posts, foundation, etc.) shall be included in the area measurement.
- C. When a sign has two or more faces, the area of all faces shall be include in determining the area, except that where two faces are placed back to back and the angle between the faces measures 45° or less, the total sign area shall be computed by measuring the square footage of a single face. When the angle between the sign faces measures greater than 45°, the total sign area shall be computed by adding the square footage of each face.

BANNER — A sign intended to be hung either with or without a frame and which possesses characters, letters, illustrations, or ornamentations applied to paper, plastic, or fabric of any kind.

BUILDING FRONT (FASCIA) — That portion of a building that is parallel to or closely parallels the abutting street or public right-of-way.

BULLETIN BOARD — A sign not to exceed 20 square feet in area located on the

1. Editor's Note: See § 485-10, Definitions.

premises of a charitable, religious or educational institution, or a public agency, for purposes of announcing events which are held on the premises. The City of Port Washington official bulletin boards may be located off the premises.

CANOPY SIGN — Any sign that is attached to or part of an awning, canopy or other fabric, plastic or structural protective cover over a door, entrance, sidewalk, window, or outdoor service area.

CHANGEABLE MESSAGE SIGN — A reader board on which copy changes manually. **[Amended 12-21-2021 by Ord. No. 2021-21]**

CONSTRUCTION SIGN — A temporary sign identifying companies involved in the design, engineering, construction, razing, financing or development of a commercial building, development or a residential subdivision.

COPY — The message, announcement, words, letters, numbers, pictures, art, decoration or other information displayed on a sign.

CRAWL SIGN — A sign in which the copy moves or crawls across the message area and/or creates an illusion of movement or motion.

DEVELOPMENT SIGN — A temporary sign designating and/or promoting the future use of a new commercial building, commercial development, residential development, or subdivision.

DIRECTIONAL SIGN — A sign, the purpose of which is to direct patrons or traffic to a location or area on the premises, including but not limited to "Enter," "Exit" or "Parking" signs. Such signs should contain no advertising material, and the display area will not exceed three square feet or extend higher than four feet above the immediate grade.

ELECTION CAMPAIGN PERIOD — In the case of an election for office, the period beginning on the first day for circulation of nomination papers by candidates, or the first day on which candidates would circulate nomination papers were papers to be required, and ending on the day of the election. In the case of a referendum, the period beginning on the day on which the question to be voted upon is submitted to the electorate and ending on the day on which the referendum is held.

ELECTION CAMPAIGN SIGN — A sign which supports a candidate for public office or an issue on a referendum election ballot.

ELECTRONIC MESSAGE CENTER (EMC) — A sign that utilizes computer-generated messages or other electronic means of changing copy which may include symbols, figures, or other images displayed on a signboard. These signs include displays using incandescent lamps; light-emitting diodes (LEDs) which glow when a voltage is applied; liquid crystal displays (LCDs) comprised of liquids contained between filtering layers of glass or plastic and affected by electric current to reflect or transmit light from an external source; or a flipper matrix using an electromechanical dot matrix display technology. **[Amended 12-21-2021 by Ord. No. 2021-21]**

ELECTRONIC MESSAGE SIGN — A changeable message sign whose message is electrically activated or displayed such as with light bulbs or mechanical flip discs.

FLASHING SIGN — A sign whose illumination is not kept constant in intensity at

all times when in use and/or which exhibits changes in light, intensity or animation. Illuminated signs, which display a message that changes from a complete line of text to the next line of text, are permitted. However, signs that indicate the date, time and temperature will not be considered flashing signs.

FRONTAGE — The length of the property line of any one premises parallel to and along each public right-of-way it borders.

GROUND-MOUNTED SIGN — A permanent sign which is freestanding, or mounted on poles or other supports placed on and anchored in the ground or on a base, and which is not attached to any building or other structure. Public agency signs and directional signs are defined elsewhere and are not deemed ground-mounted signs for purposes of this article.

HEIGHT OF SIGN — The distance between the existing natural grade at the base of the sign or, in the case of a negative grade, a point one foot above the curbline and the highest point on the sign or supporting structure.

HISTORIC SIGN — A sign which makes a contribution to the cultural, historic, or aesthetic character of the City because of the unique construction materials or unique design, unusual age, prominent location within the City, or unique craftsmanship from another period of time.

HOME OCCUPATION SIGN — A sign associated with a home occupation as defined in this chapter.

ILLUMINATED SIGN — A sign designed to incorporate artificial light by the following means:

- A. **EXTERNAL ILLUMINATION** — Illumination of a sign with an exterior lighting source.
- B. **ILLUMINATED CANOPY/AWNING** — An internally illuminated canopy/awning fabricated from a translucent material, which may be used for an awning sign.
- C. **INTERNAL ILLUMINATION** — Illumination of a sign in which the source of light is contained within the sign itself.

LANDSCAPING — The adornment, alteration, development or improvement of a natural landscape such as yards, gardens, parks, grounds and other planned outdoor spaces through the arranging of land, plants and objects for human use and enjoyment, including but not limited to the decorative use or planting of a combination of vegetation, such as trees, shrubs, bushes, flowers, vines and grasses, and other elements such as retaining walls, fencing, rocks, etc., for aesthetic effect or conservation.

LENGTH OF LINEAR BUILDING FRONT FOOT — The length of any wall of the building adjacent and parallel or closely parallel to any abutting street or public right-of-way.

MARQUEE — A permanent roof-like structure extending from part of the wall of a building, but not supported by the ground, and constructed of durable material such as metal or glass.

MASTER IDENTIFICATION SIGN — A sign which is a listing of tenants or services in a multi-tenant retail, office or mixed-use building or center.

MASTER SIGN PROGRAM — A plan that is approved by the Plan Commission and identifies all signs in a multi-tenant retail, office or mixed-use development.

MEMORIAL SIGNS AND PLAQUES — A sign, plaque or tablet, not exceeding four square feet in area, containing the name of a building and/or date of erection which is cut into a masonry surface or inlaid so as to be part of the building or constructed of bronze or other nonconvertible material and attached to a building.

MONUMENT SIGN — A sign that rests on, is supported by, or is attached to a base, which base is at least 18 inches above the immediate grade. **[Amended 12-21-2021 by Ord. No. 2021-21]**

NONCONFORMING SIGN — A sign that does not meet the requirements of this article.

OFF-PREMISES SIGN — A sign owned or leased by a person or entity other than the owner or occupant of the principal business on the parcel on which the sign is located.

ON-PREMISES SIGN — Any sign identifying or advertising a business, person, activity, goods, products or services located on the premises where the sign is installed and maintained.

OPERATIONAL SIGN — A sign that relates to the functional operation of the building, including but not limited to "Drive Through," "Rest Rooms" or "No Trespassing" signs.

POLITICAL MESSAGE SIGN — A sign containing a message intended for a political purpose or a message which pertains to an issue of public policy of possible concern to the electorate, but does not include a message intended solely for a commercial purpose.

PORTABLE SIGN — A sign not permanently affixed to the ground, building, or other structure and which may be easily moved from place to place.

PROJECTING SIGN — A sign, normally double-faced, which is attached to and projects from a structure or building facade.

PUBLIC AGENCY SIGN — A sign erected by national, state, county, or municipal governmental agencies, including official traffic and informational signs such as, but not limited to, "Hospital," "School Zone," "Speed Limit," "Parking" or "No Parking" signs.

REAL ESTATE SIGN — A temporary on-premises sign pertaining to the sale, lease or rental of land and/or buildings.

RESIDENTIAL CONTRACTOR SIGN — A sign in a residential district that identifies the company or contractor performing a service on the premises.

ROOF SIGN — A sign or billboard which is located or projects above the lowest point of the eaves or the top of the parapet wall of any building or structure, or which is painted on or fastened to a roof.

RUMMAGE SALE SIGN — A temporary sign advertising the sale of used household goods in residential districts.

SANDWICH BOARD SIGN — A portable, freestanding, temporary A-frame

advertising sign only visible from two sides, consisting of two equal or approximately equal length boards or placards hinged or otherwise fastened at the top with no moving parts or lights.

SIGN — Any emblem, painting, banner, pennant, placard, design, identification, description, illustration or device, illuminated or non-illuminated, to advertise, identify, convey information or direct attention to a product, service, place, activity, person, institution, business or solicitation, including any permanently installed or situated merchandise. For the purpose of removal, signs shall also include all sign structures, but not including any buried foundations.

SIGN CONTRACTOR — Any person or entity engaged in whole or in part in the erection or maintenance of signs, excluding the business that the sign advertises.

SIGN STRUCTURE — Any device or material that supports, has supported, or is capable of supporting a sign in a stationary position, including decorative covers.

TEMPORARY SIGN — A sign intended to be used for a period not to exceed seven consecutive days with no more than four such occurrences per year, with a time interval of at least 30 days between occurrences, unless otherwise specified in this article.

TIME AND TEMPERATURE SIGN — An electrically controlled sign alternately displaying date, time and temperature for public service information. Such signs may be incorporated into a business identification sign.

WALL SIGN — A sign attached to the wall of a building or structure with the face in a plane parallel to the plane of the wall of the building or structure, and including signs painted directly on a wall.

WINDOW SIGN — A sign installed on the interior surface of a window.

§ 485-121. Prohibited signs.

Except as noted, the following signs shall be prohibited within all zoning districts:

- A. Abandoned signs.
- B. Any sign other than public agency signs located in the public rights-of-way or on publicly owned lands, unless otherwise specified in this article.
- C. Banners, pennants, streamers, balloons, and other gas-filled figures, except as permitted in § 485-123N(4) for special events or promotions.
- D. Flashing or rotating signs, crawl signs, signs containing moving parts, and signs containing reflective elements which sparkle or twinkle in the sunlight.
- E. Hazard or nuisance signs. Any sign that creates a hazard or dangerous distraction to pedestrians or traffic or a nuisance to adjacent property.
- F. Interior lit box signs.
- G. Non-accessory signs. No sign not directly related to the use of the premises on which it is located, except directional signs, shall be permitted in any zoning

district. Signs showing date, time, temperature and similar information not related to the premises are permitted, but must be counted as part of the allowable sign area.

- H. Portable and wheeled signs, except as permitted in § 485-123N(4) for special events or promotions.
- I. Roof signs.
- J. Signs placed on or affixed to vehicles and/or trailers which are parked on public rights-of-way, public property, or private property so as to be visible from a public right-of-way where the apparent purpose is to advertise a product or service or direct people to a business or activity. However, this provision shall not restrict or prohibit signs placed on or affixed to vehicles and/or trailers, such as lettering on motor vehicles, where such sign is incidental to the primary use of the vehicle or trailer.
- K. Signs attached or otherwise affixed to rocks, trees, or other vegetation.
- L. Signs or other advertising painted directly on walls, unless specifically approved by the Plan Commission.
- M. Outdoor advertising devices such as banners, decorative displays or other advertising devices of cloth, paper, or other non-rigid materials, unless otherwise permitted in this article.
- N. Signs which bear, contain or depict statements, letters, words, symbols, drawings or pictures of obscene, pornographic or immoral subjects.
- O. Signs which imitate, or resemble in shape, size, copy or color, an official traffic control sign or signal.

§ 485-122. Existing nonconforming signs.

Signs lawfully existing at the time of the adoption or amendment of this article may be continued even though the use, size or location may not conform to the provisions of this article. Such signs shall be nonconforming signs and shall comply with the following regulations:

- A. Nonconforming signs may be repaired provided they are not relocated, expanded, enlarged, repositioned, or raised in height.
- B. In the event that any such sign or its supporting structure is hereafter damaged or altered to an extent exceeding 50% of the replacement cost of the sign, or is removed by any means, including an act of God, such sign when restored, reconstructed, altered, repaired, or replaced must conform to the requirements of this article, except where restoration is authorized by § 62.23(7)(hc), Wis. Stats. If restoration of a damaged sign is not completed within three months of the date damage occurred, such sign shall be removed or replaced in a manner as will conform to all specifications of this article. **[Amended at time of adoption of Code**

(see Ch. 1, General Provisions, Art. II)]

- C. If a nonconforming sign is to be replaced with a compliant sign in a specific case where owing to special conditions a literal application of the standards set forth in § 485-130 would result in practical difficulty or unnecessary hardship in the location of the replacement sign, the Plan Commission may recommend to the Zoning Board of Appeals the granting of a variance or special exception to allow a reduction of the offset and setback requirements of that section, provided that such variance or special exception is not contrary to the public interest, safety or welfare.
- D. Any change in wording of the sign shall require that the sign be brought into conformity with the requirements of this article.
- E. A nonconforming sign or sign structure shall be removed within 30 days of the date the building containing the use to which the sign is accessory is demolished or destroyed to an extent exceeding 50% of the building's appraised value.
- F. At any such time as the owner of any building, structure or lot on which a nonconforming sign is located requests Plan Commission approval of any proposed change to the use, building, structure or lot, the Plan Commission may, as a condition of building or site plan approval, require that such nonconforming sign be removed or made to conform to this article.

§ 485-123. Signs permitted in all districts without permit.

Except as noted, the following signs are permitted in all zoning districts without a permit, subject to the following restrictions:

- A. Bulletin boards for a charitable, religious or educational institution, or a public agency, not exceeding 20 square feet in area. **[Amended at time of adoption of Code (see Ch. 1, General Provisions, Art. II)]**
- B. Directional signs.
 - (1) A parking lot contiguous to the business may have directional signs, the display area of which does not exceed three square feet or extend higher than four feet above the existing natural grade at the base of the sign. The total directional signage shall not exceed 24 square feet, except as permitted in § 485-126 for signs for multi-tenant buildings and centers.
 - (2) Parking lots or premises not contiguous to and owned or leased by the business may, in addition to the directional signs allowed in Subsection B(1) above, have one sign identifying the business. A permit is required for such business sign, and such sign shall be limited to 50% of the size and height of the signage as permitted for the business under § 485-125 of this article.
- C. Political message and election campaign signs.
 - (1) Number. Except as provided in § 12.04, Wis. Stats., or as restricted in this Subsection C, any individual may place no more than one election campaign

sign per candidate for office, and no more than one sign per referendum question to be voted upon, and no more than one sign containing a political message upon residential property owned or occupied by that individual during an election campaign period.

- (2) Area. To ensure pedestrian and traffic safety, the gross surface area of any political message or election campaign sign shall not exceed 11 square feet.
 - (3) Location. No political message or election campaign sign shall be posted on any building or structure, in any rights-of-way, or upon any grounds that are owned, operated or maintained by a public agency. Such signs shall be subject to the vision setback regulations for rights-of-way as set forth in this chapter. Such signs shall not be located in a manner so as to obstruct a window, door, fire escape, ventilation or other area which is required by an applicable building code to remain unobstructed.
 - (4) Time limit. A political message or election campaign sign shall not be erected prior to the first day of an election campaign period and shall be removed on the day of the election or the day on which the referendum is held in connection with which election or referendum such sign is posted. **[Amended at time of adoption of Code (see Ch. 1, General Provisions, Art. II)]**
 - (5) Political message and election campaign signs shall not have any electrical, mechanical or audio auxiliary or augmentation.
- D. Flags. The display of a national flag, an official flag of the state and/or a flag displaying the logo of a business or industry located on the same premises is permitted in any zoning district without a permit. Such flags shall not be located within a vision setback area and shall be set back at least 10 feet from all lot lines. Flags in the Central City Mixed Zoning District shall be set back at least five feet from all lot lines. Flags hung from a building or structure are subject to the requirements in § 485-125C(5).
- E. Home occupation signs and professional office signs shall not exceed three square feet in area, shall be mounted flush against the dwelling, may not be illuminated and are limited to one such sign. **[Amended at time of adoption of Code (see Ch. 1, General Provisions, Art. II)]**
- F. Memorial signs, plaques and tablets containing names of buildings and/or date of erection when cut into a masonry surface or inlaid so as to be part of building or when constructed of bronze or other nonconvertible material and affixed flat against a structure.
- G. Murals or other artwork determined by the Plan Commission, upon referral by the Building Inspector, not to be signs shall be exempt from this article.
- H. Operational signs and other such signs relating to functional use of the building or premises shall be permitted. The maximum size of such sign shall be four square feet, and the aggregate total area of all such signs cannot exceed 32 square feet.

- I. Public agency signs erected by national, state, county or municipal governmental agencies, including traffic and informational signs, unless the principal use is permitted by conditional use grant, in which case any restrictions on such signs shall be specified and included as part of the conditional use grant.
- J. Real estate signs that advertise the sale or lease of the premises upon which such signs are temporarily located, provided that such signs:
 - (1) In residential zoning districts shall not exceed eight square feet in area and one sign per street frontage.
 - (2) In industrial or agricultural zoning districts shall not exceed 32 square feet in area and six feet in height.
 - (3) In business zoning districts shall not exceed 12 square feet in area.
 - (4) Shall be set back a minimum of five feet from front or side lot lines. Such signs may be placed on the building or placed in a window if there is less than a five-foot setback. Signs shall not be located within the vision setback area or closer than 15 feet to a driveway.
 - (5) May be single- or double-faced.
 - (6) Shall not be illuminated.
 - (7) Shall be removed within seven days of sale or lease of the premises.
- K. Residential nameplates identifying the owners or occupants, provided that no more than two such signs are erected, each being less than two square feet in area.
- L. Sandwich board signs are permitted in all business zoning districts, subject to the following restrictions:
 - (1) The sign shall not be placed so as to block any intersection or cause a public safety hazard.
 - (2) The sign shall be professionally lettered, neatly painted and assembled, constructed of finished all-weather materials, and shall be maintained at all times. Notwithstanding the foregoing, a sandwich board sign hand lettered on a chalkboard surface is permitted.
 - (3) Only one sign is allowed per business and shall be displayed in front of the main entrance to the business using the sign, unless a special exception is granted by the Plan Commission pursuant to § 485-119.
 - (4) The sign shall be displayed only during business hours of the business using the sign and shall be removed at the close of such business hours.
 - (5) The sign shall be no larger than 24 inches in width and 48 inches in height measured from the ground.
 - (6) A permit shall be required before the sign is erected. Permit applications may

be obtained at City Hall, and a one-time permit fee may be charged for processing the sign application.

- (7) Any sign that does not comply with the restrictions set forth in this section may be immediately removed from the public right-of-way by City personnel.
- M. Seasonal signs advertising the sale of seasonal products, including Christmas trees and pumpkins, provided that:
- (1) Only one sign per business site shall be permitted.
 - (2) The sign shall be set back a minimum of five feet from all lot lines.
 - (3) The sign area shall not exceed 16 square feet.
 - (4) The sign shall not exceed five feet in height.
 - (5) The sign shall not be posted for more than 30 days in any calendar year.
- N. Temporary signs. These signs shall not be illuminated except as noted below.
- (1) Portable signs. The Plan Commission may permit on any single premises in any zoning district the temporary use of a portable sign for advertising purposes, provided that:
 - (a) Such sign shall not be located in any public rights-of-way.
 - (b) Such sign shall not be located closer than 10 feet to an adjacent property and shall not cause a hazard to pedestrians or traffic or adjacent properties.
 - (c) A sign permit shall not be granted for a period exceeding seven consecutive days per event and shall be limited to four events per year.
 - (d) The Plan Commission shall determine an appropriate size limit of the sign for the specific use, but in no event shall such sign exceed 32 square feet in area.
 - (e) Except in any residential zoning district, the Plan Commission may allow such sign to be illuminated.
 - (f) A permit is required.
 - (2) Public or community events signs.
 - (a) Signs located in the public rights-of-way require approval of the Department of Public Works and are further subject to the requirements and regulations of that Department.
 - (b) Signs or banners that advertise an event open to the public, such as a grand opening, fish fry, etc. Such signs are not permitted for the promotion or sale of the goods or merchandise of a particular business establishment. Such sign shall not exceed 32 square feet in area, shall be

erected not more than 14 days before the event and must be removed within three days after completion of the event.

- (3) Residential contractor signs. A sign in a residential district that identifies the company or contractor performing a service on the premises. Such sign shall not exceed six square feet in area and must be removed within seven days after completion of the work.
- (4) Special events or promotions signs. For advertising or promoting special sales or events, the following signs are permitted for business uses, on business premises, subject to the following restrictions:
 - (a) Grand opening signs. One grand opening sign not exceeding 32 square feet in area shall be allowed per business. The sign may be displayed for a maximum of 30 consecutive days.
 - (b) Banners. Special event banners shall be allowed for each business as follows:
 - [1] Banner size shall not exceed 32 square feet in area.
 - [2] Banners shall not be displayed for more than 14 consecutive days.
 - [3] Each individual business shall be limited to four banner events per year.
 - [4] There shall be no more than two banners erected per business site at any one time.
 - (c) Inflatables, temporary structures, vehicles, props, etc., used for advertising or promoting a sales event must be approved in advance by the Plan Commission.

O. Window signs. Permitted subject to the restrictions in § 485-125C.

§ 485-124. Signs permitted in all districts with permit.

The following signs are permitted in all zoning districts with a permit, subject to the following restrictions:

- A. Permanent real estate development signs placed at the entrance to a residential complex, subdivision, or development shall contain only the name and/or address of the complex, subdivision, or development. The Plan Commission may permit a permanent development sign within a street right-of-way or driveway median after determining that the sign will not have an adverse impact on pedestrian or traffic safety and provisions are established for the maintenance of such signs. The Plan Commission shall determine the appropriate size of the sign based on the design of the sign and its compatibility with adjacent buildings and land uses.
- B. Quasi-public informational, noncommercial signs of a general information nature such as community welcome, safety warning or other sign similar in nature may be

erected by service clubs or other nonprofit organizations upon approval of the Plan Commission.

C. Temporary construction and development signs.

- (1) The size of the sign shall not exceed 32 square feet in area.
- (2) No more than one sign of each type is permitted.
- (3) The period of time the sign may remain is one year, which may be extended up to one additional year upon approval of the Plan Commission.
- (4) Such signs shall be professionally designed, either new or in good condition and repair, and all visible structural members shall have a decorative, aesthetically pleasing appearance.

§ 485-125. Signs permitted in business, industrial, CCM and B-4 Zoning Districts.

A. Total square footage permitted. The total sign area permitted for each business or industrial building or site shall be determined by multiplying the length of linear building front foot by a factor of 1.5 square feet, up to a maximum of 200 square feet. This maximum shall exclude monument signs, the restrictions on which are set forth in Subsection C(4). The provisions of § 185-126 shall regulate signs proposed for multi-tenant buildings or centers.

- (1) If there is parking for the business, or a public way, located on the side or to the rear of a building, the additional signage for the side and/or rear of the building shall not exceed 50% in area of the sign allowed on the building front.
- (2) In a case where the building is not adjacent to a public street, the Plan Commission shall designate the "front" of the building for purposes of this Subsection A.

B. Relationship between sign number and total sign area. The aggregate total sign area for all signs (but excluding the area of monument signs) permitted for a business or industrial building or site shall not exceed the square footage limitation under Subsection A and, in addition, shall be subject to the following restrictions:

- (1) An industrial site of more than 10 acres may have a monument sign identifying the site. As part of the design review process, the Plan Commission shall determine the appropriate sign location and size.
- (2) Signs proposed for multi-tenant buildings or centers shall be regulated by § 485-126.

C. Permitted signs by type. The following signs are permitted in all business and industrial zoning districts, subject to the following restrictions:

- (1) Awning and canopy signs affixed to the surface of an awning or canopy are permitted, provided that such signs do not extend vertically or horizontally beyond the limits of such awning or canopy. In addition:

- (a) The total area of the sign portion of an awning or canopy sign shall not exceed 1.0 square foot times the length of linear building front foot of the building.
 - (b) An awning or canopy sign may extend into the street right-of-way, but in no event shall such sign extend beyond a point one foot back from the vertical plane formed by the curblin extended vertically.
 - (c) An awning or canopy sign shall not extend more than six feet from the wall of the building to which the sign is attached.
 - (d) The maximum height of an awning or canopy sign shall be limited to the height of the rooftop or parapet wall of the building to which the sign is attached.
 - (e) An awning or canopy sign may be internally illuminated.
- (2) Banners. As permitted in § 485-124N(4) for special events or promotions.
- (3) Changeable copy signs (manual only). Changeable copy signs are permitted in any business, Central City Mixed, or Public and Utility Zoning District as follows: **[Amended 12-21-2021 by 2021-21]**
- (a) The maximum size shall be 24 square feet per face.
 - (b) The sign may be illuminated.
 - (c) Animation, flashing, or distracting features are prohibited.
 - (d) Changeable copy signs shall be part of a permanent sign, and its area shall be included in the calculation of the maximum allowable permanent sign size.
 - (e) Changeable copy signs shall be limited to one per business site.
- (4) Monument signs.
- (a) The maximum size of a monument sign shall be 125 square feet, which shall include the sign, base, and supporting or decorative elements of the structure.
 - (b) The base, supports, monument and decorative portion of the sign must be at least 40% of the total area of a monument sign.
 - (c) Landscaping shall be provided as required in § 485-130E.
 - (d) The color scheme of the sign shall, to the greatest extent practicable, follow the color scheme of the principal building.
 - (e) Architectural features (e.g., sills, piers, reveals, capstones, medallions, etc.) that are part of the architectural style of the principal building shall, to the greatest extent practicable, be incorporated into the sign.

- (f) The maximum height of a monument sign shall be 12 feet.
 - (g) Such signs may be double-faced.
 - (h) The sign face or display area, including its casing, shall not be wider than the sign support, monument, or base portion(s) of the sign structure.
[Added 6-18-2019 by Ord. No. 2019-8]
- (5) Projecting signs fastened to, suspended from, or supported by a building:
- (a) Shall be limited to one sign per building facade.
 - (b) Shall not exceed, in total area, 1.0 square foot times the length of linear building front foot per business.
 - (c) Shall not extend more than six feet from the building to which such sign is attached.
 - (d) Shall not extend beyond the height of the roofline.
 - (e) Shall not be less than eight feet above the adjoining sidewalk or more than 15 feet above an adjoining driveway or alley.
- (6) Time and temperature signs may be erected as a wall sign, projecting sign, monument sign, or freestanding sign, provided they shall meet the requirements for each of those sign types.
- (7) Wall signs. The total area of a wall sign shall not exceed 1.0 square foot times the length of linear building front foot for office, retail and/or mixed uses. Mixed-use sites include buildings and centers with a combination of retail and office uses or a combination of retail, office, and industrial uses. In addition:
- (a) The face of a wall sign shall not project more than 12 inches from the outside of the building's wall surface.
 - (b) No part of a wall sign shall extend above the roofline of the building to which such sign is attached.
- (8) Window signs shall not cover more than 20% of the total glazed front window area per business premises.
- (a) Temporary window signs.
 - [1] Temporary window signs shall not be included in calculating the total permitted sign square footage.
 - [2] Temporary window signs shall not be placed on glass doors or window areas so as to cause a pedestrian or traffic hazard or impede a clear view by police.
 - [3] Temporary window signs shall not be illuminated.
 - [4] A permit is not required for such signs. However, it is intended that

enforcement of this provision shall generally occur upon a complaint basis.

(b) Permanent window signs:

- [1] Shall be included in calculating the total permitted sign square footage.
- [2] Shall not be placed on glass doors or window areas so as to cause a pedestrian or traffic hazard or impede a clear view by police.
- [3] May be illuminated.

D. Flexible criteria covering signs in industrial parks and business parks. Signs located in areas zoned for industrial parks or business parks may be approved by the Plan Commission with elements that exceed the permitted height, size, type, or number of signs if the Director of Planning and Development determines that:

- (1) The site contains unique or unusual physical conditions, such as topography, proportion, or size of the principal building, or relation to a public street or roadway, that would limit or restrict normal sign visibility;
- (2) The proposed or existing development exhibits unique characteristics of land use, architectural style, site location, physical scale, historical interest or other distinguishing features that represent clear variation from conventional development; or
- (3) The proposed signage incorporates special design features such as logos, emblems, murals or statuary that are integrated with the principal building architecture or business/corporate identity.

E. Electronic message centers. Electronic message centers (EMCs) are permitted in the B-1 Office, B-2 Local Service Center Business, B-3 General Business, PUL Public and Utility Lands, and RS-4 Single Family Detached Residence Zoning Districts, provided that any such zoning district is not adjacent to the B-4 Central Business District, and subject to the following restrictions. As used in this subsection, "adjacent" shall mean lying near or close to or not widely separated, though the zoning districts may not touch. **[Added 12-21-2021 by Ord. No. 2021-21]**

- (1) Electronic message centers shall be part of a permanent monument sign only, and the size and area of the EMC shall be included in the calculation of the maximum allowable monument sign size and area. The maximum height of a monument sign which includes an EMC shall be six feet, and the maximum area of a monument sign which includes an EMC shall be 48 square feet. No more than one EMC shall be allowed per parcel of land.
- (2) The maximum area of an electronic message center signboard in a permitted zoning district shall be 12 square feet per face, except in the RS-4 Single Family Detached Residence Zoning District, in which the maximum area of an

EMC signboard shall be 10 square feet per face. No EMC sign in any permitted zoning district shall have more than two faces.

- (3) Electronic message centers shall only display static messages or images. Messages or images displayed shall not contain moving, or the appearance of moving, text, images, transitions, animation, flashing or other distracting features.
 - (4) Electronic message center frames or images shall not contain or display a white or predominantly white background.
 - (5) No image or message shall change more than once every 10 seconds.
 - (6) Electronic message centers shall be equipped with a sensor or similar device that is programmed to automatically determine the ambient light level and adjust or dim the EMC signboard light level to not exceed a maximum brightness of 0.3 footcandle above ambient light conditions during both daylight and nighttime hours when measured from a distance of 150 or more feet from the EMC sign.
 - (7) For outdoor electronic message centers in districts zoned for any type of residential use, a light trespass limit of 0.1 footcandle above ambient light conditions shall be enforced when measured at the boundaries of the parcel on which the EMC sign is located.
 - (8) The electronic message center shall be programmed in such a manner that the display face(s) will turn dark and emit no light in case of a malfunction.
 - (9) Any electronic message center signboard integrated in a monument sign with a non-EMC-style sign face shall be positioned below such sign face.
- F. Special criteria applicable to signs in CCM Central City Mixed and B-4 Central Business Zoning Districts.
- (1) CCM Central City Mixed Zoning District.
 - (a) Ground-mounted signs with two or more supports are permitted. Ground-mounted signs with one support are prohibited.
 - (b) Ground-mounted signs may not exceed six feet in height.
 - (c) Ground-mounted signs may not exceed 32 square feet in area.
 - (d) Ground-mounted signs shall not extend over the property line or be located in the public right-of-way.
 - (e) Landscaping shall be as provided in § 485-130E.
 - (2) B-4 Central Business Zoning District.
 - (a) A monument sign may not exceed five feet in height. **[Amended 12-21-2021 by 2021-21]**

- (b) A monument sign may not exceed 40 square feet in area. **[Amended 12-21-2021 by 2021-21]**
- (c) Ground-mounted signs shall not extend over the property line or be located in the public right-of-way.

§ 485-126. Signs for multi-tenant buildings and centers.

- A. Definitions. For purposes of calculating the total sign area under this section, length of linear building front foot shall mean the length of any wall of a building or adjoining buildings within the center that are adjacent to and face any street, public rights-of-way, or the parking lot of the building.
- B. Multi-tenant building signs. In a multi-tenant retail, office, or mixed-use building or center in which each business premises is primarily accessed by an interior door after the building is entered by an exterior door shared with other tenants, only the building shall be identified, and then only by its name and address. A monument sign or a wall sign shall be permitted.
- C. Master sign program.
 - (1) An application for a master sign program shall be filed with the Building Inspector, who shall forward it to the Plan Commission for review and approval.
 - (2) In a multi-tenant retail, office or mixed-use building or center, a master sign program shall be used if more than one sign will be erected in conjunction with such building or center.
 - (3) Each individual sign proposed in accordance with an approved master sign program must be applied for and permitted separately. Approval of a master sign program shall not constitute, nor be deemed, permission to construct any particular sign under that program.
 - (4) All signs that are intended to be erected must be included in the master sign program. These shall include, but are not be limited to:
 - (a) Master identification sign.
 - (b) Entrance markers.
 - (c) Traffic directional signs.
 - (d) Tenant identification signs.
 - (e) Wall signs.
 - (f) Operational signs.
 - (5) The maximum sign area of all signs within a multi-tenant building or center, excluding the master identification sign, entrance markers, and traffic directional signs, shall not exceed 1.5 square feet times the length of linear

front foot of the building or center. The total area of individual signs shall not exceed the maximum size specified in § 485-125C for the specific type of sign proposed.

- (6) In evaluating an application for approval of a master sign program, the Plan Commission shall, in its discretion, consider the type and location of the building site, the proposed tenant mix, the size of the development and such other factors as it may in each particular case deem relevant. In determining the size of permitted signs, the Plan Commission shall consider factors such as the building setback from the abutting street, the speed of traffic on that street, the area to be occupied by each tenant, and the size and shape of the building facade. The Plan Commission may, in its discretion, permit an additional 25% sign area to the maximum sign area. The total area of individual signs shall not exceed the maximum size specified in § 485-125C for the specific type of sign proposed. **[Amended at time of adoption of Code (see Ch. 1, General Provisions, Art. II)]**
 - (7) Application for approval of a master sign program for new multi-tenant buildings or centers shall be submitted to and approved by the Plan Commission before sign permits may be issued.
 - (8) Owners of existing multi-tenant buildings or centers shall submit an application to the Building Inspector for approval of any sign changes. The application must show all existing signage for the site and the proposed changes. If upon review the Building Inspector determines that the proposed changes will not comply with this section, an application must be submitted to the Plan Commission for its review and approval before a sign permit may be issued.
- D. Master identification signs. Master identification signs under a master sign program for a multi-tenant retail, office, or mixed-use building or center shall be subject to the following guidelines:
- (1) Monument signs are preferred; however, site conditions may warrant consideration of wall signs.
 - (2) Master identification signs shall not contain the names of tenants of the building or center unless the identification of the building or center includes the name of the principal tenant. However, any tenant, but not more than two tenants, each occupying 1/3 or more of the building area of any building or center, may be identified on such master identification sign.
 - (3) The size and number of such signs shall be determined by the total area of the project, the design of traffic patterns and/or the arterial street frontage of the project.
- E. Apartments in multi-tenant buildings in nonresidential districts. Where apartments exist or are proposed as a part of multi-tenant buildings or centers in nonresidential zoning districts, the residential portion of the building or center shall be identified

only by the name of the building or center and/or the address.

§ 485-127. Signs permitted in institutional and park districts.

- A. The following signs are permitted in the institutional and park zoning districts only upon the approval of the Plan Commission and subject to the following restrictions:
 - (1) Private institutional and park name signs.
 - (2) Public institutional and park name signs, after review and recommendation by the Parks and Recreation Board. **[Amended at time of adoption of Code (see Ch. 1, General Provisions, Art. II)]**
- B. Design and location of institutional and park signs shall be subject to review and approval based upon the compatibility of the proposed signs with adjacent buildings and land uses.

§ 485-128. Historic signs.

- A. If the Plan Commission determines that a sign is of historic significance, the Plan Commission may, in its discretion, exempt such historic sign from any or all of the size, height, animation, lighting, or setback requirements of this article.
- B. Signs determined to be of historic significance by the Plan Commission shall be exempt from the restrictions in § 485-122 for existing nonconforming signs.
- C. Historic signs shall be maintained in good condition and repair.

§ 485-129. General requirements for signs.

- A. In any zoning district, no sign shall be permitted except as specified for that district. All signs shall meet the structural requirements of City and State Building Codes.
- B. No sign shall hereafter be located, erected, moved, reconstructed, extended, enlarged, converted or structurally altered without first obtaining a permit reflecting conformity with the provisions of this article, except for those signs allowed without a permit under § 485-122 or 485-123.
- C. Unless otherwise specified, all sign permits shall be issued by the Building Inspector.
- D. Where signs are illuminated electrically, a separate electrical permit shall be obtained as required by City and State Electrical Codes.

§ 485-130. Sign standards.

- A. Location.
 - (1) Except as provided in § 485-125D, no nonresidential sign shall be located nearer than 10 feet to any street or public right-of-way.

- (2) No nonresidential sign shall be located closer to the side lot line than the required offset of the zoning district in which the sign is to be located.
- (3) No nonresidential sign shall be located in such a manner as to obstruct entrance, exit, access, ventilation, natural light or view from, to or of a building or property.
- (4) Placement of all signs shall be subject to the vision setback regulations at rights-of-way as set forth in this chapter.
- (5) Any sign located near an entrance to or exit from any parking lot or area must be so placed as to provide a clear view of and for pedestrians and traffic.
- (6) Permanent signs that are professionally designed and/or manufactured and which meet the requirements and standards of this article shall be approved by the Plan Commission.

B. Construction.

- (1) Wind pressure and dead load requirements. All signs and other advertising structures shall be designed to withstand loading and other forces through best engineering practices. The Building Inspector may, at any time, require data and calculations, certified as accurate by a professional engineer, to substantiate the structural integrity of any sign.
- (2) Construction of supporting members or braces. Supporting members or braces of all signs shall be constructed of properly treated wood, noncorrosive materials or materials that will be protected from the elements. The Building Inspector may require that all materials and methods to be used for erecting or attaching any sign shall be furnished along with the application for a sign permit.
- (3) Protection of the public. The temporary occupancy of a sidewalk, street, right-of-way or other public property during construction, removal, repair, alteration or maintenance of a sign is permitted, provided that the space occupied shall be roped off, fenced off, barricaded or otherwise rendered inaccessible by pedestrians and traffic for the protection of the public.
- (4) Attachment of signs to fire escapes, etc. No signs or any part thereof, nor any sign anchors, braces, or guide rods, shall be attached, fastened, or anchored to any fire escape, fire ladder, or standpipe, and no such sign or any part thereof or any anchors, braces, or guide rods shall be erected, installed or maintained so as to limit, hinder or prevent ingress or egress through any door, doorway, or window, or so as to limit, hinder or prevent the raising or placing of ladders against such building by the Fire Department, as necessity or public health and safety may require.
- (5) Overhead electrical wiring. Overhead electrical wiring for signs is prohibited, and all electric signs shall be listed by a recognized testing laboratory.

- (6) Permanent signs that are professionally designed and/or manufactured and which meet the requirements and standards of this article shall be approved by the Plan Commission.

C. Maintenance standards.

- (1) Maintenance. The owner of any sign shall keep it in good maintenance and repair, which shall include landscaping and restoring, repainting and/or replacement of a worn or damaged legally existing sign to its original condition, and shall maintain the premises on which the sign is placed or erected in a clean, sanitary, and inoffensive condition, free and clear of all obnoxious substances, rubbish and weeds. Restoration or painting which changes the name, size or location of a sign shall require a new sign permit.
- (2) Painting requirement. The owner of any sign shall be required to have all parts and supports of a sign properly painted as directed by the Building Inspector, unless they are galvanized or otherwise treated to prevent rust or deterioration and have not been previously painted.
- (3) Sign owner's responsibility. The sign owner shall be responsible for the maintenance of the sign. If ownership of the sign should be transferred, the new owner shall be responsible for the maintenance of the sign.

D. Illumination standards.

- (1) In addition to complying with the provisions of this article, all signs in which electrical wiring and connections are to be used shall be subject to the applicable provisions of City and State Electrical Codes. No person may erect a sign with exposed electrical wires.
- (2) Lighting intensity. In no case shall the lighting intensity of any sign, whether resulting from internal or external illumination, exceed 60 footcandles when measured with a standard light meter held perpendicular to the sign face at a distance of 10 inches.
- (3) All sign lighting shall be so designed, located, shielded or hooded so as to prevent the casting of direct light or glare upon adjacent roadways, surrounding properties or into the sky.
- (4) The use of unshielded lighting, including exposed incandescent light bulbs hung or strung on poles, wires or any other type of support, intended to illuminate a sign or other advertising device is prohibited.
- (5) Neon signs or other exterior neon displays may be permitted in cases where they are custom designed to be compatible with the building's architectural character and where the colors of such signs have been selected to harmonize with the building's exterior colors. Such lighting shall be subject to review and approval by the Plan Commission.
- (6) Signs shall not have any bare light bulbs, shall not rotate or have any flashing

lights, shall not resemble, imitate or approximate the shape, size, text, form or color of official railroad or official traffic signs, signals, or devices, and shall not obstruct or interfere with the effectiveness of said devices.

E. Landscaping standards.

- (1) The minimum landscaping required for signs shall be designed and determined in accordance with Article XXXII, Table 1, Landscaping Points and Minimum Installation Sizes. The classification of plants contained in that section is a baseline and shall not be deemed a complete list of recommended and acceptable plants. A minimum of 20 landscaping points shall be required for a sign up to four feet in width, and six additional landscaping points shall be required for each additional one foot of a width in excess of four feet. Landscape plantings shall be of such type as will ensure effective year-round aesthetics.
- (2) The landscaping area shall extend a minimum of three feet around the entire base of the sign or the sign face, whichever is greater.