

THE VILLAGE CITY CODE

CHAPTER 20

SIGNS

ARTICLE I. GENERALLY

Sec. 20-1. Intent.

Standards for use, placement, size and design of signs are intended to:

- Protect the public from signs that are poorly designed, constructed or maintained, and signs that are dangerously distracting to pedestrians and motorists by their message delivery and placement;
- Preserve and enhance property values; create a more attractive business climate, increase the quality of life for residents, and protect the unique character of the city's built and natural environment, by curbing visual pollution resulting from excessive signs;
- Contribute to a built environment that will differentiate The Village from adjacent municipalities, and reinforce the city's identity and desired character;
- Protect residential areas adjoining non-residential areas from adverse visual impacts of nearby signs;
- Reduce clutter, confusion and visual pollution caused by sign oversaturation, and visual blight from poorly designed and maintained signs, and thus increase sign legibility and effectiveness;
- Protect public health, safety and welfare.

Sec. 20-2. Definitions.

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

- *Abandoned sign*: A sign which has not identified or advertised a current business, service, owner, product, or activity for a period of at least 360 days.
- *Alteration*: A change in the size or shape of an existing sign. Copy or color change of an existing sign is not an alteration. Changing or replacing a sign face or panel is not an alteration.
- *Architectural feature*: a three-dimensional design element of a building, such as cornices, balconies, eaves, door, window, wing wall, etc., that lends to the building's overall exterior form, context and appearance.
- *Attached sign*: A sign that is applied or affixed to a building; examples include wall signs, projecting signs, awning signs, canopy signs, and mural signs.
- *Awning*: A cloth, plastic, or other nonstructural covering that projects from a wall for the purpose of shielding a doorway or window. An awning is either permanently attached to a building or can be raised or retracted to a position against the building when not in use.
- *Awning Sign*: Any sign painted on, or applied to, an awning.

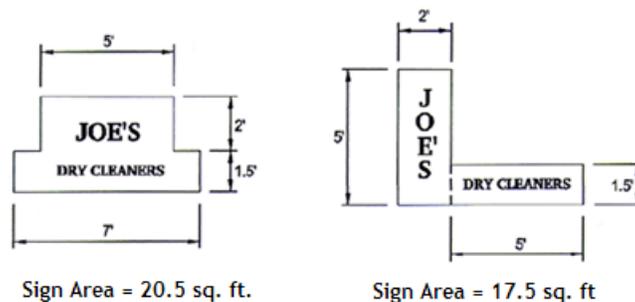
- *Banner*: Any cloth, bunting, plastic, paper, or similar non-rigid material attached to any structure, staff, pole, rope, wire, or framing which is anchored on two or more edges, one curved edge (for surfboard-style banners), or at all four corners. Banners are temporary in nature and do not include flags.



Surfboard-style banners

- *Canopy*: A structure other than an awning made of fabric, metal, or other material that is supported by columns or posts affixed to the ground and may also be connected to a building.
- *Canopy Sign*: Any sign that is part of, or attached to a canopy.
- *Channel letters*: Fabricated or formed three-dimensional letters, individually applied to a wall, which may accommodate a light source.
- *Commercial*: Land use, except that of residential or institutional. For purposes of this Chapter, includes industrial land uses.
- *Directional sign*: Signs designed to provide direction to pedestrian and vehicular traffic into and out of, or within a site.
- *Façade*: That portion of any exterior elevation of:
 - A building extending vertically from grade to the top of a parapet wall or eaves and horizontally across the entire width of the building elevation; or
 - A canopy extending vertically from the lowest point of the canopy, not including support structures, to the top of canopy and horizontally across the entire width of the canopy elevation.
- *Foot-candle*: A unit of incident light (on a surface) stated in lumens per square foot and measurable with an illuminance meter. (Also known as *footcandle* or *light meter*.) One (1) footcandle is equal to one (1) lumen per square foot.
- *Freestanding sign*: A sign supported by structures or supports that are placed on, or anchored in, the ground; and that is independent and detached from any building or other structure.
- *Illumination*: A source of any artificial or reflected light, either directly from a source of light incorporated in, or indirectly from an artificial source.
- *Institutional*: Land use that serves a community's civic, social, educational, health, cultural, religious, and recreational needs.

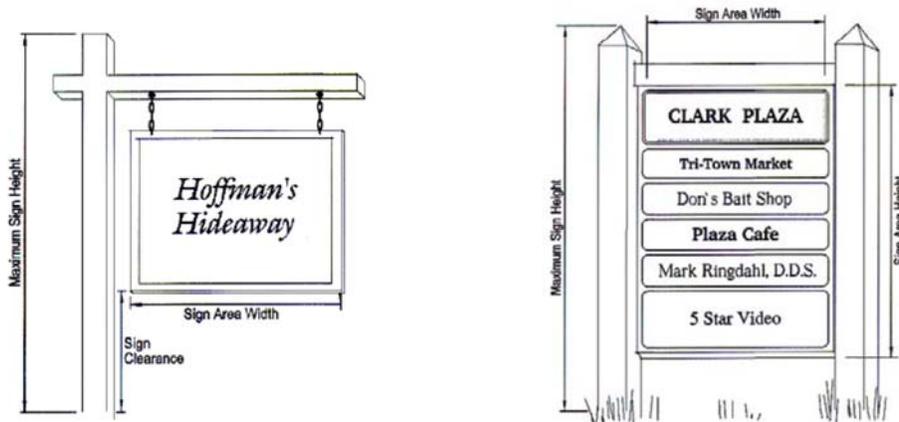
- *Mural (or mural sign)*: A large picture/image (including but not limited to painted art) which is painted, constructed, or affixed directly onto a vertical building wall, which may or may not contain text, logos, and/or symbols.
- *Off-premise sign*: An outdoor sign whose message directs attention to a specific business, product, service, event or activity, or other commercial or noncommercial activity, or contains a non-commercial message about something that is not sold, produced, manufactured, furnished, or conducted on the premises upon which the sign is located. (Also known as a *billboard*.)
- *Permanent sign*: A sign attached or affixed to a building, window, or structure, or to the ground in a manner that enables the sign to resist environmental loads, such as wind, and that precludes ready removal or movement of the sign and whose intended use appears to be indefinite.
- *Portable sign*: A sign designed to be transported or moved and not permanently attached to the ground, a building, or other structure.
- *Projecting sign*: A building-mounted, double-sided sign with the two faces generally perpendicular to the building wall, not to include signs located on a canopy, awning, or marquee. (Also known as *blade sign*.)
- *Residential*: Land use exclusively for human housing or dwelling.
- *Scoreboard*: A sign contained within an athletic venue and intended solely to provide information to the attendees of an athletic event.
- *Sign*: Any device, structure, fixture, painting, emblem, or visual that uses words, graphics, colors, illumination, symbols, numbers, or letters for the purpose of communicating a message. Sign includes the sign faces as well as any sign supporting structure.
- *Sign area*: The total dimensions of a sign surface used to display information, messages, advertising, logos, or symbols.
 - The area of a geometric shape enclosing any message, logo, symbol, name, photograph or display face shall be measured using standard mathematical formulas.



Sign area measurements.

- Supporting framework or bracing that is clearly incidental to the display itself is not included in calculations of sign area.
- The sign area of multiple-face signs shall be the maximum projection on a vertical plane.

- The area of wall signs are only that portion of the wall onto which the sign face or letters are placed.
- *Sign face*: The part of the sign that is or can be used for the sign area. The sign area could be smaller than the sign face.
- *Sign height*: The vertical dimension of a sign, as measured from the highest point of a sign to the ground surface beneath it. When berms are used in conjunction with signage, the height of the sign shall be measured from the mean elevation of the fronting street.



Sign measurement details.

- *Sign supporting structure*: Poles, posts, walls, frames, brackets, or other supports holding a sign in place or covering such supports.
- *Snipe Sign*: A sign tacked, nailed, posted, pasted, glued, or otherwise attached to trees, poles, stakes, fences, public benches, streetlights, or other objects located on public property or in the public right-of-way (except for yard signs) or on any private property without the permission of the property owner. (Also known as *bandit sign*.)
- *Street frontage*: The side or sides of a lot abutting on a public street or right-of-way.
- *Temporary sign*: A type of non-permanent, sign that is located on private property (or, for yard signs, certain portions of public right-of-way) that can be displayed for no more than the periods described in Section 20-27.
- *Wall sign*: A building-mounted sign which is either attached to, displayed on, or painted on an exterior wall in a manner parallel with the wall surface. A sign installed on a false or mansard roof is also considered a wall sign. (Also known as: *fascia sign*, *parallel wall sign*, or *band sign*.)
- *Window sign*: Any sign that is applied, painted, or affixed to a window, or placed inside a window, within three (3) feet of the glass, facing the outside of the building, and easily seen from the outside. Customary displays of merchandise or objects and material without lettering behind a store window are not considered signs. Measurement of sign area for window signs includes only portions of the sign that are opaque.
- *Yard sign*: a temporary sign that is not permanently affixed or attached to the ground or another structure, which can be removed without special handling, and which can be placed on a street-facing lawn or elsewhere on a property by means of stakes or posts.
- *Yard sign, rigid*: a temporary sign that is not permanently affixed or attached to the ground or other structure, but which is constructed of rigid materials and requires special handling

for removal, that can be placed on a street-facing lawn or elsewhere on a property by means of wood or metal posts.

Sec. 20-3. Nonconforming Signs; Vested Rights.

- (a) Permanent signs that were in compliance with applicable sign regulations at the of their permitting may continue to exist. Permanent signs and sign structures that are moved, removed, replaced, or structurally altered must be brought into conformance with current sign regulations. However, nonconforming signs required to be moved because of public right-of-way improvements may be re-established. Simply removing and replacing text or copy on nonconforming sign does not constitute a structural alteration nor trigger loss of nonconforming status.
- (b) Once a sign is altered to conform or is replaced with a conforming sign, the nonconforming rights for that sign are lost and a nonconforming sign may not be re-established.
- (c) Abandoned signs lose their status as nonconforming signs and must be brought into compliance with this Chapter.
- (d) Signs or sign structures that are removed or destroyed must be replaced by signs complying with this Chapter; provided, however, that signs that are (1) temporarily removed or partially destroyed for a period of five (5) days or less to perform maintenance or repairs, or (2) partially destroyed or damaged by casualty, may be rebuilt to the same size and height using the same materials as were in place prior to the removal or destruction.
- (e) Vested Rights. New signs for businesses that will occupy structures built under building permits approved by the City within the ninety (90) days prior to November 7, 2016, shall be vested under the sign regulations in place on November 6, 2016, for a period of one (1) year. On and after November 7, 2017, no nonconforming signs may be structurally altered, added to, enlarged in any manner or moved in whole or in part to another location unless the sign is brought into compliance with and issued a new sign permit in accordance with this Chapter.

Sec. 20-4. Permits and Administration.

- (a) Sign Permit Required. A sign permit shall be required in order to erect, move, alter, reconstruct, or repair any permanent or temporary sign, except signs that are exempt from permits in compliance with Section 20-5. For multiple-tenant buildings, a separate permit shall be required for each business entity's sign(s). Changing or replacing the copy on an existing lawful sign shall require a permit, but no associated fee shall be assessed against such permits, provided the copy change does not alter the size, shape, or area of the sign, or render the sign in violation of this Chapter.
- (b) Sign Permit Application Requirements. Applications for sign permits shall be made in writing on forms furnished by City staff. Applications shall include:
 - The location by street number and the legal description of the property where the proposed sign structure will be placed;
 - Names and address of the owner, sign contractor, and erectors;
 - Legible site plans (minimum scale of 1" = 50') that include the specific location of the sign and setbacks to adjacent property lines, buildings, and other signs;
 - A detailed drawing indicating the dimensions, materials, colors, and attachment methods of the proposed sign structure;
 - A graphic drawing or photograph of the sign copy;

- A depiction of the type, intensity, location, and shielding of any lighting to be used, if applicable;
 - For proposed signs having facia that exceeds sixteen (16) square feet, a certification by a structural engineer as to structural qualities;
 - For proposed freestanding and wall signs, proof of public liability insurance covering the proposed signs; and
 - A sign permit fee in an amount established by resolution of the City Council.
- (c) Sign Permit Review Criteria. The following review criteria will be used by City staff to evaluate all sign permit applications:
- Sign meets the requirements of this Chapter;
 - Sign conforms to the requirements of the building and electrical code;
 - Sign conforms to the requirements of the zoning district in which it is located;
 - Sign would not interfere with pedestrian or vehicular safety;
 - Sign would not deter from the character of an architecturally significant structure;
 - Sign would not be located so as to have a negative impact on adjacent property;
 - Sign would not detract from the pedestrian quality of a street or area; and
 - Sign would not add to an over-proliferation of signs on a particular property or area.
- (d) Any appeal of City staff's denial of a sign permit shall be made to the City Council.

Section 20-5. Exempt Signs.

The following types of signs are exempt from the permit requirements of this Chapter and are permitted in all zoning districts, provided that such signs shall otherwise conform to all applicable requirements contained in this Chapter:

- (a) Signs that are not visible beyond the boundaries of the lot or parcel upon which they are located and/or from any public thoroughfare or right-of-way, provided that such signs shall be subject to the safety regulations of the building and electrical codes.
- (b) Addresses. Nonilluminated signs not exceeding two (2) square feet in area that identify the address of a dwelling unit or nonresidential establishment.
- (c) Art. Integral decorative or architectural features of buildings and works of art, provided such features or works do not contain letters, trademarks, moving parts, or lights.
- (d) Building Identification; Historic Markers. Nonilluminated signs constructed of metal or masonry materials that are permanently affixed to buildings or structures for purpose of identifying the name of a building, date of erection, or other historic information.
- (e) Bulletin Boards. Bulletin boards not exceeding fifteen (15) square feet in gross surface area that is accessory to the primary use of a building.
- (f) Construction. Temporary construction signs at active construction sites.

- (g) Courtesy. Nonilluminated or indirectly illuminated signs that identify items such as credit cards accepted, redemption stamps offered, menus, hours of operation, or prices, provided that only one such sign is allowed per use and that the area of such signs do not exceed eight (8) square feet in total area.
- (h) Decorations. Temporary decorations or displays incidental to and/or customarily associated with any national, state, local, or religious holiday or celebration; provided, that such decorations shall be displayed for not more than sixty (60) days in any one (1) year.
- (i) Directional. On-premise directional and instructional signs not exceeding six (6) square feet in area.
- (j) Flags. Flags, crests, or banners flown under generally accepted flag protocol on a flagpole or building-mounted staff no taller than the maximum permitted building height in the appropriate underlying zoning district.
- (k) Garage Sales. Signs for residential garage or estate sales subject to the restrictions in Article XII of Chapter 11 of The Village City Code.
- (l) Hazards. Temporary or permanent signs erected by the City, public utility companies, oil and gas companies, or construction companies to warn of dangers of hazardous conditions, including presents of underground cables, gas lines, or similar devices.
- (m) Scoreboards. Scoreboards at athletic fields.
- (n) Traffic Control. Signs for the control of traffic or other regulatory purposes.
- (o) Vehicular Signs. Signs displayed on trucks, buses, trailers, or other vehicles that are being operated or stored in the normal course of a business.

Sec. 20-6. Illegal Signs.

- (a) Penalties. Illegal signs shall be subject to the administrative and/or criminal remedies as laid out in Section 1-9 the City Code.
- (b) Removal of illegal signs in the public right-of-way. The City may cause the removal of any sign within the public right-of-way or on property that is otherwise abandoned that has been placed there without first complying with the requirements of this Chapter.
- (c) Storage of removed signs. Signs removed in compliance with this Section shall be stored by the City for thirty (30) days, during which they may be recovered by the owner only upon payment to the City for costs of removal and storage. If not recovered within the thirty (30) day period, the sign and supporting structure shall be declared abandoned and title shall vest with the City.

Sec. 20-7-20-9. Reserved.

ARTICLE II. PERMITTED SIGNS

Sec. 20-10. Permitted signs.

The following signs are permitted on lots hosting the listed land uses, and no others:

Land Use	Sign Type		Number Permitted
Institutional	Permanent	Freestanding	No more than one (1) per street frontage
		Attached	N/A*
		Window	N/A*
	Temporary	Banner	No more than two (2) per institutional user**
Yard		No more than four (4) per institutional user**	
Single-Family Residential	Permanent	Freestanding	No more than two (2) at each subdivision entrance
	Temporary	Yard	No more than two (2) on a residential lot
Multi-Family Residential	Permanent	Freestanding	No more than two (2) per street frontage
		Attached	N/A*
	Temporary	Banner	No more than one (1) per street frontage
		Yard	No more than two (2) per street frontage
Single-Tenant Commercial	Permanent	Freestanding	No more than one (1) per street frontage
		Attached	N/A*
		Window	N/A*
	Temporary	Banner	No more than two (2) per tenant**
		Yard	No more than two (2) per tenant**
		Rigid Yard	No more than two (2) on a commercial lot**
Multi-Tenant Commercial	Permanent	Freestanding	No more than two (2) per street frontage
		Attached	N/A*
		Window	N/A*
	Temporary	Banner	No more than two (2) per tenant**
		Yard	No more than two (2) per tenant**
		Rigid Yard	No more than two (2) on a commercial lot**

* These signs are still subject to the area restrictions in Section 20-21.

** These signs are subject to the time display restrictions in Section 20-27.

Sec. 20-11. Prohibited Signs.

The following signs are prohibited in all districts, unless noted:

- Off-premise signs, including billboards, except for directional kiosk signs erected by the City of The Village;
- Signs placed in or over the public right-of-way or public property. The city may remove signs in the public right-of-way or on public property;
- Signs placed on vehicles and trailers that are parked and not being used or in the ordinary course of business;
- Signs and posters placed on trees, fences, street light poles and utility poles;
- Banners, pennants, balloons, streamers, and other temporary signs, except on a temporary basis as permitted in Sections 20-10, 20-21, and 20-27;
- Attached signs placed on a roof or above a parapet wall of a building;
- Prefabricated, rigid awning signs;
- Freestanding signs placed where they might obscure a clear view of traffic on intersecting streets or traffic warning and control signals and signs on adjacent streets;
- Signs that closely resemble or imitate official signs and traffic control devices;
- Signs blocking doors, windows, vents, stairs and ramps;

- Signs built and displayed without a sign permit, if a sign permit is required;
- Signs built from materials usually used for and designs typically used in temporary signs (thin cloth, thin plastic, corrugated plastic, etc., not designed as or attached to a permanent fixture or frame to a building) displayed as permanent signs, except for no more than 30 days or less in place of a damaged, removed, or permitted but unbuilt signs;
- Portable signs, including signs originally built as portable signs permanently mounted on a building or the ground, except for yard signs and rigid yard signs;
- Snipe signs;
- Large objects such as motor vehicles, boats, aircraft, engine blocks, home appliances, heavy equipment, industrial machinery, and similar objects used as or included in signs; and
- Signs not expressly permitted in this Chapter or elsewhere in this code.

Sec. 20-12-20-19. Reserved.

ARTICLE III. SIGN DESIGN AND MAINTENANCE

Sec. 20-20. Design Compatibility.

- (a) Creative Design Encouraged. Signs shall make a positive contribution to the general appearance of the street and commercial area in which they are located. A well-designed sign can be a major asset to a building. The City encourages imaginative and innovative sign design. The creative sign application procedure (see Article IV) is specifically designed for artistic and unusual signs that might not fit the standard sign regulations and categories.
- (b) Professional. Signs shall be made by a professional sign company or other qualified entity.

Sec. 20-21. Size and Scale.

The scale of signs shall be appropriate for the building on which they are placed and the area in which they are located. Attached signs shall be harmonious in scale and proportion with the building facade they are mounted to. Freestanding signs shall be proportional to the speeds of the adjacent street. To satisfy these aims, the size and scale of each sign shall be as follows:

- (a) Freestanding Signs.

Adjacent Street Speed	Maximum Area			Maximum Height
	Base	+	Per Tenant	
≤ 30 mph	30 square feet	+	2 square feet	10 feet
35 mph	40 square feet	+	2 square feet	15 feet
40 mph	50 square feet	+	2 square feet	20 feet
≥ 45 mph	65 square feet	+	2 square feet	20 feet

* Freestanding temporary banners are subject to different standards. See paragraph (f) of this Section.

(b) Attached Signs.

Building Setback	Maximum Area
≤ 100 feet	15% of building or canopy elevation façade for all signs; individual tenant signs no longer than 80% of length of tenant space
101-300 feet	20% of building or canopy elevation façade for all signs; individual tenant signs no longer than 80% of length of tenant space
≥ 301 feet	25% of building or canopy elevation façade for all signs; individual tenant signs no longer than 80% of length of tenant space

* Attached temporary banners and projecting signs are subject to different standards. See paragraphs (c) and (f) of this Section.

(c) Projecting Signs.

Maximum Area	Maximum Projection	Minimum Height
8 square feet	6 feet from wall	8 feet above finished grade

(d) Window Signs.

Maximum Area
100% of the area of the window on which located.

(e) Yard Signs and Rigid Yard Signs.

Sign Setback	Maximum Area	Maximum Height
< 5 feet (including in right-of-way)*	6 square feet	4 feet
≥ 5 feet (non-rigid yard signs)	12 square feet	6 feet
≥ 5 feet (rigid yard signs)	30 square feet	8 feet

* See Sec. 20-22(f).

(f) Banners.

Type	Maximum Area	Maximum Height
Freestanding	32 square feet	6 feet
Attached	20% of building elevation facade	Below roofline

Sec. 20-22. Location and Placement.

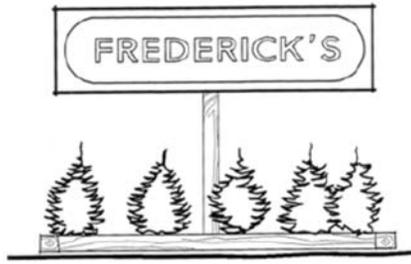
- (a) Visibility. Signs shall not visually overpower nor obscure architectural features.
- (b) Integrate Signs with the Building and Landscaping. Carefully coordinate the sign with the architectural design, overall color scheme, and landscaping. Signs shall be designed to complement and enhance the other signs for a building.
- (c) Unified Sign Band. Whenever possible, signs located on buildings with the same block face shall be placed at the same height in order to create a unified sign band. Locate attached signs at the first-floor level only.
- (d) Attached Signs. Attached signs shall not overlap cornices, eaves, windows, door frames, columns, or other decorative features on a building façade, and must be located at least three (3) feet from the vertical edge of a wall or other attached signs.
- (e) Freestanding Signs. Freestanding signs shall be located in a planter setting within a landscaped area that is at least double the size of area of the sign face, and shall be placed at least one hundred fifty (150) feet from other freestanding signs in the same development site.

Example—A shopping center on May Avenue (40 mph speed limit) that has 8 tenants may have two 15-foot high, 66-square-foot signs (50 sq. ft. base + 2 sq. ft. per tenant x 8 tenants), provided the two signs can be placed at least 150 feet from each other, and each sign must be located within a landscaped area at least 132 square feet in size.

- (f) Yard Signs. Yard signs (but not rigid yard signs) may be placed on the right-of-way immediately adjacent to residential property that is zoned for and in use for a residential purpose, provided that such signs are set back at least four (4) feet from the edge of the street.
- (g) Pedestrian-Oriented Signs. Pedestrian-oriented signs are encouraged. It is desirable to include a pedestrian-oriented sign as one of the permitted signs for a business. These signs are designed for and directed toward pedestrians so they can easily and comfortably read the sign as they stand adjacent to the business.
- (h) Road Right-of-Way. No sign shall be erected within the road right-of-way except as allowed in paragraph (f) of this Section, or near the intersection of any road(s) or driveways in such a manner as to obstruct free and clear vision of motorists or pedestrians or at any location where, by reason of the position, shape or color, it may interfere with, obstruct the view of, or be confused with any authorized traffic sign, signal or device. Signs located at an intersection must be outside of the sight distance triangle prescribed in Sec. 25-15(d).

Sec. 20-23. Landscaping.

Freestanding signs shall be landscaped at their base in a way harmonious with the landscape concept for the whole site. Landscaping shall form an attractive, dense cluster at the base of the sign that is equally attractive in winter and summer.



NOT THIS

Landscaping too sparse and poor visual base for sign



THIS

Berm, foundation, plantings to relate to building treatment

Sec. 20-24. Color.

- (a) Compatibility and Complementary Colors. Colors shall be selected to contribute to legibility and design integrity. Sign colors shall complement the colors used on the structures and the project as a whole. Colors or combinations of colors that are harsh and disrupt the visual harmony and order of the street are unacceptable.
- (b) Contrasting Colors. The material of the background and the letters or symbols used in the sign face shall have substantially contrasting colors to make the sign easier to read during both the day and night. Light letters on a dark background or dark letters on a light background are most legible.
- (c) Too Many Colors. Colors or color combinations that interfere with legibility of the sign copy or that interfere with viewer identification of other signs shall be avoided.

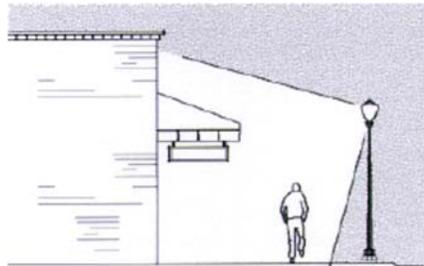
Sec. 20-25. Materials.

- (a) Sign materials shall be compatible and complementary with the materials used in the building façade.
- (b) Permanent signs shall be constructed of the following durable, high quality architectural materials:
 - Treated wood
 - Painted metal
 - Stone
 - Brick
 - Stucco
 - As an accent material only (no more than 40% of exterior cladding):
 - Exterior Insulation Finishing System (EIFS) with Drainage
 - For channel lettering only:
 - Acrylic
 - Polycarbonate

- For permanent awning signs only:
 - Fire-resistant, waterproof, stain- and mildew-resistant, solution-dyed fabric with a finish weight of at least 9 ounces per square yard.
- (b) Permanent freestanding signs shall have constructed support bases that are in aggregate as wide or wider than forty percent (40%) of the width of the widest part of the sign face.
- (c) Internally-illuminated box signs are prohibited.
- (d) Rigid yard signs and non-rigid yard signs on commercial lots shall be constructed of treated wood and/or painted metal.

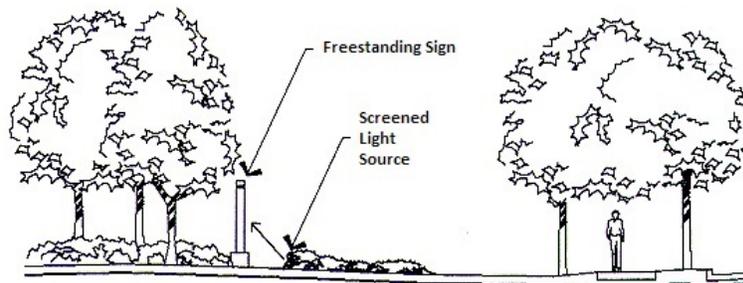
Sec. 20-26. Illumination.

- (a) Use illumination only if necessary.
- (b) Sign illumination shall complement, not overpower, the overall composition of the site.



Use of Existing Illumination

- (c) Use a Direct Light Source. All lighted signs shall have their lighting directed in such a manner as to illuminate only the face of the sign. When external light sources are directed at the sign surface, the light source must be concealed from pedestrians' and motorists' lines of sight.



External light sources directed at signs should be concealed from pedestrians' and motorists' lines of sight.

- (d) Signs must be illuminated in a way that does not cause glare onto the street and adjacent properties. Vegetation shall not be employed as the primary means of controlling glare. The measure of illumination from any sign shall not exceed 0.2 foot-candles at the property boundary for the site where the sign is located.
- (e) Electronic message signs are governed by Article V of this Chapter. Flashing, moving, blinking, chasing or other animation effects shall be prohibited on all signs except as allowed pursuant to Article V.

- (f) Neon tubing is an acceptable method of sign illumination for window signs.
- (g) Illumination sources shall be static in color and intensity.

Sec. 20-27. Display Timing of Temporary Signs.

- (a) Yard Signs may be displayed up to four (4) times per year, with a time of no more than thirty (30) days for each display.
- (b) Banners may be displayed up to six (6) times per year, with a time of no more than fourteen (14) days for each display.
- (c) Rigid yard signs may be displayed no more than 360 days for each display.

Sec. 20-28. Installation.

- (a) All signs shall be mounted so that the method of installation is concealed.
- (b) Projecting signs shall be mounted so they generally align with others in the block.
- (c) All signs and all components thereof, including sign structures and sign faces, shall be kept neatly painted, in a good state of repair and in compliance with all building and electrical codes. The City may inspect any sign governed by this Chapter and shall have the authority to order the painting, repair, alteration or removal of a sign which constitutes a hazard to safety, health or public welfare by reason of inadequate maintenance, dilapidation or obsolescence.
- (d) All signs permitted under this chapter must be constructed as to withstand wind velocities of at least one hundred (100) miles per hour and any other requirement made by the city engineer based on sound engineering practices.

Sec. 20-29. Maintenance.

- (a) The owner of a sign and the owner of the premises on which such sign is located shall be jointly and severally liable to maintain such sign, including any illumination sources in neat and orderly condition, and in a good working order at all times, and to prevent the development of any rust, corrosion, rotting or other deterioration in the physical appearance or safety of such sign. The sign must also be in compliance with all building and electrical codes.
- (b) The owner of any sign regulated by this Article shall be required to keep signs and supporting hardware, including temporary signs and time/temperature signs structurally safe, clean, free of visible defects and functioning properly at all times. Repairs to signs shall be equal to or better in quality of materials and design than the original sign.
- (c) The City may inspect any sign governed by this Article and shall have the authority to order the painting, repair, alteration or removal of a sign which constitutes a hazard to safety, health or public welfare by reason of inadequate maintenance, dilapidation or obsolescence.

Sec. 20-30-20-39. Reserved.

ARTICLE IV. CREATIVE SIGNS

Sec. 20-40. Purpose.

This Article establishes standards and procedures for the design, review, and approval of creative signs. The purposes of this creative sign program are to:

- Encourage signs of unique design, and that exhibit a high degree of thoughtfulness, imagination, inventiveness, and spirit; and
- Provide a process for the application of sign regulations in ways that will allow creatively designed signs that make a positive visual contribution to the overall image of the City, while mitigating the impacts of large or unusually designed signs.

Sec. 20-41. Applicability.

An applicant may request approval of a sign permit under the creative sign program to authorize on-site signs that employ standards that differ from the other provisions of this Chapter but comply with the provisions of this Article.

Sec. 20-42. Approval Authority.

A Sign Permit application for a creative sign shall be subject to approval by the City Council, after having first received a recommendation from the Planning Commission.

Sec. 20-43. Application Requirements.

A sign permit application for a creative sign shall include all information and materials required by the City, and the filing fee based on the same fee schedule as a building permit.

Sec. 20-44. Design Criteria.

In approving an application for a creative sign, the City Council and Planning Commission shall ensure that a proposed sign meets the following design criteria:

(a) Design Quality. The sign shall:

- Constitute a substantial aesthetic improvement to the site and shall have a positive visual impact on the surrounding area;
- Be of unique design, and exhibit a high degree of thoughtfulness, imagination, inventiveness, and spirit; and
- Provide strong graphic character through the imaginative use of graphics, color, texture, quality materials, scale, and proportion.

(b) Contextual Criteria. The sign shall contain at least one (1) of the following elements:

- Classic historic design style;
- Creative image reflecting current or historic character of the Town/City;
- Symbols or imagery relating to the entertainment or design industry; or
- Inventive representation of the use, name or logo of the structure or business.

(c) Architectural Criteria. The sign shall:

- Utilize and/or enhance the architectural elements of the building; and
- Be placed in a logical location in relation to the overall composition of the building's facade and not cover any key architectural features/details of the facade.

Sec. 20-45-20-49. Reserved.

ARTICLE V. ELECTRONIC SIGNS

Sec. 20-50. Definitions.

For the purposes of this Article the following terms shall be defined as follows:

- *Electronic Message Display (EMD)* means a sign capable of displaying words, symbols, figures or images that can be electronically or mechanically changed by remote or automatic means.
- *Dissolve* means a mode of message transition on an Electronic Message Display accomplished by varying the light intensity or pattern, where the first message gradually appears to dissipate and lose legibility simultaneously with the gradual appearance and legibility of the second message.
- *Fade* means a mode of message transition on an Electronic Message Display accomplished by varying the light intensity, where the first message gradually reduces intensity to the point of not being legible and the subsequent message gradually increases intensity to the point of legibility.
- *Frame* means a complete, static display screen on an Electronic Message Display.
- *Frame Effect* means a visual effect on an Electronic Message Display applied to a single frame to attract the attention of viewers.
- *Transition* means a visual effect used on an Electronic Message Display to change from one message to another.
- *Level 1 EMD* means an Electronic Message Display, which displays static messages only and which change with no transition.
- *Level 2 EMD* means an Electronic Message Display, which displays static messages and which change with a “Fade” or “Dissolve” transition, or similar subtle transitions and frame effects that do not have the appearance of moving text or images.
- *Level 3 EMD* means an Electronic Message Display, which display a static message with “travel” or “scrolling” transitions, or similar transitions and frame effects that have text or animated images that appear to move or change in size, or be revealed sequentially rather than all at once.
- *Level 4 EMD* means an Electronic Message Display, which displays with full animation, flashing and video.
- *Scroll* means a mode of message transition on an Electronic Message Display where the message appears to move vertically across the display surface.
- *Static* means having no motion; being at rest.
- *Strobe* means a sign where the message or lighting flashes on and off more often than once every second. This shall not include the use of flashing lights in a chasing or alternating fashion around the sign perimeter.
- *Travel* means a mode of message transition on an Electronic Message Display where the message appears to move horizontally across the display surface.

Sec. 20-51. Size, Location, Height and Use Restrictions.

Electronic Message Displays permitted by this Article:

- (a) Shall not exceed fifty percent (50%) of the sign area allowed for any use pursuant to this Chapter and provided that said EMD sign area shall not increase the total sign area authorized for each such use in Article III of this Chapter.
- (b) Shall not be located closer than one hundred (100) feet from any residence.
- (c) Shall not be higher than six (6) feet above the highest point of the roof of the building or structure where the sign is located.
- (d) Shall not be used for off-premises advertising.

Sec. 20-52. Electronic Message Displays in Commercial Districts.

- (a) Level 1, 2 and 3 EMDs. Level 1, 2, and 3 Electronic Message Displays may be permitted in the C-2 Zoning District and shall not be subject to operational limitations, minimum display times or message change sequences but shall be equipped with dimming features that automatically adjust the display brightness according to ambient light conditions.
- (b) Level 4 EMDs. Level 4 EMDs are specifically prohibited in the C-2 Commercial District.

Sec. 20-53. Electronic Message Displays in Residential Districts.

Level 1 and 2 Electronic Message Displays may be permitted in the A-1 Single Family Zoning District for institutional uses, subject to the following requirements:

- (a) Level 1 EMD.
 - (1) *Operational Limitations*. Such displays shall contain static messages only, and shall not have movement, or the appearance or optical illusion of movement, of any part of the sign structure, design, or pictorial segment of the sign, including the movement or appearance of movement of any illumination or the flashing, scintillating or varying of light intensity. The City Council may limit the hours in which approved Level 1 EMDs may operate and/or may require dimming as deemed necessary to reduce the illumination of nearby residences.
 - (2) *Minimum Display Time*. Each message on the sign must be displayed for a minimum of eight (8) seconds.
 - (3) *Message Change Sequence*. A minimum of two (2) seconds of time with no message displayed shall be provided between each message displayed on the sign.
 - (4) *Council Approval*. Level 1 EMDs in the A-1 Single Family District shall be subject to the approval of the City Council.

- (b) Level 2 EMD.
 - (1) *Operational Limitations*. Such displays shall contain static messages only, changed only through dissolve or fade transitions, or with the use of other subtle transitions and frame effects that do not have the appearance of moving text or images, but which may otherwise not have movement, or the appearance or optical illusion of movement, of any part of the sign structure, design, or pictorial segment of the sign, including the movement of any illumination or the flashing, scintillating or varying of light intensity. The City Council may limit the hours in which approved Level 2 EMDs may operate and/or may require dimming as deemed necessary to reduce the illumination of nearby residences.

(2) *Minimum Display Time.* Each message on the sign must be displayed for a minimum of eight (8) seconds.

(3) *Council Approval.* Level 2 EMDs in the A-1 Single Family District shall be subject to the approval of the City Council.

(c) Level 3 and 4 EMDs are specifically prohibited in the A-1 Single Family Zoning District.

Sec. 20-54. Intermittent lighting restrictions.

(a) No strobe or high-intensity intermittent lights shall be permitted except where required on structures for aircraft warning lights.

(b) A time and temperature display within any sign shall be allowed to change intermittently upon the appropriate change of time and temperature.

(c) Illuminated signs and electronic marquisés placed in the interior window or windows of any building in the C-2 Commercial District shall be allowed to flash or scroll intermittently.

Sec. 20-55. Traffic hazards.

The Traffic and Safety Commission shall review any complaint by the public or a public official in reference to a possible traffic hazard caused by any sign. The Traffic and Safety Commission shall have the authority to order the removal or alteration of any sign, when it determines that the proposed sign projects upon or in view of any street a beam of light of sufficient intensity to confuse, annoy, or distract motor vehicle operators or in any manner interfere with the operation of vehicular traffic on any adjacent street.