Chapter 117 SIGNS[1]

Sec. 117-1. Definitions.

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

A-frame or sandwich sign means a portable upright, rigid supporting sign in the form of a triangle or an inverted V.

Advertising structure means a sign or sign structure erected or intended for advertising purposes, with or without advertisement displayed thereon, situated upon or attached to real estate, upon which any poster, bill, printing, painting or device is fastened, affixed or displayed.

Animated sign means a sign which depicts action or motion or which changes color. An animated sign differs from a flashing sign in that it uses movement to create a special effect or scene, rather than as an attention-getting technique.

Banner sign means a sign made of cloth, fabric, paper, nonrigid plastic or similar type of material.

Billboard. (See *Off-premises sign.*)

Completely obliterated means not only complete removal of old signage such that it will not be visible, but also that restoration of the wall area upon which the signage was affixed shall be in the same color, and of the same texture, and materials as the rest of the wall.

Construction project sign means a temporary sign identifying an active construction project.

Directional sign means:

(1) A sign erected by an official government agency to denote the name of any thoroughfare; to point out the route to any city, educational institution, public building, historic place or hospital; to direct and regulate traffic; and to denote any railroad crossing, bridge or other transportation facility for the convenience and safety of the general public.

(2) A sign giving directions or information about an establishment without advertising except that business logos are permitted. Such name and/or logo shall not exceed 50 percent of sign area. Directional signs may be used to identify entrances, exits, parking areas, clearances, standpipes, business hours, restrictions and traffic directions and order boards.

Facade. (See *Wall face.*)

Flag of the United States of America, often referred to as the American flag, consists of 13 equal horizontal stripes of red (top and bottom) alternating with white, with a blue rectangle in the canton (referred to specifically as the union) bearing 50 small, white, five-pointed stars arranged in nine offset horizontal rows, where rows of six stars (top and bottom) alternate with rows of five stars.

Flag, all other, means a piece of cloth or similar material, typically oblong or square, attachable by one edge to a pole or rope and used as the symbol or emblem of a country or institution or as a decoration during public festivities.

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[1]State law reference(s)—Sign ordinances, F.S. §§ 163.3202(1)(f), 166.0425; outdoor advertising, F.S. ch. 479.

Flashing sign means any sign which contains a continually intermittent or sequential flashing light source.

Ground sign means a sign affixed to the ground, either flush or on poles, and not attached to any building for support, which may include a reader board (also called a detached, pole or freestanding sign).

Group of establishments means two or more commercial, industrial or public establishments that share common frontage, access points, off-street parking, loading and identity containing one or more structures approved as a single development.

Illuminated sign means any sign designed to emit artificial light or designed to reflect light from one or more sources of artificial light.

Interchange of copy means the change or replacement of lettering on a sign without the replacement of the sign face itself.

Main street means an abutting public right-of-way which has the greatest vehicular design capacity or current traffic volume relative to all other abutting public rights-of-way.

Marquee means any hood, awning or canopy of permanent construction which projects from the wall face of a building.

Marquee sign means a sign which is attached to a marquee.

Message sign means an electronically changeable sign upon which graphic displays, symbols or words can be varied upon the face or faces of the sign by a computer controller.

Mural means a painting or artistic work composed of graphics, photographs or arrangements of color, that displays a noncommercial message and is painted on the walls of a building or similar rigid surface. The definition of the term "mural" includes any painting, regardless of content, when the painting is done by a paid or unpaid artist and the artist; or when the painting is done by any other person or entity without compensation.

Obscene means the status of material which the average person, applying contemporary community standards, would find, taken as a whole, appeals to the prurient interest, or depicts or describes, in a patently offensive way, sexual conduct, or taken as a whole lacks serious literary, artistic, political or scientific value.

Off-premises sign means any sign which advertises a use, establishment, product or service that is sold, produced, manufactured or furnished at a place other than on the property on which said sign is located. (Also called an outdoor advertising sign or billboard.)

On-premises sign means a sign which advertises or directs attention to a use or establishment located on-premises or a product or service available on-premises.

Out parcel means a parcel of property containing a single structure with one tenant located within a group of establishments which may be separately owned or leased from the owner of the group of establishments.

Parapet means a false front or wall extension above the roof line.

Pedestrian sign means a sign which is attached to the underside of a cantilevered roof, portico or overhang that extends from the wall face of an establishment or use and covers a pedestrian passageway.

Pennant means any relatively long, tapering flag or banner.

Pole banner means a banner that is attached to and displayed upon an upright pole or staff; also called a vertical banner or feather banner.

Portable sign means a moveable sign not secured or permanently attached to the ground. (Also a trailer, A-frame or sandwich sign.)

Projecting sign means a sign which is affixed to and extends from the outside wall or facade of a building.

Reader board means a sign upon which copy is manually changed periodically to advertise special sales or to otherwise convey a message to the public.

Roof sign means any sign erected over or on the roof of a building.

Sign means any exterior identification, description, illustration or device which directs attention to a product, service, place, activity, person, establishment, institution or business; or any emblem, painting, banner, pennant, placard or temporary sign designed to advertise, identify or convey information.

Sign areas means:

(1) *Ground and projecting signs.* The entire area within and enclosed by the exterior perimeter of all cabinets or modules within a single, continuous geometric figure, including, but not limited to, all written copy, logos, symbols, decorative embellishments and border or roof treatments. This shall include all open areas within said perimeters and all space separating said cabinets or modules. Only one face (the largest) of any multiple-faced sign shall be counted in calculating sign area.

(2) *Wall signs.* The entire area within a single continuous perimeter composed of squares, rectangles or other geometric figures which enclose the extreme limits of all sign elements affixed to the wall, including, but not limited to, cabinet structures, written copy, logos, symbols and illustrations.

Sign face means the part of a sign that is or may be used for advertising purposes.

Sign structure means all the interrelated parts and materials, such as beams, poles, and mounts, which are constructed for the purpose of supporting or displaying a message or informative content.

Special event sign means a sign which calls attention to activities of a temporary nature.

Temporary sign means a sign which advertises, for a limited period of time, issues, including, but not limited to, political candidates, parties or issues; active construction projects and proposed development projects; real estate for sale, rent or lease; business grand openings, sales events or other types of special events that do not require a special event permit under section 28-78.

Trailer sign means an advertising structure mounted on skids, wheel or wheels, constructed for the sole purpose of advertising, licensed or unlicensed.

Vehicular sign means a sign affixed to a vehicle or trailer for the purpose of advertising. For the purposes of this chapter, such signs shall only be applicable when said vehicle or trailer is temporarily or permanently located on a parcel for the primary purpose of conveying a business message.

Wall face means the entire building front, including the parapet.

Wall sign means a sign erected parallel to the outside wall facade of any building including flat, painted, individual letter or cabinet signs. Mansard and marquee signs shall conform to wall sign provisions.

Window sign means a sign which is painted on or displayed within a storefront window or door.

(Code 1960, § 23A-2(1)—(47); Code 1983, § 15-1; Ord. No. 17-019, § 1, 6-19-2017; Ord. No. 17-029, § 1, 1-2-2018)

Sec. 117-2. Purpose and intent.

The purpose and intent of this chapter is to establish requirements for the replacement, installation and maintenance of signs, in order to protect and preserve the health, safety, welfare, appearance and general wellbeing of the citizens of the city.

(Code 1960, § 23A-1; Code 1983, § 15-2; Ord. No. 17-019, § 1, 6-19-2017)

Sec. 117-3. Administration and enforcement.

(a) *General.* The requirements of this chapter shall be administered and enforced by the city manager or his designee.

(b) *Removal of signs.*

(1) *Vacant premises.* A sign shall be removed by the property owner or lessee of the premises when the establishment which it advertises is no longer active or shall replace the sign face with an opaque, blank face on both sides. Upon the premises becoming vacant, the owner or lessee thereof shall remove and keep the windows clean and free from any lettering or advertising signs of the previous business or profession. Signs painted on or affixed to such premises advertising a previous business or profession shall be removed or completely obliterated after the premises becomes vacant. If the owner or lessee fails to remove any such signs, or to modify the sign face as aforesaid, the owner shall be given 30 days' written notice to remove it. Upon failure to comply with said notice, the sign shall be declared a nuisance and abated in accordance with section 24-22.

(2) *Maintenance.* All signs and advertising structures regulated by this chapter shall be maintained in accordance with the provisions of chapter 5. The owner or lessee of any sign that is unsightly because of a deterioration or lack of maintenance shall be notified in writing and allowed 30 days to correct said violations. Upon failure to comply with said notice, the sign shall be declared a nuisance and abated in accordance with section 24-22.

(3) *Nuisance; abatement.* Any sign which is erected, used or maintained in violation of this chapter is hereby declared to be a public and private nuisance and shall be forthwith removed, obliterated or abated in accordance with section 24-22. For such purpose city staff or duly contracted vendor may enter upon private property without incurring any liability therefor. However, if any such sign bears the name of the owner thereof, and said owner holds an unexpired permit issued under this chapter, the said owner shall be given written notice of the violation in accordance with the provisions of section 24-22.

(c) *Emergency removal.* In cases where it reasonably appears that there is imminent danger to life or safety of any person unless a sign located on public or private property is immediately altered, repaired or removed, the sign is hereby declared unsafe. All such unsafe signs are hereby declared illegal and shall be abated by repair and rehabilitation or by demolition in accordance with the provisions of the International Property Maintenance Code, subject to all amendments, modifications or deletions, or other local ordinance, including article II of chapter 24.

(Code 1960, § 23A-9; Code 1983, § 15-3; Ord. No. J-128, § 1, 12-19-1994; Ord. No. J-201, § 2, 8-20-1996; Ord. No. 17-019, § 1, 6-19-2017)

Sec. 117-4. Nonconforming signs.

(a) *General.* Any sign or advertising structure within the city on the effective date of the ordinance from which this chapter is derived, or a sign or advertising structure existing within any area annexed to the city after the effective date of this chapter, which, by its height, size, zone, location or use does not conform to the requirements of this chapter, shall be termed nonconforming.

(b) *Continuation or removal.* All nonconforming signs or advertising structures properly permitted and conforming to the sign ordinances of the city in effect on July 1, 1980, or existing within any area annexed to the city after the effective date of the ordinance from which this chapter is derived may continue in use in accordance with the other provisions of this section.

(c) *Structural alterations.* Nonconforming signs shall not be structurally altered or enlarged unless they are made to conform with all the requirements of this chapter, except that substitution or interchange of copy may be permitted.

(d) *Natural damage.* Nonconforming signs that incur more than 50 percent damage to the sign structure by wind, deterioration or other damage shall be made to conform with all the requirements of this chapter, or be completely removed.

(e) *Off-premises signs with less than the minimum separation.* Where two or more off-premises signs, each of which was lawfully installed at its time of installation, are situated closer to each other than permitted by section 117-6(c), then all such signs except the one first installed in the city shall be nonconforming.

(Code 1960, § 23A-7; Code 1983, § 15-4; Ord. No. J-201, § 3, 8-20-1996; Ord. No. 17-019, § 1, 6-19-2017)

Sec. 117-5. Prohibited signs or sign characteristics.

The following signs or types of signs shall be prohibited within the city except for those which are specifically authorized or required by the city commission, state law or court order:

(1) Roof signs.

(2) Portable or trailer signs.

(3) A-frame or sandwich signs that do not comply with section 117-6(d)(1).

(4) Signs attached to any tree, shrub or plant that have the potential to damage the tree, shrub or plant.

(5) Signs located over or on any right-of-way except for approved projecting signs or temporary signs that have been properly permitted.

(6) Signs attached to or placed upon any utility pole, streetlight, sidewalk, curb, fire hydrant, bridge or any other public property.

(7) Vehicular signs except for those affixed to franchised buses, taxis, commercial vehicles or other vehicles during their normal course of business or lawfully parked.

(8) Signs which copy or imitate official signs or which purport to have official status including signs utilizing fluorescent colors in the yellow and red spectrum typically associated with traffic control, safety notices and emergency response.

(9) Signs which obstruct or interfere with any door, fire exit, stairway, ladder or opening intended to provide light, air, ingress or egress for any building.

(Code 1960, § 23A-6; Code 1983, § 15-5; Ord. No. 17-019, § 1, 6-19-2017)

Sec. 117-6. Regulation.

(a) *General.* In addition to the requirements set forth in sections 117-7 and 117-8 for permitted signs, this section shall apply to specific types of signs.

(b) *On-premises signs.*

(1) *Wall signs.*

a. Shall not extend more than 18 inches from the wall or facade of the building to which they are attached.

b. Shall not extend more than 24 inches above the roof or parapet of a building, whichever is greater.

c. Shall be located on the main street wall face of the establishment or building they identify except that up to 50 percent of such permitted sign area may be located on other wall faces.

d. Shall be adequately constructed and installed in accordance with the provisions of the state building code.

(2) *Projecting signs.*

a. Shall provide a vertical clearance of not less than nine feet over any pedestrian walkway or 14 feet over any vehicular driveway.

b. Shall not extend closer (leading edge measured horizontally) than 18 inches to the curb face or, where no curb is installed, to the curblines as established by the city engineer, whichever is less.

c. Shall not extend more than 24 inches above the roof or parapet of a building, whichever is greater.

d. Shall be adequately constructed and installed in accordance with the provisions of the state building code.

(3) *Ground signs.*

a. Sites that are less than or equal to three acres shall have a maximum height of ten feet in height.

1. Sites that are greater than three acres and less than or equal to five acres shall have a maximum height of 12 feet.

2. Sites that are greater than five acres and less than or equal to ten acres shall have a maximum height of 15 feet.

3. Sites that are greater than ten acres and less than or equal to 20 acres shall have a maximum height of 18 feet.

4. Sites that are greater than 20 acres shall have a maximum height of 20 feet.

b. Any sign which was permitted on or before November 30, 2004, may not be located less than 18 inches from any public right-of-way line, adjacent property line or structure. If such sign structure sustains at least 50 percent damage and requires a new permit for repair or replacement, it shall be reconstructed under current regulations, but may maintain the 18-inch setback requirement. Any sign newly permitted on or after December 1, 2004, shall not be located less than five feet from any public right-of-way line, adjacent property line, or structure.

c. Shall provide a vertical clearance of not less than nine feet over any pedestrian walkway or 14 feet over any vehicular driveway.

d. Shall be adequately constructed and installed in accordance with the provisions of the state building code.

e. Shall conform to the clear vision areas of section 125-308 with support structures limited to a maximum two feet in diameter.

(c) *Off-premises signs.*

(1) Shall not exceed an aggregate sign area of 400 square feet including all trim, molding or skirting.

(2) Shall not exceed a sign dimension of 40 feet horizontally or 12 feet vertically including all trim, molding or skirting.

(3) Shall not exceed a total height above natural ground level of 25 feet.

(4) Shall be located a minimum of 25 feet from any right-of-way, property line or structure on the same property, except the minimum setback shall be increased one foot for each ten square feet or portion thereof that the sign exceeds 200 square feet.

(5) Shall have the following minimum distances between any two off-premises signs:

a. Five hundred feet where at least one off-premises sign is more than 100 square feet in sign area.

b. Five thousand feet where both signs are more than 100 square feet in off-premise sign area.

(6) May have two signs situated back-to-back or oriented in a single V having an included angle of not more than 30 degrees.

(7) Shall comply with subsection (b)(3) of this section where the off-premises sign is also a ground sign.

(d) *Temporary signs.*

(1) *Temporary movable A-frame—sandwich board type signs.* A single, temporary movable A-frame—sandwich board type sign is permitted. It must be no larger than two feet by three feet and placed within ten feet of the entrance to the business and may not block access to any part of the building or sidewalk per the ADA Code and Florida Accessibility Code regarding clearance standards and accessibility. Temporary A-frame signs may be placed on public sidewalks that have sufficient width to comply with this section but shall not be placed in the parking lot, city right-of-way, landscaping or swales.

(2) *Special event signs.* Temporary signs announcing special events may be installed subject to an approved special event permit issued under section 28-78. No special event signs may be located within a public right-of-way, except as specifically authorized herein. The signs may be in the form of freestanding signs no larger than six square feet, flags, banners, pennants, or balloons and exhibited only for that period of time specified on the special event permit. The number of special events signs shall not exceed 75 signs.

a. Special event sign permit applications shall include:

1. Type of signage proposed. Provided information shall include, but is not limited to, the description of signage, dimensions, materials used, method of construction and placement, including dimensions from driveway, right-of-way and edge of pavement, list of sign locations, and such other information as the city may require.

2. Responsible agents. Identify the name and phone number of the sponsoring entity and principle contacts responsible for erecting and removing signage.

3. At the time of submission of an application for a special event sign permit, the applicant shall pay a processing fee in the amount established by resolution.

b. Shall not be illuminated.

c. May not be placed for a period in excess of 30 days.

d. May not impede the clear vision area of driveways or intersections.

e. May be located on the city right-of-way providing all of the above requirements are met.

(3) *Streamers, pennants, banners and flags.*

a. Shall be maintained in good condition; torn, weathered or otherwise deteriorated streamers, pennants, pole banners or flags shall be repaired, replaced or removed.

b. Banners shall not exceed 32 square feet in sign area, except that the combined area of all banners shall not exceed the sign area allowed for on-premises wall or projecting signs.

c. Pole banners must be spaced a minimum of 25 feet apart.

d. May not be placed in the right-of-way or in a way that it impedes pedestrian traffic.

e. May not impede the clear vision area of driveways or intersections.

(4) *All other temporary signs.* Temporary signs, as defined in this chapter, shall comply with the following regulations:

a. Shall be maintained in good condition; torn, weathered or otherwise deteriorated signs shall be repaired, replaced or removed.

b. May not impede the clear vision area of driveways or intersections.

c. May not be placed on city property, in the city right-of-way, medians or parks.

(Code 1960, § 23A-3; Code 1983, § 15-6; Ord. No. I-304, §§ 1—3, 12-19-1988; Ord. No. K-03, § 1, 1-18-2000; Ord. No. K-53, § 1, 1-16-2001; Ord. No. K-303, §§ 1—6, 10, 1-3-2005; Ord. No. 17-019, § 1, 6-19-2017)

Sec. 117-7. Permitted signs.

The following types and sizes of signs or advertising structures shall be permitted within the following zoning districts:

(1) *Single-family residential zoning districts (E-1, E-2, E-3, R-1, R-2 and R-3).*

a. *Semi-restricted uses.* Temporary signs that comply with subsection 117-6(d) and that do not exceed eight square feet and one non-illuminated wall sign per individual dwelling unit, which shall not exceed one square foot in sign area.

b. *Conditional uses.* Types and sizes of signs or advertising structures as permitted by section 117-8(3) in an office commercial zoning district, except that ground signs shall not exceed 18 square feet in sign area.

(2) *Multi-family residential zoning districts (R-4, R-4A and R-5).*

a. *Semi-restricted uses.*

1. Temporary signs that comply with section 117-6(d) and that do not to exceed 32 square feet on lots of one acre or more, or eight square feet on all other parcels; and one non-illuminated wall sign per individual dwelling unit, which shall not exceed one square foot in sign area.

2. One non-illuminated wall or ground sign per entrance of a permitted principal building or use, which shall not exceed 18 square feet in sign area. Ground signs shall not exceed six feet in height.

3. Non-illuminated directional signs, which shall not exceed six square feet in sign area, may be installed as needed with the approval of the director in accordance with section 117-9.

b. *Conditional uses.* Types and sizes of signs or advertising structures as permitted by section 117-8(d) in limited commercial zoning districts except that ground signs shall not exceed 32 square feet in sign area.

(3) *Office commercial and Edgartown Settlement zoning districts (C-1, ES).*

a. *Semi-restricted uses.*

1. Temporary signs that comply with section 117-6(d) and that do not to exceed 32 square feet. Temporary signs must be placed a minimum of 25 feet apart and one wall sign per tenant or occupant which shall not exceed two square feet in sign area.

2. One wall sign per building, which shall not exceed 24 square feet in sign area.

3. Any establishment, or group of establishments, which has main street lot frontage of 60 linear feet or more, shall also be permitted one ground sign, which shall not exceed 48 square feet in sign area and six feet in height.

4. Directional signs, which shall not exceed six square feet in sign area may be installed as needed with the approval of the director in accordance with section 117-9.

b. *Conditional uses.* Types and sizes of signs or advertising structures as permitted by section 117-8(d) in limited commercial zoning districts unless restricted by the city commission when the conditional use is approved.

(4) *Limited commercial and open space/recreational zoning districts (C-2, C-5, C-6, OS-1, OS-2, A-1 and A-2).*

a. *Semi-restricted uses.*

1. One wall sign or one projecting sign per tenant, which shall not exceed a sign area equal to 20 percent of the total wall face area fronting on the main street.

2. Any establishment, or group of establishments, which has a main street lot frontage of 60 linear feet or more, shall also be permitted one ground sign. Such sign shall not exceed a sign area equal to one square foot for every three linear feet of main street lot frontage, up to a maximum of 200 feet. Structures on out parcels with a single tenant having 60 feet of frontage or more shall also be permitted a separate ground sign subject to the restrictions above. The out parcel frontage shall not be subtracted in calculating the frontage for the group of establishments.

3. One pedestrian sign per tenant, which shall not exceed six square feet in sign area.

4. One rear entrance wall sign per tenant which shall not exceed six square feet in sign area.

5. Window signs per tenant, which shall not exceed 25 percent of such open window display area.

6. Directional signs, which shall not exceed six square feet each in sign area, may be installed as needed with the approval of the director in accordance with section 117-9.

7. Temporary signs that comply with section 117-6(d) and that do not exceed 32 square feet. Temporary signs must be placed a minimum of 25 feet apart.

b. *Conditional uses.* Same as semi-restricted uses.

(5) *General commercial and industrial zoning districts (C-3, C-4, CP, I-1, I-2, and I-3).*

a. *Semi-restricted uses.*

1. Off-premises signs.

2. One wall sign or one projecting sign per tenant, which shall not exceed a sign area equal to 20 percent of the total wall face area fronting on the main street.

3. Any establishment, or group of establishments, which has a main street lot frontage of 60 linear feet or more, shall also be permitted one ground sign. Such sign shall not exceed a sign area equal to one square foot for every three linear feet of main street lot frontage, up

to a maximum of 200 square feet except that one additional ground sign shall be permitted when the main street lot frontage exceeds 500 feet. The second ground sign shall not exceed a sign area equal to one square foot for every three linear feet of main street lot frontage in excess of the first 500 feet of frontage, up to a maximum of 200 square feet. Structures on out parcels with a single tenant having 60 feet of frontage or more shall also be permitted a separate ground sign subject to the restrictions above. The out parcel frontage shall not be subtracted in calculating the frontage for the group of establishments.

4. One pedestrian sign per tenant, which shall not exceed six square feet in sign area.

5. One rear entrance wall sign per tenant, which shall not exceed six square feet in sign area.

6. Window display signs per tenant, which shall not exceed 25 percent of such open window area.

7. Directional signs, which shall not exceed six square feet in sign area, may be installed as needed.

8. Temporary signs that comply with section 117-6(d) and that do not exceed 32 square feet. Temporary signs must be placed a minimum of 25 feet apart.

b. *Conditional uses.* Same as semi-restricted uses.

(6) *Planned development and planned unit redevelopment zoning district (PD or PUR).* Except for temporary signs that comply with section 117-6(d) and that do not exceed 32 square feet, the types and sizes of signs and advertising structures permitted shall be determined by the city commission as part of the final development or redevelopment plan except that in no instance may the permitted signage exceed that permitted elsewhere in this chapter.

(7) *I-95 and turnpike interchange district.*

a. *Area defined.* The area subject to this section shall include all commercial and industrial lots or parts thereof located within:

1. One-half mile of where I-95 N intersects with State Road 70;

2. One-half mile of the commencement of the southbound turnpike off ramp; or

3. Extends one-half mile both north and south of State Road 70 between the two interchanges.

b. *Ground sign standards.* Any establishment or group of establishments, which has a main street frontage of 60 linear feet or more, located on a lot which lies in whole or in part in the district provided for by this section, shall be permitted one ground sign. Such sign shall not exceed a sign area equal to one square foot for every three linear feet of main street frontage, up to a maximum of 300 square feet. The maximum height shall be 65 feet.

c. *Other standards.* Additional signs in this district shall conform with regulations and standards provided by this chapter or the appropriate zoning category.

(Code 1960, § 23A-4; Code 1983, § 15-7; Ord. No. I-108, §§ 1, 2, 4-1-1985; Ord. No. I-405, § 4, 12-3-1990; Ord. No. I-462, § 4, 6-3-1991; Ord. No. J-345, § 1, 7-21-1997; Ord. No. K-303, §§ 7—9, 1-3-2005; Ord. No. 17-019, § 1, 6-19-2017; Ord. No. 17-029, § 2, 1-2-2018)

Sec. 117-8. Permit procedures.

(a) *General.* No person shall place, erect or maintain the structure of a sign including the removal or replacement of the sign face, or cause to be placed, erected or maintained, any sign or advertising structure or structure or structural alteration thereto except in conformance with the provisions of this chapter.

(b) *Application.* All plans and layouts for a sign or advertising structure shall be accompanied by an application which shall be filed with the building department in accordance with chapter 103 of this Code prior to the issuance of any permit. Said application shall describe and set forth the following:

(1) The type of proposed sign or advertising structure requested as defined in this chapter.

(2) The street address and legal description of the property upon which said sign is to be located.

(3) The square foot area per sign face and message content.

(4) Plans drawn to scale showing:

a. The location of all proposed signs and existing signs to be retained.

b. Complete design specifications of all proposed signs to show methods of construction and installation in accordance with the provisions of the state building code.

(5) Photographs of all existing on-site signs.

(6) The name and address of the person in control or possession of the property upon which said sign is to be located and authorization from same for possession to place said sign upon the property.

(7) The name of the person or contractor erecting the structure.

(8) Such other pertinent information as may be required by the building department.

(c) *Permit.* After the provisions of this chapter have first been complied with, and the sign or advertising structure does not violate any of the terms, conditions or provisions herein or of any other law or ordinance, a permit shall be issued for such sign or advertising structure.

(d) *Fee schedule.* A permit fee shall be paid in accordance to the fee schedule established in section 103-53. Separately, permit fees for special event signs shall be paid in accordance to the fee established in section 117-6(d).

(e) *Permit and fee exemptions.* The following types of signs shall not be required to have a permit or subject to the above fees, but shall meet all other appropriate requirements within this chapter:

(1) Temporary signs, except special event signs.

(2) Murals.

(3) Window signs, including, but not limited to, credit card signs, decals or emblems.

(4) Interchange of copy.

(5) Public convenience sign, which identifies the location of restrooms, public telephones or the like, not including signs required for compliance with the state accessibility code for which a permit is required.

(6) Public utility sign, which identifies the location of underground lines, high voltage areas or the like.

(7) Public warning sign, which indicates the dangers of trespassing, swimming, animals or the like.

(8) Flag, emblem or insignia of the United States, the state or the city.

(9) Seasonal display or decoration not advertising a product, service or establishment.

(f) *Contractors.* No person shall engage in the business of construction, erecting, altering or maintaining signs that require a permit within the city until he is state certified or has a valid certificate of competency from the city.

(g) *Stop-work orders.* Upon notice from the building official or his designee that work on any sign or advertising structure is being done contrary to the provisions of this chapter or the Code or in a dangerous or unsafe manner, such work shall be immediately stopped. Such notice shall be in writing and shall be given to the owner of the property or to his agent or to the person doing the work, and shall state the condition upon which work may be resumed. Where an emergency exists, no written notice shall be required to be given by the building official.

(h) *Revocation of permit.* The building official may revoke a permit or approval, issued under the provisions of this chapter, in case there has been any false statement, concealment or misrepresentations as to a material fact in the application or plans on which the permit or approval was based.

(Code 1983, § 15-8; Code 1960, § 23A-8; Ord. No. J-144, § 1, 3-6-1995; Ord. No. J-200, § 1, 8-20-1996; Ord. No. J-345, § 2, 7-21-1997; Ord. No. K-520, § 1, 11-19-2007; Ord. No. L-86, § 3, 7-20-2009; Ord. No. 17-019, § 1, 6-19-2017; Ord. No. 19-010, § 7, 3-18-2019; Ord. No. 23-023, § 1, 4-17-2023)