

## **SIGNS**

### **§ 153.090 FINDINGS.**

The city finds:

(A) Exterior signs have a substantial impact on the character and quality of the environment;

(B) Signs provide an important medium through which individuals may convey a variety of messages;

(C) Signs can create traffic hazards, aesthetic concerns, and detriments to property values, thereby threatening the public health, safety, and welfare; and

(D) The city's zoning regulations have historically included the regulation of signs in an effort to provide adequate means of expression and to promote economic viability of the business community, while protecting the city and its citizens from a proliferation of signs of a type, size, location, and character that would adversely impact upon the aesthetics of the community and threaten the health, safety, and welfare of the community. The regulation of the physical characteristics of signs within the city has had a positive impact on traffic safety and the appearance of the community.

(Ord. 2018-10-3, passed 10-9-2018)

### **§ 153.091 PURPOSE AND INTENT.**

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

(A) Regulate the number, location, size, type, illumination, and other physical characteristics of signs within the city in order to promote the public health, safety, and welfare;

(B) To establish standards which permit property owners the opportunity to identify and advertise themselves, goods, or services; to preserve and protect the value of land, buildings, and landscapes, and promote the attractiveness of the community; to ensure that signs in the city are not a safety hazard to lives and/or property; to eliminate confusion in locating goods, services, and facilities, and to preserve order and to encourage business to erect permanent signs and discourage temporary and/or portable signs;

(C) Improve the visual appearance of the city while providing for effective means of communication, consistent with constitutional guarantees and the city's goals of public safety and aesthetics; and

(D) Provide for fair and consistent enforcement of the sign regulations set forth herein under the zoning authority of the city.

(Ord. 2018-10-3, passed 10-9-2018)

### **§ 153.092 EFFECT.**

A sign may be erected, mounted, displayed, or maintained in the city if it is in conformance with the provisions of this subchapter. The effect of this subchapter, as more specifically set forth herein, is to:

(A) Allow a wide variety of sign types in commercial zones, and a more limited variety of signs in other zones, subject to the standards set forth in this subchapter;

(B) Allow certain small, unobtrusive signs incidental to the principal use of a site in all zones when in compliance with the requirements of this subchapter;

(C) Prohibit signs whose location, size, type, illumination, or other physical characteristics negatively affect the environment and where the communication can be accomplished by means having a lesser impact on the environment and the public health, safety, and welfare; and

(D) Provide for the enforcement of the provisions of this subchapter.

(Ord. 2018-10-3, passed 10-9-2018)

### **§ 153.093 DEFINITIONS.**

For purpose of this subchapter, the following definitions shall apply unless the context clearly indicates or requires a different meaning.

**A-FRAME SIGN.** A moveable freestanding sign hinged at the top, or attached in a way that forms a shape similar to the letter "A" when viewed from the side.

**ABANDONED SIGN.** Any sign and/or its supporting sign structure that remains without a message, or whose display surface remains blank for more than 6 consecutive months, or that pertains to a time, event, or purpose that no longer applies. **ABANDONED SIGNS** are not legally established nonconforming signs.

**ADDRESS SIGN.** A sign communicating the street address and/or the name of the occupant of a property.

**ALTERATION.** Any major change to a sign excluding routine maintenance, painting, or changing of copy of an existing sign.

**ANIMATED SIGN.** A sign employing actual motion or the illusion of motion. **ANIMATED SIGNS** include signs or devices motivated by natural environmental input, signs powered by electric motors or other mechanically induced means, and signs producing the illusion of movement by means of electronic, electrical, or electromechanical input.

**AWNING.** A roof like cover, often of fabric, plastic, metal, or glass, designed and intended for protection from the weather or as a decorative embellishment, and which projects from a wall or a roof of a structure, primarily over a window, door, or the like.

**AWNING SIGN.** A sign displayed on or attached flat against the surface or surfaces of an **AWNING**. **AWNING SIGNS** must meet the same sign area standards as **WALL** and **CANOPY SIGNS**.

**BACK LIT.** Illuminated by a non-visible light source consisting of non-translucent lettering and where the only visible light is reflected off the background creating a halo effect. In all cases, the primary source of light must not be visible to the public.

**BALLOON.** A flexible, non-porous bag inflated with either air or helium that causes it to rise and float in the atmosphere which is greater than 24 inches in diameter.

**BANNER.** A temporary attention getting device which resembles a flag or similar type of advertisement constructed of a strip of cloth, paper, or other material supported either between poles or fastened to a building.

**BEACON.** Any light with 1 or more beams directed into the atmosphere or directed at 1 or more points not on the same lot as the light source; also, any light with 1 or more beams that rotate or move.

**BENCH SIGN.** A sign which is affixed or painted to a bench, such as a bus bench.

**BILLBOARD.** A freestanding sign adjacent to the right-of-way of an interstate.

**BUILDING ELEVATION.** The entire side of a building, from average ground level to the roofline, as viewed perpendicular to the walls on that side of the building.

**BUILDING FACADE.** That portion of any exterior elevation of a building extending from grade to the top of the parapet wall or eaves and the entire width of the building elevation.

**BUILDING SIGN.** Any sign attached or supported by any building, not parallel to the building wall to which it's attached.

**CANOPY.** A roof like structure projecting over a doorway or window, or a multi-sided overhead structure supported by columns, but not enclosed by walls.

**CANOPY SIGN.** Any sign that is part of or attached to a canopy, made of fabric, plastic, or structural protective cover over a door or entrance. A canopy sign is not a marquee and is different from a service area canopy sign.

**CHANGEABLE MESSAGE SIGN.** A sign with the capability of content change by means of manual or remote input, including signs that are manually or electrically activated without altering the face or the surface of the sign. Often known as **READER BOARD SIGNS**, **DYNAMIC DISPLAY SIGNS**, or electronic message boards.

**COMMERCIAL SPEECH.** Speech advertising a business, profession, commodity, service, or entertainment.

**COPY.** The wording and other display messages such as logos or symbols on a sign.

**DECORATIVE DISPLAY/ELEMENT.** Temporary balloons, streamers, pennants, and pinwheels which do not include words or symbols.

**DIRECTIONAL SIGN.** Any sign that is designed for the purpose of providing direction for pedestrian or vehicular traffic.

**DRIVE-THRU SIGN.** A sign located in close proximity to a drive-thru lane located on the subject site.

**DYNAMIC DISPLAY SIGN.** See **CHANGEABLE MESSAGE SIGN**.

**EGRESS.** Exiting a piece of property or building.

**ELEVATION.** The view of the side, front, or rear of a given structure(s).

**ERECT.** Activity of constructing, building, raising, assembling, placing, affixing, attaching, creating, painting, drawing, or any other way of bringing into being or establishing.

**EXTERIOR SIGN.** Any sign placed upon the exterior of a building.

**EXTERNALLY ILLUMINATED.** Characterized by the use of artificial light reflecting off its surface.

**FACADE.** The face of a building from the lowest exposed point to the roof.

**FLAG.** Any fabric or similar lightweight material attached at 1 edge or no more than 2 corners of the material, to a staff or pole, so as to allow movement of the material by atmospheric changes and which contains distinctive colors, patterns, symbols, emblems, insignia, or other symbolic devices or text. If any dimension of a flag is more than 3 times as long as any other dimension, it shall be regulated as a banner for the purposes of this subchapter.

**FLASHING SIGN.** See **ANIMATED SIGN.**

**FREESTANDING SIGN.** Any sign which has supporting framework that is placed on, or anchored in, the ground and which is independent from any building or any other structure.

**FRONTAGE.** The length of the exterior building wall or structure oriented toward the frontage road, or the dimension, in feet, of the parcel as measured along the street of the business mailing address.

**GOVERNMENT SIGN.** A sign erected by a government body.

**GRADE.** The final ground elevation after construction. Earth mounding for landscaping, berming, and/or screening is not part of the final grade for sign height computation.

**HEIGHT.** The height of the sign shall be computed as the vertical distance measured from the base of the sign at grade to the top of the highest attached component of the sign.

**HEIGHT, MAXIMUM.** The vertical distance measured from the average natural grade of the ground within 1 foot of the perimeter of the base of the sign or the center line of the adjacent road (whichever is higher), to the top of the sign.

**ILLEGAL SIGN.** A sign that is erected without first complying with all city ordinances and regulations in effect at the time of its construction and erection or use. Abandoned signs and unsafe signs are also illegal signs.

**ILLUMINATED SIGN.** Any sign that contains an element designated to emanate artificial light internally or externally.

**INGRESS.** Entering into a piece of property or building.

**INTERIOR SIGN.** Any sign placed within a building, but not including **WINDOW SIGNS.**

**INTERNALLY ILLUMINATED SIGN.** Illuminated by a light source, either incandescent, fluorescent, neon, or other light that is enclosed by the sign panel(s) or within the sign.

**LEGALLY ESTABLISHED NONCONFORMING SIGN.** Any sign and its support structure lawfully erected prior to the effective date of this subchapter which fails to conform to the requirements of this subchapter. A sign which was erected in accordance with a variance granted prior to the adoption of this subchapter and which does not comply with this subchapter shall be deemed to be a legal nonconforming sign. A sign which was unlawfully erected shall be deemed to be an **ILLEGAL SIGN.**

**LOT.** The entire parcel of land serving as the site of a principal use, and containing all principal and accessory buildings, structures or uses. For purposes of this subchapter, individual property designations such as tax parcel, platted lot, or metes and bounds descriptions shall not define the boundaries of each lot. If any portion of a use or structure used to identify the amount or type of regulation under this subchapter occupies a tax parcel, platted lot, or metes and bounds description, the entire tax parcel, platted lot, or metes and bounds described property shall be included in the **LOT.**

**MARQUEE.** Any permanent roof-like structure projecting beyond a building or extending along and projecting beyond the wall of that building, generally designed and constructed to provide protection from the weather.

**MONUMENT SIGN.** Any freestanding sign with its sign face mounted on the ground or mounted on a base at least as wide as the sign and which has a maximum height of 10 feet. The base of a monument shall not be calculated as part of the total sign area if designed and constructed of materials complementary and consistent with the building architecture.

**OBSOLETE SIGN.** On-premise sign that no longer advertises or identifies a use conducted on the property on which the sign is erected.

**OFFICIAL NOTICES.** Official notices posted by public officers, employees, or their agents in the performance of their duties, or as directed by such officers, employees, or agents.

**OWNER.** In the case of a lot, the legal owner of the lot as officially recorded by Chisago County, and including fee owners, contract for deed purchasers, and ground lessees. In the case of a sign, the owner of the sign including any lessees. An owner of a lot shall be ultimately responsible for compliance with this subchapter for any signs erected on its property.

**PARAPET.** That portion of a building wall that rises above the roof level.

**PENNANT.** See **BANNER.**

**PERMANENT SIGN.** Any sign that is not temporary.

**POLE SIGN.** See **PYLON SIGN.**

**PORTABLE SIGN.** Any sign which is manifestly designed to be transported, including by trailer or on its own wheels, even though the wheels of such sign may be removed and the remaining chassis or support is converted to another sign or attached temporarily or permanently to the ground since this characteristic is based on the design of such sign.

**PRINCIPAL BUILDING.** The building in which the principal use of the property occurs. Buildings with multiple principal uses shall not constitute multiple principal buildings (for example, 3 separate uses in a building is equal to 1 building). Storage buildings, garages, and other clearly accessory buildings shall not be considered principal buildings.

**PROPERTY.** Any lot or parcel of land which has been legally created and has been assigned a separate parcel identification number.

**PUBLIC RIGHT-OF-WAY.** The entire right-of-way of any public roadway and/or sidewalk. Also includes any publicly owned or operated property.

**READER BOARD SIGN.** See **CHANGEABLE MESSAGE SIGN.**

**RESIDENTIAL DISTRICT.** Any district zoned for residential uses.

**RESIDENTIAL PROPERTY.** A piece of land or real estate, consisting of 1 or more lots or parcels, where a residential dwelling and its associated accessory buildings or structures are located.

**ROADWAY.** Any street, road, highway, cartway, or alley, whether publicly or privately maintained. Roadway does not include driveways or parking lots.

**ROOF.** The exterior surface and its supporting structure on the top of a building or structure, the structural makeup of which conforms to the roof structures, roof construction, and roof covering sections of the Uniform Building Code.

**ROOF LINE.** The top edge of a peaked roof, or, in the case of an extended facade or parapet, the uppermost point of the facade or parapet.

**ROOF SIGN.** Any sign erected and constructed wholly on and above the roof of a building, supported by the roof structure, and extending vertically above the highest portion of the roof.

**SECURITY SIGN.** A sign identifying the presence of a security system.

**SIDEWALK.** Any public or quasi-public pedestrian walkway.

**SIGN.** Any letter, word or symbol, poster, picture, statuary, reading matter, or representation in the nature of advertisement, announcement, message, or visual communication, whether painted, posted, printed, affixed, or constructed, including all associated brackets, braces, supports, wires, and structures, which is displayed for informational or communicative purposes and intended to be viewed by the public.

**SIGN AREA.** The area of the board(s) or module(s) containing the sign message, but not including the supporting structure. The area to be calculated is the area within the smallest rectilinear perimeter that contains the entire signboard or module. The area of a sphere shall be computed as the area of a circle.

**SIGN FACE.** The surface of sign upon, against, or through which the message of the sign is exhibited.

**SIGN STRUCTURE.** Any structure including the supports, uprights, bracing, and framework which supports or is capable of supporting any sign.

**SITE.** A lot or combination of contiguous lots which are intended, designated, and/or approved to function as 1 integrated unit.

**STREET FRONTAGE.** The proximity of a parcel of land to 1 or more streets. An interior lot has 1 street frontage, and a corner lot has 2 frontages.

**TEMPORARY SIGN.** Any sign with words or symbols which is erected or displayed for a limited period of time, including signs affixed or attached to vehicles, including trailers, and capable of being readily removed such as fliers, **BANNERS**, inflatable signs, **A-FRAME SIGNS**, or flying signs.

**TENANT SPACE.** A tenant space is considered to be a business area that has its own exclusive interior or exterior entrance within a multiple-occupancy development.

**TOTAL SITE SIGNAGE.** The maximum permitted combined area of all freestanding and wall identification signs allowed on a specific property.

**UNSAFE SIGN.** Any sign that is out of order, in disrepair, rotten, hazardous, or in any other manner unsafe.

**VISIBLE.** Capable of being seen by a person of normal visual acuity (whether legible or not) without visual aid.

**WALL.** Any structure which defines the exterior boundaries or courts of a building or structure and which has a slope of 60 degrees or greater with the horizontal plane.

**WALL SIGN.** Any building sign attached parallel to, but within 2 feet of a wall, painted on the wall surface of, or erected and confined within the limits of an outside wall of any building or structure, which is supported by such wall or building, and which displays only 1 sign surface.

**WINDOW.** A panel of glass installed into an opening in a wall or roof; 1 opening equals 1 window even if it appears to be multiple windows by framing separators.

**WINDOW SIGN.** A sign affixed to, or inside of, a window in view of the general public. This does not include merchandise on display or business hours.

(Ord. 2018-10-3, passed 10-9-2018)

#### **§ 153.094 PERMIT REQUIRED.**

(A) *Permanent sign permit application.* Unless exempted under § 153.095, all persons seeking to place a sign within the

city limits and as regulated by the terms of this subchapter shall obtain a permit and pay the fee as set forth in the city's fee schedule at § 153.097. The content of the message or speech displayed on the sign shall not be reviewed or considered in determining whether to approve or deny a sign permit. The applicant shall first file an application in writing with the City Clerk. Every such application shall include:

- (1) Names, addresses, and phone numbers of the applicant, owner of the sign and lot, and the contact person from the firm erecting the signage;
- (2) The address at which any signs are to be erected;
- (3) The legal description of the property to which the application applies;
- (4) The street on which any signs are to front;
- (5) A complete set of plans showing the necessary elevations, distances, size, location on lot and/or on building, all existing signage on the premises, and details to fully and clearly represent the proposed sign request, to include a landscape plan;
- (6) Identify and describe the work completely, including size, height, location, materials, true colors, and lighting to be used. All applications must include color samples for review. Color rendition and intensity of lighting shall also be indicated;
- (7) Be accompanied by a site plan with dimensions and specifications sufficient to determine consistency with this and other applicable laws and ordinances;
- (8) Be signed by the applicant or authorized agent;
- (9) Provide such other information as may reasonably be required by the city;
- (10) A photo quality color rendering of all proposed signage showing its dimensions and describing materials, lettering, colors, illumination, and support structure;
- (11) The cost of the sign;
- (12) The type of sign (for example, wall sign and the like);
- (13) Certification by applicant indicating the application complies with all requirements of this subchapter;
- (14) If the proposed sign is along a state trunk highway or interstate highway, the application shall be accompanied by proof that the applicant has obtained a permit from the state for the sign;
- (15) All freestanding signs over 7 feet in height must submit construction plans prepared by a design professional licensed in Minnesota that comply with the requirements of the Minnesota State Building Code;
- (16) Underwriter Laboratories label or inspection label, if an electrical sign;
- (17) If requested, engineering data showing the structure is designed to accommodate dead load and wind pressure, in any direction;
- (18) Be accompanied by a fee as established by this code; and
- (19) Where signs may be integral with architecture, additional design requirements may be addressed in related sections of this code.

(B) *Permanent sign permit review.* The application shall be reviewed by the City Building Official to check compliance with the laws and ordinances under the city's jurisdiction. If the proposed sign is subject to the review and approval of the Planning Commission, and the sign permit application is found to be complete, the City Building Official shall add the sign permit request to the next Planning Commission agenda for review. The following defines the required permit approval process.

- (1) All permanent sign permit applications shall be reviewed by the Planning Commission.
- (2) *Expiration of permit.* Every permit issued by the city under the provisions of this subchapter shall become null and void if the sign or work authorized by such permit is not completed within 1 year from the date the permit is issued. The permit holder may request an extension in writing received by the city within 1 year of issuance of the permit. The City Council shall have the sole discretion to grant extensions for good cause shown.
- (3) *Right to appeal.* Any applicant who files an application for a permit and is denied shall have the right to an appeal under § 153.187.
- (4) *Sign removal.* Any signs constructed in the city without a permit shall constitute a public nuisance and shall be removed by and at the expense of the owner(s) of the sign. If the owner does not remove such sign(s) within 10 business days of receiving notice of noncompliance for failure to obtain a permit, the City Building Official may seek injunctive relief through a motion for summary enforcement, or obtain an administrative search and seizure warrant for removal of the sign in question. The city shall be entitled to reimbursement of all costs incurred by the city in removing and storing the sign. The city may hold a public or private sale of the sign and equipment supporting the sign at any time or place and on terms that are commercially reasonable, after notifying all persons known to claim an interest in the sign or equipment. In addition, the city may seek collection of all city costs incurred against the owner of the sign in any manner allowed by law.

(C) *Temporary sign permit requirements.* Temporary signs shall conform to the following conditions.

- (1) The sign may be posted for a maximum of 30 days.
- (2) Only 1 temporary sign allowed per business at a time.
- (3) The sign must not be torn, tattered, or faded.
- (4) The size of the sign may not exceed 48 square feet.
- (5) Annual license(s) must have been obtained for posting temporary signs for a calendar year.

(D) *Temporary sign permit application.* Unless exempted under § 153.095, all persons seeking to place a temporary sign within the city limits and as regulated by the terms of this subchapter shall obtain an annual permit and pay the fee as set forth in the city's fee schedule at § 153.097. The content of the message or speech displayed on the sign shall not be reviewed or considered in determining whether to approve or deny a sign permit. The applicant shall first file an application in writing with the City Clerk. Every such application shall include:

- (1) Names, addresses, and phone numbers of the owner of the sign;
- (2) The address at which any signs are to be erected;
- (3) The street on which any signs are to front;
- (4) A certification by applicant indicating the application complies with all requirements of this subchapter; and
- (5) If requested, an applicant shall provide:
  - (a) Permission from the property owner(s) to erect the sign; and
  - (b) Evidence the sign has received any required permits for county or state highways.

(Ord. 2018-10-3, passed 10-9-2018)

#### **§ 153.095 EXEMPTIONS.**

(A) The following signs shall be exempt from the provisions of this subchapter, except they must meet the general provisions under § 153.101 and this section.

- (1) Official notices authorized by a court, public body, or public safety official.
- (2) Interior window signs in business and industrial districts, subject to the following limitations:
  - (a) No more than 1/2 of any individual window is covered with signs or painting; and
  - (b) Window signs shall not be counted against the sign area permitted for other sign types.
- (3) Interior signs.
- (4) Directional, warning, or informational signs authorized by federal, state, or municipal governments, provided they do not exceed 48 square feet.
- (5) Pedestrian, vehicular traffic, and parking directional signs in parking lots or on buildings, provided such signs are no more than 8 square feet in area and 6 feet in height. For a parcel, a maximum of 1 such sign shall be allowed at each access/egress point of a development. No advertising message of any kind is allowed on these signs.
- (6) Memorial tablets, names of buildings, and date of erection, when cut into any masonry surface or when constructed of bronze or other incombustible material.
- (7) Headstones, gravestones, grave markers, or other similar signs attached to, or adjacent to, a burial plot, columbarium, mausoleum, or the like.
- (8) Flags, subject to the following (any individual flag in excess of these amounts shall be regulated as a sign):
  - (a) Public, Commercial, and Industrial zoned properties: 150 square feet; and
  - (b) Residential zoned properties: 40 square feet.
- (9) Awnings without printing, with the exception of street address number (number only), are considered an architectural feature and are not regulated by this section.
- (10) Canopies without printing, with the exception of a street address number (number only), are considered an architectural feature and are not regulated by this section.
- (11) Street address signs, and combination nameplate and street address signs which contain no advertising copy and which do not exceed 6 square feet in area.
- (12) Temporary signs, not more than 4 square feet and in place no longer than 4 days per event. These may not be placed on public rights-of-way or attached to trees or utility poles. The city shall have the right to remove and dispose of signs not conforming to this division.

(13) Bulletin boards.

(14) Signs denoting the architect, engineer, or contractor working upon a work site and real estate signs pertaining to the sale, development, or rental of the property. Such signs shall be removed within 10 days after completion of construction or the sale, lease, or development of 90% of the property. No more than 2 such signs will be allowed at 1 time. The total area of all such signs on a property shall not exceed 48 square feet.

(15) Government signs in all districts.

(16) Signs that are not visible beyond the boundaries of the lot or parcel upon which they are located.

(17) Security signs.

(18) Signs required by law.

(19) Signs which are integrally attached to or part of:

(a) Waste roll-offs, dumpsters, garbage cans, vending or dispensing machines, portable storage units, or other similar equipment owned and maintained by a commercial business for the purpose of waste collection or temporary storage;

(b) Personal property or motor vehicles such as, but not limited to, passenger vehicles, snowmobiles, all-terrain vehicles, trucks, semi-tractors and trailers, recreational vehicles, fish houses, boats, boat lifts, and trailers; and

(c) Construction materials or equipment.

(20) Any sign attached to, or placed on, a vehicle or trailer parked on public or private property, except for signs meeting the following conditions:

(a) The primary purpose of such vehicle or trailer is not the display of signs;

(b) The signs are magnetic, decals, or painted upon an integral part of the vehicle or equipment as originally designed by the manufacturer, and do not break the silhouette of the vehicle; and

(c) The vehicle or trailer is in operating condition, currently registered and licensed to operate on public streets when applicable, and actively used in the daily function of the business to which such signs relate.

(21) Decorative display and/or elements.

(B) No exempt sign may be illuminated, except for the following:

(1) Uplighting of official federal, state, county, or city flags; and

(2) Lighting of official federal, state, county, or city government signs as need by the government body.

(Ord. 2018-10-3, passed 10-9-2018)

### **§ 153.096 PROHIBITED SIGNS.**

The following signs are unauthorized signs and are prohibited by this subchapter.

(A) Any sign, signal, marking, or device which purports to be, or is, an imitation of or resembles any official traffic control device, railroad sign or signal, or emergency vehicle signal.

(B) Signs in public rights-of-way. Signs erected or temporarily placed within any street right-of-way, upon public lands or easements, or other public right-of-ways, except as this subchapter specifically provides, or as subject to a license or franchise of the city. The city may allow signs or decorations on, over, or within the right-of-way for a specified period of time, in its discretion.

(C) Signs obstructing ingress or egress. A sign or sign structure erected or maintained that prevents free ingress or egress from any door, window, fire escape, stairway, or other opening.

(D) Fire escapes. A sign or sign structure attached to a standpipe or fire escape.

(E) Abandoned signs. Such signs shall be removed within 30 days after written notice from the city.

(F) Traffic obstruction. Any sign that obstructs the vision of drivers or pedestrians, or detracts from the visibility of any official traffic control device.

(G) Flashing and moving signs. Except where specifically permitted, any sign displaying any moving parts, rotating, illuminated with any flashing or intermittent lights, or any animated sign. Clocks and barber poles are exempt from this provision.

(H) Temporary or portable signs, except as permitted by a temporary sign permit.

(I) Signs on rocks, trees, fences, or public structures. Signs painted, attached, or in any other manner affixed to trees, rocks, or similar natural surfaces, or on street/traffic signs, utility poles, bridges, towers, or similar public structures.

(J) Bench signs or signs affixed to amenities such as trash receptacles and the like, located in the public right-of-way, unless approved by the city.

(K) Illuminated signs in which light is directed onto adjacent property or public streets. Search lights and beacons, and all methods of attracting attention by directing light radiation away from a sign surface, are also prohibited, except where specifically permitted.

(L) Any sign which becomes structurally unsafe or endangers the safety of a building or premises or endangers the public safety, must be taken down and removed by the owner, agent, or person having the beneficial use of the building, structure, or land upon which the sign is located.

(M) Signs located in such a manner as to obstruct or otherwise interfere with an official traffic sign, signal, or device, or obstruct or interfere with a driver's view of approaching, merging, or intersecting traffic.

(N) Except as provided for elsewhere in this subchapter, private signs encroaching upon or overhanging public right-of-way. No sign shall be attached to any utility pole, light standard, street tree, or any other public facility located within the public right-of-way.

(O) Signs that blink, flash, or are animated by lighting in any fashion that would cause such signs to have the appearance of traffic safety signs and lights, or municipal vehicle warnings visible from the roadway.

(P) Portable signs except as allowed for temporary signs.

(Q) Inflatable or flying devices such as, but not limited to, balloons, streamers, or pinwheels, except those that are permitted temporary signs.

(R) Signs that are structurally unsafe or in disrepair or which create a hazard by their condition, location, or lighting.

(S) Permanent signs or placards of any size attached or added to any sign beyond that included in the application and permit.

(T) Animated signs as defined in this subchapter, except flashing signs primarily giving time, date, temperature, weather conditions, or similar public information.

(U) Roof signs extending above the peak of the roof.

(V) Exterior neon signs.

(W) A sign that violates any provision of any law of the state.

(X) Audio components are prohibited on any sign, with the exception of those utilized for the visually impaired and for 2-way communication.

(Y) Any form of pyrotechnics is prohibited.

(Z) Any sign which is obscene, as defined by M.S. § 617.241, Subd. 1(a) shall be considered a public nuisance and is prohibited.

(AA) Any sign which emits an audible sound, odor, or visible matter shall be considered a public nuisance and is prohibited.

(BB) Any sign that is torn, tattered, or faded, including temporary signs.

(Ord. 2018-10-3, passed 10-9-2018)

#### **§ 153.097 FEES.**

(A) Sign permit fees are set forth in Chapter 34 of this code.

(B) Where work for which a permit is required by this subchapter is started or proceeded prior to obtaining a permit, the fee as provided by the City Council shall be doubled. Payment of such double fee shall neither relieve any persons from fully complying with the requirements of this subchapter in the execution of the work, nor from any other penalties prescribed herein.

(C) The city may assign a fee per sign for persons wishing to retrieve signs removed by city personnel as identified in the fee schedule.

(D) The city may also charge the costs of removal to the individual or enterprise responsible or property owner.

(Ord. 2018-10-3, passed 10-9-2018)

#### **§ 153.098 REPAIRS.**

(A) All signs must be maintained in a safe, neat, and orderly condition and appearance, and must be repainted or otherwise maintained by the property owner to prevent corrosion or deterioration caused by the weather, age, or any other condition.

(B) All signs must be maintained to prevent any kind of safety hazard, including faulty sign structures, a fire hazard, or an electrical shock hazard.

(C) All unused sign hardware or wiring that is visible from the right-of-way must be removed.



(D) The owner, lessee, or manager of any sign that contacts the ground and the owner of the land on which the same is located shall keep grass, weeds, and other growth cut and shall remove all debris and rubbish from the area beneath the sign.

(E) No matter shall be permitted to hang loose from any sign. It shall be the duty of every person maintaining a sign to keep and preserve the lot or parcel of land on which such sign is erected at all times clean, inoffensive, and free and clear of any garbage, refuse weeds, rubbish, paper, or other offensive material of any kind and description, which may be deposited or gathered thereon and to keep the same removed at all times for a space equal to 20 feet from any portion of such sign.

(Ord. 2018-10-3, passed 10-9-2018)

#### **§ 153.099 REMOVAL.**

Signs which may be or may hereafter become rotted, unsafe, or unsightly shall be repaired or removed by the owner or lessee of the property upon which the sign stands upon reasonable notice (30 days) by the city. The owner, lessee, or manager of any sign that contacts the ground and the owner of the land on which the same is located shall keep grass, weeds, and other growth cut, and shall remove all debris and rubbish from the area beneath the sign. If the owner, lessee, or manager of the property fails to act in accordance with this section, such failure to act shall constitute a public nuisance, and the city may seek injunctive relief through a motion for summary enforcement, or obtain an administrative search and seizure warrant for removal of the sign in question. All costs incurred for removal may be charged to the owner of the sign and/or property owner and if unpaid, certified to the Chisago County Auditor as a lien against the property on which the sign was located.

(Ord. 2018-10-3, passed 10-9-2018)

#### **§ 153.100 NONCONFORMING SIGNS.**

Any sign legally existing at the time of the passage of this subchapter that does not conform in use, location, height, or size with the regulations of the zone in which such sign is located shall be considered a legal nonconforming use or structure and may continue in such status until such time as it is either abandoned or removed by its owner, subject to the following limitations.

(A) Signs are to be brought into conformance when reconstructed after being damaged or destroyed by any means to an extent of more than 50% of estimated market value and no building permit has been applied for within 180 days, or when replaced or relocated.

(B) For signs, structural alterations, maintenance, and improvements are permissible only where such alterations, maintenance, and improvements will not increase the degree of nonconformity of the signs.

(Ord. 2018-10-3, passed 10-9-2018)

#### **§ 153.101 DESIGN AND CONSTRUCTION STANDARDS.**

All signs constructed, erected, modified, or altered must comply with the provisions of this section and the requirements of this code.

(A) *Construction standards.* All signs shall be designed, constructed, and maintained in accordance with the following standards.

(1) Signs shall be consistent and harmonious with the architectural style of the subject and surrounding properties.

(2) The size and style of graphics, its scale, proportion, design, material, and texture as well as the size and style of the letters shall relate to the building to which it refers and/or is attached and with the property and the district that surrounds it.

(3) The architecture of the building should allow for specific locations for signs, and signage should be limited to those areas.

(4) Signs should be an integral part of the design of storefront alterations and new constructions. Signs should not obscure architectural elements of structures.

(5) The design and alignment of signs on multiple use buildings shall be coordinated so as to achieve a unified appearance.

(6) All signs shall comply with applicable provisions of any applicable Building Code and Electrical Code. Freestanding signs are considered structures and shall meet requirements of the Building Code, including inspection by the Building Inspector.

(7) Unless otherwise noted all signs shall be constructed of permanent materials and shall be permanently attached. Signs constructed with high-quality, natural materials, such as stone, glass, wood, brick, and similar materials are preferred.

(8) Painting, repainting, cleaning, and normal maintenance and repair of a sign or sign structure is required to protect the sign and prevent its deterioration and maintain its neat appearance. Such maintenance is allowed without permit unless a structural change is made.

(9) Supports and braces must be designed as an integral part of the overall sign design and hidden from public view to the extent technically feasible.

(10) All signs attached to a building must be installed and maintained so that wall penetrations are watertight and the structure does not exceed allowable stresses of supporting materials.

(11) Glass forming any part of a sign must be safety glass.

(12) All letters, figures, characters, or representations in cut-out or irregular form, maintained in conjunction with, attached to, or superimposed upon any sign must be safely and securely built into or attached to the sign structure .

(13) *Glare*. In all zoning districts, any lighting shall be arranged so as not to shine directly on any adjoining property . A person shall not conduct a use that has a source of illumination that produces glare clearly visible beyond a property line or creates a sensation of brightness within a visual field so as to cause annoyance, discomfort, or impairment of vision. The use of lenses, deflectors, shields, louvers, or prismatic control devices shall be used to eliminate nuisance and hazardous lighting to facilitate compliance with this requirement.

(B) *Sign dimension measurement methodology.*

(1) Description of zoning districts.

<b>Abbreviation</b>	<b>District name</b>
R1	Single Family Residential District
R2	One and Two Family Residential District
R-3A	Multiple Family Residential - Townhomes District
R-3B	Multiple Family Residential - Apartments District
R-M	Manufactured Home Park District
CBD	Central Business District
GB	General Business District
LI	Light Industrial District
I	Industrial District
SL	Shoreland District
PUD	Planned Unit Development
A	Agriculture District
P	Park District
OS	Open Space District

(2) Signs allowed by district.

<b>District</b>	<b>Sign description</b>	<b>Maximum size</b>	<b>Conditions</b>
Residential Districts - R1, R2, R-3A, R-3B, R-M, and PUD	Changeable message sign . A sign with the capability of content change by means of manual or remote input, including signs that are manually or electrically activated without altering the face or the surface of the sign . Often known as reader board signs , dynamic display signs , or electronic message boards.	32 square feet	Only non-residential uses
	Monument sign . Any freestanding sign with its sign face mounted on the ground or mounted on a base at least as wide as the sign and which has a maximum height of 10 feet. The base of a monument shall not be calculated as part of the total sign area if designed and constructed of materials complementary and consistent with the building architecture.	36 square feet	

Temporary sign . Any sign with words or symbols which is erected or displayed for a limited period of time, including signs affixed or attached to vehicles, including trailers, and capable of being readily removed such as fliers, banners, inflatable signs , A-frame signs , or flying signs .	48 square feet	
Window sign . A sign affixed to or inside of a window in view of the general public. This does not include merchandise on display or business hours.	35% of one window	Only one window sign per property

<i>District</i>	<i>Sign description</i>	<i>Maximum size</i>	<i>Conditions</i>
<i>District</i>	<i>Sign description</i>	<i>Maximum size</i>	<i>Conditions</i>
Commercial Districts - CBD and GB Industrial Districts - LI and I	A-frame sign. A moveable freestanding sign hinged at the top, or attached in a way that forms a shape similar to the letter "A" when viewed from the side.	6 square feet each side	Not on sidewalk Displayed during daylight business hours only
	Adult use signage	See § 153.105	See § 153.105
	Awning sign . A sign displayed on or attached flat against the surface or surfaces of an awning. Awning signs must meet the same sign area standards as wall and canopy signs .	80% of total size of the awning	
	Building sign . Any sign attached or supported by any building, not parallel to the building wall in which its attached.	1 foot wide by 3 feet long	The bottom of the sign is at least 7 feet from the walking surface
	Canopy sign . Any sign that is part of or attached to a canopy, made of fabric, plastic, or structural protective cover over a door or entrance. A canopy sign is not a marquee and is different from service area canopy signs .	80% of total size of the canopy	
	Changeable message sign . A sign with the capability of content change by means of manual or remote input, including signs that are manually or electrically activated without altering the face or the surface of the sign . Often known as reader board signs , dynamic display signs , or electronic message boards.	32 square feet	
	Drive-thru sign . A sign located in close proximity to a drive-thru lane located on the subject site .	72 square feet	One per drive-thru lane
	Freestanding sign . Any sign which has supporting framework that is placed on, or anchored in the ground and which is independent from any building or any other structure.	CBD and GB - the maximum height may not exceed the height of adjacent street lighting	

<p><b>Monument sign</b> . Any freestanding sign with its sign face mounted on the ground or mounted on a base at least as wide as the sign and which has a maximum height of 10 feet. The base of a monument shall not be calculated as part of the total sign area if designed and constructed of materials complementary and consistent with the building architecture.</p>	80 square feet	
<p><b>Temporary sign</b> . Any sign with words or symbols which is erected or displayed for a limited period of time, including signs affixed or attached to vehicles, including trailers, and capable of being readily removed such as filers, banners , inflatable signs , A-frame signs , or flying signs .</p>	48 square feet	
<p><b>Wall sign</b> . Any building sign attached parallel to, but within 2 feet of a wall , painted on the wall surface of, or erected and confined within the limits of an outside wall of any building or structure, which is supported by such wall or building, and which displays only 1 sign surface.</p>	40% of the face of the building	
<p><b>Window sign</b> . A sign affixed to or inside of a window in view of the general public. This does not include merchandise on display or business hours.</p>	50% of the size of the window .	

<b>District</b>	<b>Sign description</b>	<b>Maximum size</b>	<b>Conditions</b>
Parks and Open Space - P and OS	<p><b>Ballfield</b>. Signs placed on ballfield fencing.</p>	80% of the fence section on which the sign is affixed	
	<p><b>Freestanding sign</b> . Any sign which has supporting framework that is placed on, or anchored in the ground and which is independent from any building or any other structure.</p>	The maximum height may not exceed the height of adjacent street lighting	
	<p><b>Monument sign</b> . Any freestanding sign with its sign face mounted on the ground or mounted on a base at least as wide as the sign and which has a maximum height of 10 feet. The base of a monument shall not be calculated as part of the total sign area if designed and constructed of materials complementary and consistent with the building architecture.</p>	36 square feet	
	<p><b>Temporary sign</b> . Any sign with words or symbols which is erected or displayed for a limited period of time, including signs affixed or attached to vehicles, including trailers, and capable of being readily removed such as filers, banners , inflatable signs , A-frame signs , or flying signs .</p>	48 square feet	

<p><b>Wall sign</b> . Any building sign attached parallel to, but within 2 feet of a wall , painted on the wall surface of, or erected and confined within the limits of an outside wall of any building or structure, which is supported by such wall or building, and which displays only 1 sign surface.</p>	<p>40% of the face of the building</p>	
<p><b>Window sign</b> . A sign affixed to or inside of a window in view of the general public. This does not include merchandise on display or business hours.</p>	<p>50% of the size of the window</p>	

<b>District</b>	<b>Sign description</b>	<b>Maximum size</b>	<b>Conditions</b>
Agricultural - A	<p><b>Monument sign</b> . Any freestanding sign with its sign face mounted on the ground or mounted on a base at least as wide as the sign and which has a maximum height of 10 feet. The base of a monument shall not be calculated as part of the total sign area if designed and constructed of materials complementary and consistent with the building architecture.</p>	<p>36 square feet</p>	
	<p><b>Temporary sign</b> . Any sign with words or symbols which is erected or displayed for a limited period of time, including signs affixed or attached to vehicles, including trailers, and capable of being readily removed such as filers, banners, inflatable signs , A-frame signs , or flying signs .</p>	<p>48 square feet</p>	
	<p><b>Wall sign</b> . Any building sign attached parallel to, but within 2 feet of a wall , painted on the wall surface of, or erected and confined within the limits of an outside wall of any building or structure, which is supported by such wall or building, and which displays only 1 sign surface.</p>	<p>40% of the face of the building</p>	

(C) *Total site signage* . The total permanent signage allowed perproperty is 7% of the total building footprint in square feet or 500 square feet total whichever is less.

(D) *General measurement of sign area* . Sign area is measured as follows.

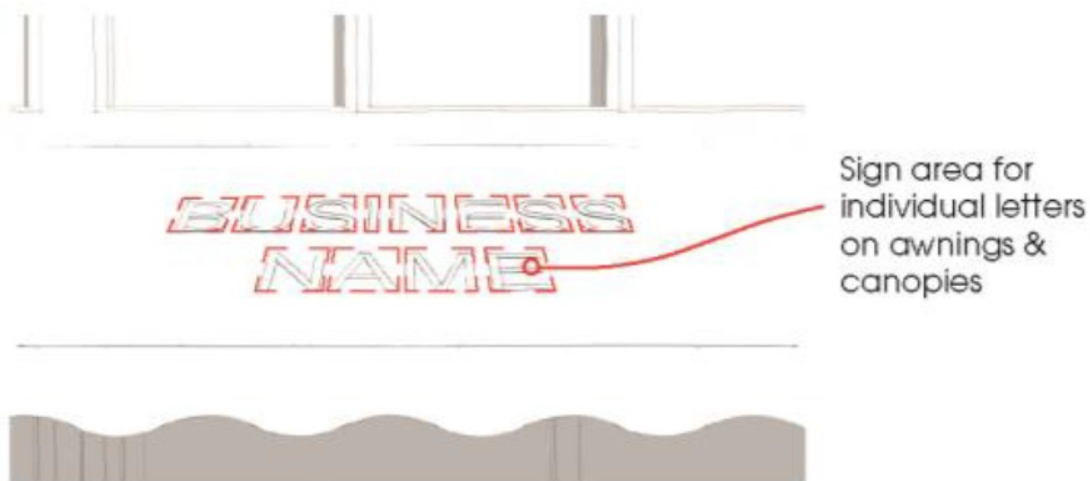
(1) For signs on a background, the entire area of the framework or background of the sign is calculated as sign area , including any material or color forming the sign face or background used to differentiate the sign from the structure against which it is placed. Sign area does not include any supports or bracing, unless such framework or bracing is part of the message or sign face .



(2) For signs consisting of freestanding letters or logos, the sign area is calculated as the total area of each square, circle, rectangle, or triangle, or combination thereof, that encompasses each individual letter or logo. Sign area does not include any supporting framework or bracing, unless such framework or bracing is part of the message or sign face .

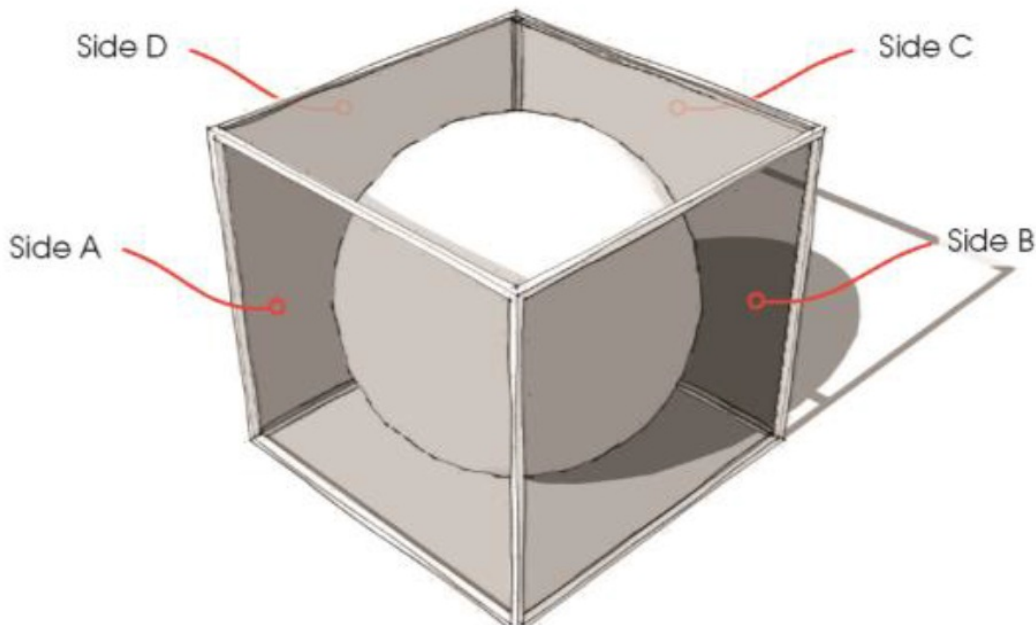


(3) For awning and canopy signs , the sign area is the printed area of the awning or canopy , calculated as the total area of each square, circle, rectangle, or triangle, or combination thereof, that encompasses each individual letter or logo.



(4) Window signs printed on a transparent film and affixed to the interior or exterior of a windowpane are calculated as individual letters or logos, provided that the portion of the transparent film around the perimeter of the individual letters or logos maintains 100% transparency of the window . Transparency is defined as both the ability to view into the interior of the establishment from the outside and to view the outside from the interior of the establishment through the same area.

(5) The sign area of a three-dimensional, free-form, or sculptural (non-planar) sign is calculated as 50% of the sum of the area of the 4 vertical sides of the smallest cube that will encompass the sign .



(6) If a sign has 2 or more faces, the area of all faces is included in determining the area of the sign, unless the 2 sign faces are placed back-to-back and are no more than 2 feet apart. In such case, the sign area is calculated as the area of 1 face. If the 2 faces are unequal in area, the area of the larger face is used to calculate sign area.

(7) Necessary supports or uprights on which the sign is erected are not included in the sign area computation.

(8) *Computation of sign face area.* The area of a sign face enclosed in a frame or cabinet shall be determined on the basis of the outer dimensions of the frame or cabinet surrounding the sign face. Where the frame or cabinet is not in the shape of a rectangle, square, triangle, or circle, the sign face area shall be determined by calculating the area of an imaginary rectangle drawn around the frame or cabinet.

(9) *Back-to-back signs.* When the faces of a back-to-back sign are parallel or within 35 degrees of parallel, the sign face area shall be determined on the basis of only 1 side of such sign. If the sign faces are not within 35 degrees of parallel, the sign face area shall be determined on the basis of the sum of the areas of each sign face.

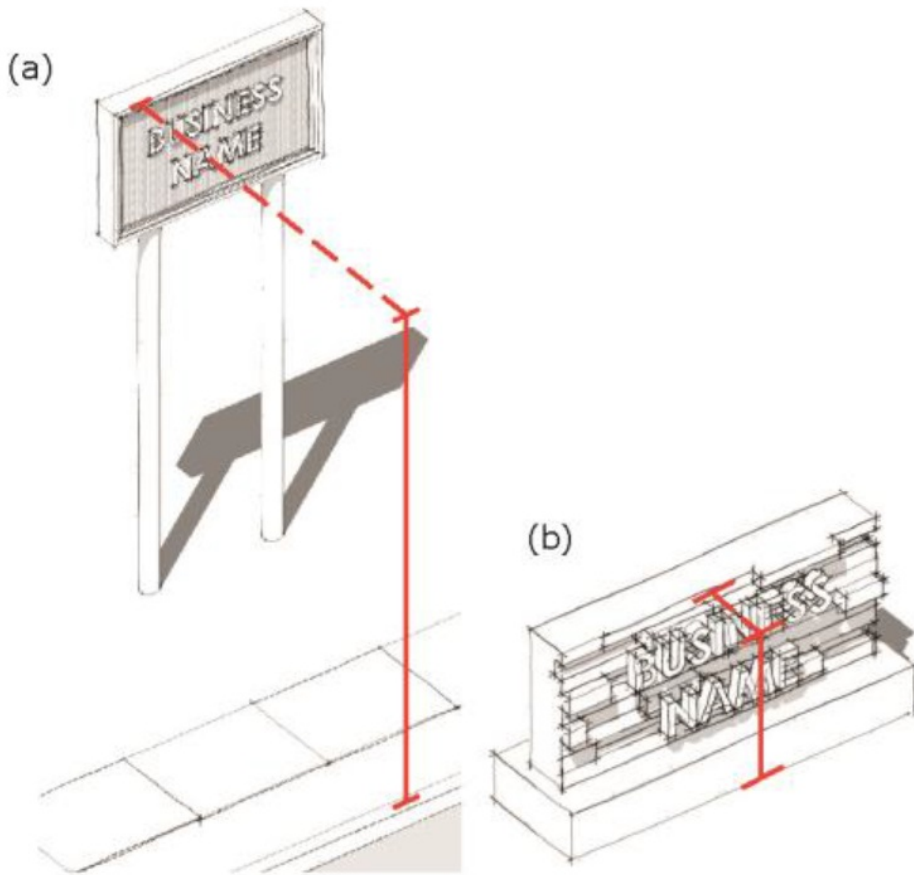
(10) *Multiple-framed signs.* For freestanding and projecting signs that contain multiple frames on a single structure and oriented in the same direction, the sign face area shall be determined on the basis of the sum of the areas of each cabinet.

(11) *Individual elements.* When signs are constructed of individual elements (for example, letters and logos) attached to a building or wall, the sign face area shall be determined by calculating the area of an imaginary rectangle drawn around the sign elements.

(E) *General measurement of sign height.*

(1) Pole sign height is measured from the grade to the uppermost point of the sign. Grade is established by the elevation of the back of curb or, if no curb exists, from the edge of pavement at the center of the abutting street frontage where the sign will be erected. The pole sign height may also be measured from the natural slope of the lot where the sign will be erected.

(2) Monument sign height is measured from the existing lowest point of the ground where the monument sign is to be installed to the uppermost point of a sign.



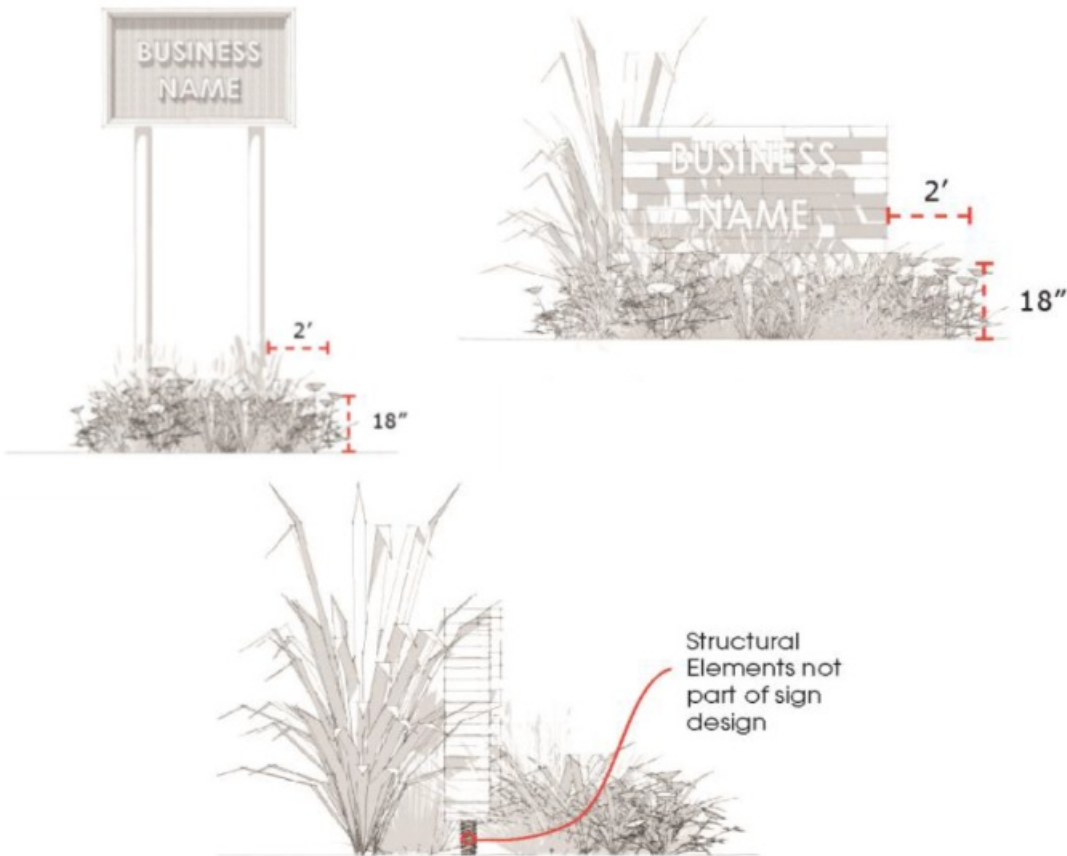
(F) *Required landscaping.* All freestanding signs must be landscaped at the base of the sign in accordance with the following.

(1) Freestanding signs must be landscaped with small shrubs and perennials a minimum of 18 inches in height at planting, spaced appropriately based on mature height, and spread to provide continuous screening of the sign base once the shrubs have reached maturity. The remainder of the landscape area must be planted with perennials, turf, or other live ground-cover.

(2) Landscape must extend a minimum of 2 feet from the sign base on all sides. All landscaping must be maintained in good condition, and free and clear of rubbish and weeds. Landscape around the base of a sign is included in the total amount of landscape required on a site, if applicable.

(3) *Landscaping scaled to size of sign.* Landscape may be trimmed and maintained along the sign base to maintain visibility of the sign face.





(G) *Illumination standards.* Except where otherwise stated in this subchapter, signs may be illuminated by artificial light sources.

(1) Only business signs on the premises may be lighted. Signs shall not be erected or maintained which are not effectively shielded so as to prevent:

- (a) Beams or rays of light from being directed at any portion of the traveled way of any street or highway;
- (b) Beams of such intensity or brilliance as to cause glare, impair the vision of the operator of any motor vehicle, or be confused with vehicle lights; and
- (c) Beams or rays of light that cause negative impacts on adjacent properties.

(2) The sign face of internally illuminated signs must function as a filter to diffuse illumination. The sign face must cover all internal illumination components so that no exposed bulbs are visible .

(3) The use of neon lighting as a sign material or sign accent is permitted for signs within the CB, GB, LI, and I zoning districts, with the exception of the AG, RR, R1, R2, R-3A, R-M, SL and WMA districts where it is prohibited. Neon lighting is subject to the following conditions.

- (a) When lit, neon lighting must be continuously illuminated. Flashing neon is prohibited.
  - (b) Neon lighting cannot be combined with any reflective materials (for example, mirrors, polished metal, highly-glazed tiles, or other similar materials) that would cause glare and increase the spread of light.
  - (c) Neon lighting to outline doors and/or windows is prohibited.
- (4) The use of LED lighting as a sign accent is permitted, subject to the following.
- (a) LED lighting as an accent is only permitted for non-residential uses in the CB, GB, LI, and I districts. LED accent lighting is prohibited in any residential district .
  - (b) LED lighting as an accent must comply with all illumination requirements of a changeable message center sign .
  - (c) When lit, LED lighting must be continuously illuminated. Flashing LED is prohibited.
  - (d) LED lighting cannot be combined with any reflective materials (for example, mirrors, polished metal, highly-glazed tiles, or other similar materials) that would cause glare and increase the spread of light.
  - (e) LED lighting to billboards , freestanding monument signs , outline doors, windows, any part of a structure and automobile and filling station gas canopies is prohibited.

(f) LED lighting to outline free standing pole signs is allowed but lighting must conform to the same brightness standards as changeable message centers as identified in § 153.104(D)(8).

(5) The proposed lighting will not unreasonably harm or restrict public health, safety, and welfare, or create a nuisance, and shall be limited by the following measurements.

(a) The amount of illumination attributable to exterior lighting from a property shall not exceed 1 foot-candle when measured at any boundary line with an adjoining property .

(b) Any light intensity measurement taken at the property line shall be measured at the greatest point of illumination of said property line. Any measurements to determine the maximum lighting levels of a site will be measured at eye level and aimed at the light source.

(H) Sign *setbacks*. In all districts signs shall be set back 10 feet from the lot lines. Signs shall not be allowed in any utility easement in any district.

(Ord. 2018-10-3, passed 10-9-2018)

### **§ 153.102 DEVELOPMENT COMPLEX SIGNAGE.**

The following standards apply to signs for development complexes for properties with 2 or more tenants:

(A) Development complexes may display 1 development complex sign. This sign can be a freestanding sign, a monument sign, or a wall sign, and each sign shall be limited to the maximum wall size permitted in the district.

(B) Individual tenants of multiple occupancy structures shall not display separate business signs unless the tenants' business has an exclusive exterior entrance. The number of signs shall be limited to 1 wall sign per entrance, and each sign shall be limited to the maximum wall size permitted in the district. The signs shall be located only on exterior walls that are directly related to the use being identified.

(C) If there is a development complex with 3 or more tenants that does not have exclusive exterior entrances, a directory sign shall be permitted for each common public entrance. Each directory sign area shall not exceed a total of 24 square feet and shall be located within 25 feet of the common public entrance being served. The size of individual business identification signing within the directory shall be established during the review process. Attention shall be given to the possible number of tenant or occupancy bays that may be served by the common public entrance for which the directory sign is intended.

(D) A sign plan shall be required for all development complexes consisting of 3 or more tenant spaces in commercial areas. The plan shall be filed with the project application and shall be processed concurrently. The purpose of the plan shall be to integrate signs with building and landscaping design to form a unified architectural statement. This shall be achieved by:

(1) Using the same type of cabinet supports or method of mounting for signs and the same type of construction material for components, such as sign copy, cabinets, returns, and supports, allowing for uniformity and quality in appearance;

(2) Using the same form of illumination of the signs; and

(3) For wall signs, specifying uniform sign positioning for both anchor tenants and minor tenants.

(Ord. 2018-10-3, passed 10-9-2018)

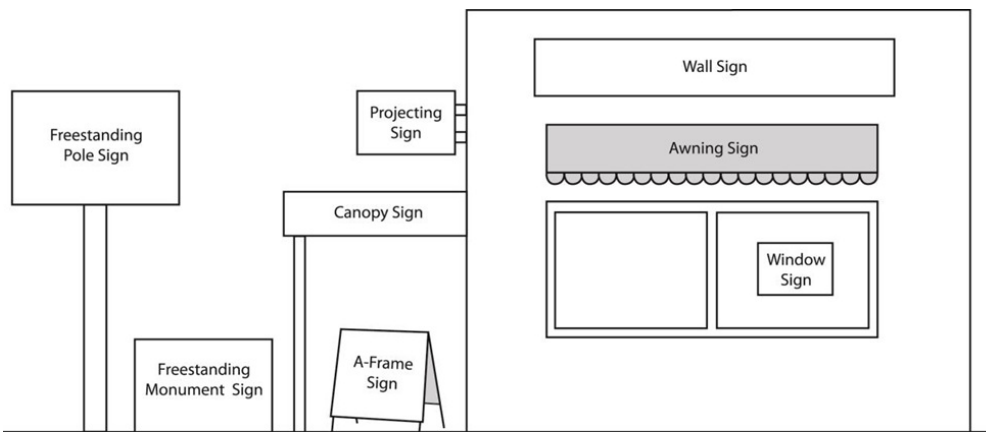
### **§ 153.103 VARIANCES.**

The City Council shall have the authority to approve or deny variances from the provisions of this subchapter. An applicant for variance shall proceed as required under § 153.188.

(Ord. 2018-10-3, passed 10-9-2018)

### **§ 153.104 TYPES OF SIGNS.**

Examples of common signs:



(A) *A-frame signs.* A-frame signs are permitted as indicated in §153.101(B)(2), subject to the following regulations.

(1) A-frame signs are limited to 6 square feet in area per side and 4 feet in height. The use of A-frame signs is limited to business hours only and may only be displayed during daylight hours. Signs must be stored indoors at all other times.

(2) An A-frame sign must be placed on the property where the business is located and within 10 feet of the primary entrance of the business or out of the right-of-way in front of the property. A-frame signs must provide an unobstructed sidewalk width of at least 5 feet for pedestrian passage and must not interfere with pedestrian traffic or violate standards of accessibility.

(3) The permit applicant must provide and maintain in force a certificate of insurance, in a form approved by the city, that evidences that the applicant has in force insurance in the minimum amounts required by the city for bodily injuries or property damage in any 1 year protecting such person or organization and the city against liability for injuries or damages resulting from the placement of such objects or materials in the public right-of-way. Proof of insurance must be renewed on an annual basis.

- (4) A-frame signs are permitted in the commercially zoned districts only.
- (5) Only 1 A-frame sign is permitted per business.
- (6) The sign shall be professionally painted and maintained in a neat and readable manner.
- (7) Signs shall not be staked into the ground.
- (8) Signs shall not be lighted and shall not utilize noise amplifiers.
- (9) Properties which have a changeable message sign may not display an A-frame sign.
- (10) Signs may be displayed only during hours of operation.

(B) *Awning signs.* Awnings without printing, with the exception of a street address number (number only), are considered an architectural feature and are not regulated by this section. Awning signs are permitted as indicated in § 153.101(B)(2), subject to the following regulations.

- (1) Awning signs must maintain a minimum vertical clearance of 7 feet 6 inches.
- (2) Awning signs must be located a minimum of 18 inches from the back of curb.
- (3) Awning signs must comply with Minnesota State Building and Fire Codes, including provisions for encroachment into the public right-of-way, structural requirements, sprinkler protections, and similar regulations.
- (4) Awning signs must be made of a durable, weather-resistant material like canvas, canvas-like material, nylon, vinyl-coated fabric, or metal. Solid, flat-roofed awnings may also be made out of finished wood, wood and plastic composites, metal, or metal cladding.
- (5) Printing on any awning sign is limited to 30% of the surface area.
- (6) Awning signs are permitted lettering attached to and located above the top of a solid awning to a maximum height of 24 inches. Signs mounted to solid, flat roofed awnings are limited to individually-mounted letters with internal illumination (if illuminated), or a sign board with external illumination; no internally illuminated cabinet signs.
- (7) Awning signs may illuminate the printed area of the awning with gooseneck or similar external illumination. Back lit awnings are prohibited.
- (8) Under-awning signs are permitted subject to the following.
  - (a) Under-awning signs must be attached to the underside of an awning. Under-awning signs may not project beyond the awning.
  - (b) Under-awning signs must maintain a minimum vertical clearance of 7 feet.

(c) A maximum of 1 under-awning sign is permitted per business establishment with frontage on the street where the awning is mounted.

(d) Each under-awning sign is limited to a maximum of 6 square feet.

(e) Under-awning signs must be securely fixed to the awning with metal supports.

(f) Under-awning signs must be made of wood, metal, or plastic.

(9) A sign permit is required for recovering or resurfacing an existing awning sign.

(C) *Canopy signs.* Canopies without printing, with the exception of a street address number (number only), are considered an architectural feature and are not regulated by this section. Canopy signs are permitted as indicated in § 153.101(B)(2), subject to the following regulations.

(1) Canopy signs must maintain a minimum vertical clearance of 7 feet 6 inches.

(2) Canopy signs must be located at least 18 inches from the back of curb. Support posts must maintain a minimum separation of 5 feet between posts and between the posts and any building wall. No obstructions are permitted within this area.

(3) Canopy signs must comply with Minnesota State Building and Fire Codes, including provisions for encroachment into the public right-of-way, structural requirements, sprinkler protections, and similar regulations.

(4) Canopy signs must be made of a durable, weather-resistant material like canvas, canvas-like material, nylon, vinyl-coated fabric, or metal. Solid, flat-roofed canopies may also be made out of finished wood, wood and plastic composites, metal, or metal cladding.

(5) Printing on any canopy sign is limited to 30% of the surface area. Signs mounted to solid, flat-roofed canopies are limited to individually-mounted letters with internal illumination (if illuminated) or a sign board with external illumination; no internally illuminated cabinet signs.

(6) Canopies may include underside, external illumination.

(7) Under-canopy signs are permitted subject to the following.

(a) Under-canopy signs must be attached to the underside of a canopy. Under-canopy signs must not project beyond the canopy.

(b) Under-canopy signs must maintain a minimum vertical clearance of 7 feet.

(c) A maximum of 1 under-canopy sign is permitted.

(d) Each under-canopy sign is limited to a maximum of 6 square feet.

(e) Under-canopy signs must be securely fixed to the canopy with metal supports.

(f) Under-canopy signs must be made of wood, metal, or plastic.

(D) *Changeable message signs.* Changeable message signs are permitted as indicated in §153.101(B)(2), subject to the following regulations.

(1) Only 1 changeable message sign per lot is permitted.

(2) Each message or image displayed on a changeable message sign must be static or depicted for a minimum of 8 seconds.

(3) Changeable message signs are permitted as part of a freestanding sign, wall sign, or marquee, and, in addition, are subject to the requirements for those sign types.

(4) Changeable message signs must be integrated into the larger sign structure and must include the name of the use as a non-electronic component as part of the sign structure. Changeable message signs are limited to a maximum of 60% of the sign area of the freestanding or wall sign with which it is integrated.

(5) Changeable message signs cannot display any off-premises commercial advertising.

(6) The sign shall be at least 50 feet from any residential district or use; the following modes of displaying the message shall be permitted, all other modes are prohibited:

(a) Fade in and fade out;

(b) Left to right or right to left; and

(c) Top to bottom or bottom to top.

(7) Modes which cause the message to flash are prohibited.

(8) *Brightness.* The brightness of the sign may not at any time exceed 0.3 foot candles above ambient light levels as measured from 50 feet from the sign's face. The sign must be equipped with automatic dimming technology or other

mechanism that automatically adjusts the sign's illumination level based on ambient light conditions.

(9) The sign must be able to automatically go on and off at certain times.

(10) *Display.* The text and images displayed must be complete in themselves, without continuation in content to the next image or text or to any other signs.

(11) *Acknowledgment.* Prior to the issuance of a sign permit for a sign, each property owner must sign an acknowledgement indicating agreement to comply with these standards.

(12) *Enforcement.* All outstanding code compliance issues must be resolved before a permit for a changeable message sign may be approved. Upon installation of a freestanding changeable message display sign, the property owner acknowledges that the property may no longer display any temporary banners, or A-frame signs. All window signs must comply with this subchapter, both permanent and temporary. The person owning or controlling the sign must adjust the sign to meet the standards of this code or turn the sign off within 1 business day of notice of noncompliance by the city. Once the issue has been corrected, the owner/operator shall notify the city prior to turning the sign back on.

(E) *Monument signs.*

(1) Landscaping consisting of mulched shrub and perennial bed shall be installed around the base of the sign, with a landscaping plan to be approved by city staff.

(2) In R-3A and R-3B, 1 monument sign is permitted per property or development, whichever is more restrictive, in residential districts for residential subdivisions and multi-family dwellings of 9 or more units. The sign shall be designed to be architecturally compatible with the building or project, and shall be landscaped around the base of the sign. Monument signs in residential zoning districts may be lit internally provided that portions of the sign not devoted to changeable messaging consist of white or light-colored lettering with a dark, un-lit background. All internally illuminated signs shall be light-colored lettering with dark, unlit background.

(F) *Wall signs.* Wall signs are permitted as indicated in §153.101(B)(2), subject to the following regulations.

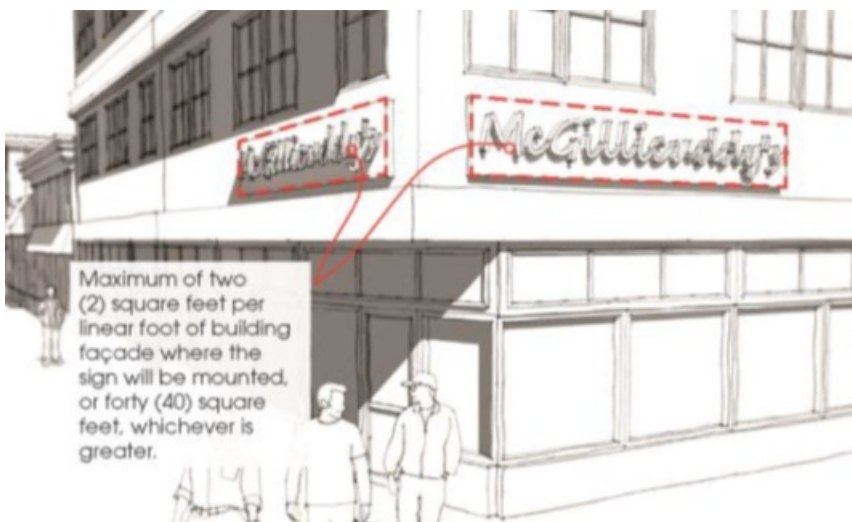
(1) Wall signs may be internally or externally illuminated. If externally illuminated, all light must be directed onto the sign face from above.

(2) Wall signs must be safely and securely attached to the building wall. Wall signs must be affixed flat against the wall.

(3) No wall sign mounted on a structure may project above the roof of the structure to which it is attached, including the sign support structure.

(4) Wall signs must be constructed of wood, brick, metal, or plastic. Wall signs of durable, weather-resistant material like canvas, canvas-like material, nylon, or vinyl-coated fabric are also permitted but the signs must be held taught to the building with no sags or wrinkles and the mounting devices must be concealed by a frame that covers the entire perimeter of the banner.

(5) Wall signs must not cover windows, doors, or architectural features.



(6) *Commercial buildings.* For single tenant buildings, wall signs are permitted on the front, side, or rear of a building, except that wall signs may not face abutting residential property on the side or rear of a building.

(Ord. 2018-10-3, passed 10-9-2018; Am. Ord. 2019-8-3, passed 8-13-2019)

## **§ 153.105 ADULT USE SIGNS.**

(A) All adult use signs shall be flat wall signs. No signs shall be freestanding, located on the roof, or contain any flashing lights, moving elements, or electronically or mechanically changing messages. No sign shall contain any message or image

which identifies specified sexual activities or specified anatomical areas as defined herein.

(B) The amount of allowable sign area shall be 1 square foot of sign area per foot of lot frontage on a street, not to exceed 80 square feet.

(C) No merchandise, photos, or pictures of the products or entertainment on the premises shall be displayed in window areas or any area where they can be viewed from the sidewalk or public right-of-way adjoining the building or structure in which the sexually oriented business is located.

(D) No signs shall be placed in any window. A 1 square foot sign may be placed on the door to state hours of operation and admittance to adults only.

(Ord. 2018-10-3, passed 10-9-2018)