

## CHAPTER 152: SIGN REGULATIONS

### Section

#### General Provisions

- 152.01 Title
- 152.02 Purpose and intent
- 152.03 Definitions

#### General Regulations

- 152.15 General regulations
  - 152.16 Permitted signs with no permit required
  - 152.17 Portable signs
  - 152.18 District regulations
  - 152.19 Comprehensive sign plan required
  - 152.20 Adjustments and appeals
  - 152.21 Nonconforming signs
  - 152.22 Enforcement
- 
- 152.99 Penalty

### GENERAL PROVISIONS

#### § 152.01 TITLE.

This chapter shall be known as the Centerville Signage Ordinance, except as herein referred to as this chapter.

*Ord. #39, adopted -*

#### § 152.02 PURPOSE AND INTENT.

It is the purpose of this chapter to:

- (A) Establish a set of standards for the fabrication, erection, use and maintenance for signs, symbols, markings, advertising devices or other items that serve as visual communication media;

- (B) Allow creativity in sign design while at the same time ensuring that the public is not endangered, annoyed, distracted or displeased by unsafe, disorderly, indiscriminate and unnecessary use of visual communication media; and
- (C) Provide administration and procedures for requiring permits, payments of fees and provide for penalties for noncompliance.

*Ord. #39, adopted -*

### **§ 152.03 DEFINITIONS.**

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

***AREA IDENTIFICATION SIGN.*** A freestanding sign that identifies the name of a residential subdivision, commercial or industrial development.

***BILLBOARD.*** A sign erected for the purpose of advertising a product, event, person or subject not entirely related to the premises on which the sign is located.

***BUSINESS FRONTAGE.*** The linear frontage of that portion of a building facing the right-of-way and occupied by one separate business.

***CANOPY.*** A permanent roof structure attached to and supported by the building.

***CHANGEABLE COPY SIGN.*** Any sign that is characterized by changeable copy, letters or symbols, regardless of method of attachment.

***DIRECTIONAL SIGN.*** An on-premises sign designed to guide or direct pedestrian or vehicular traffic.

***DYNAMIC SIGN.*** Any sign that appears to have movement or that appears to change, however frequently by any method other than physically removing part of the sign or its component, whether the apparent movement is in the display, the sign structure itself or any component of the sign. This includes but is not limited to any sign that uses technology or any method that changes the image or sign face without physically changing the sign face or its components. This includes but is not limited to any rotating, revolving, moving, flashing, blinking, or animated display that includes rotating panels, LED lights manipulated through digital input or any other method that allows a sign face to display a changed image or series of images or displays.

***FLAGS.*** Devices generally made of flexible materials, such as cloth, paper or plastic, and displayed on poles, strings or wires, but excluding the flag of any country or state.

***FLASHING SIGN.*** An illuminated sign on which the illumination is not kept constant in intensity or color at all times when the sign is in use.

**GROUND SIGN.** Any sign supported by structures or supports that are permanently anchored in the ground and that are independent from any building or structure.

**HISTORICAL IDENTIFICATION SYMBOLS.** Those symbols which have historically been identified with the service the establishment provides, are common to similar enterprises in all other localities and are not a particular trademark or business identification.

**ILLUMINATED SIGN.** A sign that has an artificial light source directed upon it or which has an interior light source.

**MAJOR ANCHOR.** A single tenant in a shopping center that is at least 20 percent of the total square footage and in excess of 50,000 square feet.

**MOTION SIGN.** A sign that revolves, rotates or moves.

**POLITICAL SIGN.** Any sign which states the name or picture of an individual seeking election or appointment to a public office, pertaining to a forthcoming public election or referendum, or pertaining to or advocating political views or policies erected on private property, which is erected by a bona fide candidate for political office or by a person or group supporting the candidate, and which contains the name of the person or group chairperson responsible for the erection and removal of the sign.

**PORTABLE SIGN.** Any sign not permanently attached to the ground or other permanent structure or a sign designed to be transported, including but not limited to signs designed to be transported by means of wheels, signs converted to A- or T-frames; umbrellas used for advertising; and signs attached to or painted on vehicles parked and visible from the public right-of-way, unless the vehicle is used in the normal day-to-day operations of the business.

**PYLON SIGN.** A sign installed on a post or posts, permanently anchored to the ground.

**SETBACK.** The minimum horizontal distance between a lot line and a building line or use.

**SIGN.** A name, identification, description, display, illustration structure or device which is affixed to or painted on, or represented directly or indirectly upon a building or other outdoor surface or piece of land, and which directs attention to an object, product, place, activity, person, institution, organization or business.

**SIGN AREA.** The entire area within a continuous perimeter enclosing a sign, exclusive of sign embellishments, which may extend beyond the perimeter as regulated herein; the perimeter shall not include any structural elements lying outside of the sign and is not an integral part of the display. Double-faced signs are permitted with the maximum square footage allowed on each face as that allowed for a single-faced sign; multi-faced sign areas may not exceed the area permitted for a single-faced sign.

**SIGN HEIGHT.** Height shall be measured from grade to the uppermost points or level of sign surface.

**TEMPORARY SIGN.** A sign that is not permanently affixed. All devices such as banners, pennants, flags (not intended to include flags of any nations), searchlights, twirling or sidewalk or curb signs and balloons or other air- or gas-filled figures.

**WALL SIGN.** An advertising sign attached to or erected against the wall of a building or structure with the exposed face to the sign in a plane approximately parallel to the face of the wall and extending not more than 15 inches from the building wall face.

**WINDOW SIGN.** A sign affixed to or inside a window in view of the general public, but excluding merchandise on display.

*Ord. #39, adopted - -*

## GENERAL REGULATIONS

### § 152.15 GENERAL REGULATIONS.

- (A) Signs are prohibited within the public right-of-way or easements, except that the City Council may grant a conditional or interim use permit to locate signs and decorations on or within the right-of-way for a specified period of time.
- (B) Flashing signs, motion signs or similar devices shall be prohibited in all districts except commercial district signs that meet the criteria detailed in the commercial district standards. Approved traffic signs are exempt from this provision.
- (C) Unless specifically allowed in this chapter, interior illuminated signs are permitted in all districts except residential. All illuminated signs shall have a shielded light source. Illuminated signs of any type may not direct light onto or across any residential property unless it is defused to less than 0.4 foot candles as measured at the adjoining property line.
- (D) Business signs shall not be painted, attached or in any manner affixed to trees, rocks or similar natural surfaces. No signs of any type shall be painted directly onto the roof or the sides of a building.
- (E) Signs that interfere with the ability of vehicle operators or pedestrians to see traffic signals, or which impede the vision of traffic by vehicle operators or pedestrians are prohibited.
- (F) Signs shall not project above the roofline of any structure.
- (G) No sign shall physically obstruct any window, fire escape or opening intended to provide entry or exit to any structure, building or public way.
- (H) All signs and sign structures shall be properly maintained in a safe, orderly condition at all times, including the replacement of defective parts, cleaning and other items required for the maintenance of

the sign. Vegetation within ten feet in any direction of the base of ground signs shall be neatly trimmed and free of weeds, and no rubbish or debris that would constitute a fire or health hazard shall be permitted under or near the sign.

- (I) No signs may be placed on utility poles in the city.
- (J) There may be no more than one identical sign per lot in a residentially zoned area.
- (K) The changing of the advertising message of a painted or printed sign, or changeable copy sign, and the painting, repainting and cleaning of signs will not require a sign permit, but will otherwise be done in compliance with this chapter and any other applicable laws.
- (L) No sign may by reason of its location, color or intensity create a hazard to the safe and efficient movement of vehicles or pedestrian traffic. No private sign may contain words that might be construed as traffic controls, such as "Stop," "Caution," "Warning," or otherwise resemble any official marker erected by a governmental body or agency, unless the sign is a directional sign.
- (M) Billboard Signs are prohibited in all residential and mixed use zoning districts, and on any lot in any other district where there is not a principal structure conforming to the district requirements. A Billboard Sign must be located a minimum of 1000 feet from any other Billboard Sign and a minimum of 1000 feet from any residential zoning district. A billboard shall not exceed 200 square feet per side and shall not exceed a height of 35 feet.
- (N) A Dynamic Sign not exceeding 20 square feet may be installed as a part of a permitted freestanding or wall sign in any public (P), commercial(B-1) or industrial (I-1) zoning district.
  - (1) Dynamic signs shall not change any part of the image more often than once every seven (7) seconds.
  - (2) Brightness. The sign must not exceed a maximum illumination of 5000 nits (candelas per square meter) daylight hours and a maximum illumination of 500 nits (candelas per square meter) between dusk to dawn as measured from the sign's face at maximum brightness;
  - (3) Dimmer control. Dynamic signs must have an automatic dimmer control to produce a distinct illumination change from a higher illumination level to a lower level for the time period between dusk (one half-hour before sunset) and dawn (one half-hour after sunrise);
  - (4) Setback from other Dynamic signs. Dynamic signs must be separated from other dynamic signs by at least 35 feet; and
  - (5) Audio or pyrotechnics. Audio speakers or any form of pyrotechnics are prohibited in association with a Dynamic sign.

*Ord. #39, adopted - -*

**§ 152.16 PERMITTED SIGNS WITH NO PERMIT REQUIRED.**

(A) *Political signs.* Political signs may be posted in conformity with Minnesota Statute Section 211B.045.

(B) *Temporary signs.*

- (1) Temporary Signs shall be displayed for no more than 14 days. A maximum of six occurrences per year are allowed except that searchlights may not be used more often than one occurrence per year. Banners or pennants determined to be an integral part of the design or architecture of a building are permitted;
- (2) One temporary identification sign, setting forth the name of the project, architect, engineers, contractors, planners and financing agencies, may be installed at a construction site in any district for the period of construction. The sign area of a temporary identification sign shall not exceed 35 square feet;
- (3) In any district, one temporary real estate sign may be erected for the purpose of advertising the lease or sale of property upon which it is placed. Only one sign shall be permitted per street frontage. The sign(s) shall be removed within seven days following the lease or sale of the property.

(a) The maximum size of these signs for each district is as follows:

1. Residential Districts: Ten square feet;
2. Commercial Districts: Thirty-two square feet;
3. Industrial Districts: Thirty-two square feet;
4. Mixed-Use District: Sixteen square feet; and
5. Agricultural/Rural Residential: Thirty-two square feet.

(b) In any district, one temporary “help wanted” or “now hiring” sign may be erected for the purpose of advertising employment positions. Only one such sign shall be permitted per street frontage. The sign shall be removed upon filling the employment position. The maximum size of these signs for each district is as follows:

1. Commercial District: Thirty-two square feet;
2. Industrial District: Thirty-two square feet;
3. Mixed-Use District: Sixteen square feet; and
4. Agricultural/Rural Residential: Thirty-two square feet.

(4) Permission of the Council must be obtained to erect the signs upon or over public property, and provided further that the signs shall not be erected or posted for a period of more than 14 days prior to the date of the event and must be removed within three days after the event.

(C) *Directional signs.* Directional signs having a surface area not greater than five square feet.

(D) *Memorial signs.* Memorial signs or tablets, or names of buildings and date of erection when cut into a masonry surface or constructed of metal, wood or stone and attached to the building, not exceeding a sign surface area of four square feet.

(E) *Freestanding signs.* Freestanding signs for garage sales or similar events occurring within the corporate limits of the city, not exceeding four square feet in sign surface area, erected on private property with permission of the landowner, and displayed for not more than three consecutive days.

(F) *Window signs.* Temporary or permanent window signs duly authorized by zoning and other laws of this city, provided that all the signs on a frontage shall not have a total sign surface area greater than 50 percent of the glass area, excluding doors, on the frontage, and provided that a minimum of one-half of the open window space must be below a horizontal line which is five feet above the interior floor of the commercial establishment. Merchandise displays in windows shall not be considered a part of the sign area if the display is not to be continued for a period of more than eight weeks.

(G) *Sandwich boards.* In B-1 and M-1 zoning districts, one sandwich board sign per business, not exceeding six square feet per side, shall be allowed, providing it does not block a sidewalk and is located within 35 feet of the main entrance to the business. Sandwich boards shall not be displayed during hours that the business is not open to customers.

*Ord. #39, adopted - -*

## **§ 152.17 PORTABLE SIGNS.**

(A) Portable signs are prohibited in residential districts. Portable signs in all other districts are allowed with permit as specifically authorized below.

(B) Portable signs used for the purpose of directing the public will be permitted subject to the following conditions:

(1) The sign is coincidental to or used in conjunction with a public function;

(2) The sign is used for a special business promotion or event;

(3) The period of use for the sign shall not exceed 14 consecutive days;

(4) No business may have more than six special promotions or events per year; and

(5) Portable signs may not exceed 80 square feet.

Ord. #39, adopted - -

## § 152.18 DISTRICT REGULATIONS.

(A) *Residential/Public Districts* (R-1, R-2, R-2A, R-4, R-5, P-1, M-1, M-2). Permitted signs:

- (1) *Residential identifications*. Not more than two square feet per single family dwelling or six square feet in area for each multiple-family building.
- (2) *Institutional identifications*. Churches, schools, parks etc. allowed up to 48 square feet; not taller than eight feet.
- (3) *Business signs*. Home-based businesses may have a sign that is no larger than four square feet. The sign may not be an interior-illuminated sign.
- (4) *Noncommercial opinion or message signs*. On-premise noncommercial opinion or message signs are permitted as follows: In residential districts, each dwelling unit is permitted one additional sign which is no larger than six square feet and no higher than six feet tall. In medium and high density districts, the sign must be attached to the dwelling. No permit fee is required for a sign authorized under this paragraph.
- (5) *Area Identification Signs*. One area identification sign is permitted in conjunction with a development or subdivision, however the sign shall not exceed 48 square feet in area and 8 feet in height and shall only be permitted when a homeowner association or other responsible entity has been established that agrees in writing to maintain the sign and adjoining property.

(B) *Commercial District (B-1)*. A business may have one Pylon Sign or one Ground Sign in addition to permitted Wall Signs. Total surface area for all permitted signs shall not exceed 20% of the area of the largest street-side face of the building. Permitted signs:

- (1) *Wall signs*. Wall signs are permitted on each public street exposure or public parking exposure, provided the signage does not exceed ten percent of the wall area, and the sign does not exceed 200 square feet in area.
- (2) *Ground signs*. One ground sign per business or business complex; provided, however, the sign does not exceed 200 square feet in area and 15 feet in height, and located a minimum of fifteen feet from any property line to the nearest supporting structure of the sign.
- (3) *Area identification signs*. One area identification sign is permitted per street frontage; however, the sign does not exceed 64 square feet in area and 20 feet in height, and located a minimum of fifteen feet from any property line to the nearest supporting structure of the sign.

(4) *Pylon sign*. One pylon sign per business or business complex; provided, however, the sign does not exceed 200 square feet in area and 35 feet in height, not less than six feet from the ground to the lowest part of the sign, and located a minimum of fifteen feet from any property line to the nearest supporting structure of the sign.

(5) *Billboard signs*. As otherwise regulated in this Chapter.

(C) *Industrial District (I-1)*. Permitted signs:

(1) *Wall signs*. Wall signs are permitted on each public street exposure or public parking exposure provided the signage does not exceed ten percent of the wall area.

(2) *Ground signs*. One Ground sign ; provided, however, the sign does not exceed 200 square feet in area 15 feet in height and located a minimum of fifteen from any property lines.

(3) *Area identification signs*. One area identification sign is permitted per street frontage; however, the sign does not exceed 64 square feet in area and 20 feet in height, and is not placed within ten feet of any street right-of-way.

(4) *Billboard signs*. As otherwise regulated in this Chapter.

(D) *Mixed-Use Districts (M-1 & M-2)*. Permitted signs:

(1) *Wall signs*. Wall signs are permitted on each public street exposure or public parking exposure, provided the signage does not exceed ten percent of the wall area.

(2) *Canopy signs*. Signs on these structures are allowed as long as the sign area does not exceed ten percent of the wall area.

(3) *Ground signs*. One ground sign is permitted per street frontage; however, the sign does not exceed eight feet in height and 32 feet in area.

*Ord. #39, adopted - -, Ord. #87, amended 01/11/2006, Ord. 2d #12, amended 09/13/2006*

## **§ 152.19 COMPREHENSIVE SIGN PLAN REQUIRED.**

- (A)
- (1) A comprehensive sign plan is required at the time of Planning and Zoning Commission review of any proposed new commercial or industrial development. This plan shall indicate the location, size, height, color, lighting and orientation of all proposed signs and shall be submitted for approval pursuant to the regulations of the city.
  - (2) Building permits and inspections are necessary as required by Building and Electrical Code. Fees for required permits or hearings shall be set by approved annual resolution of the City Council.

- (B) Every application for a sign permit must be accompanied by a plan drawn to scale and including the following:
- (1) The dimensions of the sign and, where applicable, the dimensions of the wall surface of the building to which it is to be attached;
  - (2) The maximum and minimum height of the sign;
  - (3) The proposed location of the sign in relation to the boundaries of the lot upon which it is to be situated;
  - (4) The proposed location of the sign in relation to the boundaries of the lot upon which it is to be situated;
  - (5) If the sign is to be illuminated, the technical means by which this is to be accomplished and the hours of illumination;
  - (6) Where the sign is to be attached to any existing building, a diagram or photograph of the face of the building to which the sign is to be attached;
  - (7) The name and address of the owner of the sign and the address of the property where the sign is located;
  - (8) Where a ground level sign is proposed with berming, a diagram showing grade level and dimensions of the berm;
  - (9) When a multi-tenant comprehensive sign plan is submitted, the plan must include the location, size, height, color, lighting and orientation of all signs; and
  - (10) Where a ground sign plan is submitted, the plan must include the location of the sign in relation to the lot lines and the building height, including any difference from the established grade, size, color, lighting and hours of illumination.

*Ord. #39, adopted - -*

## **§ 152.20 ADJUSTMENTS AND APPEALS.**

- (A) The Commission of Adjustments and Appeals will be comprised by all members of the Planning and Zoning Committee.
- (B) The Planning and Zoning Committee will hear and make recommendations to the City Council regarding:

- (1) Appeals where it is alleged that there is an error in any order, requirement, decision or determination made by an administrative officer in the city in the enforcement of this chapter; and
- (2) Petitions for variances from the literal provisions of this chapter in instances where their strict enforcement would cause hardship because of circumstances unique to the individual property under consideration. Criteria for granting a variance will be the same as the criteria for granting a variance in the city's zoning chapter.

*Ord. #39, adopted - -*

### **§ 152.21 NONCONFORMING SIGNS.**

- (A) *Legal, conforming.* All signs existing as of the adoption date of this chapter conforming to the requirements of this chapter and not requiring a permit under the provisions of this chapter, may be maintained so long as the sign continues to comply with the provisions of this chapter, as it may from time to time be amended.
- (B) *Legal, nonconforming signs.* All signs existing as of the adoption date of this chapter which would be prohibited by ordinance or which would require a permit under this chapter but have not received a permit, will be deemed to be legal nonconforming signs. Legal nonconforming signs may continue to exist without a permit and without constituting a violation of this chapter until one or more of the following occurs:
- (1) The sign is structurally altered (except for normal maintenance) in a way that makes the sign less in compliance with this chapter than it was before the alteration;
  - (2) The sign is relocated to a position making it less in compliance with this chapter than it was before the relocation;
  - (3) The sign is replaced; and/or
  - (4) Any new primary sign is erected or placed in connection with the enterprise using the legal nonconforming sign.

*Ord. #39, adopted - -*

### **§ 152.22 ENFORCEMENT.**

- (A) If a sign is in violation of this chapter, is in danger of falling, or is otherwise a menace to the safety of persons or property, the Building Official may give to the owner of the property on which the sign is located written notice specifying the violation, ordering the cessation of the violation and requiring either the removal of the sign or remedial work in the time and manner specified in the notice.

- (B) In the event of failure to comply with the notice within 30 days, the Building Official may remove the sign or cause the remedial work to be done.
- (C) The cost of the work performed by the city, must be paid to the city by the owner of the property on which the sign is located.
- (D) If payment is not made within 30 days after a statement of costs is sent to the owner, the costs may be assessed against the property by certifying the costs to the county.
- (E) If a sign that has been removed is not reclaimed and costs paid within 30 days after its removal, the sign may be sold or otherwise disposed of by the city.
- (F) If a sign is found to be an immediate danger to the public because of its unsafe condition, it may be removed without notice, and written notice of removal and reasons for the removal will be given to the owner of the property on which the sign is located as soon as possible.

*Ord. #39, adopted - -*

**§ 152.99 PENALTY.**

Violation of this chapter is a misdemeanor.