

## **Additional Sign Permit Information**

### SECTION 17.4. SIGN PERMITS.

It shall be unlawful for any person to erect, alter, or relocate within the city any sign or other advertising structure as defined in this ordinance, without first obtaining a sign permit and making payment of the fee required by this section.

1. *Application for Sign Permit.* An application for a sign permit shall be submitted to the zoning administrator and shall include the following information:
  - a. Location (address and legal description) of the proposed sign structure or building to which the sign is to be attached or erected.
  - b. Names and addresses and contact information of the applicant, sign owner and sign contractor or installer
  - c. Site plan detailing the position of the sign in relation to nearby buildings, property lines and rights-of-way.
  - d. Description or drawings of the construction, size, support, method of construction or attachment to a building, exposed surfaces, and proposed materials accurately represented in scale as to size, area, proportion and color.
  - e. Such other information as the zoning administrator may require ensuring compliance with this ordinance and all other ordinances of the city.
  - f. All sign permits must show the inscription or text of what the sign will say or show.
  - g. Signs located along a state or federal primary highway may also need to submit a state sign permit.
2. *Permit Issued.* It shall be the duty of the zoning administrator, upon the filing of an application for a sign permit, to examine such plans and the premises upon which the sign is proposed to be erected. If it appears the proposed structure is in compliance with all requirements of this ordinance, the sign permit shall be issued.
3. *Sign Fees.* Every applicant, before being granted a sign permit, and to defray administrative costs of processing requests for sign permits, shall pay to the city clerk a fee in the amount established by resolution of the city council.
4. *Nullification.* A sign permit shall become null and void if the work authorized under a sign permit has not been completed within one (1) year after date of issuance.
5. *Permit Revocation.* Any permit holder who fails to comply with a valid order of the zoning administrator within the allotted time period, or who fails to pay reasonable removal or repair expenses shall have the permit revoked. Another permit for erection or maintenance of such sign(s) shall not be issued for one (1) year from the date of revocation.

### SECTION 17.5. EXEMPT SIGNS.

The following signs are allowed without a permit but shall comply with all other applicable provisions of this ordinance, and subject to the removal of signs procedures outlined in Section 17.11.

1. Any official notice authorized by a court, public body or public safety official.
2. Integral signs, memorial signs or professional name plates not exceeding two (2) square foot in area, and attached to the building, including names on buildings, date of construction, commemorative tablets and the like, which are a part of the building or structure.
3. Any flags or flagpoles of a government or other non-commercial institution, such as schools.
4. Religious symbols and seasonal decorations within the appropriate public holiday season.
5. Real estate signs are permitted in any district, advertising for sale, rental, or lease of premises or buildings on which they are located. Real estate signs in residential districts shall not exceed nine (9) sq.ft. in area.

Real estate signs in the business district shall not exceed 32 sq.ft. in area. Real estate signs in agricultural, highway commercial or industrial districts shall not exceed 150 sq.ft. in area. Illuminated real estate signs are not permitted.

6. Address Signs identifying street address only, whether in written or numerical form.
7. Construction signs up to thirty-two (32) sq.ft. denoting the names of architects, engineers, contractors, future use, and other individuals or firms involved with the construction, alteration, or repair of such building (but not including any advertisement of any product). Such signs shall be confined to the construction site when a valid zoning permit exists for the location. Such construction sign shall be removed upon completion of the project.
8. Political signs as allowed by Section 306C.22, Code of Iowa, and campaign signs as allowed by Section 68A.406-yard signs, Code of Iowa. Campaign signs shall remain for no longer than forty-five (45) days prior and seven (7) days after the election for which they were intended and shall be removed by the owner of the property on which they are located. All campaign signs shall be confined to private property.
9. Government signs of a public, non-commercial nature to include safety, danger, trespassing, traffic, or other signs indicating scenic or historical points of interest, memorial plaques and other similar signs when erected by order of a public officer or employee.
10. Directory signs identifying a business, owner(s), manager(s), or occupant(s) and sets forth the occupation or other address information but contains no advertising. There may be one directory sign per lot not to exceed two (2) square feet of area per business or resident occupant.
11. Directional and parking signs intended to facilitate the movement of vehicles and pedestrians. Signs shall not exceed six (6) sq.ft. in area.

## SECTION 17.6. SIGN REQUIREMENTS.

### 1. *All Residential Districts. (R-1, R-3, MH)*

Signs pertaining to permitted and conditional uses are allowed in residential districts subject to the following regulations.

- a. Home occupation signs are permitted upon consideration they must be flush mounted with the face of the building and not to exceed four (4) sq.ft. in size.
- b. Signs, for non-residential businesses located in residential areas, shall be limited to no more than 32 square feet on one freestanding or ground sign not to exceed a height of six feet (6') from the ground to the top of the sign structure. One additional wall mounted sign not to exceed 16 square feet is also permitted for non-residential businesses.
- c. Signs shall not encroach or extend into the public right-of-way, and shall not obscure or interfere with any traffic control sign, signal or device.
- d. Bulletin board and announcement signs shall be permitted in any residential district for charitable, educational, religious or other public uses but may not exceed 32 square feet in size and must be set back a minimum of fifteen feet (15') from all property lines. The height of such signs shall not exceed six feet (6').
- e. Prohibited Signs:
  1. All flashing type signs are prohibited.
  2. Audible signs are prohibited.
  3. Off-premise signs and billboards are prohibited.
  4. Any lighted sign that impairs the vision of drivers is prohibited.

### f. Permitted Signs:

- |                     |                      |                       |
|---------------------|----------------------|-----------------------|
| 1. Address sign     | 5. Combination sign  | 9. Wall sign          |
| 2. Real Estate sign | 6. Construction sign | 10. Ground sign       |
| 3. Government sign  | 7. Information sign  | 11. Directional sign  |
| 4. Campaign sign    | 8. Temporary sign    | 12. Freestanding sign |

2. *General Business District. (GB)*

Signs and billboards in conjunction with permitted and conditional uses are allowed within the (GB) General Business district subject to the following regulations.

- a. One sign per frontage, incorporated as a part of the building facade, or attached flush to the building will be permitted for each business use.
- b. One permanent pole or ground type sign will be permitted if located entirely on the property of the business or businesses it advertises. Placement is also subject to the further restrictions of Article 17 of this ordinance.
- c. One temporary sign of up to thirty-two (32) square feet each side is permitted if located entirely on the property of the business it advertises and subject to further restrictions of Section 17.7. of this ordinance.
- d. Wall signs, awning signs, swinging signs, or projecting signs located in the (GB) General Business district may project over the right-of-way; except that no sign shall project into or encroach into the right-of-way of Iowa highways 9 or 4. Wall signs shall not extend more than 12” beyond the face of the building. Canopies, marquees, awnings, swinging signs or projecting signs shall be attached to a wall and maintain a clearance of at least 8 feet above the sidewalk or grade level below the lowest point of the sign.
- e. Billboards are not permitted in the (GB) General Business district.
- f. A sign permit is required.
- g. Permitted signs:
  - 1. Address sign
  - 2. Awning sign
  - 3. Campaign sign
  - 4. Illuminated sign
  - 5. Information sign
  - 6. Joint Identification sign
  - 7. Combination sign
  - 8. Construction sign
  - 9. Directional sign
  - 10. Pole sign
  - 11. Projecting sign
  - 12. Real estate sign
  - 13. Freestanding sign
  - 14. Government sign
  - 15. Roof sign
  - 16. Swinging sign
  - 17. Temporary sign
  - 18. Wall sign

3. *All Other Zoning Districts. (AG, A-2, CM, LI, HI)*

Signs and billboards in conjunction with permitted and conditional uses are allowed subject to the following regulations.

- a. Signs shall be limited to those identifying uses conducted on the property, or necessary for directional purposes, or used to advertise the sale or lease of real property on buildings on which displayed, or identifying the commercial enterprise by name or symbol.
- b. One sign is permitted per frontage on the principal use structure, and one sign on an independent structure not more than 150 feet from the principal use building and no larger than 150 square feet; except within the (GB) General Business District in which one sign is permitted per frontage but must be a part of building façade or attached to the building.
- c. In a multi-business structure, one sign may be placed on the principal use structure for each business and one sign per business may be placed on one independent structure located not more than 150 feet from the principal use structure, with the total joint use sign being no more than 250 square feet.
- d. The total aggregate sign area for service stations, gas stations or convenience stores shall be limited to 200 square feet.
- e. One portable or changeable type sign of up to 32 square feet each side is permitted if located entirely on the property of the business it advertises.
- f. The sign area allowed for all signs permitted in this section shall include the total area of the facing or the total area within the outer edge of any existent border of the sign. For freestanding letters, the sign area will be computed by taking the area enclosed within the smallest rectangle needed to completely encompass each word or insignia of the sign.
- g. Wall-mounted signs shall not project more than four (4) feet above the roofline.

- h. All signs shall be fixed and shall not be moving or audible. No illumination shall be intermittent or flashing. Internally illuminated signs for purposes of a scrolling marquee or digital sign board for information or advertising purposes is permitted as long as the message is not flashing.
- i. Billboard type signs are limited to 250 square feet, and must not impair sight distance or create a traffic hazard.
- j. Permitted signs:
 

1. Address sign	7. Combination sign	13. Freestanding sign
2. Awning sign	8. Construction sign	14. Government sign
3. Campaign sign	9. Directional sign	15. Roof sign
4. Illuminated sign	10. Pole sign	16. Swinging sign
5. Information sign	11. Projecting sign	17. Temporary sign
6. Joint Identification sign	12. Real estate sign	18. Wall sign

**SECTION 17.7. GENERAL SIGN REGULATIONS.**

- 1. *Electronic message board signs.* Electronic message board signs or digital sign boards that display the time and temperature or provide changing and scrolling messages are permitted if such signs do not flash or change text at rapid intermittent rates.
- 2. *Billboards.* Are permitted only as follows. The owner of a business may erect one (1) billboard under the following conditions:
  - The billboard must be in a nonresidential district.
  - It must be incorporated as a part of the building facade or attached flush to the building.
  - It must be erected on property owned by the owner of the business and such property must be occupied or ready for occupancy.
  - The billboard must advertise the owner's principal business only, and shall not be illuminated.
  - Any billboard cannot be greater than 200 square feet in area in an agricultural or industrial district.
- 3. *Sign height clearances.* All pole signs (any sign on an independent structure with a height in excess of ten feet (10') above the ground) and signs projecting out from buildings shall have a minimum clearance of eight feet (8') above the ground. Ground signs (any sign on an independent structure that is not a pole sign) must be erected with the bottom edge of the sign within three feet (3') of the ground unless landscaping or structure is below the sign and the top edge a maximum of ten feet (10') above ground. Ground signs shall have the address included within the sign face (message area).
- 4. *Interference.* No sign shall be erected, located or maintained so as to prevent free ingress to or egress from any door, window or fire escape. No sign of any kind shall be attached to a standpipe or fire escape.
- 5. *Signs not to constitute a traffic hazard.* No sign or other advertising structure shall create a hazard to the safe and efficient movement of traffic. No signs shall be erected at the intersection of any streets as to obstruct free and clear vision. No private signs shall contain words that might otherwise be construed as traffic controls, or confused with any public traffic signs, or which makes use of the words "STOP", "LOOK", "WARNING", "CAUTION", "DANGER", or any other word, phrase, symbol, or character in such manner as to mislead or confuse traffic.
- 6. *Goose neck lighting.* Goose neck reflectors or lighting shall be permitted on ground signs, roof signs and wall signs; provided, however, the reflectors shall be provided with proper glass lenses concentrating illumination on the area of the sign to prevent glare on adjacent property or public street.
- 7. *Signs in Right-of-Way.* No signs other than government signs shall be erected or temporarily placed within any public rights-of-way except as may be specifically provided herein.
- 8. *Temporary Signs.* The temporary use of portable or moveable signs, search lights, banners, pendants, and similar devices shall be allowed in excess of and in addition to the sign limitations of this Article for continuous periods of no longer than thirty (30) consecutive days.

9. *Signs Required by Law.* All signs required by law shall be permitted in all districts.
10. *Back to Back Signs.* If any sign or sign structure is constructed so that the faces are not back to back, the angle shall not exceed thirty degrees (30°). If the angle is greater than thirty degrees, the total area of both sides added together shall be the calculated sign area.
11. *Illumination.* All externally illuminated signs shall be constructed so as to direct the source of light away from adjacent properties or public streets.
12. *Premises to be kept free of weeds, etc.* All ground signs and the premises surrounding the same shall be maintained by the owner thereof in a clean, sanitary and inoffensive condition, and free and clear of all obnoxious substances, rubbish and weeds.
13. *Setbacks for Signs.* Any portion of the signs area may be placed up to the front property or lot line in any district. Additionally, no portion of the sign area or sign structure shall encroach closer than five feet (5') from any side property or lot line, and shall comply with the line of sight visibility regulations (at street intersections) in Section 14.3.5 of this ordinance.
14. *Double Frontage.* Lots having frontage on two streets or on a street and an alley shall be permitted to provide the maximum number and square footage of signs on each of the opposite ends of said lot, provided however, that not more than the maximum number of square feet of signs per frontage may be viewed simultaneously.

#### SECTION 17.8. CONDITIONAL USES FOR SIGNS.

Signs and billboards will be allowed only through board of adjustment approval in all districts for permitted conditional uses. Furthermore, any sign type may be granted conditional use status after review and approval by the board of adjustment and subject to any conditions deemed appropriate by the board.

#### SECTION 17.9. VARIANCES FOR SIGNS

The city council may, upon request, grant a variance from technical requirements of this article where the proposed sign complies with the standards of the community and where unique circumstances render technical compliance with this ordinance impractical.

#### SECTION 17.10. NONCONFORMING SIGNS.

Nonconforming signs shall be brought to compliance upon change of ownership or occupancy of the premises. Signs existing at the time of the enactment of this ordinance and not conforming to its provisions, but which were constructed in compliance with previous regulations and ordinances shall be regarded as nonconforming signs. Nonconforming signs shall not be:

- Changed to another nonconforming sign
- Structurally altered so as to prolong life of the sign
- Expanded
- Reestablished after discontinuance of the sign use for a period of thirty (30) days
- Moved in whole or in part to another location unless said sign, and the use thereof, is made to conform to all regulations of this Article
- Reestablished after damage or destruction by any means, including an "act of God," exceeding fifty percent (50%) of the estimated value of that sign

#### SECTION 17.11. UNSAFE SIGNS AND REMOVAL OF SIGNS.

All signs and sign structures shall be properly maintained and kept in a safe, orderly condition. Signs shall also maintain a neat and orderly appearance in which the sign is legible and can be easily read. All parts and supports shall be properly painted. Any sign or sign structure which is rotted, unsafe, deteriorated, defaced, or otherwise altered, shall be repainted, repaired, or replaced by the property owner or agent of the property owner upon which the sign is located, within thirty (30) days after written notice by the City of Estherville. Such notice shall include a statement explaining the alleged violations and deficiencies, an order to repair or remove

said sign, and an explanation of the consequences of failure to comply with said order. If the permit holder fails to remove or alter said sign so as to comply with the order, said sign or other advertising structure may be removed or altered to comply by the zoning administrator at the expense of the permit holder, or owner of the property on which it is located. The permit holder may appeal the order of the zoning administrator to the board of adjustment and, if such an appeal is on file, the compliance period shall be extended until following the board's decision on the matter. If, however, the zoning administrator finds that any sign or other advertising structure poses a serious and immediate threat to the health or safety of any person, the city may order the removal of such sign summarily and without notice to the permit holder.

Abandoned, obsolete or dilapidated signs now or hereafter existing which no longer advertises a bona fide business conducted, product sold, or service provided shall be taken down and removed by the owner, agent, or person having the beneficial use of the building or structure upon which such sign may be found within sixty (60) days after written notification from the city. If after expiration of the sixty (60) day period the sign has not been removed, the city may cause removal of such signs, and any expense incident thereto shall be paid by the owner of the building or structure to which such sign is attached.