CHAPTER 28 – BREWER SIGN ORDINANCE

ARTICLE 1 AUTHORITY

This Chapter is adopted pursuant to and consistent with Maine Home Rule Powers as provided for in Article VIII, Part 2, §1 of the State of Maine Constitution; Title 30-A M.R.S.A. § 3001; and the Brewer City Charter.

ARTICLE 2 GENERAL REQUIREMENTS

2.1 Purpose:
This Chapter relates to the erection, construction or maintenance of signs erected or to be erected in the City of Brewer.

2.2 Conformity:
No sign shall be hereinafter erected, altered, relocated, removed or replaced except in conformity with the provisions of this Chapter, except where a recognizable hardship is identified by the Code Enforcement Officer. Hardship requests shall conform with Section 3.7 of this Chapter.

2.3 Legal Con-Conforming:

Any sign that was lawfully erected and which fails to comply with the requirements of this chapter or any sign which legally exists but fails to meet the requirement of this chapter as the result of a future amendment to this chapter is a legal non-conforming sign. It is the intent of this section to strongly disfavor non-conformities and to encourage their elimination; however, it is also the intent of this section to treat non-conformities fairly and realistically by allowing certain improvements. Therefore, nothing in this chapter shall exclude the ability of a business to properly maintain or sue a legal non-conforming sign so long as they do not make said sign any more non-conforming.

If any non-conforming sign is destroyed, or if any sign is discontinued for Ninety (90) days, the right to continue it shall terminate, regardless of the owners intent to retain the non-conforming sign.

2.4 Alterations:
No sign shall be altered in any manner that would be in violation of this Chapter or of any authorized rule(s) or approval of the Code Enforcement Officer made and issued thereunder.

2.5 Maintenance:
It shall be unlawful to maintain a sign that has been erected or altered in violation of this Chapter.

2.6 Signs Affected:
The provisions of this Chapter shall apply to signs on buildings, land or over water and to street encroachments.

Exempt:

The provisions of this Chapter shall not apply to warning, neighborhood identification, or directional signs on or near highway erected by the State or the City of Brewer or other signs erected or intended exclusively for the safety of persons using such highways but none of these shall be painted upon or annexed to any rock or tree and are subject to regulations and supervision by the Code Enforcement Officer to prevent or remove whatsoever will injuriously affect the public interest or public safety.

ARTICLE 3 ADMINISTRATION AND ENFORCEMENT

3.1 Enforcement:

This Chapter shall be enforced by the Code Enforcement Officer in such manner and with the same powers as now or hereafter are practiced or provided under the Building code of the City of Brewer.

3.2 Unsafe or Unlawful Signs:

If the Code Enforcement Officer shall find that any sign or sign structure regulated herein is unsafe or insecure, or is being maintained in violation of the provisions of this Chapter, the Code Enforcement Officer shall give written notice to the owner thereof to remove or alter the structure within ten days after receipt of said notice in order to comply with the provisions of this Chapter. If the owner refuses or neglects to comply with the order of the Code Enforcement Officer, then the Code Enforcement Officer shall order such sign or structure to be removed or altered in order to comply with this Chapter, and if the owner fails to comply, the City shall remove the sign and all expenses thereof shall be repaid to the City by the owner within thirty (30) days after demand. Said removals shall take place at such time as any and all appeals, as defined in Section 3.4 of this Article, have been exhausted.

3.3 Non-Functional Signs:

It shall be unlawful for any sign to remain on display after it ceases to be functional. If a sign is found to be non-functional for a period of Ninety (90) days, the owner shall be given written notice by the Code Enforcement Officer to remove the sign within ten (10) days after receipt of said notice. If the owner refuses or neglects to comply with the order, the Code Enforcement Officer may order such sign to be removed by City personnel, and the owner thereof shall repay all expenses to the City within thirty (30) days after demand. Non-functional sign shall mean a sign displayed after the business or product advertised is no longer located, operating, or available on the premises to which the sign pertains.

3.4 Appeal:

Any person aggrieved by a decision of the Code Enforcement Officer may appeal from said decision to the Board of Appeals within five (5) days after said determination or before the issuing of the permit. The Board may affirm, modify or reverse the decision of the Code Enforcement Officer in accordance with the terms of this Chapter. Any person aggrieved by the decision of the Board of Appeals may appeal from said decision to the Superior Court. The appeal to the Superior Court shall be within forty-five (45) days after the decision of the Board of Appeals as provided by law.

3.5 Penalty:

Any person(s) who violate any provision of this Chapter or fails to comply with any of its requirements, shall, upon being determined to be in violation, thereof, be fined not more than one hundred dollars ($100.00). Each day that such violation(s) continue shall constitute a separate offense. The City shall also be entitled to its reasonable attorney fees and costs, if it successfully prosecutes a violation under this Chapter.

3.6 Validity:

If any section, subsection, sentence, clause, phrase or portion of this Chapter is for any reason held invalid or unconstitutional by any court of competent jurisdiction, such provision and such holding shall not affect the validity of the remaining portions of this Chapter.

3.7 Hardship:
A property owner, or authorized designee, may request an expanded use of a legal non-conforming sign, which if relocated to meet existing sign standards would create a practical difficulty for the property owner. Hardship requests shall be made in writing and reviewed by the Code Enforcement Officer. The Code Enforcement Officer shall base all approvals or denials upon the following criteria:

The presently existing, and any expansion of the, legally non-conforming sign does not create a visual obstruction for motor vehicles; and the present location of the legal non-conforming sign does not create a public hazard or a public nuisance, as defined in this Chapter; and

1. The existing standards do not allow a sign to be placed in a location that allows for proper clearance of buildings and/or power lines in the event the sign falls down; or
2. The necessary sign relocation creates a traffic flow problem that if properly resolved would create a financial cost, greater than the cost of the new sign; or
3. The necessary sign relocation creates a parking design problem that if properly resolved would create a financial cost, greater than the cost of the new sign; or
4. The necessary sign relocation would create a public hazard or public nuisance.

If the Code Enforcement Officer determines that there is a Hardship then they shall be authorized the expanded use of the legal non-conforming sign, so long as the dimensions of the sign do not exceed the maximum size sign for the zone in which the existing legal non-conforming sign is located and all other sign regulations in the Codes and Ordinances of the City of Brewer are met.

ARTICLE 4 PERMIT PROCEDURE

4.1 Application:
No person, firm or corporation shall hereinafter erect any sign within or on any building, structure or premises publicly or privately owned, nor shall any alterations, relocations, or replacements of any sign be made without first securing a permit, therefor from the Code Enforcement Officer, unless otherwise stated in this chapter.

4.2 Documentation:
All applications for permits, as specified above, shall be filed with the Code Enforcement Officer. Forms furnished to the Code Enforcement Officer shall include, plans drawn to scale showing the area of the sign, the position of the sign in relation to adjoining buildings or structures, the location of the building, structure or lot which, or upon which, the sign is to be erected. The method of illumination, if any, and such other information as the Code Enforcement Officer may require to assure full compliance with this Chapter.

4.3 Review
The Code Enforcement Officer shall review the application to determine if the same are found by him or her to conform to the provisions of law and this Chapter and the proposed installation or to the regulations hereinafter contained.

ARTICLE 5 SCHEDULE OF FEES

5.1 Establishment of fees:

Sign permit fees shall be established by order or resolve of the City Council.

5.2 After the fact permit fee:

Any person, firm, corporation or other legal entity who shall commence any work for which a permit is required by this Chapter without first having applied for a permit therefore shall pay double or triple the permit fee fixed by this Chapter for such work, except as permitted by Section 5.3 of this Article.

5.3 After the fact fee waiver:

The provisions of Section 5.2 of this Article, shall not apply to emergency work when it shall be proved to the satisfaction of the Code Enforcement Officer, or his or her designee, that such work was urgently necessary and that it was not practical to apply for a permit therefore before the commencement of the work. Following the effective date of this Chapter, any person, firm, corporation or other legal entity who commences work before applying for a permit shall not be subject to paying double the permit fee for the first time that such failure to apply occurs but instead shall be issued a verbal or written warning by the Code Enforcement Officer, or his or her designee, the first subsequent failure to apply for permits will result in the person, firm, corporation or other legal entity being subject to the payment of double the permit fee. Any second or subsequent failure to apply for a permit will result in the person, firm, corporation, or other legal entity being subject to the payment of triple the permit fee.

5.4 Limitations:

Should the work authorized by a permit granted under this Chapter not have commenced within six (6) months, or if the authorized work is suspended or abandoned for a period of six (6) months after the time of commencing, then and in that event, the permit shall become null and void and a new permit shall be required before any work may continue.

5.5 Direction Signs

- Directional sign applicants shall provide written documentation that the existence of the business is in conformity with all applicable laws concerning licensing, land use, and building/electrical and plumbing permit requirements.
- Fees for directional signs shall be established by the City Council and consist of an application fee and a renewal fee. The application fee shall accompany the application and will not apply to installation for the remainder of the calendar year, but will not be prorated for any fractional part a year.
- Renewal fees will cover annual permit based on a May to April year. Renewal fees are due the first Monday of May. Failure to pay renewal fee within thirty (30) days will result in removal of signs.
- An annual permit shall be required for all off-premise directional signs.

ARTICLE 6 SIGN STANDARDS

6.1 Advertising and Business Signs:

No advertising sign or business sign shall be erected on any premises other than on the premises where that business or activity is located and/or within the limits of a private right of way that the business or activity has a right, title and interest in and to except as provided for in this Chapter.

6.2 Detached Signs or Free-Standing Signs:

Detached or free-standing sign shall mean a sign that is not attached to any building or structure and is self-supporting structure. Except as authorized by Article 7 of this Chapter no development may have more than one free-standing sign.

6.3 Attached Signs:

No sign shall be attached so as to obstruct any window, door, stairway or other opening intended for ingress or for needed ventilation or light. Further, no sign shall be attached to any tree, fence or utility pole. Any City employee at the direction of the Code Enforcement Officer, or his or her designee, may remove said signs.

6.4 Projecting Signs:

No sign shall project over any lot line, public sidewalk, street, or right-of-way line. No projecting sign shall be less than eight (8) feet above grade level.

Exception: Projecting signs are allowed over public sidewalks or right of ways in the convenience business (CB) and general business (GB) district provided that the following provisions are met:

1. Each building may have one projecting sign oriented to each street on which the premises has frontage, identifying the building as a whole or it's, predominate use.
2. Projecting signs must clear sidewalks by at least eight (8) feet, and shall project no more than four (4) feet from the building or to a point two (2) feet of the curb line, whichever is less.
3. Projecting signs must be pinned away from the wall at least six (6) inches.
4. Projecting signs are not permitted at the corners, except at right angles to a building front.
5. No projecting sign may be displayed unless the building to which it is attached is twenty (20) feet or more in width, and no projecting sign may be closer than fifty (50) feet to any other projecting sign.
6. Projecting signs may extend to the bottom of the eaves of a building.
7. Projecting signs shall have a maximum area of seventeen and one half (17.5) square feet. Only one (1) side of a projecting double-faced sign shall be included in calculating surface area, providing that the two (2) display faces are joined at an angle no greater than sixty (60) degrees.
8. Building Code provisions relating to signs shall apply and solid wood shall be considered an acceptable material.
9. Owner/occupant shall have written permission from the City Council to

occupy space.

6.5 Set Back:

All signs, except directional signs and except advertising signs permitted under Article 7of this Chapter and those projecting signs allowed in Article 6, Section 6.4 of this Chapter shall set back at least seven (7) feet from property or street right-of-way lines. The setback shall be determined from highway right-of-way, street or lot lines to that part of the sign that extends nearest to the said line, whether it be at ground level or above ground level. Guy wires may be located at the property right-of-way line but shall not project over any lot line, public sidewalk, street or right-of-way line.

6.6 Temporary Non-Permanent Signs:

Business may have the use of temporary non-permanent signs as defined in the below categories, so long as the business seeking the sign meets all standards and requirements for regulation. Failure to comply with the requirements governing the use of temporary non-permanent signs will result in the following:

First Violation – Written warning to business
Second Violation – Revocation of sign for 1 year
Third Violation – Revocation of sign for 3 years

6.6.1 Sandwich Board Signs:

Businesses located in the Professional Business, Commercial Business and General Business Zones may be authorized the use of one (1) sandwich board sign with the following regulations:

1. Must be placed outside during business hours only and must be brought inside during all times the business is closed; and
2. Must not be placed on any public sidewalk or public roadway; and
3. Must not be placed in such a way as to interfere with the free movement of pedestrians or vehicles; and
4. Must be professionally manufactured; and
5. Must not exceed 12 square feet per side, and must not exceed 4 feet in height; and
6. In multi-tenanted buildings, sandwich boards must be located in front of their business premise; and
7. All sandwich board signs must be well maintained and not weather worn, damaged or broken.

6.6.2 Banners:

Banners may be permitted for use for special events and may be permitted one (1) time for a grand opening ceremony with the following regulations:

1. Must not be placed outside for a period of more than 30 days; and
2. Must be securely fastened to property owned by the business; and
3. Must never be fastened to a utility pole, public structure or other such devices;
4. All banners, at all times, bust be well maintained, securely fastened, and not weather-worn, torn or faded.

6.6.3 Open Flags:

Flags advertising the business is open may be permitted so long as they are brought in each night.

6.7 Animated Signs:

No sign shall be erected that is animated or has any moving parts.

6.8 Surface Area of Signs:
For projecting and double face signs only one (1) display face shall be measured in computing the total surface area if the sign faces are parallel or if the interior angle formed by the faces is sixty (60) degrees, both display faces shall be measured in computing the total face area.

6.9 Affixed Signs:
Signs affixed to any wall or roof of a building or signs composed of individual letters without a background, may be located on the edge of a roof or parapet wall on a flat roof or at the line of the eaves on other types of roofs. A sign affixed to any of the above locations shall not project more than three (3) feet above the area to which it is affixed as follows:

1. Edge of roof
2. Parapet wall on a flat roof
3. The eave line of other types of roofs
4. Top of wall at roof edge

6.10 Changeable Signs:
Signs which are created, designed, manufactured, or modified in order to display a message that may be electronically, digitally or mechanically altered by the complete substitution or replacement of one display by another on each side and are subject to the following:

1. May be changed no more than once every 20 minutes
2. Must change as rapidly as technologically practicable, with no phasing, rolling, scrolling, flashing or blending
3. May consist of alphabetic or numeric text on a plain or colored background And may include graphic, pictorial or photographic images

6.11 Signs with Concealed Spaces:
Signs having concealed spaces shall be inspected and approved by the Code Enforcement Officer before they are erected.

6.12 Elevation of Signs:
No attached or free-standing sign shall extend to an elevation greater than twenty-five (25) feet above the average ground level of the lot upon which it is located.

6.13 Neighborhood Identification Signs:
Neighborhood Identification signs smaller than thirteen hundred (1300) square inches of message identity may be permitted within the right-of-way provided:

1. The non-illuminated signs are less than seven (7) feet in height.
2. The location and arrangement of said signs is subject to review and approval of the Chief of Police and the City Planner.
3. The sign's location shall be erected or installed in such a manner so as not to interfere with or obstruct access, activity or vision along such right of way.
4. The sign shall be provided with a landscape base installed and maintained so as to complement the neighborhood identification sign.
5. The neighborhood so requesting such shall be responsible for the care and maintenance of such landscaping.

6. The permit period for such neighborhood sign is limited to three (3) years and renewable for periods of three (3) years. Failure of the neighborhood to care for and maintain the sign and landscape base will be deemed as non-compliance with the permit. The sign will be removed by the City at the expense of the neighborhood.

6.14 Structure:
All signs, except those of insignificant size shall have a structural frame. All frames shall have corner braces or "gusset plate" or equivalent at all corners.

6.14.1 Structural Rolled Shapes:
The minimum thickness of structural rolled shapes shall be one-eighth (1/8) inch if galvanized or three-sixteenth (3/16) inch if not galvanized.

6.14.2 Light Gauge Steel Members:
Structural members of so-called "light gauge" steel must be galvanized and of no less gauge than No. 18 or one-sixteenth (1/16) inch. The latter must be designed in accordance with specifications for the design of "light gauge" steel members of the American Iron and Steel Institute.

6.14.3 Welding:
All welding of structural frames, whether done in shop or field, must be done by welders effectively certified by an approved certifying agency within one (1) week prior to the date of such welding.

6.15 Guys:
Guys shall be required on the following signs:

1. Projecting signs of horizontal length of twenty four (24) in. or greater.
2. Free-standing signs and billboards that cannot be sufficiently anchored or supported.

6.15.1 Cantilevers:
Signs without guys shall be "cantilevers" and extra care shall be taken to ensure the effectiveness of the anchor or supporting end.

6.15.2 Simple Beams:
Guys, together with the supports on the building, establish certain frame members as "simple" beams.

6.15.3 Angle & Side Guys:
When there is not sufficient room for cable guys at both sides of a sign, angle or side guys may be used. All angle or side guys shall form an angle or no less than forty five (45) degrees with the face of the sign and the wall of the building. All angle or side guys shall be horizontal.

6.15.4 Minimum Standards:
The minimum allowable size of cable guy shall be three-sixteenth (3/16) of an inch. The minimum size of lag bolts for use with expansion shields in masonry wall, shall be three eighths (3/8) of an inch by five (5) inches.

Exceptions:

With permission of the Code Enforcement Officer, or his or her designee, short angle or side guys not reaching to the outer end of frame members, or gusset place between members against the wall of a building and the main sign frame member, may be allowed, but the fastening shall be to the continuous, horizontal sign frame member.

6.16 Wind Loads:

All projecting signs, roof signs, detached signs, rectangular signs and free-standing signs and billboards, shall be designed and erected to withstand wind loads experienced in this area.

ARTICLE 7 ZONE AND LOCATION STANDARDS

7.1 Signs in all Residence Zones, Except Rural and Low Density Residential Zones:

In all residence zones signs pertaining to use, sale or lease of a lot on which placed shall be permitted according to the following:

1. A single sign not over eight (8) square feet in an area attached to a building, or detached and located in the front yard, pertaining to use, sale or lease of a lot on which the sign is placed will be permitted.
2. In M.D.R.-1, M.D.R.-2, H.D.R. and H.D. R.-2 Zones, a single sign not exceeding four (4) square feet in area, pertaining to use, sale, or lease of a lot on which the sign is placed will be permitted.

7.2 Signs in Rural and Low Density Residential Zones:

In Rural Zones and Low Density Residential Zones, the following signs shall be permitted according to the following:

1. A maximum of two (2) detached signs located in any front yard pertaining to the use on the premises.
2. The display area of each sign shall not exceed twenty-five (25) square feet, except that a single double-faced sign may be erected with a display area not to exceed twenty-five (25) square feet on each side.

7.3 Signs in Convenience Business Zones:

In Convenience Business Zones, the following signs shall be permitted:

1. Signs identifying uses or services rendered on the premises, aggregating four (4) square feet in area for every running foot of building frontage. Such signs may be affixed to any wall of a building; or

   Signs composed of individual letters without a background may be located on the edge of a roof or parapet wall on a flat roof or at the line of the eaves on other types of roof.
2. One (1) detached free-standing sign that is setback minimum twenty (20) feet from all property lines unless a waiver is obtained from the Maine Department of Transportation. The sign shall not be less than ten (10) feet above the grade level and no part of the sign, sign support or any construction on or in the area of the sign supports shall be so located or constructed as to impair the vision of the operator of any motor vehicle or otherwise interfere with such operator, and shall have a maximum of height of twenty-five (25) feet. The maximum area of said sign shall not exceed one hundred (100) sq. ft.
3. Businesses may be permitted the use of one (1) sandwich board sign. However, this sign must be taken inside at the close of business each day and must not be placed on either a public sidewalk or public street or placed in such a way as to interfere with the free travel of pedestrians or vehicles.

7.4 Signs in General Business Zone and Professional Business Zone:

1. Free-Standing Signs:

- All single use tenancies are allowed one 100 sq. ft. free-standing sign, excepting as provided for in Section 7.4.3.
- All multi-tenant buildings with four (4) or less tenants are allowed up to one 200 sq. ft. free-standing sign.
- Structures 20,001 sq. ft. or greater or with five (5) or more tenants are allowed up to one 300 sq. ft. free-standing sign.
- Signs in the General Business Zone must be set back a minimum 20 feet from property or street right of way lines.

2. Building Facade Signs:

- Single or multi-tenant buildings are allowed 4 sq. ft. perlinear foot of building frontage based on the predominant entrances to each building.

3. Traffic Directional Signs:

- All single use tenancies may have signs located near entrances and exits not more than three (3) feet from grade measured at driveway entrance, must be set back minimum seven (7) feet from all property lines, and must not exceed 4 sq. ft. in area in order to assist in the flow of traffic associated with the business.

  If a development is bounded by more than one street and accessed by more than one entrance on another street, and any one entrance sign cannot be seen from the other entrance, one other free-standing sign of one third the allowed square footage of the allowed free-standing sign shall be permitted at the second entrance. No more than two (2) free-standing signs shall be allowed per site.

  - Maximum height: 25 feet
  - Setback requirements: 20 feet from all property lines or Street right-of-way lines.

7.5 Signs in Industrial, Convenience Business and General Business Zones:

In Industrial, Convenience Business, and General Business zones, signs may not be located on any part of the premises as to face an adjoining lot in a residence zone and no sign shall be constructed nearest the rear property line or side property line of which abuts a lot in a residential zone.

7.6 Commercial Street Directory and Entrance Signs:

Indirectly illuminated directory and entrance signs in East-West Industrial Park may be erected within the public way subject to the approval of the City Engineer. Any such approval by the City Engineer shall be in writing and shall be filed with the City Clerk. Directory and entrance signs shall not exceed one hundred sixty (160) feet in size.

7.7 Recycling Efforts by the City of Brewer:

Nothing in this Chapter shall prevent the City of Brewer from erecting, maintaining and repairing such signs as the Brewer City Council, in its sole discretion, may deem necessary and appropriate for advertising and promoting the City of Brewer's recycling efforts and/or to direct citizens to a recycling facility within the City of Brewer. Such signs shall not exceed one hundred sixty (160) square feet in size.

7.8 Shopping Centers:

In Shopping Centers developed under a single ownership, each store or shop front may have an attached sign aggregating four (4) square feet of area for every running foot of its frontage.

7.8.1 Individual Establishment:

Each unit in a shopping center that is a separate establishment shall be treated as such in determining the allowable frontage and number of signs.

7.8.3 Detached Signs:

Each shopping center may have one detached sign directing the public to the shopping center and identifying use or services rendered on the premises but not describing goods by brand or trade names, and having a total area not greater than six hundred (600) square feet except for the General Business (GB) District, where all signs must meet the requirements of Article 7, Section 7.4.1 of this chapter.

ARTICLE 8 POLITICAL SIGNS AND POSTERS

Signs and posters bearing political messages relating to an election, primary or referendum, are permitted providing that these signs and posters may not be placed within any public right-of-way prior to six (6) weeks before the election, primary or referendum to which they relate and must be removed by the candidate or political committee not later than one (1) week thereafter. Such signs and posters located in public rights-of-way shall not be affixed to any utility pole, traffic sign or device. Political signs and posters may not be placed in or on any traffic islands or on the grounds of any city cemetery. Signs or posters erected outside of the Right-of-Way limits of public ways shall be limited to a maximum of 50 square feet. The Brewer City Clerk, or his or her designee, any Brewer Police Officer and the Code Enforcement officer are empowered to enforce this Article. Notwithstanding the above, nothing in this Article shall be interpreted as to prohibit any person from holding a political sign or banner on any traffic island provided such signs or banners do not, in the opinion of the Brewer Police Chief, or his or her designee, interfere with the visibility of motorists traveling on any public highway.

ARTICLE 9 DIRECTIONAL SIGNS

A directional sign which directs attention to a business not conducted upon the premises where such sign is located, shall be allowed for businesses having floor space of over one thousand (1,000) sq. feet; but said sign(s) may be located at the intersection approaches of the street where such business is located, or which provides access to the business, provided that street intersects either South Main Street, North Main Street, Parkway South, Wilson Street, or State Street. Directional signs may be located within the highway right-of-way. Businesses so qualifying shall be eligible for a maximum number of two directional signs.

9.1 Assembly:

Directional signs shall be mounted with a maximum of three (3) directional signs per assembly.

9.2 Obstruction:

- Where practicable, signs shall be located two hundred (200) feet from traffic control signs or devices. Signs shall be located so as not to interfere with, obstruct, or divert a driver's attention from a traffic control sign or device or obstruct required distances at intersections and/or curb cuts.
- Signs located near pedestrian and parking areas may be required to have a vertical clearance greater than the minimum.
- Signs assemblies must be located within eight hundred (800) feet of the intersection where a change in traveling direction is required. Successive directional sign assemblies shall be spaced sufficiently apart for drivers to comprehend the messages contained thereon. In general, the minimum distance between sign assemblies shall be two hundred (200) feet.
- Traffic control signs or devices placed at intersection approaches subsequent to the placement of directional signs shall have precedence as to location and may require the relocation of directional signs.

9.3 Minimum Clearance:

1. Vertical: five (5) feet from the lower edge of the sign
2. Lateral: three (3) feet from the edge of the curb face

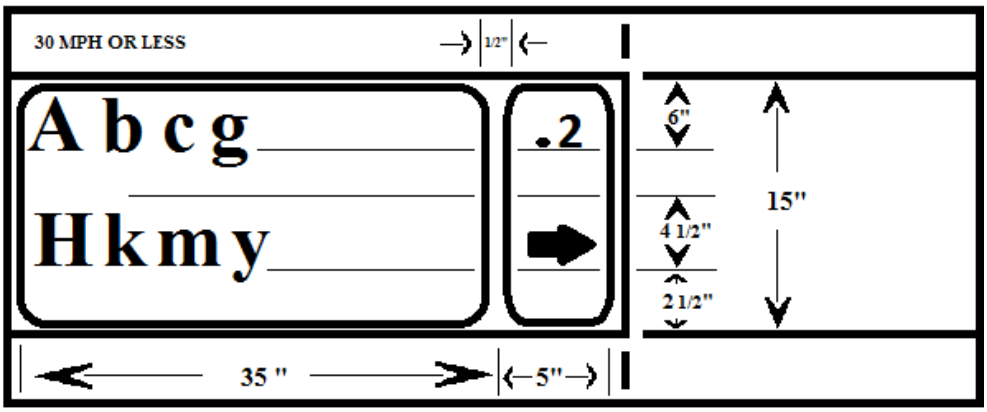
Signs located near pedestrian and parking areas may be required to have a vertical clearance greater than the minimum.

9.4 Sizes and Details:

Signs permitted under this exception shall be uniform and standard in design, color and reflection.

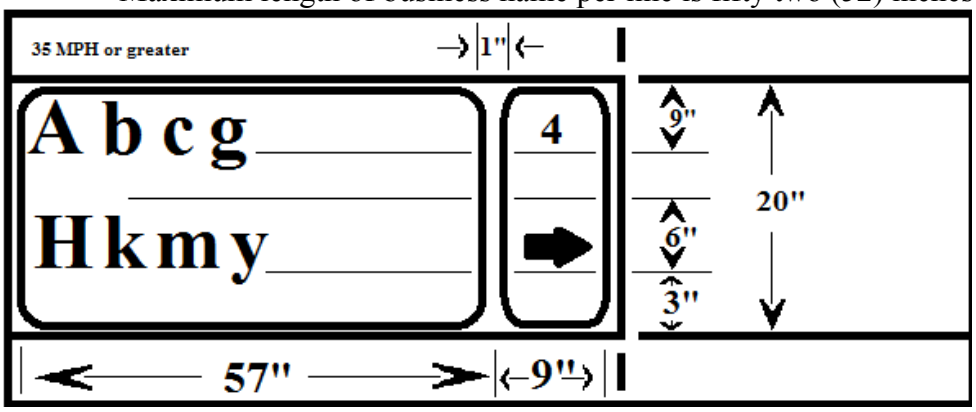
9.4.1 Signs on a road with posted speed limits of thirty (30) MPH or less:

- Overall dimensions 15" wide, 40"
- 4" lettering (2 lines maximum)
- Logos or symbols 8" maximum
- Maximum length of business name per line is thirty two (32) inches



9.4.2 Signs located on a road with posted speed limits of thirty five (35) MPH or greater:

- Overall dimensions 20" wide, 66" long
- 6" lettering (2 line maximum)
- Logos or symbols 12" maximum
- Maximum length of business name per line is fifty two (52) inches



All signs in a sign assembly shall be the same size. Sign sizes at a particular location must be consistent with the visual and aesthetic character of that location.

9.5 Color:

- The background color of all directional signs shall be "safety blue".
- All legend and border shall be silver. The edges and back of the signboards shall be sealed and painted brown.

9.6 Layout:

- Sign legends shall be specific in identifying the name of the appropriate business. Messages, symbols and logos, which interfere with, imitate, or resemble any official traffic control device or serve to advertise rather than identifying a business are prohibited. Logos or symbols intended for directional sign shall not be offensive to the public at large.
- Sign legends shall begin in the upper left hand corner of the space provided. Sign line legends, if used, shall occupy the top line of the space starting in the upper left hand corner.

- Directional legend shall be located on the left edge or the right edge of the sign depending upon whether a left or right turn is required. The distance in miles from the intersection to the business, service facility, or point of interest shall be shown above the directional arrow.
- The log or symbol, if used, shall be located on the opposite end of the sign from the directional arrow.
- Layout of the signboard and legend including the logo and symbol shall conform to good graphic layout practices.

9.7 Material:

- Sign panel material shall be high-density overlaid plywood, a minimum of one-half (1/2) inch thick, or other material for the application of reflective sheeting and sufficiently stable not to deform under normal conditions of weather and use.
- Signboards furnished by the applicant shall be installed by the City on signposts and mountings so constructed as to hold signs in a proper and permanent position.
- All materials furnished shall be durable and weather resistant.

9.8 Installation & Maintenance:

- Directional signs shall be furnished by the qualifying business. The signs shall be installed by the City on signposts furnished by the City, who shall be responsible for maintenance of the sign support;
- Directional signs that become lost, stolen, defaced, deteriorated or otherwise damaged shall be replaced by the qualifying business and reinstalled by the City;
- Failure to properly maintain the directional sign by the owner may result in removal of such signs by the City. All direction signs assemblies and signs shall be kept in a state of repair, cleanliness and legibility.

ARTICLE 10 DEFINITIONS

All terms, phrases, words and their derivation not defined herein shall be given that definition which is promulgated in Webster's New World College Dictionary, Third Edition, Copyright 1997, on file in the City Clerk's Office.

ADVERTISING SIGN:
Advertising sign shall mean a sign which directs attention to a business, product, service, activity or entertainment not necessarily conducted, sold or offered upon the premises where such sign is located, but shall not include billboards.

ANIMATED SIGN:
Animated sign shall mean a sign, which has any moving light or lights, or has any moving parts.

AREA OF SIGNS:
Area of signs shall mean the total area, whether it is in one (1) sign or a number of signs. The area of signs composed of individual letters without background shall be taken as that enclosed by a series of lines jointed to form a perimeter bounding all parts of the display.

ATTACHED SIGNS:
Attached sign shall mean a sign attached to a building or other structure.

BUILDING FAÇADE SIGNS:
Building Façade signs shall mean may sign that is located on the front of a building or part of building facing that is visible from the street.

BUSINESS SIGNS:
Business sign shall mean a sign which directs attention to a business, profession, product, service, activity or entertainment sold or offered upon the premises where such sign is located.

CHANGEABLE SIGNS:
Changeable sign shall mean an on-premise sign which is created, designed, manufactured, or modified in order to display a message that may be electronically, digitally, or mechanically altered by the complete substitution or replacement of one display by another on each side.

DETACHED OR FREE-STANDING SIGN:
Detached or free-standing sign shall mean a sign that is not attached to any building or structure and is self-supporting structure.

DIRECTIONAL SIGN:
Directional sign shall mean an off-premise sign providing the traveling public information where a change of direction from a highway of regional significance to another public way must be made so as to reach a business or service.

ERECT:
Erect shall mean to construct, build, raise, assemble, place, affix, attach, create, paint, draw or in any other way, bring into being or establish. It shall not include any of the foregoing activities when performed as an incident to the change of advertising.

FLASHING SIGN:
Flashing sign shall mean a sign, the illumination of which is not kept constant in intensity at all times when in use, and which exhibits sudden or marked changes in such light or color effects. Illuminated signs, which indicate the time, temperature, weather or other similar information shall not be considered flashing signs.

GUY:
Guy shall mean a rod, stake, chain or wire used to stay or steady a sign.

ILLUMINATED SIGN:
Illuminated sign shall mean a sign which has character, letter, figures, designs or luminous tubes as part of the sign or is internally lit. All illuminated signs erected or maintained shall be illuminated by non-flashing and non-intermittent light or lights. All such signs shall be illuminated to prevent beams or rays of light from being direct at any portion of the public street or highway and shall not be of the intensity or brilliance to cause glare or impair the vision of the operator of any motor vehicle or to otherwise interfere with such operator.

INDIRECTLY ILLUMINATED SIGN:
Indirectly illuminated sign shall mean an illuminated, non-flashing sign whose illumination is derived entirely from an external artificial source and is so arranged that no direct rays of light be projected from such artificial source into residential zones or public streets.

NEIGHBORHOOD IDENTIFICATION SIGN:
Neighborhood identification sign shall mean a sign display limited to the identification of a neighborhood or subdivision. The message display of such signage is limited to no greater than thirteen hundred (1300) square inches and use of a maximum size letter of seven (7) inches. Such signs are intended to include appropriate landscaping at the base of the message, be it a wall or free-standing sign.

PROJECTING SIGNS:
Projecting sign shall mean a sign which is attached to the building wall and which extends more than fifteen (15) inches from the face of such wall and is eight (8) feet above grade level.

PUBLIC HAZARD:
A condition which places the general public or individuals in a dangerous situation or which creates the potential for a dangerous situation.

PUBLIC NUISANCE:
Public Nuisance shall mean anything that causes hurt, inconvenience or damage and creates a substantial interference with the right to use and enjoy land, which may be intentional, negligent or is ultra-hazardous in origin and must be a result of an individual's activity. A public nuisance is such an inconvenience or troublesome offence, as annoys a substantial portion of the community and not merely some particular person. To constitute a Public nuisance, there must be such a number of persons annoyed that the offence can no longer be considered a private nuisance.

REVOLVING SIGN:
Revolving sign shall mean a sign that rotates on an axis, turns, rolls or otherwise moves. A revolving sign shall not revolve more than six (6) times per minute.

SANDWICH BOARD:
Two large boards bearing placards, hinged at the top with one board in front and the other behind, used in advertising and are not greater than 12 sq. ft. in area.

SETBACK:
Setback shall mean the distance from any street, highway or right-of-way line abutting a lot and shall also apply to the side and rear lot lines.

SHOPPING CENTER:
A group of architecturally unified commercial establishments build on a site which is planned, developed, owned and managed as an operating unit related in its location, size and type of shops to one trade area that the unit serves. The unit provides on-site parking in definite relationship to the types and total size of the stores.

SIGN:
Sign shall mean any name, identification, description, display, illustration or devise which is affixed to or represented directly or indirectly upon a building, structure or land in view of the general public, and which directs attention to a product, place, activity, person, institution or business. A sign shall include writing, representation or other fixture or similar character within a building only when permanently installed, illuminated and located in a window.

SIGN ASSEMBLY:
A sign assembly is the tier of more than one directional sign permitted under the provisions of this Chapter.

TRAFFIC DIRECTIONAL SIGN:
A Traffic Directional sign shall be used to direct the flow of traffic into and out of a lot to ensure safe vehicle movement.

CODE ENFORCEMENT DEPARTMENT
FEE SCHEDULE

BUILDING PERMITS

NEW CONSTRUCTION & REMODEL OF EXISTING:

Minimum permit fee $45

Maximum permit fee $25,000

- **Finished Space - $0.20 PER SQUARE FOOT**
- **Unfinished Space - $.10 PER SQUARE FOOT**

ELECTRICAL PERMITS

RESIDENTIAL:

Temporary Service:	**$20.00**
Change/Upgrade of Service:	**$30.00**
Addition To Existing Wiring:	**$30.00**
New One & Two Family Dwellings	**$50.00**
New Multi-Family Apartment Buildings:	**$50.00 for the first two units & $25.00 each unit after two**

COMMERCIAL: **$50.00 Minimum plus ½ of 1% of the total cost of the job.**

NTERNAL PLUMBING PERMITS

FIXTURE FEE:

1-4 Fixtures	**$40.00**
Each additional fixture above four total	**$10.00**
Hook up to public sewer	**$10.00**
Hook up to existing subsurface system	**$10.00**
Piping relocation with no new fixtures	**$10.00**
Permit transfer	**$10.00**

Late Fees may be assessed in accordance with applicable Codes and Ordinances.

CODE ENFORCEMENT DEPARTMENT
FEE SCHEDULE

SUBSURFACE WASTEWATER DISPOSAL

Complete Disposal System:

○ **Engineered system (includes one Disposal Area)**	**$200.00**
○ **Non-engineered system**	**$250.00**
○ **Primitive system (includes one alternative toilet)**	**$100.00**
○ **Separate grey water disposal field**	**$ 35.00**
○ **Seasonal conversion permit**	**$ 50.00**
○ **First-Time System Variance**	**$ 20.00**

Permits for separate pats of a disposal system:

○ **Alternative toilet (only)**	**$ 50.00**
○ **Disposal field only (engineered system)**	**$150.00**
○ **Disposal field only (non-engineered system)**	**$150.00**
○ **Treatment tank only (non-engineered system)**	**$150.00**
○ **Treatment tank (engineered system)**	**$ 80.00**
○ **Holding Tank**	**$100.00**
○ **Other system Component (complete pump station, piping)**	**$ 30.00**

OIL, GAS, & SOLID FUEL PERMITS

○ **Oil Burner**	**$20.00**
○ **Wood Stove/Pellet Stove**	**$20.00**
○ **Fire Place**	**$20.00**
○ **Vented Space Heaters**	**$20.00**
○ **Chimney**	**$20.00**

MISCELLANEOUS PERMITS

○ **Business Sign:**	**$40.00**
○ **Directional Sign:**	**$75.00**
○ **Street Opening (Residential):**	**$40.00**
○ **Certificate of Occupancy:**	**$25.00**
○ **Fences**	**$40.00**
○ **Swimming Pools**	**$40.00**

Street Opening (Commercial): **1/2 of 1% of Total Cost of Job**

Late Fees may be assessed in accordance with applicable Codes and Ordinances.

END OF CHAPTER NOTATIONS

Enacted 02/14/12, Effective 02/19/12 Complete Substitution of Chapter 2011-C021
Enacted 07/24/12, Effective 07/29/12 Complete Substitution of Chapter 2012-C011