

## ARTICLE XXII Sign Regulations

### Article 22: Sign Regulations

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#### **22.1. INTENT.**

This article is established to protect and promote health, safety, general welfare and order within the City of Spirit Lake through the establishment of uniform standards, regulations and procedures governing the type, number, size, structure, location, height, lighting, erection, use or display of devices, signs, or symbols serving as a visual media to persons situated within or upon public rights-of-way or private properties. The provisions of this article are intended to encourage opportunity for effective, aesthetically compatible, and orderly communications by reducing confusion and hazards from unnecessary or indiscriminate use of signs. Hereafter, no sign shall be erected, re-erected, constructed, altered or maintained, except as provided by this code and after a permit has been issued by the Zoning Administrator, except a permit shall not be required for the following temporary or exempt signs as noted in Section 22.3.

#### **22.2. DEFINITIONS.**

For the purpose of this code, certain terms, phrases, words and their derivatives shall be construed as specified in this chapter or as specified in the Building Code. Where terms are not defined, they shall have their ordinarily accepted meanings within the context in which they are used. *Webster's Third New International Dictionary of the English Language, Unabridged*, shall be considered as providing the ordinarily accepted meanings. Words in the singular include the plural and the plural the singular.

22.2.1 *Approved Plastic Materials*: See “plastic materials, approved.”

22.2.2 *Awning*: A device made of cloth, metal, or other material affixed to and projecting from a building in such a manner that the device is either permanently fixed or so erected as to allow it to be raised or retracted and return to a flat position against the building when not in use.

22.2.3 *Billboard (Off-Premises Sign)*: As used in this ordinance, billboards include all structures that are erected, maintained or used for public display of posters, painted signs, or wall signs, whether the structure be placed on the wall or painted itself, pictures or other

pictorial reading material which advertise a business or attraction which is not carried on, manufactured, grown or sold on the premises where said signs or billboards are located.

22.2.4 *Building Code*: is the latest edition of the *Uniform Building Code* promulgated by the International Conference of Building Officials.

22.2.5 *Building Official*: is the officer or other designated authority charged with the administration and enforcement of the Building Code.

22.2.6 *Curb Line*: is the line at the face of the curb nearest to the street or roadway. In the absence of a curb, the curb line shall be established by the jurisdiction's engineer. See "legal setback line."

22.2.7 *Display Surface*: is the area made available by the sign structure for the purpose of displaying the advertising message.

22.2.8 *Erect*: To build, construct, attach, hang, suspend or affix, and shall also include the painting of wall signs.

22.2.9 *Facing (or surface)*: The surface of the sign upon; against or through which the message is displayed or illustrated on the sign.

22.2.10 *Incombustible Material*: Any material that will not ignite at or below a temperature of 120° F and will not continue to burn or glow at that temperature.

22.2.11 *Legal Setback Line*: is a line established by ordinance beyond which a building may not be built. A legal setback line may be a property line.

22.2.12 *Marquee*: is a permanent roofed structure attached to and supported by the building and projecting over public property.

22.2.13 *Noncombustible*: as applied to building construction materials means a material which, in the form in which it is used, is either one of the following:

1. Material of which no part will ignite and burn when subjected to fire. Any material conforming to UBC Standard 2-1 shall be considered noncombustible within the meaning of this section.
2. Material having a structural base of noncombustible material as defined in Item 1, with a surfacing material not over 1/8 inch (3.2 mm) thick which has a flame-spread rating of 50 or less.

"Noncombustible" does not apply to surface finish materials. Materials required to be noncombustible for reduced clearances to flues, heating appliances or other sources of high temperature shall refer to material conforming to Item No. 1. No material shall be classed as noncombustible which is subject to increase in combustibility or flame-spread rating beyond the limits herein established, through the effects of age, moisture or other atmospheric condition. Flame-spread rating as used herein refers to rating obtained according to tests conducted as specified in UBC Standard 8.1.

- 22.2.14 *Nonstructural Trim*: is the molding, battens, caps, nailing strips, latticing, cutouts or letters and walkways which are attached to the sign structure.
- 22.2.15 *Plastic Materials, Approved*: shall be those having a self-ignition temperature of 650EF (343.3EC) or greater and a smoke-density rating not greater than 450 when tested in accordance with UBC Standard 8-1, in the way intended for use, or a smoke-density rating no greater than 75 when tested in the thickness intended for use by UBC Standard 26-5. Approved plastics shall be classified and shall meet the requirements for either CC1 or CC2 plastic.
- 22.2.16 *Person*: Any one being, firm, partnership, association, corporation, company or organization of any kind.
- 22.2.17 *Portable Display Surface*: is a display surface temporarily fixed to a standardized advertising structure which is regularly moved from structure to structure at periodic intervals.
- 22.2.18 *Projection*: is the distance by which a sign extends over public property or beyond the building line.
- 22.2.19 *Sign*: is any medium, including its structure and component parts, which is used or intended to be used to attract attention to the subject matter for advertising purposes other than paint on the surface of a building.
- a. *Abandoned Sign*: A sign which no longer correctly directs any person, advertises a bona fide business, lessor, owner, product, or activity conducted on the premises where such sign is displayed.
  - b. *Address Sign*: A sign identifying street address only, whether written or numerical form.
  - c. *Awning Sign*: A sign consisting of either an operating or permanently affixed awning containing letters, graphics, pictures, or other images which portray the business or other advertising of the establishment in which it is attached to. Awning signs shall not encroach more than four (4) feet out in front of a building, but shall meet all other size requirements addressed in this chapter. Permanent awnings may be lighted (from the backside); however, awning signs shall not have any flashing, strobe, or otherwise intermittent light emitting from the awning sign.
  - d. *Campaign Sign*: A temporary sign promoting the candidacy of a person running for a governmental office, or promoting an issue to be voted upon at a governmental election.
  - e. *Construction Sign*: A sign placed at construction site identifying the project or the name of the architect, engineer, contractor, financier or other involved parties.
  - f. *Combination Sign*: A sign incorporating any combination of the features of pole, projecting and roof signs.
  - g. *Directional Sign*: A sign erected on public or private property which bears the address and name of a business, institution, church, or other use or activity plus directional arrows or information on location.

- h. *Electric Sign*: is any sign containing electrical wiring, but not including signs illuminated by an exterior light source.
- i. *Flashing Sign*: Any illuminated sign that has artificial light or color which is not maintained at a constant intensity or color when such sign is in use. A sign providing public service information, such as time, weather, date, temperature or similar information shall not be considered a flashing sign.
- j. *Free Standing Sign*: Any sign or sign structure, not securely attached to the ground or to any other structure. This shall not include trailer signs as defined in this section
- k. *Governmental Sign*: A sign which is erected by a governmental unit.
- l. *Ground Sign*: A billboard or similar type of sign that is supported by one or more uprights, poles or braces in or upon the ground other than a combination sign, fin sign or pole sign, as defined by this code.
- m. *Illuminated Sign*: Any sign which has character, letters, figures, designs or outline illuminated by electric lights or luminous tubes as a part of the sign proper.
- n. *Information Sign*: Any sign giving information to employees, visitors or delivery vehicles, but containing no advertising or identification.
- o. *Joint Identification Sign*: A free-standing sign which identifies a subdivision, a multiple residential complex consisting of three (3) or more structures, a shopping center consisting of three (3) or more separate business concerns, an industrial area, an office complex consisting of three (3) or more structures or any combination of the above.
- p. *Non-Conforming Sign*: A sign which lawfully existed at the time of the passage of this ordinance but which does not conform to the regulations of this ordinance.
- q. *Pole Sign*: A sign wholly supported by a sign structure in the ground.
- r. *Projecting Sign*: A sign, other than a wall sign, which projects from and is supported by a wall of a building or structure.
- s. *Real Estate Sign*: A business sign placed upon a property advertising that particular property for sale, for lease or for rent.
- t. *Roof Sign*: A sign erected upon or above a roof or parapet of a building or structure.
- u. *Swinging Sign*: A sign installed on an arm or spar that is not, in addition, permanently fastened to an adjacent wall or upright pole.
- v. *Temporary Sign*: Any sign, banner, pendant, valance or advertising display constructed of cloth, canvas, light fabric, cardboard, wallboard or other light materials, with or without frames, intended to be displayed for a limited period of time only.
- w. *Trailer Sign*: Any sign mounted on a vehicle normally licensed by the State of Iowa as a trailer and used for advertising or promotional purposes.

x. *Wall Sign*: Any sign attached to or erected against the wall of a building or structure, with the exposed face of the sign in a plane parallel to the plane of said wall.

22.2.20 *Sign Structure*: Any structure that supports or is capable of supporting a sign as defined in this code. A sign structure may be a single pole and may or may not be an integral part of the building.

22.2.21 *Structure*: That which is built or constructed, a building of any kind, or any piece of work artificially built up or composed of parts joined together in some definite manner.

22.2.22 *UBC Standards*: Those standards published in Volume 3 of the latest edition of the Uniform Building Code, promulgated by the International Conference of Building Officials.

### **22.3. EXEMPT SIGNS.**

The following signs are allowed without a permit but shall comply with all other applicable provisions of this ordinance.

1. Official Notices authorized by a court, public body or public safety official;
2. Memorial Plaques, Building Identification Signs and Building Cornerstones when cut or carved into a masonry surface or when made of noncombustible material and made an integral part of the building or structure;
3. The Flag of a government or a noncommercial institution, such as a school;
4. Religious Symbols and Seasonal Decorations within the appropriate public holiday season.
5. Real estate signs (on-site) advertising for sale, rental, or lease only, the premises, lots or tracts on which they are located will be allowed in all districts. The area of such signs shall not exceed four (4) square feet in residential districts and not more than thirty two (32) square feet in other districts. Illuminated real estate signs are not permitted. Only one (1) real estate sign may be allowed per zoning lot.
6. Address Signs identifying street address only, whether in written or numerical form.
7. Construction Signs as a non-illuminated sign announcing 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 site of the construction, alteration or repair and shall be removed within two (2) years of the date of issuance of the first building permit or when the particular project is completed, whichever is sooner. One (1) sign, not to exceed 32 sq. ft. shall be permitted when placed on a site of 10 acres or less. When the construction site is greater than 10 acres, the sign shall not exceed 96 sq. ft.
8. Campaign Signs as allowed by Section 68A.406-yard signs, Code of Iowa.

9. Informational, Directional or Warning Signs intended to facilitate the movement of vehicles and pedestrians or authorized by federal, state or municipal governments;
10. Government signs of a public, non-commercial nature to include safety signs, danger signs, trespassing signs, traffic signs, signs of scenic or historical points of interest, memorial plaques and the like; when signs are erected by order of a public officer or employee in their official duty.
11. Directory signs which identifies the business, owners, manager, or resident occupant and sets forth the occupation or other address information but contains no advertising. There may be one directory sign per zoning lot not to exceed two (2) square feet of area per business or occupant.
12. Temporary Signs including portable or moveable signs, search lights, banners, pendants, and similar devices shall be allowed in addition to the sign limitations of this ordinance for continuous periods not to exceed thirty (30) consecutive days. No business proprietor shall be allowed more than three such periods in any calendar year.

#### **22.4. REQUIREMENTS FOR SIGNS IN RESIDENTIAL DISTRICTS.**

1. **Residential Development Signs.** Residential developments of four or more dwelling units shall be permitted one development complex sign for each public street frontage not within the project (or for each entrance in the case of a subdivision project). Such signs may be placed in any location on private property provided the sign complies with the same height limitations specified for fences. Maximum sign area for each sign shall be two square feet (0.19 m<sup>2</sup>) plus one square foot (0.09 m<sup>2</sup>) for each dwelling unit or lot, not to exceed 25 square feet (2.32 m<sup>2</sup>) in area per face.
2. **Home Occupation Signs.** Home occupation signs are permitted pursuant to Section 18.7 of this ordinance.
3. **Business Signs.** Nonconforming and conditionally permitted commercial and institutional uses shall each be permitted facade signage and/or one freestanding sign per public street frontage, not to exceed a combined total of 25 square feet (2.32 m<sup>2</sup>) in area for every 150 feet (45 720 mm) of public street frontage. For frontage greater than 150 feet (45 720 mm), 1 square foot (0.09 m<sup>2</sup>) of additional sign area shall be allowed for each 6 feet (1829 mm) of frontage up to a maximum of 80 square feet (7.43 m<sup>2</sup>) per sign. The height of freestanding signs for other conditionally permitted uses such as churches and schools shall be limited to 15 feet (4572 mm).
4. **Prohibited Signs.** All flashing, internally illuminated or audible signs shall be prohibited in all residential districts.

#### **22.5. REQUIREMENTS FOR SIGNS IN COMMERCIAL DISTRICTS.**

1. **Development Complexes.** All development complexes shall require a master signage plan pursuant to the requirements of this section, prior to the installation of any signage.
2. **Business Signs.** Each enterprise, institution or business shall be permitted wall signs, one under-canopy sign per street frontage and one freestanding sign each, subject to the following

maximum size requirements. (Note: Multiple businesses in the same building shall apportion facade length, building wall and street frontage such that any maximum is not exceeded for particular property).

3. Maximum Wall Sign Area. Total area of wall signage shall not exceed 2 square feet for each lineal foot (0.6 m<sup>2</sup> per 1 m) of the building wall from which the signage is attached, not to exceed 80 square feet (7.44 m<sup>2</sup>). (Ord. No 17-02, passed 11/12/2002)
4. Maximum Freestanding Sign Area. One square foot for each 5 lineal feet (0.06 m<sup>2</sup> per 1 m) of street frontage, not to exceed 40 square feet (3.72m<sup>2</sup>).
5. Under-Canopy Sign Area and Dimensions.
  - a. The maximum allowable sign area shall be 1 square foot for each lineal foot (0.3 m<sup>2</sup> per 1 m) of width of the canopy, awning, marquee or similar structure from which the sign is suspended, as measured perpendicular to the building wall.
  - b. The maximum allowable horizontal length of an under-canopy sign shall be equal to the width of the canopy, awning, marquee or similar structure from which the sign is suspended, as measured perpendicular to the building wall.
  - c. The minimum vertical clearance between the lower edge of an under-canopy sign and the ground shall be 8 feet (2438 mm).

#### **22.6. REQUIREMENTS FOR SIGNS IN INDUSTRIAL DISTRICTS.**

1. Development Complexes. All development complexes shall require a master signage plan pursuant to the requirements of this section prior to the installation of any signage.
2. Building Identification Signs. One building identification sign for each building shall be permitted provided that no such sign shall exceed 25 square feet (2.32 m<sup>2</sup>) in area.
3. Business Signs. Each enterprise, institution, franchise or business shall be permitted wall signs, one under-canopy sign per street frontage, and one projecting or freestanding sign per street frontage each subject to the following maximum size requirements. (Note: Multiple businesses in the same building shall apportion facade length, building wall and street frontage such that any maximum is not exceeded for a particular property).
4. Maximum Wall Sign Area. The total area of facade signage shall not exceed 3 square feet for each lineal foot (0.9 m<sup>2</sup> per 1 m) of the building wall from which the sign is attached.
5. Maximum Projecting Sign Area. One square foot for each 2 lineal feet (0.15 m<sup>2</sup> per 1 m) of the building wall from which the sign projects, not to exceed 64 square feet (5.94 m<sup>2</sup>). The total area of projecting signs shall be subtracted from the permitted total area of facade signs.
6. Maximum Freestanding Sign Area. One square foot for each lineal foot (0.3 m<sup>2</sup> per 1 m) of street frontage, not to exceed 150 square feet (13.94 m<sup>2</sup>) per sign.

7. Under-Canopy Sign Area and Dimensions.
  - a. The maximum allowable sign area shall be 1 square foot for each lineal foot (0.3 m<sup>2</sup> per 1 m) of width of the canopy, awning, marquee or similar structure from which the sign is suspended, as measured perpendicular to the building wall.
  - b. The maximum allowable horizontal length of an under-canopy sign shall be equal to the width of the canopy, awning, marquee or similar structure from which the sign is suspended, as measured perpendicular to the building wall.
  - c. The minimum vertical clearance between the lower edge of an under-canopy sign and the ground shall be 8 feet (2438 mm).
8. Off-Premises Signs. Off-premises signs shall be permitted pursuant to the requirements of this section.

#### **22.7. SPECIAL EXCEPTIONS.**

Any sign type may be granted special exception status after review by the Board of Adjustment and subject to any conditions deemed by the board to be appropriate.

#### **22.8. GENERAL SIGN REGULATIONS.**

1. Sign Illumination. All sign illumination shall be from the interior or from floodlight projection shielded to preclude glare visible from public rights-of-way and neighboring properties.
2. Rotating Signs. Rotating signs are permitted provided that the outer edge shall not exceed a speed of four revolutions per minute and the rotating portion of the sign shall be a minimum of 8 feet (2438 mm) above the adjacent grade. No rotating sign shall extend over public rights-of-way.
3. Roof-mounted Signs. Signs projecting above the point of intersection of the exterior wall of the building with its roof shall be mounted on a parapet or within the same plane as such exterior wall. Sign area for roof-mounted signs shall be calculated the same as and counted as part of the facade signs. Roof-mounted signs shall be allowed only in (I-1) Light Industrial District and (I-2) Heavy Industrial District.
4. Measurement of Sign Area. The square footage of a sign made up of letters, words or symbols within a frame shall be determined from the outside edge of the frame itself. The square footage of a sign composed only of letters, words or symbols shall be determined from imaginary straight lines drawn around the entire copy or grouping of such letters, words or symbols. Double-faced signs shall be calculated as the area of one side only. Three-dimensional or multi faced signs shall be calculated as the maximum area visible from any single direction at any point in time.
5. Measurement of Freestanding Sign Height. The height of a freestanding sign shall be measured from the elevation of the crown of the nearest public street to the highest point of the freestanding sign or its supporting structure.



6. Condition and Maintenance. All signs shall be of rust-inhibitive material or treatment, and shall be maintained in good condition in the opinion of the code official. All signs, together with all of their supports, braces, guys and anchors shall be kept in good repair and in a safe state of preservation. The display surfaces of all signs shall be kept neatly painted or posted at all times.
7. Electronic Message Signs. Electronic message signs that display time and temperature, or provide changing messages are permitted, provided such signs do not blink or flash.

#### **22.9. PROHIBITED SIGNS.**

The following devices and locations are specifically prohibited:

1. 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.
2. Except as provided for elsewhere in this code, 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.
3. Cloth, paper, soft plastic or similar advertising signs or devices other than in rigid frames as provided herein except those intended as temporary signs, or as provided by Item 7.
4. 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 from a distance.
5. Portable signs except as allowed for temporary signs.
6. Any sign attached to, or placed on, a vehicle or trailer parked on public or private property. The prohibition of this section does not prohibit the identification of a firm or its principal products on a vehicle operating during the normal course of business or being taken home.
7. Pennants, banners and private flags bearing any logo, product name, business name or other advertising, and balloons, except those temporarily attached to automobiles or temporarily displayed as part of a special sale, promotion or community event. For the purposes of this section, "temporary" means no more than 60 days in any calendar year.
8. Billboards in any district.
9. Any sign that impedes the use of a public street or sidewalk.

#### **22.10. SPECIFIC SIGN REQUIREMENTS.**

1. Directional Signs.
  - a. No more than two directional signs per street entrance shall be permitted for any enterprise, business or institution.
  - b. Such signs shall be for the sole purpose of ensuring safe and convenient access and egress to the use for which they apply.

- c. No such sign shall exceed 2 square feet (0.19 m<sup>2</sup>) in area in the residential districts, and shall not exceed 4 square feet (0.37 m<sup>2</sup>) in area in all other districts.
2. Wall Signs. In the General Commercial District, such projecting parallel signs may project over public right-of-way provided such signs shall not extend more than one foot (305 mm) beyond the wall of the building or impede free and complete use of the sidewalk for pedestrians.
3. Freestanding Signs.
  - a. Freestanding signs shall not exceed 15 feet (4572 mm) in height within 15 feet (4572 mm) of any lot line abutting public street right-of-way. For each additional 1 foot (305 mm) of setback beyond 15 feet (4572 mm), the sign height may be increased by 2 feet (610 mm) provided that in no event shall a sign exceed 36 feet (10 973 mm) in height; provided, however, that freestanding signs greater than 15 feet (4572 mm) in height may be set back from any lot line abutting a street a distance equal to the average street setback of all freestanding signs in excess of 15 feet (4572 mm) in height located in adjacent properties, within 100 feet (30 480 mm) of the property line and on the same side of said street.
  - b. All freestanding signs shall comply with the site distance triangular setback area height requirements specified by the applicable district.
  - c. A freestanding sign shall not be located closer than 50 feet (15 240 mm) from another freestanding sign located on another premises; provided that this section shall not prohibit the ability to place one freestanding sign on a premises that would otherwise have the right to such a sign; nor shall this section be applied in a manner that would require a setback for such freestanding sign in excess of what would otherwise be required by this Article.
  - d. Any sign within 40 feet (12 192 mm) of a property line abutting a street right-of-way shall not be located closer than 100 feet (30 480 mm) from another freestanding sign on the same premises.
4. Projecting Signs. In the General Commercial District only, projecting signs may project over public right-of-way a maximum of 4 feet (1219 mm), provided such signs shall not extend to within 2 feet (610 mm) of the street curb or the improved shoulder edge of the traveled way, or impede free and complete use of the sidewalk for pedestrians.
5. Off-premises Signs.
  - a. Maximum height from adjacent grade is 15 feet (4572 mm);
  - b. Maximum area is 50 square feet (4.65 m<sup>2</sup>);
  - c. Minimum yard setback is 20 feet (6096 mm);
  - d. Minimum distance from residential district is 100 feet (30 480 mm);
  - e. Minimum distance from street intersection is 25 feet (7620 mm);
  - f. Maximum number per parcel of property is one.

6. Community Event Message Signs.

- a. A nonprofit organization shall be eligible to apply for a conditional-use permit to allow a sign area bonus for a community event message sign. The purpose of this area bonus shall be to allow the display of changing messages and information on such matters as the date, time, location and sponsor of special events of community interest. Such signs shall meet the following standards and conditions:
  - i. Each nonprofit organization shall be eligible for a bonus for no more than one facade sign or one freestanding sign.
  - ii. The maximum bonus available shall be 50 percent of the base permitted sign area if located in a residential district, or 100 percent if located in any other district.
  - iii. Permanent advertising of a commercial nature shall be allowed only in commercial district and shall not exceed 25 percent of the total area of the community event message sign.
  - iv. The sign shall be reasonably available to other community-based nonprofit organizations for the display of information about their special events or other announcements of a noncommercial nature.
  - v. The signs shall not be of a size, or cited in such a manner, that will substantially hinder the visibility of other legal signs on adjacent properties.
- b. In reviewing an application for a community event message sign, the Board of Adjustment shall consider the following objectives, and may impose conditions to ensure that these objectives are met:
  - i. By virtue of the sign's design, size, location and other factors, including appropriate landscaping, the sign shall be harmonious and compatible with its surroundings, and consistent with community aesthetic sensibilities.
  - ii. The sign shall be erected, or any electronic or electric changing copy be controlled, in a manner that will be a substantial distraction to motorists, thus causing a traffic hazard.

7. Bus Bench Signs. Bus bench signs shall be limited to two benches per lot.

**22.11. TEMPORARY SIGNS.**

1. Political Signs.

- a. Political signs shall be permitted in all districts.
- b. Such signs shall not exceed 8 square feet (0.74 m<sup>2</sup>) in area and shall not exceed 42 inches (1077 mm) in height, provided that these restrictions shall not apply to lawfully established billboards.
- c. Political signs shall be permitted only for a period of 60 days preceding the election and shall be removed within 10 days after the election provided that signs promoting successful candidates or ballot propositions in a primary election may remain displayed through the general election.

- d. Political signs shall not be placed within any public right-of-way.
- e. Political signs established in violation of this section may be immediately removed by the Zoning Administrator.

2. Portable Signs.

- a. Portable signs shall not exceed 32 square feet (2.48 m<sup>2</sup>) in area. Such square footage (m<sup>2</sup>) shall be applied and calculated as part of the total square footage (m<sup>2</sup>) permitted for all business signage permitted for the business or property.
- b. Such signs shall be displayed no more than 45 days during any single calendar year.
- c. There shall be no more than one portable sign per parcel of property or business, whichever is lesser, permitted at any one time.
- d. Electrification of all portable signs shall be in compliance with the *National Electrical Code* as adopted by the state.
- e. A portable sign shall not be established or placed prior to obtaining a sign permit.

3. Real Estate Signs.

- a. Real estate signs shall be permitted in all districts, provided that all such signs shall be located on the property to which they apply, except as provided for in Part d. below.
- b. Such signs shall conform with the following maximum size requirements: 4 square feet in area for the first 10,000 square feet (0.40 m<sup>2</sup> for the first 1,000 m<sup>2</sup>) in lot area, plus 4 square feet for each additional 10,000 square feet (0.40 m<sup>2</sup> for the first 1,000 m<sup>2</sup>) of lot area, not to exceed 32 square feet (2.97 m<sup>2</sup>).
- c. Real estate signs shall be removed upon closing of the sale.
- d. In addition, real estate signs advertising the sale of lots located within a subdivision shall be permitted provided that there shall be no more than one sign per entrance, and each sign shall be no greater than 32 square feet (2.97 m<sup>2</sup>) in area, no greater than 8 feet (2438 mm) in height, and erected no longer than a period of one year. Such signs may be installed off premises in order to direct visitors to the property.

4. Special Business Sale Signs.

- a. Sale and grand opening signs shall be permitted in all districts provided that such signs are displayed no more than 15 consecutive days for every three months. Such signs shall be removed immediately upon termination of the sale or event that they advertise.
- b. All such signs must be attached to the facade, wall or window of the building occupying or conducting the sale or event which they advertise.
- c. No business shall have more than two such signs for each facade or wall of the building to which they are attached.
- d. The total sign size shall not exceed 50 percent of the size of the permitted facade sign or 4 square feet (0.37 m<sup>2</sup>) in area, whichever is greater.

5. Promotional Signs. Promotional signs advertising a special community event such as a fair, farmer's market or parade may be permitted to be located over public right-of-way. The size, location and method of erection of such signs shall be subject to approval by the Zoning Administrator pursuant to good engineering practices and shall be consistent with the paramount purpose of public rights-of-way to provide safe and convenient traffic circulation. Alternatively, such signs may be permitted to be attached to the wall of a building subject to approval by the Zoning Administrator.
6. Searchlights.
  - a. The operation of searchlights or similar lighting sources for advertising, display or any other commercial purpose is considered a temporary sign pursuant to the provisions of this section.
  - b. Such signs shall be displayed no more than five consecutive days and in no event be used for advertising greater than 30 days during any single calendar year.
  - c. Such signs shall not be permitted on a public right-of-way and may be immediately removed from such right-of-way by the Zoning Administrator, provided that within the (C-1) General Commercial District and (C-2) Highway Commercial District, the Zoning Administrator may permit the placement of a searchlight on a public right-of-way if no reasonable alternative exists and if such placement will not obstruct traffic or create a safety hazard.
7. Streamers.
  - a. Streamers may be used to outline property lines and areas on a lot that display merchandise outdoors.
  - b. Streamers shall be replaced or removed when torn or faded.
  - c. Since the primary purpose of streamers is to make display areas more attractive, for those uses displaying streamers for more than 90 days in a year, landscaping must be combined with streamer usage. Plans are to be approved by the code official with the intent being to provide planting areas with street trees or continuous areas with ground cover, particularly, but not limited to, the area along property lines. The cost of the required landscaping per year need not exceed the cost of the streamers.
8. Special Signs. Signs advertising for open houses, garage sales, auctions and other signs of a similar nature shall be allowed to be erected in all residential districts for a continuous period not to exceed Forty-Eight (48) hours.
  - a. Such signs shall not be permitted on a public right-of-way and may be immediately removed from such right-of-way by the Zoning Administrator.
  - b. Such signs shall not exceed four (4) square feet (0.37 m<sup>2</sup>) in area and shall not exceed forty-two (42) inches (1077 mm) in height.

## **22.12. MASTER PLAN FOR DEVELOPMENT COMPLEXES.**

1. **General.** Signs for all development complexes shall comply with a master sign plan for the development, approved by the Zoning Administrator pursuant to this section. Said plan shall include all proposed sign locations, materials, structures and installation details to the extent known at the time of master sign plan submittal. Additional submittals or amendments to the master sign plan may be necessary as a new development complex becomes occupied or as businesses within a complex change. Signs within a development complex shall be subject to the following requirements.
2. **Business Signs.** Each enterprise, institution or business shall be permitted facade signs and no more than one projecting sign subject to the maximum size requirements set forth for the applicable district.
3. **Freestanding Signs.** Each development complex shall be permitted one freestanding development complex sign per public street frontage. The maximum permitted sign area for each development complex sign shall be as provided within the applicable zoning district, plus a bonus of 10 additional square feet (0.93 m<sup>2</sup>) per business, enterprise, institution or franchise within the development complex, provided that such bonus shall not exceed 50 percent of the base allowable sign area.
4. **Performance Criteria.** In addition to other applicable requirements set forth in this chapter, signs for development complexes shall conform to the following performance criteria:
  - a. Individual business signs shall share a similar and uniform location and installation format.
  - b. All non-business signage in the complex shall be consistent in format, color and design.

## **22.13. 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 easily read. All parts and supports of signs 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 authorized agent after written notice by the City of Spirit Lake. 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 in compliance with the order, said sign or other advertising structure may be removed or altered at the expense of the permit holder or owner of the property. 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 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 removal of such sign may be ordered without notice to the permit holder. Whenever the use of land or structures changes, any signs that do not relate to the new use or to any product or service associated with the new use, shall be removed or appropriately altered consistent with the provisions of this section.

Obsolete signs which no longer advertise a bona fine business, an activity, business product or service which is no longer produced or conducted on the premises shall be removed within ninety (90) days from date of notice provided by the City of Spirit Lake. The owner of the property on which the sign is located shall have ninety (90) days from date of notice to remove any such sign. If after the expiration of the ninety (90) day period, the sign has not been removed, the city may cause the sign to be removed and any expenses may be charged back to the property owner.

**22.14. NONCONFORMING SIGNS.**

Whenever a business, person, enterprise or institution for which existing signage does not conform to the requirements of this Article, seeks to structurally alter or enlarge an existing sign, or erect or install a new sign, the provisions of this section shall apply as follows:

1. The alteration, enlargement, installation or erection of signage shall not increase the degree of nonconformity.
2. If the value of structural alterations to a nonconforming sign equals or exceeds 25 percent of the value of the sign, as determined by the building official, the sign shall be made to conform with all provisions of this chapter.
3. Enlargement, installation or erection of conforming signage shall be accompanied by a reduction in the degree of nonconformity for other signage existing on the premises. This reduction in nonconformity can be accomplished by a reduction in size of existing signs [if nonconforming as to square footage (m<sup>2</sup>)], removal (if nonconforming as to number of signs), relocation (if nonconforming as to location), or a combination of reduction, removal and relocation. The total cost of reduction, removal or relocation of nonconforming signage shall equal, as nearly as is practical, 75 percent of the value of the new or enlarged conforming signage, or the cost necessary to bring all signage on the premises into conformance with this chapter, whichever is the lesser requirement.
4. The provisions of Items 2 and 3 of this section do not apply to temporary signs or to illegal signs. Temporary signs that do not comply with the requirements of this chapter, and other illegal signs shall be removed within 90 days after notification of the sign's nonconformity.
5. Billboards that do not conform to the requirements of this Article shall be removed, within nine (9) years after the date of installing the billboard, or six (6) years after notification by the jurisdiction of the billboard's nonconformity, whichever is longer.