

## SUBCHAPTER 23-8: SIGNAGE REGULATIONS

### **Section 23.801 Purpose**

The purpose of this Subchapter is to indicate the requirements for signage for all properties within the jurisdiction of this Title. (See Section 21.009.)

**Rationale:** This Subchapter regulates the location, type, size, and height of signage within the jurisdiction of this Title. This Subchapter is designed to ensure the implementation of the Comprehensive Plan of the City of Delavan, particularly in regard to the implementation of the desired overall character of the community, and its constituent zoning districts.

### **Section 23.802 Sign Permits**

- (1) **Purpose:** The purpose of this Section is to provide a procedure and requirement for obtaining a Sign Permit prior to the erection of certain signs.
- (2) **General Requirement:** Unless specifically exempted by Subchapter 23-8, no sign shall be erected, altered, or relocated after the effective date of this Title (see Section 21.011) until a Sign Permit has been secured from the Zoning Administrator.
- (3) **Application Requirements:** All applications for sign permits shall be made in writing on a form supplied by the City of Delavan Zoning Administrator. Said application shall be submitted with all required information provided and shall contain or have attached thereto the following information:
  - (a) The approved site plan for the subject property (per Section 24.908), (or if not previously required, a site plan for the subject property with requirements as determined by the Zoning Administrator), showing the location and dimensions of all buildings, structures, and signs on the subject property; said subject property boundaries; and the location of the proposed sign;
  - (b) The configuration of the proposed sign listing the height, width, total square footage, method of attachment, method of illumination, and sign materials;
  - (c) The subject property's zoning designation; and
  - (d) The total area of all signs on the subject property both before and after the installation of the proposed sign.
- (4) **Procedure:** The Zoning Administrator shall review the submitted application for compliance with the requirements of Subsection (3), above. Upon the receipt of a complete application, the Zoning Administrator shall review said application for compliance with the requirements of this Title, and shall issue an approved or denied Sign Permit based on the submitted application within five working days of the acceptance of the complete application.
- (5) **Termination of a Sign Permit:** Any sign found not to be in compliance with the terms of this Title shall be considered in violation of this Title and shall be subject to all applicable procedures and penalties.
- (6) The following sign uses and purposes are permitted in all zoning districts without the need for a sign permit. Such signs shall not count as part of the maximum permitted sign area as regulated by Table 23.806(6).
  - (a) Address numerals and identification signs not exceeding one square foot in area.
  - (b) Legal notices.
  - (c) Signs established by, or by order of, any governmental agency.
  - (d) Memorial signs and tablets displayed in cemeteries.
  - (e) On-premise directional signs which bear no advertising.
  - (f) Temporary signs which conform to the requirements of Section 23.807.

- (7) **Community information signs** shall be permitted only as a conditional use within all zoning districts and upon any property within the jurisdiction of this Title (see Section 21.009). As such, the review of a request for the erection of a community information sign shall comply with the requirements of Section 24.905. The proposed size, configuration, and design of the sign shall be described as part of the conditional use requirements. As a conditional use, the City of Delavan may revoke the designation of an approved community information sign if such sign fails to comply with the requirements of this Title. Such action shall proceed per the requirements of Section 24.905(8). Upon revocation, the owner of said sign shall have 30 days to remove the sign at the owner's expense.
- (8) No person shall erect, alter, or relocate within the City of Delavan any sign without first obtaining a sign permit, except for the exceptions in (6) and (7) above. All exterior signs shall be subject to review and approval by the Zoning Administrator.
- (9) **Fee:** A fee is required for this procedure. Refer to Section 24.935(1)(f).

**Section 23.803 Definitions and Regulations Specific to Certain Signs**

The following definitions shall be used by this Subchapter to assist in the establishment of clear cut signage regulations. In general, Sign Purposes refers to where or how a sign is used. Sign Configurations refers to the style of the sign, and Sign Measurement explains how the dimensions of a sign are determined.

**Sign:** any object, device, display, structure, or part thereof, situated outdoors, which is used to advertise, identify, display, direct or attract attention to an object, person, institution, organization, business, product, service, event, or location by any means, including words, letters, figures, designs, symbols, fixtures, colors, illumination, or projected images. Signs do not include the flag or emblem of any nation, organization of nations, state, city, religious, fraternal, or civic organization; also merchandise and pictures or model of products or services incorporated in a window display, works of art which in no way identify a product, or signage on the interior (inside face) of athletic field fences and scoreboards located on athletic fields. Definitions of particular functional, locational, and structural types of signs are listed in this Section. (Traffic control and public agency signs located within a right-of-way, Plan Commission approved public art, and legal holiday displays are not included within this definition and are not regulated by the provisions of this Title.) (C-735, 1/21/97)

(1) **Sign Purposes**

- (a) **Advertising sign:** a sign which directs attention to a business, commodity, service, or entertainment conducted, sold, or offered elsewhere than upon the premises where the sign is displayed. Advertising signs include billboards. See Section 23.804(1)(g).
- (b) **Auxiliary sign:** a sign which provides special information such as price, hours of operation, or warning and which does not include brand names, or information regarding product lines or services. It may contain a business logo if the logo is under one square foot in area. Examples of such signs include directories of tenants in buildings, "no trespassing" signs, menu boards, and signs which list prices of gasoline. (Refer to Subsection 23.806(5))
- (c) **Business sign:** a sign which directs attention to a business, commodity, service, or entertainment conducted, sold, offered, or manufactured upon the premises where the sign is located. (Refer to Table 23.806(6) and Section 23.806.)

- (d) **Community Information sign:** an officially designated sign which is limited to the display of information of interest to the general community regarding scheduled public events and public activities. (Refer to Subsection 23.802(2).)
  - 1. Such sign shall only display information regarding events and information of general interest to the residents of Delavan. Copy which may be considered as advertising a product, private or restricted participation event, or activity for private profit shall be prohibited.
  - 2. Such sign may be located on private or public property (including right-of-way.)
  - 3. Such sign shall conform to the visibility requirements of Section 23.703.
  - 4. Such sign shall not be counted as adding to the area of signage on the subject property for the purposes of regulating sign area per Section 23.806(6).
- (e) **Directional sign, Off-Premise:** a sign which indicates only the name, direction, and/or distance of a business or activity. It may contain a business logo if the logo is under one square foot in area. (Refer to Subsections 23.804(1)(g).)
- (f) **Directional sign, On-Premise:** a sign which indicates only the name or direction of a pedestrian or traffic facility, or a particular building within a complex of structures, on the property on which said facility or building is located. For each permitted or required parking area that has a capacity of more than five cars, one sign, not more than two square feet in area, designating each entrance and/or exit; and one sign, not more than nine square feet in area, designating the conditions of use of the parking area. It may contain a business logo if the logo is under one square foot in area. Each on-premise directional signs shall not exceed four square feet in area. No business nor lot shall contain more than three such signs.
- (g) **Group sign:** a sign displaying the collective name of a group of uses such as the title of a shopping center, office park, or industrial park and its tenants. No sales or price information shall be permitted. Portions of the sign containing names of individual tenants shall be considered as part of the area of a group sign. Group signs shall only be permitted within developments serving five or more non-residential tenants, and shall limit information to the name of the development. (See Table 23.806(6).)
- (h) **Identification sign:** a sign indicating the name and/or address of the tenant of the unit or manager of the property located upon the residential premises where the sign is displayed. (Refer to Sections 23.805, and 23.806(1).) (RC-12, 8/12/97)
- (i) **Temporary sign:** a sign or advertising display intended to be displayed for a certain period of time (as permitted by Section 23.807). Included in the definition of "temporary signs" are retailers' signs temporarily displayed for the purpose of informing the public of a "sale" or special offer. If a sign display area is permanent but the message displayed is subject to periodic changes, that sign shall not be considered as temporary. A mobile or portable sign shall not be considered a temporary sign or used for such a purpose.

(2) **Sign Configurations**

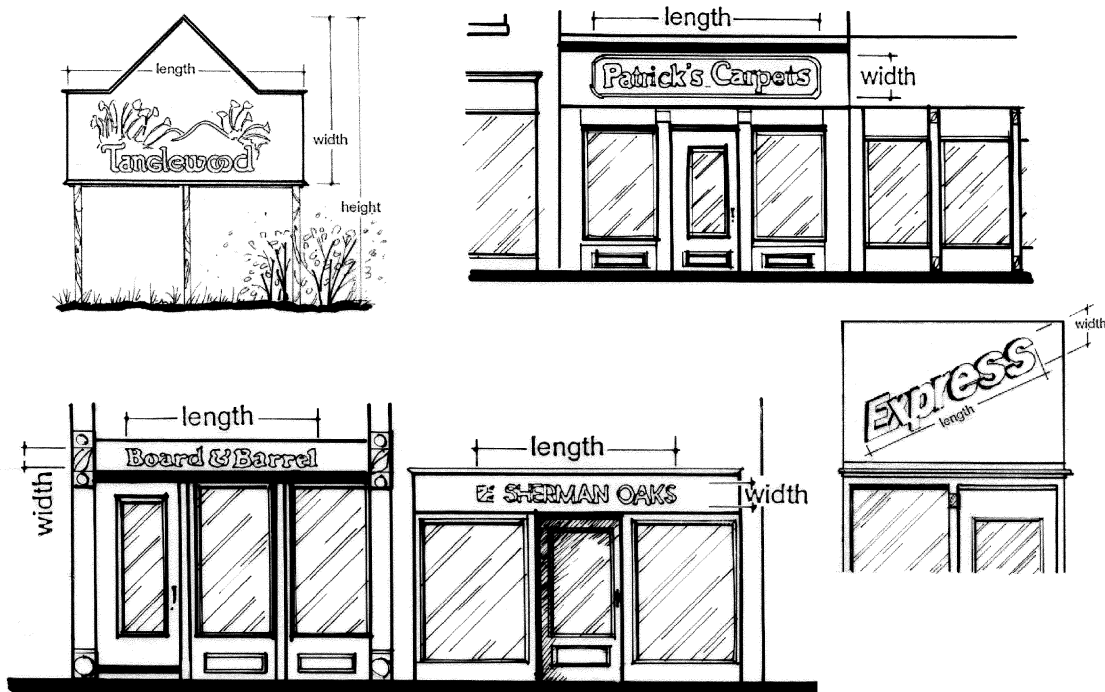
- (a) **Canopy Sign:** mounted to the side of the building which shall be counted as a projecting sign and shall be limited to 8" script, either on the valance or the awning/canopy area. Script larger than 8" must be approved by Conditional Use and not to exceed 5% of the awning/canopy area.

- (b) **Freestanding sign:** a self-supporting sign resting on or supported by means of poles, standards, or any other type of base on the ground. This type of sign includes monument signs and pylon signs. The base or support(s) of any and all freestanding signs shall be securely anchored to a concrete base or footing. The footing and related supporting structure of a freestanding sign including bolts, flanges, brackets, etc., shall be concealed by the sign exterior, masonry covering, earth and permanent groundcover, or through the use of evergreen shrubs. (Refer to Sections 23.803(3)(b)1. and 23.806(3).)
- (c) **Marquee Sign:** an overhanging sign providing a canopy of a theater, auditorium, fairground, museum or other use, which advertises present and scheduled events. (Refer to Section 23.803(3)(b)1.)
- (d) **Mobile or Portable sign:** a sign mounted on a frame or chassis designed to be easily relocated, including vehicles and/or trailers whose principal commercial use is for signage. These are prohibited, except for well-maintained signs limited to institutional uses in residential districts with written permission of the Zoning Administrator.
- (e) **Monument sign:** a freestanding sign whose bottom edge is located within one foot of a ground-mounted pedestal and whose top edge is located no more than eight feet from ground level. The base or support(s) of any and all monument signs shall be securely anchored to a concrete base or footing. The sign shall not be erected so that it impedes visibility for safe pedestrian and/or vehicular circulation. The footing and related supporting structure of a freestanding sign including bolts, flanges, brackets, etc., shall be concealed by the sign exterior, masonry covering, earth and permanent groundcover, or through the use of evergreen shrubs. See 23.703 and 23.806(6).
- (f) **Projecting sign:** a sign, other than a wall sign which is attached to, and shall not project more than one foot generally perpendicular from, a structure or building face. The bottom edge of such sign shall be located a minimum of ten feet from the ground level directly under the sign. Such sign shall be mounted directly to a building. In no instance shall such sign be projecting into and over a public right-of-way or private street, drive, or parking area. (Refer to Subsection 23.804(2)(f).)
- (g) **Pylon sign:** a freestanding sign erected upon one or more pylon or post. The base or support(s) of any and all pylon signs shall be securely anchored to a concrete base or footing. The height of a pylon sign shall be measured from the average ground grade adjacent to the sign to the top of the sign. The height of a pylon sign located at the lot line shall not exceed 25 feet from the elevation of the nearest point from the nearest street. The maximum height may be increased one foot for every additional foot of setback up to a maximum height of 50 feet if said sign is within 1500 feet of the IH 43 right-of-way. Pylon signs shall be erected so that they do not impede pedestrian and/or traffic visibility. The footing and related supporting structure of a freestanding sign including bolts, flanges, brackets, etc., shall be concealed by the sign exterior, masonry covering, earth and permanent groundcover, or through the use of evergreen shrubs. (Refer to Sections 23.804(2)(g), and Table 23.806(6).) (C-735, 1/21/97)
- (h) **Wall sign:** a sign mounted parallel to a building facade or other vertical building surface. Wall signs shall not extend beyond the edge of any wall or other surface to which they are mounted, nor shall they project more than 18 inches from its surface. The height of a wall sign shall be measured from the base of the building below the sign to the top of the sign face. The top of the sign shall be no higher than the nearest portion of the building to which it is mounted. Wall signs shall not be located on a public way or public or private parking lot. (RC-169, 11/11/03)

- (i) **Sandwich Board sign:** a sign designed to be a self-supporting by means of easel construction, and displayed on the ground or paved surface, not to exceed 6 feet in height or 2.5 feet in width. Such signs count toward the total sign area and sign number requirements of a business, and must be displayed only during business hours in a location approved by the Zoning Administrator.
- (j) **Decorative Flag sign:** a sign displayed by a land use which is not the official flag of a government. Such signs shall be a minimum height of 7 feet and shall count toward the total sign area and sign number requirements of a business, and must be displayed only during business hours in a location approved by the Zoning Administrator.

(3) **Sign Measurement**

- (a) **Ground level:** the average elevation of the ground upon which the sign supports are placed, except when the sign supports rest upon a berm or other area elevated above the surrounding ground. In such cases, the average elevation of the base of such berm or other area shall be considered as the ground level.
- (b) **Sign area** shall be measured in the following manner:
  - 1. In the case of a sign placed within a frame, marquee sign, or other structure, sign area consists of the entire surface area of the sign on which copy could be placed. The supporting structure or bracing of a sign shall not be counted as a part of the sign face area unless such structure or bracing is made a part of the sign's message. Where a sign has two or more display faces, the combined total area of all faces shall be considered the sign face area.
  - 2. In the case of a sign whose message is fabricated together with the background which borders or frames that message, sign face area shall be the total area of the entire background.
  - 3. In the case of a sign whose message is applied to a background which provides no border or frame, sign face area shall be the area of the smallest rectangle that can encompass all words, letters, figures, emblems, and other elements of its message.
  - 4. Signs less than one square foot in area are not regulated by this Ordinance.
  - 5. The illustrations on the following page demonstrate how sign face area and related dimensional requirements shall be determined.



## **Section 23.804 General Signage Regulations**

The regulations contained in this Section apply to signs in all districts.

### **(1) Sign Prohibitions and Limitations**

- (a) **No sign** shall use any word, phrase, symbol, shape, form, or character in such manner as to interfere with moving traffic, including signs which incorporate typical street-type and/or traffic control-type signage designs and colors.
- (b) **No fluttering, undulating, swinging, rotating, or otherwise moving signs, pennants** or other decorations shall be permitted **except for time and/or temperature signs.**
- (c) **No illuminated flashing signs** shall be permitted. Flashing signs are those which change their appearance more than once every 15 seconds. (RC-356, 6/9/15)
- (d) **No illuminated sign** shall be permitted unless the illumination of the sign is so designed that the lighting element is not visible from any property within a residential zoning district (per Section 22.102). All illuminated signs shall comply with the State Electrical Code, and limited to the hours of customer access.
- (e) **No mobile or portable signs** shall be permitted, except for institutional uses in residential districts with written permission of the Zoning Administrator.
- (f) **No off-premise directional signs** shall be permitted for non-governmental or non-institutional uses or for any use outside of a public right-of-way. However, such signs are permitted within a public right-of-way per Subsection (2)(e), below, for government facilities, and schools.
- (g) **No advertising signs** shall be permitted except as provided within the right-of-way of IH 43 and STH 11 per applicable State of Wisconsin Statutes.

**Rationale:** The adoption of Subsection (g), above, reflects a formal finding of fact on the part of the City of Delavan Plan Commission and Common Council that the prohibition of advertising signage furthers two compelling government interests: 1) the general public interest of reducing visual clutter caused by advertising signage which the City has determined is a significant cause of unsafe traffic conditions; and 2) the public interest served by furthering the implementation of the purposes of this Title and the City of Delavan Comprehensive Master Plan in terms of limiting the further spread of strip commercial development -- of which advertising signs are a primary contributor. Furthermore, the City of Delavan advocates that this regulation leaves ample and adequate alternative channels of commercial speech communication for the messages portrayable on such advertising signs -- namely distributed print media, broadcast media, and point-of-purchase display, and is narrowly defined so as to limit said prohibition to commercial speech on exterior signage.

- (h) **No inflatable signs** shall be permitted.
- (i) **Window obstruction** by interior signs shall not exceed more than fifty percent for any one window, nor more than ten percent of all combined window areas on the same facade of the structure. (RC-4, 6/10/97)
- (j) **Banners** are permitted by the Zoning Administrator in every zoning district except Business Central (BC). (RC-61, 2/9/99)

(2) **Sign Location Requirements**

- (a) **No sign** shall be erected or maintained at any location where by reason of its position, wording, illumination, size, shape, or color it may obstruct, impair, obscure, interfere the view of, or be confused with, any **authorized traffic control sign, signal or device**.
- (b) **No sign** shall be located within a **required bufferyard** or within a permanently protected green space area (see Section 23.205).
- (c) **No sign** shall be mounted on or extend above the **roof**, if attached to the building.
- (d) **No sign**, temporary or otherwise, shall be affixed to a **tree or utility pole** unless otherwise authorized by the Director of Public Works.
- (e) **Private signs** shall be allowed within road **right-of-way** lines only per the regulations of the City of Delavan Public Works Department (except decorative flag signs and sandwich board signs approved by the Zoning Administrator).
- (f) **Projecting signs** located over a **vehicle circulation area** shall not be permitted.
- (g) **Pylon signs** are not permitted in any **residential district** and may only be used to identify group developments (see Section 22.102)

**Section 23.805 Sign Regulations Applicable to Residential Districts**

In all residential zoning districts (see Section 22.102), signage shall be permitted per the requirements of Sections 23.801-23.804 and 23.806-23.809 and per the following:

- (1) **Wall and monument signs** are permitted in residential zoning districts. Other forms of signage are prohibited.
- (2) For each single-family lot, or multi-family lot containing four or fewer dwellings units, one **identification sign**, not to exceed two square feet in area, is permitted for each dwelling unit. Said identification sign may include one or more of the following: name, address, and/or home occupation title.
- (3) For each multi-family lot containing more than four dwelling units, one **identification sign**, not to exceed 12 square feet in area, is permitted. For each institutional residential lot, an identification sign not to exceed 32 square feet in area, is permitted. (RC-12, 8/12/97).

- (4) **Permanent subdivision identification signs** are authorized if approved as part of an approved site plan (per Section 24.908). Detailed plans of proposed signs must be submitted at the time of subdivision review or may be approved subsequently through the granting of a Conditional Use Permit. Such sign shall comply with the visibility standards of Section 23.703.
- (5) For any permitted principal use other than those specified in (2) - (4), above, one sign, not to exceed 12 square feet in area, is permitted. The sign shall indicate nothing more than the name and address of the premises and the schedule of services or other information relevant to the operation of the premises.
- (6) **Temporary Signs**, including rummage or garage sale signs, are permitted per the requirements of Section 23.807.

### **Section 23.806 Sign Regulations Applicable to Nonresidential Districts**

In all nonresidential zoning districts (see Section 22.102), signage shall be permitted per the requirements of 23.801-23.805 and 23.807-23.809 and per the following:

- (1) The owners of multi-tenant properties will be allowed to allocate sign size to each business up to a specified maximum for the entire property. This would allow the owner to allocate much of the allowed sign area to one business and none to another business if he or she saw fit to do so.
- (2) The total surface area of all **business signs** on a lot shall not exceed the maximum permitted by Table 23.806(6) using a combination of the following calculation methods:
  - (a) For On-Building Signs (wall, canopy, projecting, or marquee) use the listed ratio of sign area in square feet to linear feet of exposed exterior building wall length on that wall of the building, except for wall directly abutting residentially zoned property. Permitted sign area may not be transferred from one wall to another, or combined in any other manner. The number of permitted on-building signs (one per wall) may be transferred from one wall to another, but the total combined sign area of all signs on the receiving wall shall still be limited by its length ratio of said wall.
  - (b) For freestanding signs (monument or pylon) use the listed ratio of sign area in square feet to linear feet of public street frontage along the chosen street frontage. Permitted sign area may not be transferred from one street to another, or combined in any other manner.
- (3) The number and area of **business and group signs** for a business use shall not exceed the number or area shown in Table 23.806(6).
- (4) Only one **freestanding sign** shall be permitted to be erected on each public street frontage of a lot. Such sign may be either a business sign or a group sign. All signs shall be located so that no part of the sign shall project beyond the lot line or impede visibility (refer to Section 23.703). Where visibility is not a problem, the minimum required setbacks for freestanding signs vary by zoning district. Within the Business Neighborhood (BN), Business Local (BL), Business Central (BC), Manufacturing General (MG) and Manufacturing Heavy (MH) zoning districts, the minimum required setback shall be one foot from the right-of-way line. Within the Office Neighborhood (ON), Office Park (OP), Business Regional (BR), and Manufacturing Light (ML) zoning districts, the minimum required setback shall be 12 feet.
- (5) **Auxiliary signs** may only be permitted when specifically approved as part of the site plan review process. Said signage shall be calculated independently of the requirements of Subsection (1) above, and shall not exceed 50% of the maximum permitted area.
- (6) **Maximum sign sizes** for non-residential districts shall be permitted per the requirements of the Table 23.806(6): Maximum Sign Sizes, below. (RC-67, 6/8/99)
- (7) **Temporary Signs** are permitted per the requirements of Section 23.807.



**TABLE 23.806(6): Table of Maximum Sign Areas and Sizes**

Zoning District	Sign Area Ratio Calculation Methods		Maximum Number of Signs <sup>6</sup>
	On-Building Signs: Building Wall Length Ratio <sup>1,2,5</sup>	Freestanding Signs: Public Street Frontage Ratio <sup>3,4</sup>	
Business Central Office Neighborhood	1 square foot of sign area per 1 foot of exposed exterior wall length on that wall or 50 sq. ft. per building, whichever is greater, up to a maximum of 200 sq. ft.	1 square foot of sign area per 1 foot of public street frontage of provided on-site parking lot, up to 50 sf per sign	1 on-building sign per wall <sup>6</sup> for each fronting business or group for all walls abutting a public way, or public or private parking lot; plus 1 freestanding sign per public street frontage of provided on-site parking lot
Office Park Business Regional Business Neighborhood Manufacturing Light	1 square foot of sign area per 1 foot of exposed exterior wall length on that wall	.5 square foot of sign area per 1 foot of street frontage on any chosen public street, up to 100 sf per sign	1 on-building sign per wall <sup>6</sup> per fronting business or group for all walls abutting a public way, or public or private parking lot; plus 1 freestanding sign per each public street frontage
Business Local Manufacturing General Manufacturing Heavy	1 square foot of sign area per 1 foot of exposed exterior wall length on that wall	.5 square foot of sign area per 1 foot of street frontage on any chosen public street, up to 200 sf per sign	1 on-building sign per wall <sup>6</sup> per fronting business or group for all walls abutting a public way, or public or private parking lot; plus 1 freestanding sign per each public street frontage

<sup>1</sup>Applies to all buildings regardless of the number of businesses located within.

<sup>2</sup>Building wall length is defined as the length of the exposed exterior portion of the structure housing the principal use(s) at the foundation line. For example: in the BL District, a business in a building with an exposed exterior wall length of 200 feet is permitted an on-building sign up to 200 square feet in area on that wall of the building (200 feet x 1.0 = 200 square feet).

<sup>3</sup>Applies to all properties regardless of the number of businesses present on a property.

<sup>4</sup>Public street frontage is defined as the length of the public street frontage for the subject property. Building or on-site parking lot frontage on internal paved areas such as access drives and parking lots is not considered public street frontage for the purpose of this subsection. For example: in the OP District a business in a building with public street frontage of 150 feet could have one freestanding sign up to 75 square feet located along said measured street frontage (150 feet x .5 = 75 square feet). In the BL District, a business in a building with a public street frontage of 500 feet and a second public street frontage of 150 feet, could have one freestanding sign up to 200 square feet and a second freestanding sign up to 75 square feet -- with each sign located along its street frontage (500 feet x .5 = 250 square feet, exceeds 200 square feet maximum; plus 150 x .5 = 75 square feet).

<sup>5</sup>Maximum sign area for on-building signs is the total combined permitted sign area for on-building signs on said measured wall(s).

<sup>6</sup>The number of permitted on-building signs (one per wall) may be transferred from one wall to another, but the total combined sign area of all signs on the receiving wall shall still be limited by its length ratio of said wall.

**Section 23.807 Temporary Signs**

Only one temporary sign may be displayed on a property at any one time. Except as provided by (1) through (5) below, any one lot is permitted to display a temporary sign for a maximum of thirty days within any 12 month period. Furthermore, any one lot is limited to a maximum of two temporary signs in any 12 month period (political signs are exempt from this restriction).

- (1) For each lot: one "For Sale" or "For Rent" sign, not more than 12 square feet in area;
- (2) For construction on or development of a lot, one sign not more than 32 square feet in area, indicating the name of the contractors, engineers or architect, or products being used in the construction of a building but only during the time that construction or development is actively under way;
- (3) For a temporary event of public interest such as a neighborhood garage sale or church fair, one sign, not over 32 square feet in area, located upon the site of the event. Such sign shall not be erected more than 30 days before the event and shall be removed immediately after the event.

- (4) Temporary political signs may be permitted for a period of not more than 60 days before and ten days after an election and do not require a permit. The total of all political signs on a lot shall not exceed 32 square feet;
- (5) For each real estate subdivision that has been approved in accordance with the City of Delavan Land Division Regulations, a minimum of two temporary development project identification signs are permitted to be located on some portion of the subject subdivision. Each such sign shall be not more than 32 square feet in area. One additional similar sign shall be permitted for each 100 lots in the subdivision in excess of said original 100 lots. These signs shall comply with the visibility standards of Section 23.703. These signs shall be permitted to remain within the subject subdivision until a time at which Building Permits have been issued for 80 percent or more of the lots in the subdivision.
- (6) A temporary sign for a non-profit organization to be placed off-site may be permitted with the permission of the property owner up to 30 days before the event and if to be removed immediately after the conclusions of the event. (C-735, 1/21/97)
- (7) Banners promoting public events of city-wide interest displayed over a public street, alley or highway when approved by the Zoning Administrator for a period not to exceed 2 weeks prior to said public event. The sponsoring person, firm, organization or corporation shall provide a certificate of liability insurance in the amount of not less than \$100,000 each person and \$300,000 each occurrence, bodily injury liability; and \$100,000 each occurrence, property damage liability. Banners approved and authorized in accordance with this subparagraph shall be promptly removed following the final day of the event being promoted. (RC-13, 8/12/97)

**Section 23.808 Construction and Maintenance of Signage**

- (1) All signage within the jurisdiction of this Title shall remain in a state of proper maintenance. (See Subsection (2), below.)
- (2) Proper maintenance shall be the absence of loose materials (including peeling paint, paper or other material), the lack of excessive rust, the lack of excessive vibration or shaking, and the presence of the original structural integrity of the sign, its frame and other supports, its mounting, and all components thereof.
- (3) The repainting, changing of parts, and preventive maintenance of signs which completely conform to the requirements of this Title, and result in absolutely no change in the appearance of the sign from that originally approved, shall not be deemed alterations requiring a sign permit.
- (4) The owner, lessee, or manager of a sign, and the owner of the land on which the same is located, shall keep grass or weeds and other growth cut and debris and rubbish cleaned up and removed from the lot on which the sign is located.
- (5) Any signs which may be, or may hereafter become rotted, unsafe, or in a state which is not properly maintained shall be repaired or removed by the licensee or owner of the sign, or owner of the property upon which the sign stands upon notice of the Zoning Administrator.
- (6) All signs shall be constructed and mounted so as to withstand a wind pressure of 30 pounds per square foot.
- (7) Signage found to be in violation of the provisions of this Subchapter shall be subject to the provisions of Section 24.936.

**Section 23.809 Nonconforming Signs**

- (1) Nonconforming Signs
  - (a) Signs existing as of the effective date of this Title (see Section 21.011) which do not conform to the provisions of this Subchapter, shall be nonconforming signs and shall be subject to the provisions of Section 23.809(2). Nonconforming signs may be maintained. No nonconforming sign shall be altered or moved to a new location without being brought into compliance with the requirements of this Title (See Subsection (2)(a)).

- (b) Business signs on the premises of a nonconforming use or building may be continued per Section 23.809(2), but such signs shall not be allowed, nor shall expand in number, area, height, or illumination. New signs, not to exceed the maximum allowable aggregate sign area may be erected only upon the complete removal of all other signs existing at the time of adoption of this Title.
  - (c) Nonconforming signs shall be removed when the principal structure located on the premises undergoes a change of use, or shall be removed per Section 23.809(2). Closing businesses must remove their signs within 60 days of closing.
  - (d) Signage not in compliance with the provisions of this Section shall be subject to the provisions of Section 23.809(2).
- (2) Removal of Nonconforming Signs
- (a) Alteration of Signs
    - 1. For the purpose of this ordinance, alteration of a sign is considered to be any change to the exterior appearance of any part of the sign, its frame, its supporting structure, or its lighting including: changing the message (except for marquee signs), symbols, color, material, height, location, or any other alterations as determined by the Zoning Administrator.
    - 2. Altering a sign does not include maintaining the existing appearance of the sign or replacing the sign face or the supporting structure with identical materials, colors, and messages nor changing the message of a marquee sign.
  - (b) All signs found not to be in compliance with the provisions of this Subchapter shall be removed within 30 days of receiving written notice of noncompliance and removal from the Zoning Administrator.
  - (c) The penalties of Section 24.936 shall be applicable to violations of the provisions of this Subchapter.