

## *SIGNS*

### **§ 155.130 SIGNS; PURPOSE.**

The purpose of this section is to regulate all exterior signs placed for exterior observance so as to protect property values, to protect character of the various neighborhoods in the city, to facilitate the creation of a convenient, attractive and harmonious community, to protect against danger in travel and transportation, to improve and protect the public health, safety, convenience and general welfare, and to further the purposes and intent of the Zoning Code.

(A) A sign that serves as an I.D. is a principal use sign. Any sign erected on a lot or building for the purpose of advertising a use conducted therein or thereon shall be an accessory use to the principal use.

(B) It is further intended that all signs within a given development be coordinated with the architecture of the principal use in such a manner that the overall appearance is harmonious in form and proportion and that the signs shall be structurally sound so as to ensure the safety of the general public.

(C) No sign shall be permitted in any district except as herein provided. No sign, except as specified herein, shall be erected unless a sign permit has been issued by the Building Inspector. Applications for sign permits shall include drawings of the sign, and shall be accompanied by such fee as may be established by the Common Council.

(Ord. CO-90-2, passed 3-26-90)

### **§ 155.131 SIGNS PERMITTED IN ALL DISTRICTS.**

The following signs are permitted in all districts. No sign permit is required for these signs.

(A) One residential identification sign, not to exceed two square feet in area, for each residential dwelling, may be affixed to a mailbox, fence, or structure or be freestanding. In addition, one sign not exceeding two square feet for any permissible home occupation is allowed.

(B) Property address numbers for any house or business are permitted not to exceed two square feet in residential areas or four square feet in commercial or industrial areas.

(C) Signs for the purposes of identifying the name of schools, churches,

community buildings or other public or semi-public institutional buildings, residential subdivisions, apartments or mobile home parks, shall be permitted provided the following conditions are met:

(1) The sign shall not exceed 24 square feet.

(2) If freestanding, the sign shall be located not less than 15 feet from the road right-of-way.

Freestanding signs may be doublefaced, and such sign, including any structure to which it is attached, shall not exceed five feet in height.

(3) The Building Inspector may authorize additional signs if the building fronts on more than one street.

(D) One bulletin board, not illuminated except by indirect light and not exceeding 24 square feet in surface area is permitted with any church, school, or other similar public or semi-public structures.

(E) Permanent off-site directional signs intended for the purposes of directing traffic to such civic or public facilities as churches, schools, or public parks shall be permitted, provided such signs do not exceed six square feet in area and not placed so as to create a traffic hazard.

(F) Signs erected by the city, county, state or a public utility are permitted including traffic-control and safety signs, handicapped parking signs, railroad signals, entrance and exit signs, signs indicating scenic or historical places, welcome sign, public directional signs and memorial plaques.

(G) Show window displays are permitted, including displays of merchandise, photographs, drawings, prices, promotional statements or messages designed and intended to be viewed from outside the building.

(H) An exterior building directory, on a multiple tenancy structure, is permitted provided it does not exceed one sign per entrance and does not exceed six square feet in area.

(I) Any flags bearing the official design of a nation, state, city, or organizations, a corporation or a school or decorative flags are permitted.

(J) On-site directional signs shall be permitted for the purpose of directing traffic and parking on the same lot as the signs. Such signs shall not exceed five square feet, shall not be located in any public right-of-way, and such sign, including any structure to which it is located, shall not exceed four feet in height.

(K) Signs located on-site warning the public against hunting, fishing, dumping, trespassing, dangerous animals, swimming or the like, shall be permitted. Such signs

may be freestanding or attached to a fence.

(L) Names of buildings, dates of construction, commemorative tablets and the like are permitted, when carved in stone, concrete or similar material or made of bronze, aluminum or other permanent type of construction and made an integral part of the building and structure.

(M) Signs accessory to an agricultural use located on a parcel of not less than 20 acres for the purpose of identifying such agricultural uses or advertising the products thereof, including seed and demonstration test areas. No such sign shall exceed 30 square feet in area, and all such signs on a given farm shall not exceed 60 square feet in area. No such sign shall exceed eight feet in height or be located within any street right-of-way.

(N) Signs erected by farm operators on their barns or other accessory buildings giving their name, the name of the farm and the year the farm established are permitted.

(Ord. CO-90-2, passed 3-26-90)

#### **§ 155.132 SIGNS PROHIBITED IN ALL DISTRICTS.**

The following signs are prohibited in all districts:

(A) Any sign that does not meet electrical codes, is no longer functional, or is abandoned. All signs shall be repaired, removed or relocated in compliance with the regulations of this subchapter within a reasonable period of time after notification by the Building Inspector.

Signs shall be considered no longer functional or abandoned:

- (1) When the signs is materially obstructed from view.
- (2) When its essential elements are no longer readable.
- (3) When a sign has been left by a business which has ceased to operate at that location.
- (4) When a condition shows deterioration or dilapidation.

(B) Any sign which is constructed, altered, located or illuminated in any manner that causes undue glare, distraction, confusion, nuisance, noise, or hazard to traffic or to other properties. Sign may not be illuminated after 11:00 p.m. if it is located within or adjacent to a residential district, except those businesses remaining open beyond that time, in which case illumination shall cease upon closing.

**(C) Signs that are attached to a tree or other living vegetation, utility pole, rock, curbstone, sidewalk, lamppost, hydrant, bridge, highway marker, or another sign, except for public information signs as provided in § 155.131, (E) and (F).**

**(D) Any sign that is not expressly listed in this subchapter is prohibited.**

**(E) Signs advertising activities which are illegal under federal, state or local laws or regulations are prohibited.**

**(F) Any sign so placed that it obstructs any window, door, fire escape, stairway, ladder, opening or access intended for light, air, ingress to, or egress from any building is prohibited.**

**(G) Any signs that violate any provision of I.C. 8-23-20 or I.C. 9-214-6.**

**(H) Signs which have a rotating beam or beacon shall be permitted for advertising or identification purposes where no hazard or need for caution exists. (Ord. CO-90-2, passed 3-26-90)**

#### **§ 155.133 TEMPORARY SIGNS.**

**The following temporary signs are permitted within all zoning districts of the city subject to these conditions:**

**(A) Temporary real estate signs are permitted on any property being sold, leased, or developed if they are not illuminated, or located between the sidewalk and curb, or in any required side or rear yard setback. They shall be no larger than seven square feet in any residential district. These signs shall be promptly removed when the sale, lease or development of the property has been completed. A sign permit is not required.**

**(B) Temporary signs announcing events such as “Grand Opening”, “Under New Management” or “Going out of Business”, may be either freestanding or building-mounted and shall be subject to the following standards.**

**(1) Only one sign is permitted with a maximum of 20 square feet in area.**

**(2) If freestanding, the sign is not to exceed eight feet in height or be located closer than ten feet to any lot line.**

**(3) The sign is not to be located for a period more than 60 days except for a**

**“Going out of Business” sign which shall not exceed 120 days.**

**(C) Any temporary construction sign is permitted which announces the names of architects, engineers, contractors, other individuals or firms involved with the construction, alteration or repair of a building or development. The sign may also announce the character of a building enterprise or the purpose which the building is intended. These signs shall be located on the site of the construction work, and not more than 32 square feet in area. A sign permit is not required.**

**(D) Seasonal displays and decorations are permitted for events such as religious holidays and the Fourth of July, but they cannot advertise a product, service, or entertainment. A sign permit is not required.**

**(E) Temporary on-site signs advertising any temporary use specified in § 155.140 are permitted. These signs may be freestanding or be building-mounted, and shall not exceed one per use, and shall not exceed 32 square feet in area. All freestanding, they shall not exceed eight feet in height. Such signs may be erected only for the duration of the temporary use and shall be located only as approved by the Building Inspector. In addition, there may be off-site directional signs as specified in division (F) below.**

**(F) Freestanding, off-site directional signs providing information for the location of grand openings, private garage or yard sale, other temporary uses, or real estate that is for sale or for rent. These signs do not require a permit but shall be subject to the following conditions.**

**(1) These signs shall not exceed six square feet in area or four feet in height.**

**(2) No more than five signs per site for this purpose are allowed.**

**(3) These signs shall not be located in any public right-of-way.**

**(4) These signs shall not be situated to cause an obstruction or distraction to passing motorists.**

**(5) These signs shall be removed promptly after the sale or temporary activity has ended.**

**(G) Banners or flags announcing a campaign, drive or event of a civic, charitable, educational, historical or religious organization are permitted. Such**

signs may be mounted on a building or freestanding and may be on or over public property or right-of-way with the approval of the governing body. These signs do not have to be located at the site of the event, and may be erected for a period not more than 60 days. A sign permit is not required.

**(H) Political campaign signs erected on election day at officially designated polling places are permitted. A sign permit is not required. They are subject to the following conditions:**

**(1) Each sign shall not exceed 32 square feet in area, and a freestanding sign shall not exceed eight feet in height.**

**election (2) A sign shall not be erected for more than 60 days before the primary election, general or referendum which they advertise.**

**(3) All signs shall be removed within five days after the election or referendum.**

**(4) This provision shall not authorize the posting of political campaign signs upon trees, utility poles, traffic-control signs, street lights, or in any place prohibited by this subchapter.**

**(5) Any temporary political campaign signs placed on buildings or in building windows which are visible to the outside shall meet above requirements.**

**(6) The political party and candidate shall be responsible for the prompt removal of signs.**

**(I) Signs displayed on private property which express a political, religious, social, or similar message, shall be permitted in any district subject to the following.**

**(1) The sign shall not exceed 32 square feet in area, and the freestanding sign shall not exceed eight feet in height.**

**(2) No sign shall be erected for more than 60 days.**

**(3) No more than two such signs on any property per calendar year are permitted.**

**(4) A sign permit is not required.**

**(J) Inflatable hot-air or gas-filled balloons used for the purpose of product advertising shall be permitted as temporary signs in a business district for a period from the Building Inspector who shall determine that the usage of the balloons will meet safety standards.**

**(K) Search or spot lights placed temporarily on the ground for grand openings or special promotions are permitted provided the devise has a vertical beam and it does not create an air traffic hazard. A sign permit is required from the Building Inspector who shall determine that safety standards are met.**

**(L) Portable signs are permitted as temporary signs up to 28 days per year in commercial and industrial districts and up to seven days per year in residential areas. There shall be only one sign per business or residence. Sign permits are required and the following standards apply:**

**(1) The sign must be at least 15 feet from the right-of-way or adjacent property.**

**(2) In residential districts, the sign shall not display any product advertising.**

**(3) The sign shall not obstruct the view of traffic from any driveway.**

**(4) There shall be no flashing lights or any moving parts.**

**(5) The sign shall be anchored to the ground and shall meet applicable electrical codes. (Ord. CO-90-2, passed 3-26-90)**

**§ 155.134 ON-PREMISES SIGNS.**

**Signs permitted in business and industrial districts. The following signs are permitted in business and industrial districts subject to the standards set forth below. All signs require a permit except those in division (A).**

**(A) Signs permitted in all districts and temporary signs as specified in this subchapter. Sign permits not required where specified above.**

**(B) One or more business signs mounted on the building shall be permitted, if the following**

**requirements are met:**

**(1) Signs containing only advertising of products sold on premises.**

**(2) Signs may have up to four square feet for each foot of frontage of the building.**

**(C) Authorized additional building-mounted business signs are permitted if one of the following conditions are met.**

**(1) The business fronts on more than one thoroughfare.**

**(2) More than one business located in a building. In such instance, the combined total area of the business signs shall not exceed four square feet per front foot of the building.**

**(3) The business has rear or side parking, in which case one additional business sign may be permitted on the side or rear of the building occupied provided such sign is constructed to the same standards as are required in the front of said premises.**

**(4) The sign is part of a wall graphic.**

**(5) The sign is a projecting sign. Where may be more than one sign per business and the total surface area of the sign (both sides) shall be included in the maximum sign surface area specified in § 155.133 (B)(2). The sign shall not project more than ten feet from a structure nor be closer than eight feet to the ground. If the sign is over the public sidewalk or right-of-way, Board of Works approval shall be obtained.**

**(6) The sign is a canopy sign. There may be more than two business use and the total surface area of the sign (both sides) shall be included in the maximum sign surface area specified in § 155.134 (B) (2). The sign shall be no closer than eight feet to the ground. If the canopy is over a public sidewalk or right-of-way, Board of Works approval shall be obtained.**

**(D) In addition to the building-mounted sign or signs, one single or double-faced, freestanding sign may be erected on a business or industrial site, provided the following conditions are met:**

**(1) Such sign, including any structure to which the sign is attached, shall not exceed 35 feet in height, shall be set back not less than 15 feet from the road right-of-way and from adjacent property.**

**(2) The sign shall not be larger in total surface area than 100 square feet per face.**

**(3) The sign shall contain only the logotype, trademark or name of the company, commercial or industrial center on the property.**

**(4) Only one freestanding sign shall be permitted on each individual parcel. However, within commercial or industrial centers where more than one business is located in a building, the freestanding sign may identify all the businesses in the center but in this instance, the combined total area of the sign shall not exceed the standards of this section. In such instances where an individual business site or commercial or industrial center has access on more than one street, the Building Inspector may authorize such additional signs as are warranted. Additional freestanding signs may be approved as a special exception by the Board of Zoning Appeals where special circumstances warrant.**

**(5) Businesses which require the frequent display of special prices and events shall be permitted, in addition to a logo sign, one permanent message sign which does not exceed 20 square feet per face. Where additional message logo signs have been allowed by division (1), additional message signs shall be mounted on the same pole or structure as the logo or signs or on the building, and there shall be no freestanding message signs or product advertising signs whatsoever other than as permitted above.**

**(E) For businesses which sell gasoline, sign on pump islands and canopies relating to self-service or full-service locations, prices and similar information are permitted provided the numerals of any sign does not exceed eight inches in height and the signs do not exceed a total area of six square feet on each pump island.**

**(F) For businesses with drive up windows, directional signs and outside menu display boards are permitted but said signs shall be directed towards customers on**

the property and shall not display any product advertising visible by passing motorists or pedestrians.

(G) For businesses which have service bays, wall signs which identify the special functions of the various service bays are permitted provided they do not exceed ten square feet each and do not contain any product advertising.

(H) The following alternating illumination signs are permitted:

(1) Time, temperature and changing devices customarily identified with banks and lending institutions.

(2) Barber poles, provided such devices meet other applicable provisions of this subchapter.

(I) Signs on vending machines, where permitted, are allowed provided that all such machines on a parcel placed together in a single group against a building.

(J) Streamers, pennants, banners and decorative flags are permitted in business and industrial districts. No sign permits required.

(K) Disregarding all other business sign requirements, where existing residences are converted to nonresidential uses in residential districts by the Board of Zoning Appeals approval or otherwise, such nonresidential use shall be limited to one sign per use either attached or freestanding, which does not exceed ten square feet in total area nor six feet in height. Such signs may not be illuminated except by indirect light. Freestanding signs may be double-faced and shall be located in a landscaped area of the front yard. The sign shall be at least 15 feet from the right-of-way and from adjacent property.

(Ord. CO-90-2, passed 3-26-90)

#### **§ 155.135 OFF-PREMISES SIGNS.**

Off-premises signs are permitted in the city. An off-premise sign shall be treated as a principal land use and may be on the same property as other principal land uses provided all standards of this subchapter are met for each land use.

(A) The following standards apply to both building-mounted and freestanding off-premise signs.

- (1) Off-premise signs shall be permitted in the following zoning districts:
- (2) I-I (Open Industrial) District and 1-2 (Enclosed Industrial) District.
- (2) Off-premise signs shall be permitted by special exception in the business district.

**(3) The maximum height of an off-premise sign above the road grade from which it is to be viewed shall not exceed 35 feet.**

**(4) Lighting for off-premise signs shall be indirect and non-flashing in nature.**

**(5) No off-premise sign shall be placed so as to obstruct the view of on-coming traffic or create any kind of traffic hazard.**

**(6) All signs shall meet the adopted city building code for signs.**

**(7) No off-premise sign structure shall be placed until such time as a permit shall have been issued for said placement in accordance with this subchapter.**

**(B) The following additional standards apply to freestanding off-premise signs:**

**(1) Each sign face shall contain no more than 300 square feet (12 feet x 25 feet) and no sign structure shall contain more than two such faces in the same direction and shall not be separated by more than 12 inches.**

**(2) Back-to-back freestanding signs may be separated in the shape of the “V” if the greatest point of separation between sign faces does not exceed 15 feet.**

**(3) The distance between legally erected freestanding off-premise sign structures shall be a linear measure taken along right-of-way lines of that side of the street on which the sign is to be located. Freestanding signs shall be at least:**

**(a) 500 feet or more from one sign to another on the same side of the street which need not be met where a physical obstruction exists which prevents viewing two off-premise sign structures at the same time.**

**(b) 100 feet to any residential district or to a church, school or health care institution. This measurement is taken along right-of-way lines of that side of the street on which the sign is located.**

**(4) The distance measured at a right angle from the right-of-way line to the leading edge of an off-premise sign structure shall be no less than 15 feet.**

**(C) The following additional standards apply to building-mounted signs:**

**(1) Each building-mounted sign face shall contain no more than 300 square**

feet (12 feet x 25 feet) and there shall be no more than one such face on any building wall facing in the same direction.

(2) No building-mounted sign shall exceed beyond the corner edge of the building to which it is attached.

(3) Building-mounted signs shall not be located closer than:

(a) 250 feet from any freestanding or building-mounted off-premise sign on the same side of the street.

(b) 100 feet to any residential district or to a church, school or health care institution. This measurement shall be a linear measure taken along right-of-way lines of that side of the Street on which the sign is located.

(D) Notwithstanding the provisions of § 155.008 of this subchapter, nonconforming off-premise sign structures may be continued, but may not be replaced or otherwise increased in nonconformity except as specified herein or as permitted by the provisions of this subchapter. Nonconforming off-premise sign structures may be maintained *and* repaired subject to the above restrictions. (Ord. CO-90-2, passed 3-26-90)

#### § 155.136 WHEN SIGN PERMIT NOT REQUIRED.

The following operations are not considered as creating a sign and will not require a sign permit:

(A) The changing of advertised copy of a message on any approved sign, painted or printed. This also includes billboards, theater marquees and similar approved signs which are specifically designed for the use of replaceable copy.

(B) Painting, repainting, cleaning, and other normal maintenance and repair of an approved sign or sign structure, unless a structural alteration is made. (Ord. CO-90-2, passed 3-26-90)

#### § 155.137 LANDSCAPING AROUND FREESTANDING SIGNS.

Taking into account all the above provisions of this subchapter, shrubbery and other landscaping shall be planted around all freestanding signs when possible and that landscaping must be attractively maintained. (Ord. CO-90-2, passed 3-26-90)

## **§ 155.138 NONCONFORMING SIGNS.**

**Any new business or occupant which locates on a property that already has a building-mounted or freestanding nonconforming sign due to setback and size, may reuse the existing sign pole or sign face, provided the extent of nonconformity is not increased and that no more than one nonconforming freestanding sign may be reused per property. A nonconforming sign pole may not be replaced except in conformance with this subchapter. All other applicable sections of this subchapter shall be complied with and all abandoned or obsolete signs shall be removed from the property.**

**(Ord. CO-90-2, passed 3-26-90)**