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Section 12.010 Purpose and Scope

A. Purpose: This Article establishes comprehensive regulations for the control of Signs in order to preserve, protect, and promote the public health, safety, and general welfare. More specifically, this Article is intended to assist in achieving the following objectives:

- (1) To authorize the use of Signs that are:
 - (a) Compatible with their surroundings and the zoning district in which they are located;
 - (b) Expressive of the image the City desires to project;
 - (c) Appropriate to the type of Establishment or activity to which they pertain;
 - (d) Legible in the circumstances in which they are seen; and
 - (e) Not distracting or cluttered in a manner that disturbs the safe and free flow of traffic or in a manner that may be fully or partially attributable to an increased risk of traffic accidents;
- (2) To foster high quality commercial and industrial development, and to enhance the economic vitality of existing businesses/industries by promoting the reasonable, orderly, and effective display of Signs;
- (3) To encourage sound Sign display practices, and to mitigate the objectionable effects of competition in respect to the size and placement of Signs;
- (4) To enhance the physical appearance of the City by protecting the man-made and natural beauty of the area;
- (5) To preserve the value of private property by assuring the compatibility of Signs with nearby land uses; and
- (6) To enable fair and consistent enforcement of these Sign regulations.

B. Scope:

- (1) This Article contains regulations applicable to all Signs in all zoning districts within the City, subject to any exceptions as may be authorized for pre-existing Signs governed by the regulations set forth in Article 3 (Nonconformities and Vested Rights).
- (2) These regulations are supplemented and qualified by the regulations of the particular zoning district in which a Sign may be located and by additional general regulations appearing elsewhere in the Zoning Code.
- (3) Regulations for any Signs may be made more or less restrictive in the conditions of the ordinance governing a particular Planned Use District.
- (4) The requirements of this Article may be modified as part of any Planned Development District Ordinance where alternative materials, design, or types of signage are proposed that meet or exceed the quality and other purposes of this Ordinance.

(5) Nothing in this Ordinance shall be deemed to prohibit lawful non-commercial speech on a signage otherwise specifically authorized or designated for commercial purposes.

C. Interpretation: Every provision of this Article shall be construed liberally in favor of the authority of the City to the extent permissible by applicable law. Nothing herein shall be construed to be applied or enforced contrary to any superseding applicable law.

Section 12.020 Sign Permit Required; Administration

A. Enforcement Officer, Duties: The Director and his/her designee are authorized to administer and enforce the provisions of this Article.

B. Sign Permits: Unless subject to an exception set forth in this Article, no Sign shall be erected, constructed, posted, altered, enlarged, or relocated until a Sign Permit has been issued by the Director.

(1) Before any zoning authorization is issued, an application shall be filed, together with drawings and specifications as may be necessary to fully advise and acquaint the Director with the location, construction, materials, manner of illuminating, and securing or fastening of, and the wording or delineation to be carried on, any Sign. All Signs that are to be illuminated by one (1) or more sources of artificial light shall require a separate electrical permit and/or inspection.

(2) No Sign shall be approved for use unless it has been inspected by the Director and is found to be in compliance with all the requirements of this Article and applicable technical or building codes. Upon receipt of a fully completed application and determination by the Director that the Sign complies with all applicable requirements, the Director shall issue a Sign Permit, subject to compliance with the requirements herein. If the decision has not been issued within fourteen (14) days of the filing of the application, the application shall be deemed denied.

C. Application: Every applicant for a Sign Permit shall submit to the Director, in narrative and/or graphic form, all the items of information listed below:

- (1) Name, address, and telephone number of applicant;
- (2) Name and address of the owner of the Zoning Lot(s) on which the Sign is to be erected, if different from that of the applicant;
- (3) If applicant is different from owner, provide written authorization of the proposed signage by the owner;
- (4) Parcel ID of the subject property;
- (5) Location of the Building, structure or Lot where the proposed Sign is to be erected, and the zoning district classification of the Zoning Lot;
- (6) Description of the proposed Sign indicating proposed location, dimensions, area, overall height, illumination, and method of support/attachment;
- (7) Location of the proposed Sign in relation to nearby traffic control devices;

- (8) Amount of street frontage that the Establishment that proposes to display the Sign has, and the total area of all existing Signs on the Zoning Lot; and
- (9) Such other information as the Director shall reasonably require to determine compliance of the application and the Sign with this Article.

Section 12.030 General Sign Regulations

A. General Provisions:

- (1) General Prohibition: Any Sign not expressly permitted by this Article shall be deemed prohibited in the City, unless expressly authorized by a Planned Use District ordinance. All Signs are subject to the General Sign Regulations provided in this Section, to setback, height, and to all other underlying district regulations, and other applicable ordinances of the City, except as may be provided herein or expressly modified by a Planned District Ordinance.
- (2) Exempt Signs: The following Signs shall be exempt from the provisions of this Article; provided, however, setback and height requirements for all private structures, where applicable, shall be in accord with the regulations of the particular zoning district in which the structure is located:
 - (a) Public notices and legal notices required by law
 - (b) Signs exempted by Federal, State, or local law
 - (c) Official traffic or government Signs, including safety or directional signs, plaques and Signs of historic interest, or any Sign otherwise authorized by the City and subject to approval by any applicable government or other owner having control or jurisdiction over the property on which the Sign is located.
 - (d) Holiday or Seasonal Displays: Decorations and displays placed on private property celebrating or denoting holidays or events, the seasons of the year, state and national holidays, and similar occasions; provided such seasonal display (1) is in place for no more than ninety (90) days, (2) contains no commercial advertising message or name or logo of a business, and (3) does not cause a nuisance to neighboring property owners by noise, light, traffic generation, or other aspects. Seasonal displays failing to meet these qualifications shall not be exempt.
- (3) Materials, Location:
 - (a) All Signs, including its Sign face, cabinet, structure, trim, base, and frame must be kept in good repair. All permanent Signs and their supporting members shall be constructed of flame-resistant and weather resistant materials appropriate for permanent Sign construction. Signs not kept in good repair and appearance are hereby declared prohibited and a nuisance. The Director shall be authorized to establish prohibited materials and other regulations relating to acceptable Sign components and construction consistent with this Article.

- (b) All Signs shall be located so as not to impair the visibility of any official highway Sign or marker and no non-governmental Sign shall be placed so as to unnecessarily obstruct the visibility of any other Sign.
 - (c) Signs may not be placed on any private or public property without the consent of the owner or person having authority to grant consent to use the property for such purpose.
 - (d) Permitted Signs may be either a flat Sign permanently affixed to the face of a Building, Awning or Canopy, Wall or Projecting Sign, or Freestanding Sign. Signs affixed to Buildings shall not project above the Eave Line of the Roof except as an Integral Roof Sign.
- (4) Removal: All Sign faces authorized by Sign Permit for Non-residential Zoning Lots shall be removed within ninety (90) days of the cessation of the use of a property, Building, or tenant space, authorizing such signage. If removal of the Sign face reveals bare lighting, electrical, or structural components, a blank face of a white or gray color made of durable, weatherproof material shall be applied to cover such components. No vacant open Sign cabinets or boxes are allowed.
- (5) Calculation of Sign Area: The area of every Sign shall be calculated as follows:
- (a) Framed Sign: The Sign Area of a Wall, Projecting or Freestanding Sign shall include the area within a continuous perimeter enclosing the limits of writing, graphic representation, logo, and any figure or similar character, together with the outer extremities of any frame and other material or color forming an integral part of the display that is used as a background for the Sign.
 - (b) Unframed Sign: The area of a Wall, Projecting or Freestanding Sign of individually cut-out writing, graphic representation, logo, and any figure or similar character that is not enclosed by framing is the area of a polygon with a maximum of ten (10) sides necessary to enclose each writing, graphic representation, logo, and any figure or similar character, including the space between individual letters.
 - (c) Double-Faced Signs: Only one (1) side of a Double-Faced Sign shall be included in calculating the Sign Area. If the two (2) faces of a Double-Faced Sign are of unequal area, the area of the Sign shall be the area of the larger Face.
 - (d) 3-D Shapes: The area of Signs of three-dimensional shapes having 360 degrees of Sign face - such as globes, cylinders, or pyramids - shall be computed as one-half (1/2) of the total of the exposed surfaces
 - (e) Lots with Double Street Frontage: Unless otherwise provided, if any Establishment has Frontage on two or more streets, each side of the property having Frontage shall be considered separately for determining the permitted total Sign Face Area and number of allowable Signs, unless otherwise governed by this Article. However, the Sign Area Allowances shall not be aggregated so as to allow any Establishment to display on

any Frontage a greater Sign Face Area than that single Frontage would otherwise permit.

- (f) Exceptions: The total Sign Area for any Freestanding Signs shall be exclusive of any decorative trim, frame, and/or structure. Said trim, frame, and/or structure shall not exceed thirty percent (30%) of the Sign Area as determined in accordance with this Section.
- (6) Movement Prohibited: No Sign shall revolve, rotate, or mechanically move in any manner.
- (7) Illumination: Illumination of Signs is permitted, subject to the following requirements:
- (a) No red, yellow, green, or other color light shall be used at any location in such a manner as may confuse or interfere with vehicular traffic or pedestrian crosswalk traffic.
 - (b) No Sign shall have blinking, flashing, or fluttering lights or other illuminating devices that have a changing light intensity, brightness, or color. Beacon Lights, searchlights, and illumination by open flame are prohibited.
 - (c) The light from any illuminated Sign shall be shaded, shielded, or directed so as to avoid the creation or continuation of any nuisance or traffic hazard. No glare is allowed.
 - (d) Any illumination of an exterior Sign requires a Sign Permit.
 - (e) No exposed reflective type bulb, and no strobe light or incandescent lamp shall be used in such a manner as to expose the face of the bulb, light, or lamp to any public street or to adjacent property.
 - (f) When Sign illumination is desired, it shall be arranged so as to not cast light directly from any source of illumination on to any public right-of-way or on to adjoining properties in any residential or agricultural district.
 - (g) Illumination created from the lighting of Signs must adhere to the lighting requirements set out in Article 11 (Parking and Loading Regulations) as they pertain to impacts on adjacent right-of-way and neighboring properties.
- (8) Signs Not to be Hazardous:
- (a) No Sign shall be erected, relocated, or maintained so as to prevent access to, ingress through, or egress from, any door, window, fire escape, or driveway.
 - (b) No Sign shall be erected, relocated, or maintained in such a manner that it interferes with, obstructs the view of, or is likely to be confused with, any authorized traffic Sign, signal, or device.
 - (c) Signs shall not be located within the Sight Distance Triangle (as defined in Article 2) or otherwise located so as to cause a traffic hazard.

- (9) Changeable Copy, Limitations: All Signs authorized by Permit may be designed to be capable of changing the message thereon, including such as for time or temperature, either manually or electronically, provided the following requirements are satisfied for such changeable copy area: (1) no more than one such Sign per establishment, (2) such Sign may occupy no more than thirty (30%) percent of the applicable Sign face, (3) such Sign is of no greater width as the attached principal Sign face, (4) no animation or movement of any content is permitted, and (5) each message displayed thereon must remain visible in at least two and one-half (2.5) second intervals before being reset or replaced with another Message. (Ord 3587; passed 9-15-08)
- (10) Compliance with International Building Code (IBC): No Sign shall be erected, relocated, or maintained as to conflict with the requirements of the adopted IBC.
- (11) Maintenance Requirements:
- (a) Every Sign shall be designed and constructed in conformity with the applicable provisions of the current adopted building code of the City of O'Fallon. Where sections in the building code conflict herewith, this Article shall apply.
 - (b) The electrical component of any illuminated Sign shall conform to the applicable requirements of the current N.E.C. Electrical Code of the City of O'Fallon.
- (12) Setback Calculation: Calculation of the setbacks for Signs as established in this Article shall be measured from a vertical line of the closest part of the Sign to the property line.
- (13) Nonconforming Signs: Any sign not conforming to this Article on the date of enactment shall be subject to the requirements of Article 3 (Nonconformities and Vested Rights) of this Code, Nonconformities and Vested Rights, provided that a Sign face of a Nonconforming Sign may be altered if the Sign is not otherwise determined to be abandoned.

Section 12.040 Signs Authorized Without Permit; All Zoning Lots; Exceptions

- A. Every Sign enumerated below that complies with the indicated requirements, unless otherwise stated, may be erected on any Zoning Lot within the City, without a Sign Permit, provided such Signs comply with all other applicable requirements of this Article. The area of such Signs shall not be debited against the Sign Area Allowance. Except where otherwise expressly provided, no Sign authorized by this Section shall be placed on a Vacant Property.
- (1) Flags: Up to three Flags containing no commercial message, such as flags of nations, an organization of nations; states; cities; and fraternal, religious, and civic organizations. Flag lengths shall not exceed ten feet (10'), with a pole height not to exceed thirty-five feet (35'). Flag poles exceeding thirty-five feet (35') may be permitted as a Special Use and shall be subject to Sign application, Permit, and inspection requirements. No Sign Permit shall be

required for flagpoles under thirty-five feet (35') in height. Flags shall be removed upon becoming faded, weathered, or tattered.

- (2) Monuments: Statues, artwork, and historical monuments and also commemorative tablets and monument citations of less than ten (10) square feet that are an integral part of a Permanent structure.
- (3) Address and Residential Occupant Signs: One (1) permanently affixed Sign per street Frontage containing address numbers and/or residential occupant identification located on the Zoning Lot, including vacant properties, to which the Sign pertains. Such Signs shall not exceed three (3) square feet in area for single-family dwellings nor six (6) square feet for multiple-family dwellings.
- (4) Temporary Non-Commercial Signs; Garage Sales: One (1) or more Signs made of paper, cardboard, or other lightweight materials with comparable temporary stakes or support materials designed for temporary display of non-commercial messages, except as provided below, including, but not limited to, political issue signs, electioneering signs, charitable or public interest signs, or other similar types of signs typically found in residential areas may be placed within any non-vacant Zoning Lot. The aggregate area of all Temporary Non-Commercial Signs (counting only one face if double-sided) shall be no greater than eighteen (18) square feet. Temporary Signs must be removed before they become faded or deteriorated, but in no event shall such Temporary Signs remain longer than sixty (60) days. Temporary Non-commercial Signs shall not be subject to setback requirements of the applicable zoning district. A Temporary Sign not exceeding six and one-quarter (6.25) square feet in area used to advertise garage sales or other lawful commercial activity on residential Zoning Lots shall also be permitted, but may be posted for no longer than three (3) days at a time, up to four (4) times per year.
- (5) Real Estate Signs: Signs indicating the sale, rental, or lease of the Zoning Lot on which they are located, including Vacant Properties. Such Signs on residential property shall not exceed six and one-quarter (6.25) square feet in area; on other property, such Signs shall not exceed thirty-two (32) square feet in area. Not more than one real estate Sign per street front shall be erected on any Lot. Such Signs shall be removed within fourteen (14) days of the sale, rental, or lease of such Lot. Real estate open house directional Signs are permitted on weekends only from 12 Noon Friday through 6 p.m. Sunday, with the maximum size for each such Sign being six and one-quarter (6.25) square feet in area. Such real estate signs and directional Signs shall be in lieu of and count against the amount of signage permitted for temporary signs authorized for the subject Zoning Lot.
 - (a) In addition to the real estate signage allowed above, lots located adjacent to and having Frontage along Interstate 64 are permitted one (1) Real Estate Sign not to exceed one hundred twenty (120) square feet in Sign Area. (*Ord 3587; passed 9-15-08*)
- (6) Property Regulation Signs: Signs such as no trespassing, no hunting, no fishing, etc., so long as such Signs do not exceed three (3) square feet in

area, including Vacant Properties, and which shall count against any temporary signage amount permitted.

- (7) Utility Signs: Utility company signs that serve as an aid to public safety or that show the location of public telephones, and/or underground cables, and underground pipes and pipelines. Signs greater than one (1) square foot shall require a Sign Permit and shall be permitted only if the need for the size is demonstrated by evidence of industry or safety standards.
- (8) Scoreboards: Scoreboards on athletic fields, subject to inspections and other Permits required by City Ordinance (e.g., electrical permits).
- (9) Other Signs: Any other Sign required by law to be allowed in all districts and not otherwise authorized by this Ordinance as so required; provided that a Sign Permit shall be required to the extent not inconsistent with such applicable law.

B. Temporary Signs: All Non-residential Zoning Lots: In lieu of such Temporary Non-Commercial signs as are permitted without a Sign Permit elsewhere in Section 12.040, each Establishment may display one (1) Temporary Sign made of paper, cardboard or other lightweight materials with comparable support materials designed for temporary display of Messages under this subsection without a Permit. Such Temporary Sign may be displayed on Fridays, Saturdays, and Sundays, as well Monday when it is a federally-recognized holiday. Such Temporary Sign shall not exceed twenty-four (24) square feet if affixed to the building wall or six (6) square feet if affixed to the ground. Such Temporary Sign must be located entirely on the Zoning Lot where the Establishment is located and must be outside of the Sight Distance Triangle.

Exception: A Temporary Sign associated with an approved Special Event Permit may be a maximum of twenty-four (24) square feet if affixed to the building wall or to the ground.

This section is governed by a one-year sunset provision. Unless otherwise amended by the City Council, this section will be in effect only until September 7, 2011. (Ord 3684; passed 9-7-10)

Section 12.050 Signs Authorized Only By Permit; Residential Zoning Lots

A. Residential Zoning Lots: In addition to the Signs authorized without a Sign Permit pursuant to Section 12.040 (Signs Authorized Without permit; All Zoning Lots; Exceptions) above, each of the following types of Signs may be placed or erected on Residential Zoning Lots with a Sign Permit, subject to the other applicable restrictions provided herein:

- (1) Subdivision Entry Signs: At each major entrance to a residential development, residential development identification structures designed to identify a residential subdivision, apartment complex, or Planned Unit Development, containing no commercial advertising, and having a Sign Area not to exceed forty (40) square feet. Such Signs or structures cannot be located on any public rights-of-way.
- (2) Temporary Subdivision Promotion Signs: One directional Sign for sales of Lots or houses located on-site within a subdivision is allowable on any Zoning

Lot within such subdivision, and one additional such Sign located outside the subdivision for subdivisions of twenty-five (25) or more Lots, provided that the following conditions have been met:

- (a) The approved Final Plat of the subdivision must contain five (5) or more Lots.
 - (b) Such Signs shall not exceed thirty-two (32) square feet in area, nor exceed ten feet (10') in height above the average existing finished grade. A Sign exceeding thirty-two (32) square feet, but not more than sixty-four (64) square feet, of Sign Face Area may be approved only with the consent of the City Council.
 - (c) An approved Sign Permit has been obtained for the Sign and the Sign is posted off public rights-of-way and only with written permission of the property owner.
 - (d) The Sign must be removed when building permits have been issued for seventy-five percent (75%) or more of the Lots within the subdivision.
 - (e) Any off-site Sign shall be permitted only at such locations approved by the City Council that do not impair safety, visibility from neighboring properties, and are landscaped or otherwise treated to be compatible with the surrounding neighborhood.
- (3) Temporary Flags: One (1) residential subdivision promotion flag (e.g., avenue Banner or flag for subdivisions, etc.) for every ten (10) feet of street Frontage, with a maximum of ten (10) flags, shall be authorized within fifty feet (50') of the residential subdivision street entrance of a newly platted subdivision that contains twenty-five (25) or more new Lots. Each such flag shall not exceed thirty five (35) square feet, with a pole height not to exceed twenty feet (20'). Such subdivision promotion flags may be displayed for a period not to exceed twelve (12) months and only during the twelve (12) month period following the initial issuance of a residential Building permit within such subdivision. One (1) extension may be requested beyond such time period and such request may be granted by the City Council and shall not exceed twelve (12) months.

Section 12.060 Signs Authorized Only By Permit; Non-Residential Zoning Lots

A. Non-Residential Zoning Lots: In addition to the Signs authorized without a Sign Permit pursuant to Section 12.040 (Signs Authorized Without Permit; All Zoning Lots; Exceptions), each of the following types of Signs may be placed or erected on Non-residential Zoning Lots with a Sign Permit, subject to the other applicable restrictions provided herein:

(1) Primary Signage

- (a) Freestanding Sign: Each Non-residential Zoning Lot shall be permitted to have one (1) Freestanding Sign except as otherwise permitted by Section 12.070.A (Freestanding Sign Regulations) (i.e., Lots with double Frontage, alternative Tenant Identification Signs, and Development Identification Signs).

- (b) Wall Sign: Each Establishment shall be allowed to have one (1) Wall Sign, subject to Section 12.080.B, for each wall of such Establishment facing an on or off-site parking lot or Street Frontage, up to a maximum of three (3) Wall Signs. (*Ord 3587; passed 9-15-08*)
 - (c) Projecting Sign: Any Establishment may choose to use a portion of its Wall Sign Allowance, as determined by Section 12.070.C (Projecting Sign Regulations), for a Projecting Sign.
- (2) Special Signage
- (a) Directional Signs: Directional and informational Signs erected for the convenience of the public, such as identification of entrances, exits, parking and no parking areas, restrooms, walkways, and similar features or facilities of up to one (1) square foot per face shall be allowed without a Sign Permit, and up to four (4) square feet in per face may be allowed with a Sign Permit. Freestanding Directional Signs shall not extend more than three (3) feet above the elevation of the adjacent street or elevation of the average existing finished grade at the base of the Sign, whichever is higher. All supports for such Signs shall be entirely enclosed with a compatible material.
 - (b) Temporary Signs
 - 1) All Non-residential Zoning Lots: Each Establishment may display, in lieu of such Temporary Non-Commercial signs as are permitted without a Sign Permit under Section 12.040 (Signs Authorized Without Permit; All Zoning Lots; Exceptions), one Temporary Sign made of paper, cardboard or other lightweight materials with comparable support materials designed for temporary display of Messages under this subsection by Permit. Such Temporary Signs must be located on the same Zoning Lot as the Establishment. Such Temporary Signs may be authorized for a maximum of thirty (30) days cumulatively during one (1) calendar year with not more than three (3) Sign Permits authorized per year and each such Permit authorizing one (1) to fifteen (15) consecutive days. Such Temporary Sign shall not exceed twenty-four (24) square feet if affixed to the building wall or six (6) square feet if affixed to the ground.

Exception: A Temporary Sign associated with an approved Special Event Permit may be a maximum of twenty-four (24) square feet if affixed to the building wall or to the ground. (*Ord. 3684; passed 9-7-10*)
 - a) Temporary 'Grand Opening' Signs: Any [establishment] business enterprise consisting of retail sales and/or rendering of services directly to the public shall be authorized to use Temporary banners, signs or inflatables for promotional activities for a period not to exceed thirty (30) days and only immediately following the initial opening of each such business location. Such device(s) shall be exclusive of the Temporary Sign requirements of 'Non-residential Zoning Lots' per Section 12.060.A.2.b.1 as

mentioned above. Such device(s) shall not collectively exceed forty-eight (48) square feet. No banner dimension shall exceed twelve (12) feet. Any inflatable sign or sign affixed to a tethered balloon, where such sign is visible from the property line should be permitted. Such inflatable Signs shall not exceed the height of the principal structure or twenty-five (25) feet, whichever is less. Temporary Signs, banners and inflatables/balloons used in accordance with this paragraph shall be confined to property on which the business enterprise is located, and mounted and secured properly to ensure the public health and safety. (Ord 3587; passed 9-15-08)

- 2) Highway Corridor Non-Residential Lots: On each Non-residential Lot of at least one (1) acre in size located within one thousand five hundred feet (1,500') of an interstate highway and used primarily for outdoor sales or product display (51% of sales), the following additional temporary signage shall be authorized:
 - a) Temporary Banners: Temporary Banners up to fifty (50) square feet in area in aggregate per public street Frontage of each qualified Zoning Lot, with a maximum of one hundred (100) square feet. Banners may be displayed for a maximum one-hundred thirty (130) days cumulatively per calendar year. Banners used in accordance with this subparagraph shall be confined to the Lot on which the business enterprise is located and shall be mounted and secured properly to ensure the public health and safety.
 - b) Temporary Inflatable Signs/Balloons: One inflatable Sign or Sign affixed to a tethered Balloon per qualified Zoning Lot. Such Signs shall not exceed the height of the principal structure or twenty-five feet (25'), whichever is less. Temporary inflatable Signs/Balloons may be displayed for a maximum of fifteen (15) days cumulatively per calendar year. Inflatable Signs/Balloons used in accordance with this subparagraph shall be confined to the Lot on which the business enterprise is located and shall be mounted and secured properly to ensure the public health and safety. The setback of the inflatable Signs/Balloons shall be equal or more than the height of the Temporary Sign. This subparagraph shall not apply to party balloons or similar balloons of less than seventeen inches (17") in diameter or to vehicle signage, which shall be deemed an authorized accessory use of such qualified Zoning Lots subject to this subparagraph b.
 - c) Avenue Flags: A maximum of ten (10) flags per Establishment having no text, message, or content and positioned a minimum of ten feet (10') apart may be displayed for a maximum of one hundred thirty (130) days cumulatively per calendar year. Each avenue flag shall not exceed forty-five (45) square feet in area.

- d) Light Pole Banner: A maximum of four (4) flags or banners mounted on existing private lighting structures. Each light pole banner shall not exceed twenty-four (24) square feet in area and no more than two (2) such light pole banners may be mounted on any one private lighting structure.
 - e) Sky Buster Balloons: One floating device tethered to the ground and maintained up to one hundred twenty feet (120') in height; provided that such device is set back from the Lot line a distance equal to or greater than the height of such device.
 - f) Annual Permit: In lieu of individual Permits for signage authorized in this subsection 2, an aggregate Permit for all proposed supplemental signage authorized in this subsection 2 may be issued by the City subject to a single Sign application fee.
- (c) Temporary Construction and Development Signs:
- 1) Each development or construction site may have up to two (2) Temporary Signs commencing upon City approval of a use or construction, but not more than six (6) months prior to construction or development of such site. If after six (6) months construction has not commenced, the Sign(s) must be removed. Such Temporary Signs shall not exceed thirty-two (32) square feet in per face, nor exceed eight feet (8') in height above the average existing finished grade elevation of the Sign or elevation of the adjacent street, whichever is higher. Such Temporary Signs shall be removed within thirty (30) days after (i) the completion of construction of a Building on the site in the case of a previously undeveloped site, (ii) the occupancy of an existing Building, or (iii) the beginning of the intended use of a site where no Building is to be constructed. Signage authorized under this subsection includes Signs that identify the architects, engineers, contractors, and other individuals or firms involved with the construction, and/or announce the character or purpose of the Building or development. The Message on a Temporary Sign authorized under this subsection shall not include any advertisement of a product, but may include information announcing the character of the business enterprise or the purpose for which the business is intended.
 - 2) Each development or construction site may have a Sign directing construction traffic to and from the construction site (e.g., "Construction Traffic Only"). The Sign Area of any such Sign shall not exceed six (6) square feet and shall not exceed six (6) feet in height on the subject property. Such Signs shall be removed within fourteen (14) days of issuance of the initial Occupancy Permit.
 - (3) Permit Exception, Temporary Sandwich Board Signs: A Temporary Sandwich Board Sign shall be permitted on each Non-Residential Zoning Lot containing one or more lawful retail commercial Establishments without a Permit subject

to the requirements of this subsection. A Sandwich Board Sign shall be comprised of an "A-frame" sign, which stand with self-supporting elements and are not permanently affixed to the ground. Such signs shall not obstruct pedestrian traffic or be located in parking areas. Temporary Sandwich Board Signs shall be no greater than six (6) square feet in sign area and exceed four (4) feet in height. Such signs shall be displayed during business hours only. Such Signs shall be located no more than ten (10) feet from the primary door entrance of the establishment. Only one (1) sandwich board sign shall be allowed per establishment. No Sign Permit shall be required for a Sandwich Board Sign. (Ord 3587; passed 9-15-08)

Section 12.070 Supplemental Sign Regulations by Type; Non-Residential Zoning Lots

A. **Freestanding Sign Regulations:** The supplemental provisions of this subsection shall apply to the Freestanding Signs authorized pursuant to Section 12.060 (Signs Authorized Only by Permit; Non-Residential Zoning Lots).

(1) General Provisions:

- (a) If a Non-residential Zoning Lot has Frontage on two (2) or more collector and/or arterial streets, one (1) additional Sign, of a Monument Sign style only and erected in accordance with the provisions of this Section, may be located on such collector or arterial Street Frontage, in addition to the Freestanding Sign otherwise permitted. Such Lot may have no more than two (2) Freestanding Signs.
- (b) The supports of every Freestanding Sign, except within I-64 Frontage Lots, shall be designed so as to obscure the bare pole or other support by the use of architectural features such as masonry or other covering of such bare pole or other Sign supports.

(2) Location: Freestanding Signs may be located adjacent to the front property line of the Zoning Lot on which it is situated, but shall be set back twenty feet (20') from the side abutting another Lot and from rear property lines. Freestanding Signs shall not overhang the property line or a right-of-way. All Freestanding Signs must be completely constructed on or in a landscaped island or landscaped area.

(3) Size and Height:

- (a) A Freestanding Sign, including its cabinet, structure, and/or trim, shall not exceed six feet (6') in height above the average existing finished grade at the base of such Sign, or the elevation of the adjacent street, whichever is higher. Any building-up or mounding of land at the base of such Sign generated to "lift" such Sign above a consistent grade with the Lot shall be debited against the permitted Sign height. For each additional four-foot (4') setback from the front property line, the sign height may increase by one-foot (1') for a maximum of ten feet (10') in height.
- (b) Sign faces shall not exceed a width of twelve (12) feet.

- (c) The total Sign Area shall be four-tenths (0.4) square feet of signage per linear foot of street frontage and shall not exceed one hundred (100) square feet. Ex: 150' Frontage x 0.4 = 60 sq. ft. Sign. The Frontage length shall be measured along the front yard Building setback. (Ord 3587; passed 9-15-08)
- (d) The Sign shall be attached to a proportionate enclosed base, integrated planter or structural frame, the width of which shall be a minimum of three-quarters (3/4) the width of the widest part of the Sign. The Sign, including its base, shall be of permanent materials compatible with the primary structure. The base shall be placed in or at ground level with the top of the enclosed base extending up to a height of one (1) to three (3) feet above the average existing finished grade at the base of the Sign.
- (e) The supports of all Freestanding Signs shall not extend farther than twenty (20) inches beyond the horizontal width of either edge of the Sign.
- (f) V-shaped Signs shall have an exterior angle between faces of not more than thirty degrees (30°) with a distance between faces of such Signs at their farthest point not exceeding six feet (6').
- (g) Exceptions: The following Freestanding Signs shall be subject to the requirements above for other Freestanding Signs except as specifically noted as follows:
- 1) I-64 Frontage Lots: Lots located adjacent to and having Frontage along Interstate 64 are permitted one (1) Freestanding Sign not to exceed thirty-five feet (35') in height in lieu of the Freestanding Sign otherwise permitted above. Such Sign shall be located along the Interstate 64 Frontage and shall not exceed a Sign Area of two hundred fifty (250) square feet. The maximum length of any dimension of such Sign shall be twenty-one feet (21').
 - 2) Highway 50 Lots: The Freestanding Sign for Non-residential Lots located adjacent to and having Frontage along West Highway 50 between Old Collinsville Road and the intersection of Highway 50 and State Street (the "Spur") may be up to twenty feet (20') in height and up to one hundred twenty-six (126) square feet in Sign Area, subject to all other applicable regulations regarding Freestanding Signs; except that such Signs shall be set back from the property line of the Lot one foot (1') for each additional foot of Sign height over six feet (6'). The outer width of the sole or joint supports for such Freestanding Sign shall be a minimum of one-third (1/3) the width of the widest part of the Sign. In lieu of a required base, the Department may approve a landscaped or otherwise appropriately designed ornamental or architectural feature concealing the base of the supports. (Ord 3587; passed 9-15-08)
 - 3) Residential Conversions: Any Establishment operating from a Building that was designed for and originally used as a residential dwelling unit, and which exterior structure has not been substantially altered to conform it to a commercial Building, shall be limited by the

additional restrictions in this subparagraph in that any Free Standing Sign shall be: (1) no larger than thirty-two (32) square feet of Sign Area, (2) no greater than eight feet (8') in width, and (3) no greater than six feet (6') in height.

4) Tenant Identification Signs (Multiple Tenant Lots):

A Zoning Lot that serves multiple Buildings and/or multiple tenants may substitute its permitted Freestanding Sign with a "Tenant Identification Sign" pursuant to the following requirements:

- a) Tenant Identification Signs shall adhere to the requirements for Freestanding Signs except as otherwise identified herein.
- b) Sign Area shall be calculated at a rate of five-tenths (0.50) of one (1) square foot of signage per linear foot of Street Frontage and shall not exceed one hundred fifty-four (154) square feet. Ex: 150' Frontage x 0.50 = 75 square foot Sign.
- c) The maximum top-of-Sign height shall be twelve feet (12').
- d) Tenant Identification Signs shall include dedicated areas for each business, tenant, or Building currently in use on the Lot. Such Sign shall not be solely dedicated for display of a single business.

(4) Development Identification Signs (Large Developments):

- (a) A single commercial, industrial, or mixed-use development or subdivision that is in excess of twenty (20) acres in size or contains ten (10) or more Lots shall be permitted a Development Identification Sign at each main entrance to the subdivision or development identifying the name of the project and/or containing a directory of tenants. The Sign may include the name and/or logo of the development or subdivision. Such Sign may be located within an easement on any platted Lot or on common ground of the subdivision. Such Sign may also be located on any unplatted portion of the subdivision identified as part of a particular development on an approved preliminary subdivision plat, site development concept plan, site development section plan, or site development plan.
- (b) A Development Identification Sign shall not exceed thirty feet (30') in height above the average existing finished grade at the base of the Sign or elevation of the adjacent street, whichever is higher, with the total Sign Area per face not to exceed two-hundred eighty-eight (288) square feet.
- (c) The standard height versus width regulations for Freestanding Signs shall not apply to Development Identification Signs. Development Identification Signs shall be a maximum of fourteen feet (14') wide.
- (d) The Sign face of Development Identification Signs shall be no greater than twelve feet (12') in width and twenty-four feet (24') in height.
- (e) The bottom of the Sign face shall not exceed a height of six feet (6') above the average existing finished grade at the base of the Sign, or elevation of the adjacent street, whichever is higher.

- (f) The support for such Sign shall either: (i) be attached to a proportionate enclosed base, integrated planter, or structural frame, the width of which shall be a minimum of three-quarters (3/4) of the width of the widest part of the Sign face; or (ii) feature two (2) vertical supports architecturally integrated and located at the edges of the Sign in lieu of the proportionally enclosed base.
- (g) Exceptions: Developments that contain Lots located adjacent to and having Frontage along Interstate 64 may increase the height and size of the Development Identification Sign by decreasing the number of permitted Freestanding Signs along Interstate 64 with approval of the City Council. The maximum size of one (1) Sign utilizing this exception shall be fifty-five feet (55') in height and four hundred fifty (450) square feet of Sign Area per face. These requests for exemption must be approved on a case-by-case basis by the City Council as part of a Special Use Permit.

B. Wall Sign Regulations

- (1) General Provisions: The supplemental provisions of this subsection shall apply to the Wall Signs authorized for each Establishment pursuant to Section 12.060 (Signs Authorized Only by Permit; Non-Residential Zoning Lots).
 - (a) Size:
 - 1) The Sign Area of each such Sign and the total cumulative wall signage shall not exceed ten percent (10%) of the wall area of the face of the Building on which the Sign is attached. No individual Sign shall exceed three hundred (300) square feet in Sign Area.
 - 2) Countable wall area shall include the entire surface of a wall, such as gable and similar areas, and the vertical face of a mansard wall, whether real or artificial, which extends above the wall of the business on which the Sign is attached. However, the countable area of mansard walls shall be limited to the area not greater than six feet (6') above the Eave Line of the Roof multiplied by the length of the associated wall.
 - (b) Specific Regulations and Exceptions:
 - 1) No Wall Sign shall project more than twelve inches (12") from the wall or surface to which it is attached, except for Projecting Signs as permitted herein.
 - 2) Wall Signs may not overlap or cover doors, windows, or architectural details.
 - 3) Signs on Awnings, Canopies or Marquees: Signs mounted, painted, or otherwise placed flush against any Awning, Canopy, or Marquee shall be considered Wall Signs, and shall comply with the regulations of this subsection "B" (Wall Sign Regulations). Signs suspended beneath any Awning, Canopy, or Marquee shall be considered Projecting Signs and shall comply with the regulations of this subsection "C" (Projecting Sign Regulations).

- 4) Window Signs: Any Establishment may display Window Signs. Window Signs shall cover no more than a total of twenty percent (20%) of any window. Window Signs shall not require a Sign Permit unless such Sign includes structural supports.

C. **Projecting Sign Regulations:** An Establishment shall be permitted to display up to one (1) Wall Sign in the form of a Projecting Sign facing Street Frontage subject to the following additional restrictions:

- (a) A Projecting Sign shall not project more than six feet (6') from the Building to which it is attached;
- (b) No Projecting Sign shall extend vertically past the roofline;
- (c) A Projecting Sign shall not project over a street, alley, or driveway, nor be closer than two feet (2') from the curb or edge of any such vehicular way;
- (d) Such Sign shall not extend below a point eight feet (8') above the ground or pavement;
- (e) The size of a Projecting Sign shall be debited against the Sign Area Allowance for Wall Signs; and
- (f) The Sign Area of a Projecting Sign shall be no larger than sixteen (16) square feet.

Section 12.080 Prohibited Signs

A. The following Signs are strictly prohibited in all zoning districts in the City, unless otherwise expressly authorized elsewhere in this Code. A Sign shall be deemed prohibited if any aspect of the Sign, including an otherwise authorized Sign, contains or meets the definition of a Prohibited Sign:

- (1) Billboards, other than those lawfully existing on the effective date of this Ordinance subject to the regulations of Article 3 (Nonconformities and Vested Rights) to the maximum extent permitted by law.
- (2) All Temporary and Permanent Signs advertising any commercial activity not related to the Zoning Lot on which such Sign is located, unless otherwise protected by law.
- (3) Any streamer, pennant, propeller, bunting or artificial device, figure, shape, color, sound, light or exhibit, whether live, animated, or still, that is intended to attract attention to the use or business being conducted on the Zoning Lot
- (4) Balloons & inflatable signs, unless authorized by Special Event Permit or Temporary Sign Permit
- (5) Any Beacon Lights, searchlights, and illumination by open flame
- (6) Any person or persons with a commercial sign and/or dressed in a commercially-identified costume (e.g., mascot) that is intended to attract attention to the use or business being conducted on the Zoning Lot
- (7) Portable Signs

- (8) Pole Sign.
- (9) A sign with any moving, flashing, blinking, or otherwise animated component.
- (10) No Sign shall impede or block any pedestrian accessway
- (11) Signs attached to any public utility pole or structure, bench, street tree, fence, fire hydrant, bridge, curb, sidewalk, or other location on public property
- (12) Signs, including posts and other supports, that advertise or identify an activity, business, or service no longer in business or no longer conducted on the Zoning Lot where such Sign is located. See Section 12.030.A.4 (Removal).
- (13) Signs placed on vehicles or trailers that are parked or located for the purpose of displaying such Sign, provided that this does not apply to authorized Temporary Signs or Signs and lettering on buses, taxis, or other vehicles operating during the normal course of business and incidental to other lawful business. Trailers associated with an Establishment may not be parked in required parking areas. Trailers must be parked on an improved surface and be located no closer to the street frontage than the building face. All vehicles and trailers associated with an Establishment and located on the premises must be licensed and operable. (*Ord. 3684; passed 9-7-10*)
- (14) Signs and/or related supports or structures located in or above any public property or rights-of-way, unless authorized by applicable City, State or Federal law and the governmental jurisdiction controlling such rights-of-way or public property.
- (15) Rooftop Signs. Signs or Sign structures, other than Freestanding Signs, which extend above the parapet, Building roof line or canopy/awning against which such Sign is located.
- (16) Signs painted directly on the exterior covering materials of any structure.
- (17) Signs or Sign structures constructed, repaired, or altered having no validly issued Sign Permit, except where exempted herein.
- (18) Signs on vacant properties except as expressly authorized in these Sign Regulations.
- (19) Any other Sign that is not authorized by or does not comply with the terms, conditions and provisions of these Sign Regulations.

Section 12.090. Definitions

In addition to the definitions set forth in Article 2 of the Zoning Code, the following definitions shall apply to this Article:

1. **Awning**: Any roof-like structure made of cloth, metal, or other material attached to a Building and erected over a window, doorway, etc. in such a manner as to permit its being raised or retracted to a position against the Building when not in use.

2. Awning, Canopy or Marquee Sign: A Sign that is mounted on, painted on, or attached to, an Awning, Canopy, or Marquee. No such Signs shall project above, below, or beyond the Awning, Canopy, or Marquee unless otherwise permitted in the downtown district. **Figure 12.2 - Awning or Canopy Sign**

3. Beacon Light: A light used primarily to attract attention to a location, whether moving or stationary, other than when required by law to meet applicable safety requirements.

4. Billboard: Any Temporary or Permanent Sign or Sign face used for placing Messages or authorizing others to place Messages in exchange for rent or other consideration. Tenant Identification and Development Identification Signs shall not be considered Billboards solely because the use of the Sign Area may be included as a right associated with lease of the tenant or development space giving rise to such authorized Sign.

5. Canopy: A roof-like structure similar to an Awning, except that it cannot be raised or retracted to a position against the Building.

6. Commercial Sign: Any Sign wording, logo, or other representation that, directly or indirectly, names, advertises, or otherwise calls attention to a business product, service, idea, or commercial activity.

7. Double-Faced Sign: Double-Faced Signs shall include those Signs where the Sign faces are parallel or where the interior angle formed by the faces of a V-shaped Sign is sixty degrees (60°) or less.

8. Eave Line: A line following the part of the Roof that extends beyond the exterior side wall, generally located on the projecting lower edge of a Roof where the gutters may be located.

9. Establishment: Either of the following: (1) an institutional, business, commercial, or industrial activity that is the sole occupant of one or more Buildings; or (2) an institutional, business, commercial, or industrial activity that occupies a portion of a Building, and the activity is a logical and separate entity from the other activities within the Building and not a department of the whole, and the activity has either a separate entrance from the exterior of the Building, or a separate entrance from a common and clearly defined entryway that has direct access to the exterior of the Building.

10. Freestanding Sign: A Sign on a Non-residential Zoning Lot supported by one or more uprights, poles, or braces or foundation in or upon the ground in a permanent manner, but not including Pole Signs.

11. Frontage: The lineal extent of a Zoning Lot abutting a street or public roadway, or the lineal extent of a Zoning Lot abutting a public parking area if such Lot has no street Frontage.

12. Integral Roof Sign: Any Sign erected or constructed as an integral part of a normal roof structure of any design, such that no part of the Sign (a) extends vertically above the highest portion of the roof and (b) is separated from the rest of the roof by a space of

Awning or Canopy Sign

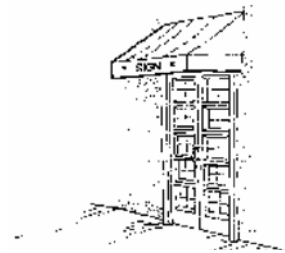


Figure 12.2

more than six inches (6"). No integral portion of a roof shall extend more than five feet (5') above the structural roof.

13. Marquee: Any Canopy that is made of durable materials and is a permanent fixture of the Building to which it is attached.

14. Message: A communication of identification or advertising information visually perceived. Said communication may consist of words, abbreviations, numbers, symbols, pictures, geometric shapes, etc.

15. Monument Sign: A type of Freestanding Sign placed upon, or supported by, the ground, independent of the principal structure on the Lot, presenting a monolithic structure. **Figure 12.15 – Monument Sign.**

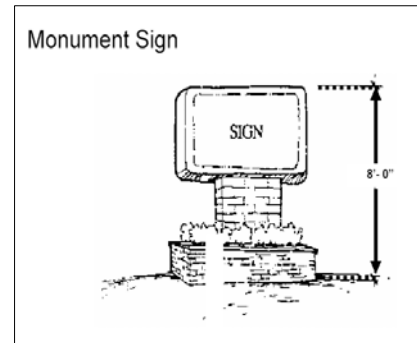


Figure 12.15

16. Nonconforming Sign: See Article 3 (Nonconformities and Vested Rights).

17. Non-Residential Use: (1) any commercial, office, industrial, institutional, or religious use lawfully occurring on the applicable Zoning Lot as the primary use in a zoning district authorizing such use. Non-residential Uses shall not include: (a) Zoning Lots containing agricultural uses within a residential or agricultural zoning district and (b) Lots with no current use, including vacant or undeveloped properties and structures, except as pertaining to Temporary Construction and Development Signs authorized herein for a use pending construction or development.

18. Non-Residential Zoning Lot: A Zoning Lot containing a Non-residential Use.

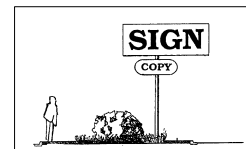


Figure 12.19

19. Pole Sign (or Elevated Sign): Any Sign placed upon, or supported by, the ground independent of the principal structure on the Zoning Lot where the bottom edge of the Sign is ten feet (10') or more above the ground level. **Figure 12.19 - Pole Sign.**

20. Portable Sign: Any Sign not permanently attached to the ground or other permanent structure; any movable display structure capable of relocation, whether under its own power or towed by a motor vehicle; Signs designed to be transported by means of wheels or skids; Signs converted to A- or T-frames, menu and Sandwich Board Signs; and Signs attached to or painted on vehicles parked and visible from the public right-of-way, unless said vehicle is used in the normal day-to-day operations of a business. The display Message of the Sign may be painted or non-painted and capable of being readily altered and may be with or without electrical illumination and power, and with or without wheels. **Figure 12.20 - Portable Sign.**

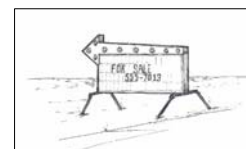
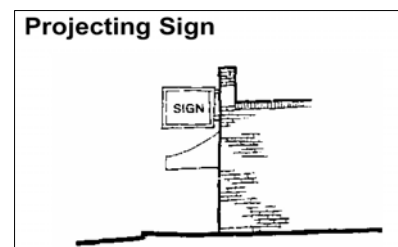


Figure 12.20

21. Projecting Sign: Any Sign that is supported by any exterior wall of a Building or suspended beneath any Awning, Canopy, or Marquee with the exposed face of said Sign in a plane approximately perpendicular to the plane of the wall,



etc., and projecting more than eighteen (18) inches from the structure. **Figure 12.21 - Projecting Sign.**

- 22. Residential Zoning Lot: All Zoning Lots except those containing a Non-residential use.
- 23. Sandwich Board Sign: An "A-frame" Sign that stands with self-supporting elements and is not permanently affixed to the ground. **Figure 12.21**

24. Searchlight: An apparatus containing a light source and a reflector for projecting a high-intensity beam of approximately parallel rays of light.

25. Sign: Any object, device, display, structure, or surface, or part thereof, that is used to advertise, identify, display, or attract attention to any object, person, institution, organization, business, project, service, or event by any means, including words, letters, figures, designs, symbols, fixtures, colors, or illumination for signage.

26. Sign Area: The area of the one imaginary square or rectangle that would completely enclose all parts of a Sign, including the background.

27. Sign Area Allowance: The total of the Sign Areas of all Signs that a particular Establishment is permitted to display under the terms of this Article.

28. Sign Permit: A permit issued by the Director to regulate the erection, expansion, alteration, relocation, or reconstruction of Signs in all parts of the City.

29. Street Frontage: See "Frontage."

30. Temporary Sign: A Sign not constructed or intended for long term or permanent use.

31. Vacant Property: A Zoning Lot with no current lawful Building occupancy and use.

32. V-Shaped Sign: Freestanding Signs erected upon common or separate structures that present a V-shape appearance.

33. Wall Sign: Any Sign attached to or erected against any wall, Awning, Canopy, or Marquee with the exposed face of said Sign in a place approximately parallel to the plane of the wall, etc. and not projecting out more than eighteen inches (18"). **Figure 12.33 – Wall Sign.**

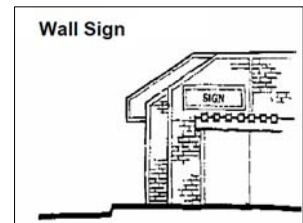


Figure 12.33

34. Window Sign: Any Sign, picture, symbol, or combination thereof, designed to communicate information about an activity, business, commodity, event, sale, or service that is visible from the exterior of a Building and is painted on, affixed to, or suspended immediately behind a window. **Figure 12.34 – Window Sign.**

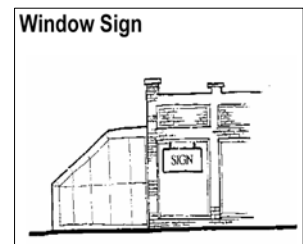


Figure 12.34

35. Zoning Lot: The parcel or parcels of land associated with the use or improvements on it. Common area for any multi-lot development shall not be deemed a separate Zoning Lot authorizing any additional Signs except as may be directly authorized by the City relating to such common ground use. Where multiple Establishments are contained within a single development, the entire development parcel or subdivision shall constitute the Zoning Lot regardless of the existence of subdivided parcels within such development.