

TITLE V - BUILDING AND PROPERTY REGULATIONS
ZONING, LAND USE AND SUBDIVISIONSCHAPTER 128
SIGNS

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128.01 PURPOSE. This chapter is intended to promote, preserve, and protect the health, safety, and general welfare of the public by providing reasonable regulations and standards relating to signs.

128.02 DEFINITIONS. Unless specifically defined below, words or phrases used in this chapter shall be defined in accordance with "Definitions" of the Zoning ordinance. Words or phrases not defined below or in the Zoning ordinance shall be interpreted so as to give them the meaning they have in common usage and to give this chapter its most reasonable application.

1. "Arcade Sign" means any sign attached to the underside of a structural overhang, awning, canopy, or similar building projection.
2. "Awning" means a shelter projecting from and supported by an exterior wall of a building constructed of non-rigid materials on a supporting framework. An awning may be either retractable or non-retractable.
3. "Awning Sign" means any permanent sign attached, sewn, or otherwise affixed to the front or valance of an awning.
4. "Banner" means any sign constructed of flexible material such as cloth or plastic but not an awning sign.
5. "Building Sign" means any permanent on-premise sign supported, attached, or painted on any building or structure. This classification includes the following specific sign

types: arcade signs, awning signs, banners, canopy signs, mural signs, nameplates, projecting signs, roof signs, and wall signs.

6. "Bulletin Board" means any permanent freestanding sign containing a changeable message board listing the names, times, uses, and locations of various services or activities within a building or group of buildings.

7. "Canopy" means a shelter projecting from and supported by an exterior wall of a building and constructed of rigid materials. A marquee is considered a canopy in the context of this chapter.

8. "Canopy Sign" means any permanent sign attached or otherwise affixed to the front or top of a canopy.

9. "Construction Sign" means any temporary sign identifying the proposed construction or development of a building or site, including identification of the developers, engineers, architects, contractors, financiers or others involved with the project. A construction sign may also include announcements of the character, enterprise or purpose for which the development is intended.

10. "Double Frontage Lot" means a lot having a frontage on two non-intersecting streets, as distinguished from a corner lot.

11. "Freestanding Sign" means any permanent sign supported by uprights or braces placed in the ground and not attached to any building or wall. This classification includes the following specific sign types: bulletin boards, ground signs, information signs, pole signs, shopping center signs, and subdivision signs.

12. "Ground Sign" means any permanent freestanding sign with all or a portion of a sign surface located less than six (6) feet from grade.

13. "Height" means the vertical distance between finished grade of the ground nearest the structure and the upper most point of the structure.

14. "Illuminated Sign" means any sign lighted by or exposed to artificial lighting either by lights on or in the sign or directed toward the sign.

15. "Information Sign" means any permanent freestanding on-premise sign giving directions, instructions, or information to vehicular or pedestrian traffic.

16. "Marquee" - See "Canopy."

17. "Model Home Sign" means any temporary sign identifying a building or portion thereof as a model home, model apartment, model condominium, or similar use.

18. "Mural" means a large expanse of wall area covered by paint or other artistic medium that does not contain any advertising or commercial symbolism such as logos or trademarks or does not represent any product, except to identify the artist.

19. "Mural Sign" means an expanse of wall area covering at least 10% of the surface area of the wall with paint or other artistic medium creating a pictorial or abstract design representation which contains advertising, commercial symbolism such as logos or trademarks, or any representation of a product, except for that which identifies the artist.

20. "Nameplate" means a permanent thin flat plate, tablet, or plaque used only for building or occupant identification.

21. "Nonconforming Sign" means any legally established sign which by the adoption of the ordinance codified in this chapter is made nonconforming due to its location, size, height, area, spacing, or similar provision of this chapter.

22. "Off-premise Advertising Sign" means any sign which directs attention to an activity, establishment, product, or service which is located, conducted, or offered elsewhere than on the zoning lot upon which the sign is located.

23. "On-premise Sign" means any sign which has the primary purpose of advertising, identifying, and/or directing attention to an activity, establishment, product, or service which is located, conducted, or offered in or upon the zoning lot upon which the sign is located.

24. "Permanent Sign" means any sign that is not a temporary sign.

25. "Pole Sign" means any permanent freestanding sign with a complete sign surface elevated six (6) feet or more in height supported by one or more vertical poles or columns placed on the ground. A shopping center sign is not considered a pole sign within the context of this chapter.

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26. "Portable Sign" means any sign which by its construction or nature may be or is intended to be freely moved from one location to another. When on a trailer, the removal of wheels or undercarriage does not change the classification of the sign. The anchoring of a portable sign by means of concrete blocks, sandbags, or other types of temporary anchors does not place the sign in another category. "Sandwich" signs or similar portable freestanding signs are considered portable signs in the context of this chapter. Temporary signs permitted under Section 128.06 of this chapter other than portable signs are not considered portable signs.

27. "Projecting Sign" means any permanent building sign other than wall sign or banner which projects from and is supported by a wall of a building or structure.

28. "Real Estate Sign" means any temporary sign, other than a subdivision development sign, advertising the sale, rental, or lease of the premises or part of the premises on which the sign is located.

29. "Real Estate 'Open House' Sign" means any real estate sign erected solely for the purpose of directing to a facility offered to the general public for an open viewing over a specific period of time.

30. "Right-of-way Line" means the dividing line between private property and the public property.

31. "Roadside Stand Sign" means any temporary sign identifying a roadside stand and advertising the products for sale, at the stand.

32. "Roof Sign" means any permanent on-premise sign erected upon or above a roof or parapet of a building or structure.

33. "Sale Sign" means any temporary sign advertising the sale or lease of a commodity on a one time only basis. This type of sign includes signs advertising temporary events such as garage or yard sales, grand opening or anniversary sales and similar events but does not include real estate signs.

34. "Setback" means the minimum horizontal distance between a lot line and a structure, including sign, located upon a lot as required by the provisions of the Zoning Ordinance.

35. "Shopping Center Sign" means any permanent freestanding on-premise sign which displays the names and addresses of the

building or complex with individual identification signs for each occupant. A. shopping center sign may be used for properties other than shopping centers, such as multiple-tenant office buildings and similar multiple-tenant properties.

36. "Sign" means any device, surface, or medium using graphics, symbols, designs, and/or written copy for the purpose of advertising or identifying any activity, establishment, product or service.

37. "Subdivision Sign" means any permanent freestanding sign designating the name of a subdivision, mobile home park, industrial park or estate.

38. "Subdivision Development Sign" means any temporary sign identifying residential property for sale or rent within a subdivision or real estate development, including identification of the name of the subdivision or development, developers, real estate agents and/or others involved with the project. A subdivision development sign may also include a map of the area and a statement as to whether lots or properties have been sold or leased.

39. "Temporary Sign" means any sign, banner, pennant, or advertising display (except those specifically exempted under Section 128.10(2) of this chapter) constructed of light fabric, cardboard, wallboard, plywood, paper, or other light materials with or without frames, intended to be displayed for a limited period of time. This classification includes the following types of signs: construction signs, model home signs, portable signs, real estate signs, roadside stand signs, sale signs, and subdivision development signs.

40. "Wall Sign" means any permanent on-premise sign attached to or erected against the wall of a building or structure with the exposed face of the sign in a plane parallel to the plane of the wall to which it is attached. A sign projecting above the top of the wall to which it is attached is considered a roof sign and not a wall sign. Nameplates are not considered to be wall signs.

41. "Zoning Lot" means a single tract of contiguous land which, at the time of filing for a building permit or certificate of occupancy, is designated by the owner or developer as a tract to be used, developed, or built upon as a unit under single unified ownership or control and assigned to the particular use, building, or structure for which the building permit or certificate of occupancy is issued and

includes such areas of land as may be required by the provisions of the Zoning Ordinance for the building, structure, or use.

128.03 SIGN CLASSIFICATIONS. The following sign classifications shall be used to designate types of signs:

1. On-premise Signs.

A. Freestanding signs:

- | | |
|-------------------|-----------------------|
| Bulletin Boards | Pole Signs |
| Ground Signs | Shopping Center Signs |
| Information Signs | Subdivision Signs |

B. Building Signs:

- | | |
|-------------------------|------------------|
| Arcade Signs | Nameplates |
| Awning and Canopy Signs | Projecting Signs |
| Banners | Roof Signs |
| Mural Signs | Wall Signs |

C. Temporary Signs:

- | | |
|--------------------|-------------------------------|
| Construction Signs | Roadside Stand Signs |
| Model Home Signs | Sale Signs |
| Portable Signs | Subdivision Development Signs |
| Real Estate Signs | |

2. Off-premise Advertising Signs.

3. Exempted Signs.

4. Prohibited Signs.

128.04 FREESTANDING SIGNS.

1. Bulletin Boards.

A. Sign Classification - Permanent/Freestanding/On-premise.

B. Zoning Districts Where Permitted - All.

C. Zoning-Districts Where Prohibited - None.

D. Site and Structure Requirements:

- (1) Number of Bulletin Boards Allowed Per Zoning Lot - one.

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- (2) Maximum Sign Area - 48 Square Feet.
- (3) Maximum Height - 8 feet.
- (4) Minimum Clearance from Grade - None.
- (5) Setbacks - Same as Ground Signs [See 128.04(2)].
- (6) Projection into Right-of-way - Prohibited.

E. Other Provisions:

- (1) Off-premise advertising is prohibited.
- (2) Bulletin boards may only list the names, times, uses, and locations of various services or activities within a building or group of buildings having the following uses:
 - + Churches, synagogues, chapels and similar places of religious worship and instruction.
 - + Schools, parks, playgrounds, recreation buildings and facilities, fire and police stations, and similar, public and quasi-public uses.
 - + Medical centers, clinics, nursing homes, and hospitals.
- (3) The corner visual clearance requirements set forth in Section 128.09(1) shall be observed.

2. Ground Signs.

A. Sign Classification - Permanent/Freestanding/
On-premise.

B. Zoning Districts Where Permitted - C-2, C-3, M-1, M-2.
Permitted in A-1, G-1 and R districts only under circumstances
set forth in subsection (F) (2) of this section.
(Ord. 2007-1664 - June 07 Supp.)

C. Zoning Districts where Prohibited - A-1, G-1, and all R zones,
except under circumstances set forth in subsection (F) (2) of this
section.
(Ord. 2007-1664-June 07 Supp.)

D. Zoning Districts Where Conditional Use - None.

E. Site and Structure Requirements:

(1) Number of Ground Signs Allowed Per Zoning Lot - one ground sign per zoning lot, except:

+ If the frontage of the lot exceeds 100 feet, there may be one ground sign for each 100 lineal feet of frontage.

+ Multiple-family dwellings containing more than 50 dwelling units, or a group of adjacent buildings under single ownership containing more than 50 dwelling units, may have one ground sign for each 50 dwelling units.

(2) Maximum Sign Area:

+ For Nonresidential Uses (All C Districts) - one square foot for each lineal foot of lot frontage but not more than 40 square feet.

+ A-1, G-1, and all R districts - one square foot for each lineal foot of a lot frontage but not more than 50 square feet.

+ M districts - two square feet for each lineal foot of lot frontage but not more than 100 square feet.

+ For residential uses - two square feet for each dwelling unit.
(Ord. 1007-1664 - June 07 Supp.)

(3) Maximum Height - A-1, G-1, R-1, R-2, R-3 - 15 feet; C and M - 25 feet.
(Ord. 1007-1664-June 07 Supp.)

(4) Minimum Clearance from Grade - None.

(5) Minimum Distance between Ground Signs on Same Zoning Lot - 100 feet.

(6) Setbacks - None, but a ground sign shall not be located closer than right-of-way line.

(7) Projection into Right-of-way - Prohibited.

F. Other Provisions:

(1) Off-premise advertising is prohibited.

(2) In A-1, G-1, R-1, R-2, and R-3 zoning districts, ground signs are permitted only for the following uses:

- + Schools, parks, playgrounds, recreation buildings and facilities, fire and police stations and similar public and quasi-public uses.
- + Churches, synagogues, chapels and similar places of religious worship and instruction.
- + Nurseries, and convalescent homes, day care centers, mortuaries, and other nonresidential uses permitted in the- R-1, R-2, R-3 zoning districts.
- + Multiple family dwellings with four or more dwelling units.

(Ord. 2007-1664 - June 07 Supp.)

(3) No ground sign exceeding 50 square feet shall be located within 40 feet of any adjoining R zoned property.

(4) Only one freestanding sign allowed per zoning lot in C and M districts.

(5) The corner visual clearance requirements set forth in Section 128.09(1) shall be observed.

3. Information Signs.

A. Sign Classification - Permanent/Freestanding/On-premise.

B. Zoning Districts Where Permitted - All.

C. Site and Structure Requirements:

(1) Number of Identification Signs Allowed per Zoning Lot as follows:

- + Entrance/Exit Signs - one for each entrance or exit.
- + Parking Lot Signs - one for each street frontage.
- + Other Identifications Signs - no limit.

(2) Maximum Sign Area as follows:

- + Entrance/Exit Signs - 9 square feet.
- + Parking Lot Signs - 9 square feet.
- + Other Information Signs - no size restrictions

(3) Maximum Height - 10 feet.

- (4) Minimum Clearance from Grade - None.
- (5) Minimum Distance between Signs - None.
- (6) Setbacks - None, but identification signs shall not be located closer than the right-of-way line. Identification signs other than entrance/exit signs and parking lot signs shall be located behind the building line.
- (7) Projection Into Right-of-way - Prohibited.

D. Other Provisions:

- (1) Off-premise advertising is prohibited.
- (2) No advertising content shall be displayed on information signs, except for logos.
- (3) Other identification signs may be permitted in addition to entrance/exit signs and parking lot signs. Such signs may describe services provided on the premises, location of public facilities such as public telephones or restrooms, loading areas, or other items of similar nature.
- (4) Parking lot signs shall only designate the condition, use, and/or identity of the parking lot.
- (5) Information signs are prohibited for single and two-family dwellings.
- (6) Signs painted flush with the paving surface are exempt from the regulations of this section.
- (7) Special signs required by City, State, or federal regulations, such as handicapped parking or compact car parking signs, are exempt from this Section, provided such signs contain no advertising of any kind.
- (8) The corner visual clearance requirements set forth in Section 128.09(1) shall be observed.

4. Pole Signs.

- A. Sign Classification - Permanent/Freestanding/On-premise.
- B. Zoning Districts Where Permitted -All C and M Districts.
- C. Zoning Districts Where Prohibited -A-1, G-1, and all R districts. (Ord. 2007-1664 - June 07 Supp.)

D. Site and Structure Requirements:

(1) Number of Pole Signs Allowed Per Zoning Lot - One pole sign allowed, unless a zoning lot has a frontage exceeding 150 feet, in which case there may be one pole sign for each 150 feet of lot frontage.

(2) Maximum Sign Area:

+ C-1 and C-3 - 60 square feet plus an additional one-half square foot for each additional foot of lot frontage over 60 feet.

+ Other Districts 60 square feet and an additional 1 square foot for each additional foot of lot frontage over 60 feet.

(Ord. 2007-1664 - Jun. 07 Supp.)

(3) Maximum Height:

+ C-1 and C-3 - 25 feet;

+ Other districts - 35 feet; except as provided under subsection (E) below. (Ord. 2007-1664-June 07 Supp.)

(4) Minimum Height - None.

(5) Minimum Clearance from Grade 8 feet.

(6) Minimum Distance Between Pole Signs on Same Zoning Lot - 150 feet.

(7) Setbacks None, but the base of a pole sign shall not be located closer than the right-of-way line.

(8) Projection into Right-of-way - Poles prohibited as per Section 128.09(7).

E. Other Provisions:

(1) No pole sign shall be located closer to an R zoned property than a distance equal to 40 feet.

(2) The corner visual clearance requirements set forth in Section 128.09(1) shall be observed.

(3) A sign permit may be issued for a maximum height of seventy-five feet (75') in a C-2, C-3, M-1, or M-2 district if the following provisions are met:

The sign is located on the business site to which the sign applies.

The sign is located within 2500 feet south or north of the centerline of U.S. Highway No. 20.

The applicant must demonstrate to the Building official that additional height is necessary for the sign to be viewed from the centerline of U.S. Highway No. 20. (Ord. 2007-1694 - June 07 Supp.)

5. Shopping Center Signs.

A. Sign Classification - Permanent/Freestanding/On-premise.

B. Zoning Districts Where Permitted - C-2, C-3, M-1 and M-2.
(Ord. 2007-1694 - June 07 Supp.)

C. Zoning, Districts Where Prohibited - A-1, G-1 and all R.
(Ord. 2007-1664-June 07 Supp.)

D. Site and Structure Requirements:

(1) Number of Shopping Center Signs Allowed Per Zoning Lot - 1.

(2) Maximum Sign Area - Same as pole signs [See subsection (4)(D)(2) of this section.]

(3) Maximum Height - C-2 and C-3 - 25 feet; all other districts - 35 feet.
(Ord. 2007-1664-June 07 Supp.)

(4) Minimum Clearance from Grade - None.

(5) Setbacks - None, but the sign shall not be located closer than the right-of-way line.

(6) Projection into Right-of-way - Prohibited.

(7) Minimum Lot Frontage - 150 feet.

E. Other Provisions:

(1) Off-premise advertising is prohibited.

(2) The minimum number of tenants or occupants for which a shopping center sign may be installed is four.

(3) Only the names and addresses of the building or complex and individual identification signs for each occupant are permitted on a shopping center sign.

(4) The corner visual clearance requirements set forth in Section 128.09(1) of this chapter shall be observed.

6. Subdivision Signs.

A. Sign Classification - Permanent/Freestanding/on-premise.

B. Zoning Districts Where Permitted - All A-1, R, C, and M Districts.

C. Zoning Districts Where Prohibited - G-1
(Ord. 2007-1664 - June 07 Supp.)

D. Site and Structure Requirements:

(1) Number of Subdivision Signs Allowed Not more than two at each entrance to the development.

(2) Maximum Sign Area - 64 square feet.

(3) Maximum Height - 10 feet.

(4) Minimum Clearance from Grade - None.

(5) Setbacks - None, but the sign shall not be located closer than the right-of-way line.

(6) Projection into Right-of-way - Prohibited.

E. Other Provisions:

(1) Off-premise advertising is prohibited.

(2) A subdivision sign shall only contain the name and address of the subdivision, mobile home park, industrial park, or estate.

(3) The corner visual clearance requirement set forth in Section 128.09.(1) shall be observed.

128.05 BUILDING SIGNS.

1. Arcade Signs.

A. Sign Classification - Permanent/Building/
On-premise.

B. Zoning Districts Where Permitted - All C and M
Districts.

C. Zoning Districts where Prohibited - A-1, G-1 and
all R districts. (Ord. 2007-1664 - June 07 Supp.)

D. Site and Structure Requirements:

- (1) Number Allowed per Zoning Lot - one.
- (2) Maximum Sign Area - 6 square feet.
- (3) Maximum Height - None
- (4) Minimum Clearance from Grade - 7 feet.
- (5) Setbacks - None, but the sign shall not be located
closer than that allowed for the sign attachment structure
by Zoning Ordinance and/or Building Code.
- (6) Projection into Right-of-way - Permitted.

E. Other Provisions: Off-premise advertising is
prohibited.

2. Awning and Canopy Signs.

A. Sign Classification - Permanent/Building/On-premise.

B. Zoning Districts Where Permitted - All C and M Districts.

C. Zoning Districts Where Prohibited - A-1,G-1 and all R
Districts. (Ord. 2007-1664 - June 07 Supp.)

D. Site and Structure Requirements:

- (1) Awning or Canopy Signs Allowed - one per non-
residential occupant per street frontage.
- (2) Maximum Sign Area - No limit except as per subsection E
below.
- (3) Minimum Clearance from Grade - As established
in the Building Code and this Code of Ordinances.
- (4) Setbacks - As established in the Building Code.

(5) Projection into Right-of-way - Permitted, subject to the provisions established in the Building Code and this Code of Ordinances and Section 128.09(7) of this chapter.

E. Other Provisions:

(1) Off-premise advertising is prohibited.

(2) An awning sign shall be affixed flat to the vertical fall of the awning.

(3) An awning sign shall be non-illuminated. However indirect illumination from a source removed from the awning is permitted.

(4) A canopy sign shall not extend below the limits of the canopy but may extend vertically above the canopy one foot.

(5) A canopy sign shall not extend beyond or overhang the canopy but there is no setback requirement from the edge of the canopy.

(6) Marquee signs are considered canopy signs in the context of this chapter.

3. Banner Signs.

A. Sign Classification - Permanent/Building/On-premise.

B. Zoning: Districts Where Permitted - All C and M Districts.

C. Zoning Districts Where Prohibited - A-1, G-1, and all R Districts. (Ord. 2007-1664 - June 07 Supp.)

D. Site and Structure Requirements:

(1) Number of Banner Signs Allowed Per Zoning Lot - one per street frontage.

(2) Maximum Sign Area - one square foot per lineal foot of building frontage.

(3) Maximum Height - A banner sign shall not extend vertically above the roof line or parapet of the building to which it is attached.

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(4) Minimum Clearance from Grade - 8 feet.

(5) Setbacks - None, but a banner sign shall not be located closer than the right-of-way line.

(6) Projection into Right-of-way - Prohibited as allowed by Section 128.09(7).

E. Other Provisions:

(1) Off-premise advertising is prohibited.

(2) Temporary banners are governed under Section 128.10(2) of this chapter.

4. Mural Signs.

A. Sign Classification - Permanent/Building/On-premise.

B. Zoning Districts Where Permitted - C and M.

C. Zoning Districts Where Prohibited - A-1, G-1, and all R Districts. (Ord. 2007-1664 - June 07 Supp.)

D. Site and Structure Requirements:

(1) Number of Mural Signs Allowed per Zoning Lot - one per building wall.

(2) Maximum Sign Area - 1/3 of surface area of wall.

(3) Maximum Height - None.

(4) Minimum Clearance from Grade - None.

(5) Setbacks - None.

(6) Projection into Right-of-way - Prohibited.

E. Other Provisions:

(1) Off-premise advertising is prohibited.

(2) Murals that do not contain any advertising or commercial symbolism (such as, logos or trademarks) or do not represent any products except for the identity of the artist are not considered mural signs and are exempt from regulation.

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5. Nameplates.

A. Sign Classification - Permanent/Building/On-premise.

B. Zoning Districts Where Permitted - All.

C. Site and Structure Requirements:

(1) Number of Nameplates Allowed Per Zoning Lot - One at each building entrance and one per building wall.

(2) Maximum Sign Area - A-1, G-1, and all R districts - one square foot; all other districts - three square feet.

(Ord. 2007-1664- June 07 Supp.)

(3) Maximum-Height - None.

(4) Minimum Clearance from Grade - None.

(5) Setbacks - None.

(6) Projection into Right-of-way - Prohibited.

D. Other Provisions:

(1) Off-premise advertising is prohibited.

(2) A nameplate shall only contain the names, addresses, and/or occupations of the occupants of the building on which the nameplate is attached.

(3) Internal illumination of a nameplate is permitted.

6. Projecting Signs.

A. Sign Classification - Permanent/Building/On-premise.

B. Zoning Districts Where Permitted - All C and M districts.

C. Zoning Districts where Prohibited - A-1, G-1, and all R districts. (Ord. 2007-1664 - June 07 Supp.)

D. Site and Structure Requirements:

(1) Number of Projecting Signs Allowed per zoning Lot - One projecting sign per one frontage.

(2). Maximum Sign-Area - One square foot per lineal foot of building frontage. In all zoning districts except C-2, the sign area may be increased by 50% over the permitted maximum sign area if the projecting sign is located completely within the buildable area of the lot.

(3) Maximum Height - 35 feet.

(4) Minimum Clearance from Grade - 8 feet.

(5) Setbacks - None, but a projecting sign shall not project more than 8 feet from the building to which it is attached.

(6) Projecting into the Right-of-way - As per Section 128.09(7).

E. Other Provisions:

(1) Off-premise advertising is prohibited.

(2) Banner signs are not considered projecting signs within the context of this chapter. Banner signs are governed by Section 128.05(3).

(3) The corner visual clearance requirement set forth in Section 128.09(1) shall be observed.

7. Roof Signs.

A. Sign Classification - Permanent/Building/On-Premise

B. Zoning Districts where Permitted - All C and M districts.

C. Zoning Districts Where Prohibited - A-1, G-1, and all R districts. (Ord. 2007-1664-June 07 Supp.)

D. Site and Structure Requirements:

(1) Number of Roof Signs Allowed Per Zoning Lot -one per building except for multi-tenanted buildings which may have one roof sign for each nonresidential tenant.

(2) Maximum Sign Area - 4 square feet for each lineal foot of building frontage

(3) Maximum Height - 20 feet above the existing roof structure.

(4) Setbacks - None, but a roof sign shall not project, extend beyond, or hang over any exterior wall or parapet line of the roof.

(5) Projection into Right-of-way -As per Section 128.09(7)

E. Other Provisions:

(1) Off-premise advertising is prohibited.

(2) The corner visual clearance requirements set forth in Section 128.09(1) shall be observed.

(3) Illuminated non-flashing roof signs shall be allowed.

8. Wall Signs.

A. Sign Classification - Permanent/Building/On-premise

B. Zoning Districts Where Permitted - C and M districts.

C. Zoning Districts Where Prohibited - A-1, G-1, and all R districts. (Ord. 2007-1664 - June 07 Supp.)

D. Site and Structure Requirements:

(1) Number of Wall Signs Allowed per Zoning Lot -C and M districts - one per wall except for multi-tenanted buildings which may have one wall sign for each nonresidential tenant.

(2) Maximum Area Per-Sign:

+ Front Walls - Not to exceed four (4) square feet for each lineal foot of wall frontage.

+ Side Walls - Not to exceed six (6) square feet for each lineal foot of the side wall.

+ Rear Walls - As per "Front Walls."

(3) Maximum Height - None.

(4) Minimum Clearance from Grade - None, if sign is established from grade, otherwise 8 feet.

(5) Setbacks - None as per subsection (6) and (E) following.

(6) Projection into Right-Of-way - As per Section 128-09(7).

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E. Other Provisions:

(1) Off-premise advertising is prohibited.

(2) A wall sign shall not extend more than one foot from the wall surface to which is it attached.

(3) A wall sign shall remain within the outline of the wall to which it is attached.

(4) A wall sign projecting above the top of the wall to which it is attached is considered a roof sign within the context of this section and shall be governed under Section 128.05(7) of this section.

(5) Nameplates are not considered wall signs in the context of this section.

(6) The corner visual clearance requirement set forth in Section 128.09(1) shall be observed.

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128.06 TEMPORARY SIGNS.

1. Construction Signs.

A. Sign Classification - Temporary/Free-Standing/on-premise.

- B. Zoning Districts where Permitted - All
- C. Site and Structure Requirements:
 - (1) Number of Construction Signs Allowed Per Zoning Lot - one for each street frontage.
 - (2) Maximum Sign Area - 36 square feet.
 - (3) Maximum Height - 15 feet.
 - (4) Maximum Clearance from Grade - None.
 - (5) Setbacks - None; however, a construction sign shall not be located closer than the right-of-way line.
 - (6) Projection into Right-of-way - Prohibited.
- D. Other Provisions:
 - (1) Off-premise advertising is prohibited.
 - (2) A construction sign shall be removed not later than seven days after the completion of the construction activity.
 - (3) The corner visual clearance requirements set forth in Section 128.09(1) shall be observed.

2. Model Home Signs.

A. Sign Classification - Temporary/Freestanding/On-premise or Temporary/Building/On-premise.

B. Zoning Districts where Permitted - All.

C. Site and Structure Requirements:

- (1) Number of model Home Signs Allowed Per Zoning Lot - One for each eligible use.
- (2) Maximum Sign Area - 12 square feet.
- (3) Maximum Height - 6 feet.
- (4) Setbacks - None, however a model home sign shall not be located closer than the right-of-way line.

- (5) Projection into Right-of-way - Prohibited.
- D. Other Provisions:
 - (1) Off-premise advertising is prohibited.
 - (2) A model home sign shall be removed not later than seven days after the building is no longer used for model purposes.

3. Portable Signs.
 - A. Sign Classification - Temporary/Freestanding/On-premise.
 - B. Zoning Districts Where Permitted - All C and M Districts.
 - C. Site and Structure Requirements:
 - (1) Number of Signs per Zoning Lot - one.
 - (2) Maximum Sign Area - 42 square feet.
 - (3) Maximum Height - 8 feet.
 - (4) Maximum Clearance from Grade - None.
 - (5) Setbacks - None, but a portable sign shall not be located closer than the right-of-way line.
 - (6) Projection into Right-of-way - Prohibited.
 - D. Other Provisions:
 - (1) Off-premise Advertising is prohibited.
 - (2) The corner visual clearance requirement set forth in Section 128.09(1) shall be observed.
 - (3) Flashing lights are prohibited.

4. Real Estate Signs.
 - A. Sign Classification - Temporary/Freestanding/On-premise or Temporary/Building/On-premise.
 - B. Zoning Districts Where Permitted - All.
 - C. Site and Structure Requirements:
 - (1) Number of Real Estate Signs Allowed Per Zoning Lot - No limit.
 - (2) Maximum Sign Area - 8. square feet.

- (3) Maximum Height - 6 feet.
- (4) Minimum Clearance from Grade - None.
- (5) Setbacks - None, but a real estate sign shall not be located closer than the right-of-way line.

(6) ProJection into Right-of-way - Prohibited.

D. Other Provisions:

(1) Off-premise advertising is prohibited.

(2) A real estate sign shall be removed not later than thirty days after the property has been sold, rented or leased.

(3) The corner visual clearance requirement set forth in Section 128.09(1) shall be observed.

(4) Real Estate "Open, House" signs shall be permitted off-premise in all zoning districts provided the above, described provisions for real estate signs are met, except sign classification, and the "Open House" sign is removed no later than 24 hours after the "open house" has ended.

5. Roadside Stand Signs.

A. Sign Classification - Temporary/On-premise

B. Zoning Districts where Permitted -A-1.

C. Zoning Districts Where Prohibited - G-1, and R, C, and M.
(Ord. 2007-1664 June 07 Supp.)

D. Site and Structure Requirements:

(1) Number of Roadside Stand Signs Allowed Per Zoning Lot
- One for each street frontage.

(2) Maximum Sign Area - 36 square feet.

(3) Maximum Height - 15 feet.

(4) Maximum Clearance from Grade - None.

(5) Setbacks - None; however a roadside stand sign shall not be located closer than the right-of-way line.

(6) Projection into Right-of-way - Prohibited.

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E. Other Provisions:

(1) Off-premise advertising is prohibited.

(2) A roadside stand sign shall be removed not later than seven days after the completion of the roadside stand activity.

(3) The corner visual clearance requirements set forth in Section 128.09(1) shall be observed.

6. Sale Signs.

A. Sign Classification - Temporary/Freestanding or Temporary/Building.

B. Zoning Districts where Permitted All.

C. Site and Structure Requirements:

(1) Number of Sale Signs per Zoning Lot - One for each street frontage.

(2) Maximum Size Area - All R districts - two square feet, other districts - no limit.

(3) Maximum Height

+ Freestanding Sale Signs: All R districts - 5 feet, other districts - 10 feet.

+ Building Sale Signs - 35 feet.

(4) Maximum Clearance from, Grade - None.

(5) Setback - None; however, a sale sign shall not be located closer than the right-of-way line.

(6) Projection into Right-of-way - Prohibited.

D. Other Provisions:

(1) A sale sign shall be removed not later than three days after the sale, lease or event has been completed.

(2) In all districts, a sale sign advertising a garage or yard sale or similar type sales shall not remain for more than five consecutive days.

(3) The corner visual clearance requirements set forth in Section 128.09(1) shall be observed.

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(4) Bankrupt, Fire, and Closing out Sales - governed by Chapter 163 of this Code of ordinances.

7. Subdivision Development Signs.

A. Sign Classification - Temporary/Freestanding/On-premise.

B. Zoning Districts Where Permitted - All

C. Site and Structure Requirements:

(1) Number of Subdivision Development Signs Allowed per Development - One for each entrance to the development.

(2) Maximum Sign Area 12 square feet for each lot or parcel for sale or rent, but not more than 70 square feet.

(3) Maximum Height - 20 feet.

(4) Minimum Clearance from Grade - None.

(5) Setbacks - A subdivision development sign shall not be located within the required front or corner side yard setback as required in the Zoning Ordinance.

(6) Projection into Right-of-way - Prohibited.

D. Other Provisions:

(1) Off-premise advertising is prohibited.

(2) The subdivision development sign shall be located within the subdivision or development which it is advertising.

(3) A subdivision development sign shall be located at least 50 feet from any existing developed residential lot.

(4) A subdivision development sign shall be removed not later than 30 days after all lots or parcels within the subdivision or development have been sold, rented or leased.

(5) The corner visual clearance requirements forth in Section 128.09(1) shall be observed.

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128.07 OFF-PREMISE ADVERTISING SIGNS.

1. Zoning Districts Where Permitted - A-1, C, and M Districts.

2. Zoning Districts where Prohibited - G-1, and all R.
(Ord. 2007-1664 - June 07 Supp.)

3. Site and Structure Requirements:

A. Number of Off-premise Advertising Signs Allowed Per Zoning Lot - No limit, provided all other requirements are met.

B. Maximum Sign Area - 805 square feet per sign structure for each side facing one direction of traffic.

C. Maximum Height - 35 feet.

D. Minimum Clearance from Grade:

(1) If surface area facing one direction of traffic is less than 50 square feet, minimum clearance from grade shall be 5 feet.

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(2) If surface area facing one direction of traffic is 50 square feet or more, minimum clearance from grade shall be 10 feet.

E. Minimum Distance Between Signs:

(1) Minimum distance between off-premise advertising signs shall be 300 feet facing one direction of traffic on one side of a street.

(2) Minimum distance between an off-premise advertising sign and an on-premise freestanding sign shall be 60 feet facing one direction of traffic on one side of a street.

F. Setbacks - Off premise advertising signs shall meet the setback requirements for principal permitted uses of the zoning district in which they are located.

G. Projection into Right-of-way. - Prohibited.

4. Distance from R-Zoned Property - No off-premise advertising sign shall be permitted within 100 feet of any residentially zoned property unless the sign is completely screened from view of the residential district by a building, solid fence or wall, or evergreen planting in place and having a height of at least equal to the height of the sign when the sign is in place. Failure to maintain the required screening shall be sufficient cause for removal of the sign as set forth in Section 128.14(3) or such other remedies as may be available.

5. Other Provisions:

A. Illumination of off-premise advertising signs is permitted if the lighting is indirect and non-flashing, and is so shielded to prevent beams or rays of light from being directed at any adjacent premises or at any portion of the traveled way of any street or highway. In all such cases, the provisions of the Electrical Code shall apply.

128.08 PROHIBITED SIGNS. The following signs are prohibited in all zoning districts, unless as expressly provided elsewhere in this section.

1. Abandoned Signs.

A. Any on-premise sign which advertises or identifies a business, product or service that has not been in use at that location for 90 days.

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- B. Any off-premise advertising sign which does not correctly advertise or identify a bona fide business, product, service or interest for 90 days.
- C. Any sign that is not in a state of repair in conformance with Section 128.12(1) of this chapter for more than 45 days from date of notification.
2. Improperly Attached Sign - Any sign which is attached to a standpipe, gutter drain, unbraced parapet wall, fire escape, rock, tree, or utility pole.
3. Obscene Matter - Any sign which contains statements, words, or pictures of an obscene character.
4. Public Nuisance - Any sign which is a public nuisance because of amplified sound, smoke emission, emitted visible vapor particles or objectionable odors, noise, or vibrations, or constitutes a nuisance as set forth in Chapter 55 of this Code of Ordinances.
5. Restriction of Access - Any sign erected or placed so as to prevent free egress from any door or window or any other access or exit required by Building, Fire, or Housing Codes, or by any other ordinance or law.
6. Right-of-way Sign - Any sign other than an official public traffic, street, or related sign located in any street or highway right-of-way without the approval of the Council and/or other controlling governmental agency as set forth herein except signs conforming to section 128.09(7).
7. Snipe Sign - Any sign nailed or otherwise attached in any way to any tree, building, or structure advertising any business, commodity, service, or facility sold or offered elsewhere than upon the same zoning lot where the sign is located.
8. Traffic Hazard Sign - Any sign which:
- A. By reason of its size, shape, design, location or manner of illumination constitutes a traffic hazard of a detriment to traffic safety by obscuring the vision of drivers, by obscuring or otherwise physically interfering with any official traffic control device, or which may be confused with an official traffic control device.

B. By reason of its size, shape, design, location, content, coloring, or manner of illumination may be construed as, or confused with, any official traffic control device, street sign or signal, or which bears the words "Stop," "Go Slow," "Caution," "Danger," "Warning," or similar words which imply the need for special actions on the part of any vehicle operator or pedestrian.

C. Contains a rotating beam or flashing illumination resembling an emergency light in connection with any sign display which is visible from an adjacent street.

9. Unauthorized Placement - Any sign placed on private or public property without the consent of the owner or the owner's authorized agent.

10. Violation of other Laws Any sign which violates or advertises activities which violate City, State, or Federal law.

128.09 SUPPLEMENTAL PROVISIONS.

1. Corner Visual Clearance in All zoning Districts Except "C-2" - An unobscured visual site area which is bounded by the street curb lines of the intersecting streets and a line connecting two (2) points on said street curb lines fortyfive (45) feet from their point of intersection shall be maintained. Such unobscured area, at a minimum, shall extend from a distance of two (2) feet above finished street curb grade to ten (10) feet above finished street curb grade. No sign faces, message boards, or other sign structure except for two poles or post supports of no more than ten (10) inches in diameter shall be permitted within such unobscured area.

2. Changeable Copy - Unless otherwise specified by this section any permitted sign may use manual or automatic changeable copy.

3. Double-Frontage Lots - Each double-frontage lot (but not a corner lot) may have signage as if each frontage was a separate lot. Signage earned for a street frontage shall not be displayed on or combined with signage on any other frontage.

4. Clearance from Electrical Lines - A clearance of not less than 6 feet horizontally and 12 feet vertically shall be maintained between any sign and any overhead electrical transmission line unless a greater clearance is required by National Electrical Safety Code.

5. Calculation of Sign Area - The area of a sign shall be determined as follows:

A. The area included within a border or module shall be summed and then totaled to determine total area. The area shall include the extreme points or edges of the sign, within the border which from an integral part of the display, but shall not include the supporting structure, framing, pole covers, decorative roofing and similar embellishments, provided there is not written advertising copy on such embellishments.

B. The area of a building sign composed of individual letters, symbols or characters shall be determined by combining the individual areas within the perimeter of each letter or symbol or character.

C. Where a sign has two or more faces, the area of all faces shall be included in determining the area of the sign, except when two shall be considered as the area of one face if the two faces are of equal area, or as the area of the larger face if the two faces are of unequal area.

6. Home Occupations - Signage and advertising displays pertaining to home occupations shall comply with the provisions of the Zoning Ordinance.

7. Projection and Clearance - Signs shall conform to the following clearance and projection requirements:

A. Projection of Signs.

<u>Clearance</u>	<u>Maximum Projection</u>
Less than 8 feet	Not Permitted
8 feet	1 foot
Between 8 and 16 feet	1 foot plus 6 inches for each foot of clearance in excess of 8 feet
Over 16 feet	5 feet

B. Thickness of Projecting Signs

<u>Projection</u>	<u>Maximum Thickness</u>
5 feet	2 feet
4 feet	2 feet 6 inches
3 feet	3 feet
2 feet	3 feet 6 inches
1 foot	4 feet

C. Projection from Street Vehicle Traffic Pavement

Signs shall not project within two feet (2) of the curb line.

D. Projection over alleys - No sign or sign structure shall project into any public alley below a height of fourteen (14) feet above grade, nor project more than twelve (12) inches where the sign structure is located fourteen (14) feet to sixteen (16) feet above grade. The sign or sign structure may project not more than thirty-six (36) inches into the public alley where the sign or sign structure is located more than sixteen (16) feet above grade.

8. Non-profit directional signs allowed by the City Manager to be placed in the City right-of-way must meet the following standards:

- A. After approval, an Encroachment Permit and a Sign Permit must be obtained and fees paid.
- B. The color of the reflective sign is to be green with white lettering.
- C. The post is to be a breakaway, square tubular perforated steel post.
- D. Minimum clearance from grade - 7'.
- E. Signs must contain directional information only except for those located near the corporate limits on East Second Street and James Street. Directional information may include name, address, and logo.
- F. Maximum of 3 signs per applicant.
- G. This section does not pertain to existing signs in the right-of-way that are in good condition. However, if an existing sign is being replaced because of deterioration, the replacement sign must meet these standards. The Sign Permit and Encroachment Permit will be issued but the fees will be waived for replacements.
- H. A request for a sign in the City right-of-way from a commercial or industrial entity must be approved by the City Council.

128.10 PERMITS.

1. Sign Permits Required. It shall be unlawful for any person to erect, alter, or relocate within the City any sign or other advertising structure without first obtaining a sign permit, except in the following instances.

- A. Any copy or replacement of a sign face on an existing sign, provided the size or height of the sign is not altered.
- B. Normal maintenance, cleaning, or repair of a sign but not structural alteration.

2. Sign Permit Exemptions. The following signs are exempted from the sign permit requirements.

A. Banner Sign - Any sign considered a banner sign as defined under Section 128.02 and fulfilling requirements of Section 128.05(3).

B. Flags - Any official flag or emblem.

C. Historical Marker - A marker, monument, plaque, sign or notice located on public or private property

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which identifies or records a historical event, incident, or fact and which conforms to the Code of Iowa.

D. Holiday Decorations - Temporary decorations or displays celebrating the occurrence of traditionally accepted national, local, or religious holidays, provided that such signs are located outside the corner visual clearance area and do not otherwise create a sight visibility problem or other hazard for motor vehicles.

E. Incidental Sign - Any sign which is integral or normally affixed to a structure or another sign, such as for credit cards, hours of business, or that on gasoline pumps, provided that no such sign shall be located on a pole sign at a point less than 8 feet from the ground.

F. Information sign - Any sign considered an information sign as defined under Section 128.02 and fulfilling requirements of Section 128.04(3).

G. Interior Sign - Any sign placed inside a building or sports arena, provided such sign complies with Building, Fire, and other applicable codes.

H. Memorial Sign - Any sign or tablet identifying the name of a building and date of construction when cut into a masonry surface or inlaid so as to be part of the building.

I. Mural - A large expanse of wall area covered by paint or other such logos or trademarks, or does not represent any product, except to identify the artist.

J. Name Plates - As defined in this chapter.

K. No Trespassing Sign - No trespassing signs not to exceed 6 square feet in area per sign.

L. Occupant Sign - Sign identifying the premises and/or the occupant, including sign on mailbox or doorbell, provided such sign does not exceed 2 square feet in surface area.

M. Political Sign - A temporary sign relating to election to political office provided such sign shall be located outside the corner visual clearance area and outside the right-of-way. Such sign may be erected at

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any time during the period 45 days before the date of election and shall be removed by the seventh day after the date of the election.

N. Public Sign - Any sign required or specifically authorized for a public purpose by law or by any court, governmental order, rule or regulation.

O. Religious Symbol - Religious symbol at a place of worship or at a facility owned or operated by a religious institution.

P. Special Event Sign - Any temporary sign, banner, pennant, flag, streamer or advertising device displayed on the premise of an establishment having a grand opening, anniversary, or similar special event. Such sign shall also include signs erected for the purpose of notifying the public of noncommercial community events including but not limited to fairs, festivals and celebrations open to the general public and sponsored or approved by the city, county or school district. Such signs shall be located outside the corner visual clearance area and shall not obstruct, interfere with, or detract from the visibility of a traffic control device. Such signs shall be removed not later than 24 hours following the end of the special event.

Q. Temporary Sign - Any sign considered temporary as defined under Section 128.02 of this chapter, except for portable signs.

R. Traffic Sign - Any traffic or similar sign of a public agency, such as a railroad crossing sign.

S. Vehicular Sign - Any sign attached onto a motor vehicle, provided that such vehicle is in operable condition and such vehicle is not used primarily to display the sign.

T. Warning Sign - Any sign warning of danger, hazard, or unsafe conditions, but containing no advertising material. Such sign shall be removed upon termination of the danger.

U. Window Sign - Any temporary sign attached, affixed, or painted to the window of a building.

V. Works of Art - Any work or art if not displayed for the principal purpose of commercial advertising.

W. Sale Signs - Except that the requirements of sales regulated in Chapter 163 of this Code of Ordinances must be met.

3. Electrical Permits Required - All illuminated signs shall be subject to the provisions and requirements of the Electrical Code.
4. Fees – (Repealed by Ord. 2007-1659 – Apr. 07 Supp.)
5. Failure to Obtain Permit - When any sign is erected, placed, or structurally altered prior to obtaining a permit as required by this chapter, the fee specified in Section 128.10(4) shall be doubled. The payment of such double fee shall not relieve any person from complying with other provisions of this section or from any penalties prescribed in this section.
6. Application for Sign Permit - Application for a permit for the erection, alteration or relocation of a sign shall be made to the Building Official upon a form provided by the City and shall include the following information:
 - A. Name, address, and telephone number of person or firm erecting the sign.
 - B. Name and address of the owner of the sign.
 - C. Street address or location of the property on which the sign is to be located.
 - D. Name and address of the owner of the property on which the sign is to be located.

E. The classification of sign or sign structure as defined in this chapter.

F. A site plan showing the proposed location of the sign and the location of all other existing signs on the same premises.

G. Drawing and/or specifications showing the dimensions, materials, design, structural supports, and electrical components of the proposed sign. If required by the Building Official, engineering data shall be supplied or plans submitted certified by an architect or engineer licensed by the State.

7. Denial of Permits. When a sign permit is denied, the applicant shall receive a written notice stating the reasons for denial. The applicant may appeal the denial of the sign permit according to the procedures contained in Section 128.15 of this chapter.

8. Revocation of Permits. The sign permit may be revoked for any false statement or misrepresentation of fact in the application.

9. Inspections. All signs for which a permit is required shall be subject to inspection by the Building Official. Footing inspections may be required by the Building Official for all signs having footings. All signs containing electrical wiring shall be subject to the provisions of the governing electrical code and the electrical components used shall bear the label of an approved testing agency. All signs may be reinspected at the discretion of the Building Official.

128.11 DESIGN AND CONSTRUCTION.

1. Design.

A. General. Signs and sign structures shall be designed and constructed to resist wind and seismic forces as specified in this paragraph. All bracing systems shall be designed and constructed to transfer lateral forces to the foundations. For signs on buildings, the dead and lateral loads shall be transmitted through the structural frame of the building to the ground in such a manner as not to overstress any of its elements. The overturning moment produced from lateral forces shall in no case exceed two-thirds of the

dead-load resisting moment. Uplift due to overturning shall be adequately resisted by proper anchorage to the ground or to the structural frame of the building. The weight of earth superimposed over footings may be used in determining the dead-load resisting moment. Such earth shall be carefully placed and thoroughly compacted.

B. Wind Loads. Signs and sign structures shall be designed and constructed to resist wind forces as specified in the Building Code.

C. Seismic Loads. Sign and sign structures shall be designed and constructed to resist seismic forces as specified in the Building Code.

D. Combined Loads. Wind and seismic loads need not be combined in the design of signs or sign structures; only that loading producing the larger stresses need be used. Vertical design loads, except roof live loads, shall be assumed to be acting simultaneously with the wind or seismic loads.

E. Allowable Stresses. The design of wood, concrete steel or aluminum members shall conform to the requirements of the Building Code. Loads, both vertical and horizontal exerted on the soil shall not produce stresses exceeding those specified in the Building Code. The working stresses of wire rope and its fastenings shall not exceed 25 percent of the ultimate strength of the rope or fasteners. Working stresses for wind or seismic loads combined with dead loads may be increased as specified in the Building Code.

2. Construction.

A. General. The supports for all signs or sign structures shall be placed in or upon private property and shall be securely built, constructed and erected in conformance with the requirements of this section.

B. Materials. Materials of construction for signs and sign structures shall be of the quality and grade as specified for buildings in the Building Code. In all signs and sign structures the materials and details of construction shall, in the absence of specified requirements, conform with the following:

(1) Structural steel shall be of such quality to conform with U.B.C. Standard No. 27-1. Secondary members in contact with or directly supporting the display surface may be formed of light gauge steel, provided such members are designed in accordance with the specifications of the design of light gauge steel as specified in U.B.C. Standard No. 27-9 and in addition shall be galvanized. Secondary members, when formed integrally with the display surface, shall be not less than No. 24 gauge in thickness. When not formed integrally with the display surface, the minimum thickness of the secondary members shall be No. 12 gauge. The minimum thickness of hot-rolled steel members furnishing structural support for signs shall be 1/4 inch, except, that if galvanized, such members shall not be less than 1/8 inch thick. Steel pipes shall be of such quality as to conform with U.B.C. Standard No. 27-1. Steel members may be connected with one galvanized bolt, provided the connection is adequate to transfer the stresses in the members.

(2) Anchors and supports when of wood and embedded in soil, or within 6 inches of the soil, shall be of all heartwood of a durable species or shall be marked or branded by an approved agency.

C. Restrictions on Combustible Materials Ground signs may be constructed of any material meeting the requirements of this Code of ordinances. Roof signs, wall signs, projecting signs and signs on marquees shall be constructed of noncombustible materials, except as provided in subsection D below. No combustible materials other than approved plastics shall be used in the construction of electric signs.

D. Nonstructural Trim. Nonstructural trim and portable display surfaces may be of wood, metal, approved plastics or any combination thereof.

E. Anchorage. Members supporting unbraced signs shall be proportioned that the bearing loads imposed on the soil in either direction, horizontal or vertical, shall not exceed the safe values. Braced ground signs shall be anchored to resist the specified wind or seismic load acting in any direction. Anchors and supports shall be designed for safe bearing loads on the soil and for an effective resistance to pullout amounting to a force

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25 percent greater than the required resistance to overturning. Anchors and supports shall penetrate to a depth below ground greater than that of the frost line. Signs attached to masonry, concrete or steel shall be safely and securely fastened thereto by means of metal anchors, bolts or approved expansion screws of sufficient size and anchored to support safely the loads applied. No wooden blocks or plugs or anchors with wood used in connection with screws or nails shall be considered proper anchorage, except in the case of signs attached to wood framing. No anchor or support of any sign shall be connected to, or supported by, an unbraced parapet wall, unless such wall is designed in accordance with the requirements for parapet walls specified for seismic zones in the Building Code.

F. Display Surfaces. Display surfaces in all types of walls may be made of metal, glass, or approved plastics. Glass thickness and area limitations shall be in accordance with the following:

SIZE, THICKNESS AND TYPE OF GLASS PANELS IN SIGNS

MAXIMUM SIZE OF EXPOSED GLASS PANEL		MINIMUM THICKNESS OF GLASS (inches)	TYPE OF GLASS
ANY DIMENSION (inches)	AREA (sq. in.)		
30	500	1/8	Plain, Plate or Wired
45	700	3/16	Plain, Plate or Wired
144	3600	1/4	Plain, Plate or Wired
Over 144	Over 3600	1/4	Wired

Sections of approved plastics on wall signs shall not exceed 225 square feet in area. **EXCEPTION:** Sections of approved plastics on signs other than wall signs may be of unlimited area if approved by the Building Official. Sections of approved plastics on wall signs shall be separated 3 feet laterally and 6 feet vertically by the required exterior wall construction. **EXCEPTION:** Sections of approved plastics on signs other than wall signs may not be required to be separated if approved by the Building Official.

G. Approved Plastics. The Building Official shall require that sufficient technical data be submitted to substantiate the proposed use of any plastic material and, if it is determined that the evidence submitted is satisfactory for the use intended, he may approve its use.

128.12 Condition and Maintenance. All signs and their structures shall be maintained by the sign owner and/or the owner of record of the real property upon which the sign is located. Signs shall be maintained so as to be structurally sound, in good repair, safe condition, and shall be kept in a state of undeteriorated appearance by means of painting, sealing or coating and repair or replacement of damaged parts, panels or lights. Maintenance carried out in accordance with this section shall not require a sign permit provided the sign is not enlarged, moved or altered in any manner which would create or increase a nonconforming condition. Any sign violating these requirements shall be repaired or removed as required.

1. No sign shall be allowed to have more than twenty percent (20%) of its total surface area covered with disfigured, cracked, faded, rotted, ripped or peeling paint or poster paper, or any combination of these conditions for more than thirty (30) consecutive days.
2. No sign shall be allowed to stand with bent or broken sign facing, broken supports, loose appendages or struts which cause the sign to stand more than fifteen (15) degrees from the perpendicular for more than thirty (30) consecutive days.
3. No sign or sign structure shall be allowed to have weeds, vines or other vegetation obscuring more than twenty percent (20%) of the sign from the street or highway from which it is intended to be viewed for more than thirty (30) consecutive days.
4. No illuminated sign shall be allowed to stand with only partial illumination for more than thirty (30) consecutive days.
5. If a conforming sign is damaged such that more than 50% of the sign's value is lost, said sign shall be required to be brought into conformance with this ordinance within sixty (60) days.
6. All signs shall contain current information. Outdated signs shall be removed by the owner.

(Ord. 2008-1685- Oct. 08 Supp.)

128.13 NONCONFORMING USES.

1. Authority for Continuance of Nonconforming Signs. Any legally established nonconforming sign, except as provided in subsection 4 below, shall be allowed to continue but shall not be altered or reconstructed unless said action is in compliance with the provisions of this chapter.

2. Ordinary Repairs and Maintenance. Ordinary repairs and maintenance of nonconforming signs may be carried out provided that no alterations are made which would add to the size, area, or degree of nonconformity of the sign. For the purpose of this section "ordinary repairs and maintenance" includes cleaning; painting; replacement of sign faces,

bulbs, letters, figures, characters, posters, or other embellishments which do not increase the size of the sign; or landscaping around the sign.

3. Termination of Nonconforming Status. In the following circumstances, a legal nonconforming sign shall immediately lose its legal nonconforming status, whether such status is derived from a variance previously granted or by conformance to a previously existing ordinance, unless it is altered to comply with the provisions of this section or removed in accordance with the following provisions:

A. Abandonment. Any sign which is considered an Abandoned Sign as set forth in Section 128.08(1).

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B. Destruction or Damage. Any sign which is damaged or destroyed to the extent of more than 65% of its fair market value, unless otherwise authorized by the Zoning Board of Adjustment.

4. Termination of Nonconforming Signs. Existing at the effective date of the ordinance codified in this chapter, the right to keep, maintain, or display any sign as a legal nonconforming shall cease and terminate in accordance in Section 128.06(3) and existing as of the effective date of the ordinance codified herein shall be brought into conformity or removed within a reasonable length of time.

128.14 ENFORCEMENT.

1. Responsibility. The Administrative Authority and such deputies or assistants that have been or shall be duly appointed, shall have the responsibility and authority to enforce this chapter, except as otherwise provided in this chapter.

2. Violations. The Administrative Authority shall, upon determination of any violation of this chapter, notify in writing the owner of the sign structure, or of the land, building, or structure upon which the sign is located. Such written notification of violation shall identify the sign and/or sign structure, state the nature of the violation, and order the action necessary to correct the violation. Specifically, the Administrative Authority may order one or more of the following actions:

A. Repair or modification of a sign or sign structure.

B. Removal of any sign unlawfully installed, erected, or maintained.

C. Order the discontinuance of illegal work being done.

D. Order the discontinuance of illegal or prohibited signs or sign structures.

E. Take any other action authorized by the Zoning Ordinance to insure compliance with or to prevent violation of its provisions, and in particular shall, where necessary or appropriate, recommend to the City Attorney the institution of legal or equitable actions that may be required for enforcement of this chapter.

3. Removal of Signs. If the Administrative official has issued written notification of violation of this chapter and the violation has not been corrected within 45 days after receipt of written notice, and no appeal has been filed with the Zoning Board of Adjustment, the Administrative Authority is authorized to cause removal of such sign. Any expense incident to such removal shall be paid by the owner of the sign, sign structure or of the land, building, or structure upon which the sign is located. Failure to pay said costs may result in the assessment of such costs in the form as set forth in this Code of ordinances. At least fifteen (15) days before the sign is to be removed, the Administrative Authority shall notify in writing the owner of the sign, sign structure or of the land, building, or structure upon which the sign is located stating that the Administrative Authority intends to cause the sign to be removed and that the costs of such removal are to be paid by the owner of the sign, structure or of the land, building or structure upon which the sign is located.

4. Appeals. Any person affected by a decision of the Administrative Authority in his/her enforcement of this chapter may appeal said decision according to the procedures contained in Section 128.15 of this chapter.

128.15 APPEALS AND VARIANCES.

1. Zoning Board of Adjustment. Any person affected by a decision regarding the enforcement or interpretation of this section may appeal that decision to the Zoning Board of Adjustment according to the procedures set forth in the Zoning Ordinance. Appeals to the Zoning Board of Adjustment may include the following:

- A. Requests for variances or exceptions in specific cases from the specific provisions of this chapter except as set forth in subsections B, C and D.
- B. Requests for an extension of time for the compliance of any notice or order issued pursuant to this chapter.
- C. Allegations of error in any order, requirement, decision or determination made in the enforcement of this chapter.
- D. Requests for permission to reconstruct or re-erect a nonconforming sign or sign structure which has been damaged by fire, explosion, or act of God to the extent of more than 65% of its fair market value.

2. Building Code Board of Appeals. Appeals of decisions regarding the enforcement or interpretation of Section 128.11, Design and Construction, shall be taken to the Building Board of Appeals according to the procedures set forth in the Building Code.

3. City Council. Appeals of decisions regarding the placement of signs in public right-of-way shall be taken to the Council.

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