

CITY OF GRANITE FALLS  
ORDINANCE NO. 700-04

**SIGN ORDINANCE**

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**Section 19.56.01 Purpose and Intent**

- A. The purpose of this chapter is to preserve and maintain the small-town quality and the unique historic character of the city. It is to promote and protect the public welfare, health, safety, and aesthetics by regulating existing and proposed signs.
- B. Sign design shall be a creative response to the location on which it is to be placed. It shall consider:
  1. Scale compatibility and visual appropriateness with both the natural beauty of the environment and the unique building-scape of the city.
  2. Symbolic appropriateness with the activity to which it pertains.
  3. Expressive identity of individual proprietors, yet never violating the visual character of the surroundings in which it is to be placed.
  4. Legibility at the distance and pace (speed) at which it is to be seen.
  5. Un-due blocking of public view from the public right-of-way.
  6. Reduction of distractions contributing to traffic confusion or accidents.

**Section 19.56.02 Definitions**

- A. Except where specifically defined in this section, all words used in this ordinance shall carry their customary meanings. Words used in the present tense include

the future, and the plural includes the singular. The word "shall" is mandatory; the word "may" denotes a use of discretion in making a decision; the words "used" or "occupied" shall be considered as though followed by the words "or intended, maintained, arranged or designed to be used or occupied."

- B. "Banner" means a piece of manmade or natural cloth or fabric displaying a distinctive noncommercial design, attached by one or more edges to a pole or staff or other device intended for such display.
- C. "Billboards" means outdoor advertising signs containing a message, commercial or otherwise, unrelated to any use or activity of the property on which the sign is located. A directional or locator sign shall not be considered a billboard.
- D. "Display surface" means that part of a sign structure used to display an integrated advertising message.
- E. "Directional or Locator Sign" means a sign erected on public property or of a public or quasi-public nature containing a map, directions and other information intended to direct pedestrians to services, businesses and public facilities.
- F. "Marquee" means a permanent covering structure projecting horizontally from and attached to a building, affording protection from the elements, including, but not limited to, cloth awnings and mansard roofs.
- G. "Person" means any individual, corporation, association, firm, partnership, or business, singular or plural.
- H. "Sign" means any letters, figures, design, symbol, trademark, or device intended to attract attention to any activity, service, place, subject, person, firm, corporation, public performance, article, machine, or merchandise and including display surfaces and supporting structures thereof.
- I. "Pedestrian sign" means a small sign designed to identify a business to a pedestrian and indicate the location of the entrance.
- J. "Projection sign" means any sign other than a wall sign which extends more than twelve inches from the façade of the building to which it is attached.
- K. "Roof sign" means any sign erected upon, against or directly above a roof or on top of or above the parapet of a building.
- L. "Rotation sign" means any sign which rotates on a fixed axis.
- M. "Street" means a public right-of-way which affords a primary means of access to abutting property.
- N. "Street frontage" means the side of a building facing the street.
- O. "Surface area" or "façade" means the area of that continuous exterior front, side or back surface of a building, including doors and windows, but excluding any roof area.
- P. "Temporary sign" means a sign constructed of cloth, canvas, cardboard, wallboard or other light material, intended to be displayed for a limited period of time.
- Q. "Wall sign" means any sign attached to and supported by the wall of a building or the wall of a structure, with the exposed face of the sign in a plane parallel to the plane of the wall.
- R. "Window sign" means any sign located inside and affixed to or within one foot of the window panes of a building, whether temporary or permanent.

### **Section 19.56.03 Exempt Signs**

The following signs are exempt under this ordinance:

- A. Signs required by law, including, but not limited to, official traffic signs, directional signs, signals, public notices, court and sheriff notices, all of which are erected by public authorities.
- B. Informational services signs, including, but not limited to, "Customer Parking," "Driveway Entrance," and "Exit," not to exceed three square feet.
- C. Signs identifying public conveniences, including, but not limited to, restrooms, telephones, bus stops, and taxicab stands, not to exceed three feet.
- D. Information warning signs, including, but not limited to, "No Trespassing," "No Dumping," and "No Parking," not to exceed three feet.
- E. Building address identification number limited to six inches in height.
- F. Temporary political signs and signs displayed in windows of party political headquarters, not to exceed four square feet; provided they are removed within fourteen days after the election.
- G. Temporary decorations customarily displayed at special holidays, such as Christmas and Independence Day; provided they are removed within fourteen days after the holiday.
- H. One temporary real estate sign for each street frontage located on the premises for sale, lease, or rent, not exceeding four square feet; provided, that it is removed fourteen days after the sale, lease or rent of the premises.
- I. One temporary sign for each street frontage denoting the architect, engineer or contractor, or future business under construction, not to exceed sixteen square feet; provided, it is removed fourteen days after completion of construction.
- J. Any sign located within a building not visible from the street or sidewalk.
- K. Flags of government or non-commercial institutions such as schools.
- L. Sandwich board signs worn by a person while walking the public ways of the city.
- M. Window signs, where such signs are temporary and not a window graphic,
- N. Signs in the interior of a building more than one foot from the closest window or not facing a window.

### **Section 19.56.04 Sign Area**

- A. The total sign area for any single enterprise may be up to twenty (20) square feet, subject to review and approval by the Design Review Board, taking into consideration the criteria set forth in Section 19.56.01 of this ordinance.
  - 1. For public and institutional buildings and churches over 5,000 square feet in size, the total sign area for both building identification and announcement of events shall not exceed seventy (70) square feet; provided that, the total allowable sign area for identification shall not exceed thirty-eight square feet, and the sign area for announcement of events shall not exceed thirty-two square feet. Individual signs containing both a message and identification shall not exceed fifty square feet on all sides and individual signs not containing a message shall not exceed twenty square feet. These signs and sign areas are subject to the same review requirements set forth in A above.

- B. If a sign is a painted wall sign, only the total area of the letters or symbols themselves need be assessed against the allowable sign area, but if the background contrasts strongly with the wall it is painted on and is thus construed to be part of the architecture, the area measured is the smallest circle, triangle or quadrangle that can be drawn around all parts of the visible area.
- C. Visible structures designed to be a part of the sign display shall be included in the sign area calculation.
- D. The total area of a double-sided sign shall not exceed twenty (20) square feet in area on each side.

**Section 19.56.05 Permitted Sign Types**

- A. **Freestanding Signs.** Signs supported by uprights extended from the ground, not attached to a building. Height of freestanding signs shall not exceed nine (9) feet and freestanding signs shall not exceed twenty (20) square feet in area each side, including support structure. The height of freestanding signs is measured from the grade at the edge of the right-of-way to the top of the sign. If unusual topography, architectural or landscape elements, building setting or road curvature merit special considerations, an exemption may be considered. Freestanding signs, forty-two (42) inches or less in height may be located in the street setback a minimum of five (5) feet from the property line or edge of improvements. Signs exceeding forty-two inches in height shall setback one additional foot for every foot over forty-two inches. Freestanding signs shall not block visibility from driveways, accesses or at street intersections.
- B. **Joint Freestanding Signs.** Signs supported by uprights extending from the ground, not attached to a building shared by more than one enterprise. The total area of any joint freestanding signs shall not exceed twenty-eight (28) square feet in area each side including support structure.
  - 1. Each enterprise is entitled to an equal share of the sign space including the building name.
  - 2. If more than one freestanding sign is used, it shall be similar or the same in design.
- C. **Building Surface Signs.** Signs that are attached parallel to or painted directly on a wall surface of a building.
  - 1. If an applicant demonstrates to the satisfaction of the Design Review Board that a wall sign is an integral part of the architecture and constitutes a "super graphic," the Board may waive the size restrictions.
  - 2. A wall sign shall not project more than nine inches parallel to the face of the wall.
- D. **Projecting Wall Signs.** Signs that extend outwardly from a building wall plane.
  - 1. No sign shall extend into or over a public right-of-way unless written permission has been granted by the director of Public Works and a hold harmless agreement has been provided to the city.
  - 2. Projecting signs may be displayed by any establishment, not to exceed six (6) square feet in size for a single face.
  - 3. Projecting signs shall clear the sidewalk by seven and one-half (7½) feet, and projecting signs shall not be lower than seven and one-half (7½) feet from

- the ground, and shall not extend more than six (6) feet from the building, or one-half the width of the public sidewalk, whichever is less.
- E. Window Signs. Window graphics may not occupy more than twenty-five (25) percent of the total area of the window in which they are displayed.
  - F. Directional or Locator Signs. Directional or locator signs may be erected by a public or civic body, may be freestanding or wall mounted, shall not exceed twenty-eight square feet in area.
  - G. Auxiliary Design Elements. Elements such as movement, banners, awnings, canopies, marquees, window graphics, and sidewalk displays.
    - 1. Illumination.
      - a. Bare Bulb Illumination. The use of bare bulbs is restricted to establishments which would normally be associated with this light source, such as eating and drinking places, amusements and recreation. Wattage and bulb type shall be determined at the time of review.
      - b. Flashing and Moving Light. No flashing and moving lights are allowed except when out of view of all streets, parking lots and views from neighboring properties.
      - c. Indirect Illumination. An indirectly illuminated graphic is one which is lighted externally and directed towards the graphic or sign in such a manner that none of the light glares or shines onto a neighboring property or into the eyes of motorists and pedestrians.
    - 2. Special Features. Special features referred to here (banners, awnings, canopies, etc.) are essentially pedestrian-oriented and will most frequently be used in conjunction with some other type of street sign.
      - a. Awnings and canopies may be used by all types of establishments. Only individual cutout letters and/or symbols may be attached to painted stencils or otherwise placed on these devices; all other types of graphic treatment are prohibited.
      - b. Marquees.
      - c. Moving signs, except wind-powered signs, are not allowed except in those cases that the proprietor can demonstrate that such a sign would be more appropriate to the business.
      - d. Banners, pennants, flyers, ribbons or other fluttering devices may be used with approval of the Design Review Board.
      - e. Sidewalk showcases and kiosks. These may be used with special permission of the Design Review Board provided written permission has been granted by the direction of public works and a hold harmless agreement has been furnished to the city.
  - H. Temporary Signs. Temporary signs not specifically addressed elsewhere in this ordinance may be approved by the Design Review Board subject to specific time limitations.
  - J. Sign Materials. Sign materials shall be of wood and/or metal.

### **Section 19.56.06 Prohibited Signs**

The following signs are prohibited:

- A. All roof-mounted signs, directly on the roof surface.

- B. Billboards.
- C. Temporary signs attached to, located on or resting against a motor vehicle or trailer for the purpose of advertisement or direction people to a business.
- D. All signs which resemble legal traffic signs.
- E. All signs which have no permanent attachment to a building or the ground, including, but not limited to pole attachments and mobile signs and sandwich board or "A" board signs except for temporary real estate, non-permanent church locations, and non-profit organizations other than churches.
- F. Abandoned Signs. A sign which is located on property which becomes vacant or unoccupied for a period of ninety (90) days or more, or which was erected for an occupant or business other than the present occupant or business, or contains content which pertains to a time, event or purpose which no longer pertains, is an abandoned sign. If the sign does not conform to the criteria described in this guideline and/or unrelated to the present occupant or business, it must be removed by the property owner.
- G. Signs on Public Property. All signs on public property that are not approved for such location by the city are prohibited. Approved signs are subject to compliance with all provisions of this ordinance.
- H. Internal Illuminations. An internally illuminated graphic is one with the light source concealed or contained within the graphic itself which becomes visible in darkness by shining through a translucent surface.
- I. Neon Tube Illumination. A neon graphic is one with a light source supplied by a neon tube which is bent to form letters, symbols or other shapes.
- J. All signs made of plastic.

**Section 19.56.07 Existing Signs**

- A. This ordinance shall not apply to permanent signs in place or on before the date of the ordinance codified in this document, unless the user of the sign wishes to change the shape, dimensions or content of the sign. In that case, the sign must comply with the applicable sections of this ordinance. It shall not be deemed a change in content of a sign if the change is merely changing the message that may appear on the changeable portion of a reader board type sign.
- B. All signs, pre-existing the effective date of the ordinance codified in this document or otherwise, must be kept in good repair, be well maintained, and not a safety hazard to the members of the community.
- C. This section shall cease to apply to a preexisting sign if the business or other entity that the sign advertises ceases to do business in the same location for more than ninety (90) days. After that time, any preexisting sign must meet all applicable standards of this ordinance.

**Section 19.56.08 Permit-Required-Application**

A permit shall be obtained for each sign erected within the city limits, excepting those signs which are exempted by this ordinance. Each permit application shall be filed with the city by the property owner, lessee, contract purchaser, or other persons entitled to possession of the property, or by an authorized agent, on a form provided by the city, and shall contain and include the following:

- A. Building name and location.
- B. Building owner and lessee, sign owner and sign lessee, name of business, primary product and/or service.
- C. Location of existing and proposed signs.
- D. Description of signs, including dimensions, materials, and copy material.
- E. Required fee.
- F. Name, address, and telephone number of sign installer.

**Section 19.56.09 Surety Required**

The city may require, as a condition to the granting of a permit, that the applicant furnish a surety approved by the city to secure the applicant's obligation to adhere to the sign guidelines.

**Section 19.56.10 Permit-Review of Application**

All sign permit applications shall be approved by the Design Review Board.

**Section 19.56.11 Permit-Fee Schedule**

A permit fee in an amount as shall from time to time be set by the city council by resolution shall be paid to the city clerk/treasurer at the time of permit application.

**Section 19.56.12 Permit-Expiration**

A sign permit shall become null and void if the work for which the permit was issued has not been completed within ninety (90) days of its issuance.

**Section 19.56.13 Exception to Permit Requirement**

No permit shall be required:

- A. For repainting, cleaning or other normal maintenance or repair of a sign for which a permit has previously been issued, so long as the sign structure or content is not modified in any way.
- B. For the changing of the advertising copy or message on an approved reader-board or theater marquee.

**Section 19.56.14 Permit-Denial-Notice**

When a sign permit is denied by the Design Review Board, written notice of denial shall be given to the applicant along with a brief written statement of the reasons for the denial.

**Section 19.56.15 Variance Procedure**

- A. Special Circumstances Required. A variance from the requirements of this document can be considered by the Design Review Board when special circumstances applicable to a specific piece of property exist and it is considered necessary to provide a means to modify the regulations contained in this ordinance as they might apply to a particular property. Modifications to the regulations in this ordinance are permitted only after obtaining a variance.
- B. Criteria for Granting a Variance. The applicant shall demonstrate to the Design Review Board's satisfaction that:

1. The literal interpretation and strict application of the provisions and requirements of this chapter would cause undue and unnecessary hardship to the applicant because of unique or unusual conditions pertaining to the specific building or parcel of property in question.
  2. The granting of the requested variance would not be materially detrimental to the property owners in the vicinity.
  3. The unusual conditions applying to the specific property do not apply generally to other properties in the city.
  4. The granting of the variance will not be contrary to the general objectives of this ordinance of moderating the size, number and obtrusive placement of signs.
  5. The special conditions and circumstances do not result from the actions of the applicant.
  6. The variance is the minimum that will make possible the reasonable use of the property.
- C. Application Procedures. The application procedure for a sign variance is the same as for a zoning variance and regulations in Section 19.68.010 through 19.68.080 of this code shall apply.

#### **Section 19.56.16 Enforcement**

In addition to all other methods of enforcement identified in this ordinance, the city shall remove all signs on public property that have not been approved per all relevant portions of this ordinance and specifically Section 19.56.06.

#### **Section 19.56.17 Maintenance, Repair or Removal**

Every sign permitted by this ordinance shall be kept in good condition and repair. When any sign becomes insecure, in danger of falling, or is otherwise deemed unsafe by the code official, or if any sign shall be unlawfully installed, erected, or maintained in violation of any of the provisions of this ordinance, the owner thereof or the person or firm using same shall, upon written notice by the code official forthwith in the case of immediate danger, and in any case within not more than ten (10) days, make such sign conform to the provisions of this ordinance, or shall remove it. If within ten (10) days, the order is not complied with, the City Public Works Department may remove or cause such signs to be removed at the expense of the owner and/or the user of the sign.

#### **Section 19.56.18 Conflicting Provisions**

If any provision of this ordinance is found to be in conflict with any provision of any zoning, building, fire safety or health ordinance or code of the city, the provision which establishes a higher standard shall prevail.

#### **Section 19.56.19 Violation-Penalty**

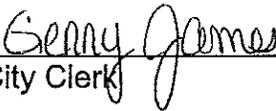
Any violation of this ordinance shall constitute a civil infraction and shall be punishable by a fine not to exceed five hundred dollars (\$500). Each day that a violation continues shall constitute a separate offense for which a separate fine, not to exceed five hundred dollars (\$500), may be imposed.

If any provisions of this Ordinance or its application to any person or circumstances is held invalid, the remainder of the Ordinance, or the application of the provisions to other persons or circumstances, is not affected.

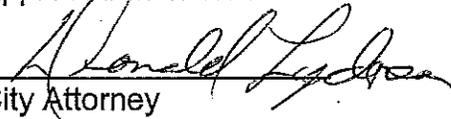
This Ordinance is hereby adopted by the City of Granite Falls this 25 day of August, 2004.

  
MAYOR

Attest:

  
City Clerk

Approved as to form:

  
City Attorney

DATE OF FIRST READING:  
DATE OF SECOND READING;  
DATE OF PUBLICATION;  
EFFECTIVE DATE:

August 25, 2004

September 2, 2004  
September 7, 2004