

ARTICLE 7.

SUPPLEMENTARY DISTRICT REGULATIONS-SIGNS

SECTION 701. INTENT

Signs are herein regulated in the interest of promoting traffic safety, safeguarding public health and comfort, facilitating police and fire protection and preventing adverse community appearance. Regulations are designed to permit maximum legibility and effectiveness of signs, and to prevent their over-concentration, improper placement, and excessive height, bulk and area.

SECTION 702. PERMIT REQUIRED

It shall be unlawful for any person, firm or corporation to erect, repair, alter, relocate or maintain within the City of Douglas any sign as defined in this Ordinance, except as hereinafter provided, without first obtaining a Building Permit for Sign from the Building Inspector. All illuminated signs shall, in addition, be subject to all provisions of the Electrical Code; Building Permits shall not be required for name plate signs, home occupation signs, real estate signs in residential districts, or for minor repair or painting of any permitted sign.

Section 702.1 Application for Permit

In addition to information otherwise required for issuance of a Building Permit, application for a Building Permit for Sign shall include:

- (a) Position of sign in relation to nearby buildings or structures.
- (b) Two blueprints of plans and specifications, including method of construction and attachment to the building or ground;
- (c) Structural calculations proving that the sign is designed for wind pressures in accordance with requirements of this Code may be required at the discretion of the building inspector.
- (d) Name of person, firm or corporation erecting the sign.
- (e) Written consent of the owner of the building, structure or premises on which sign is to be erected.
- (f) Approval of all proposed wiring and connections of illuminated signs in compliance with the Electrical Code.

Section 702.2 Issuance or Permits

If, upon examination of plan specifications and the premises on which erection of the sign is proposed, the Building Inspector finds that the proposed sign complies with all provisions of this Code and with all other ordinances of the City, he shall issue a Building Permit for Sign. If the work so authorized has not been completed within six (6) months thereafter, said permit shall automatically become null and void.

Section 702.3 Liability Associated with Permit Issuance

The granting of a Building Permit shall not be deemed to be a permit for or approval of any violation of this Ordinance. The provisions of this Ordinance shall not be construed as relieving or limiting in any way the responsibility or liability of any person, firm or corporation, erecting or owning any sign, or resulting from the negligence or willful acts of such person, firm or corporation, or its agents, employees or workmen, in the construction maintenance, repair or removal of any sign erected in accordance with a permit issued here under. Nor shall issuance of such permit be construed as imposing upon the City of Douglas or its officers or employees, any responsibility or liability by reasons of the approval of any signs, material or devices under the provision of this Ordinance.

SECTION 703. GENERAL REGULATIONS

The following general regulations regarding signs shall pertain to all zoning districts in the City of Douglas:

- (a) No sign shall be supported in whole or in part from any street, alley, sidewalk or other public right-of-way.
- (b) No part of any ground sign shall be erected within or project over any part of public street, alley or sidewalk.
- (c) Every sign and its supporting structure shall be designed and constructed to withstand a wind load of not less than forty (40) pounds per square foot of area.
- (d) Every sign and all parts of its supporting structure which are not constructed of galvanized or other rust-proofed metal shall be properly painted at least once every two years.
- (e) No sign shall be erected, relocated or maintained so as to prevent free ingress to or egress from any door, window or fire escape, nor shall any sign be attached to a standpipe or fire escape.
- (f) No sign shall be erected or maintained at or near any intersection of streets in such a manner as to obstruct free and clear vision; or at any location where, by reason of its position, shape, color, or illumination, it may interfere with, obstruct

the view of, or be confused with any authorized traffic sign, signal or device, or with any device mounted on a police or fire protection vehicle; or which makes use of the words, "STOP", "LOOK", "DANGER," or any other word, phrase, symbol or character in such manner as to interfere with mislead or confuse traffic, as determined by either building inspector, police department or city engineer.

- (g) Every illuminated sign shall be so placed as to prevent any light or reflection from being cast directly on any adjoining residential district.

SECTION 704. MEASUREMENT OF SIGNS

The following standards shall be utilized in measuring the area of signs:

- (a) The area of signs composed of individual fabricated or painted letters mounted directly on a building façade without painted or other background shall be computed by measuring the squared-off area of individual letter.
- (b) For all other types of signs, the area shall include the entire area within a single continuous perimeter enclosing the extreme limits of the sign provided, however, that such perimeter shall not enclose any structural elements located outside the limits of the sign and not forming an integral part of the display.
- (c) The total square footage of all face surfaces of the spherical, double-faced or multi-faced sign shall not exceed twice the allowable square footage (64 square feet) of a single-faced sign.

SECTION 705. EXEMPTIONS

The following signs shall conform to all other applicable provisions of this Code and shall be permitted in all districts in which the use identified or advertised is permitted.

- (a) Professional name plates not exceeding two (2) square feet in area.
- (b) Signs directing and guiding traffic and parking on private property in all districts but bearing no advertising matter, not to exceed three (3) square feet in area.
- (c) Traffic or other municipal signs, directional signs for hospitals or emergency services, of governmental agencies, legal notices, crossing signs and danger signals.
- (d) Memorial signs or tablets, names of buildings, and dates of erection when cut into any masonry surface or when constructed of bronze or other non-combustible material not to exceed eight (8) square feet in area.

- (e) Real estate signs in residential districts not exceeding three (3) square feet in area, which advertise the sale, rental or lease of the premises upon which said signs are located.
 - (f) Signs for the purpose of directing the public to “open house” events, providing for sale, rental, or lease of premises other than upon which the sign is located provided said signs do not exceed three (3) in number and may remain for the life of the active development but in no instance for longer than two (2) years after the issuance of the building permit for the project being advertised. Said signs shall not be located in such a manner as to cause a public safety hazard or nuisance and further said signs may not exceed an area of six (6) square feet of display surface on each sign. Such signs shall not be located in the public right-of-way. Sign location on private property shall have the written approval of the property owner.
 - (g) Sign for conditional uses permitted and approved under the provisions of the Code shall not exceed thirty-two (32) square feet in area and be located not closer than ten (10) feet to any adjoining lot.
 - (h) One (1) temporary, non-illuminated sign for major projects under construction not exceeding thirty-two (32) square feet in area. Message limited to identification of architect, engineers, contractors, and other individuals or firms involved with the construction and the name of building, purpose for which intended and expected completion date and shall be removed within twenty (20) days after the certificate of occupancy is issued for the building.
 - (i) City shall not remove, alter, deface or cover any temporary political sign if the following conditions are met: 1) the sign is placed in a public right-of-way that is owned or controlled by the City. 2) The sign supports or opposes a candidate for public office or it supports or opposes a ballot measure. 3) The sign is not placed in a location that is hazardous to public safety, obstructs clear vision in the area or interferes with the requirements of the Americans with Disabilities Act (42 United States Code sections 12101 through 12213 and 47 United States Code sections 225 and 611). 4) The sign has a maximum area of sixteen square feet, if the sign is located in an area zoned for residential use, or a maximum area of thirty-two square feet if the sign is located in any other designated land use area. 5) The sign contains the name and telephone number of the candidate or campaign committee contact person.
6. If the City deems that the placement of a political sign constitutes an emergency, the jurisdiction may immediately relocate the sign. The City Code Enforcement shall notify the candidate or campaign committee that placed the sign within twenty-four hours after the relocation. If a sign is placed in violation of subsection (i) and the placement is not deemed to constitute an emergency, the City, may notify the candidate or campaign committee that placed the sign of the violation. If the sign remains in

violation at least twenty-four hours after the jurisdiction notified the candidate or campaign committee, the City may remove the sign. The City shall contact the candidate or campaign committee contact and shall retain the sign for at least ten business days to allow the candidate or campaign committee to retrieve the sign without penalty.

7. It shall be prohibited to place or install a temporary political sign on any other City property, facility or structure that is owned or co-owned by the City and any other political subdivision.
 8. Subsection (i) applies only during the period commencing sixty days before a primary election and ending fifteen days after the general election, except that a sign for a candidate in a primary election who advances to the general election, the period ends fifteen days after the general election. (Ord. No. 12-1008 § 1, 2012).
- (j) One (1) non-illuminated home occupation sign not exceeding two (2) square feet.
 - (k) Temporary signs which are intended for use at grand openings of new businesses only and limited to a maximum period of fourteen (14) calendar days, size of this sign shall not exceed thirty-two (32) square feet. This includes banners, pennants, A-frame signs and inflated objects.
 - (l) One (1) temporary sign per subdivision not exceeding thirty-two (32) square feet in area, message limited to the identification of the subdivision and its sales agent. Two (2) such signs are permitted if the subdivision is five (5) acres or larger or if the subdivision has more than one (1) street frontage. Such sign or signs may remain for the life of the active development, but in no instance for longer than two (2) years from the date approval of the subdivision.
 - (m) Garage/Yard sale signs: Permission must be granted by property owners for sign posting on their property for garage sales occurring on another property.
 - (1) Such signs shall not exceed a total area of four (4) square feet. Only one sign shall be displayed per street frontage.
 - (2) Such signs shall be removed within three (3) days after erecting.
 - (3) Such signs shall not to be located in such a manner as to cause a public safety hazard or nuisance.
 - (4) Such signs shall not be placed in public right-of-way or on utility poles or structures.
 - (5) Such signs shall not be internally illuminated.

- (n) Future Development Sign: A sign that announces the proposed development of property, prior to the issuance of building permit.
- (1) Such signs shall include copy identifying the name(s) of the project architect, developer and contractor.
 - (2) Such signs shall not exceed thirty-two (32) square feet in area or eight (8) feet in height.
 - (3) Such signs may be maintained for a period not to exceed twelve (12) months prior to obtaining building permits for a development and shall be removed prior to the issuance of a Certificate of Occupancy.
 - (4) Such signs shall not be internally illuminated.
 - (5) All such signs shall be located on the development site.
 - (6) Only one sign shall be displayed per street frontage.
 - (7) Sign permit required.
- (o) Going Out of Business Sign: A sign indicating that the business displaying the sign will cease and be discontinued at a specific location.
- (1) All businesses shall be permitted to display Going Out of Business signs on a one-time basis for a maximum of thirty (30) consecutive days.
 - (2) The business shall cease and be discontinued at that specific location upon the disposal of the stock of goods on hand or after thirty (30) days, whichever comes first after the Going Out of Business signage is first displayed.
 - (3) Vehicle-mounted and portable signs and flashing lights are prohibited from use as Going Out of Business signs.
 - (4) Sign permit required.
- (p) Window Signs: A sign or signage placed in windows so as to attract the attention of persons outside of the building where the sign or signage is placed.
- (1) Window signage shall be limited to twenty-five percent (25%) of the total window area in which it is placed.
 - (2) Window signage shall not be placed above the ground floor of the building.
 - (3) No sign permit required.

- (q) One (1) temporary, non-illuminated sign per residential lot, not exceeding three (3) square feet in area per contractor or sub-contractor working on the lot, not to exceed six (6) square feet in aggregate area; provided, however, that each such sign shall be removed from the premises within twenty (20) days after completion of such construction or repairs.
- (r) Holiday lighting.

SECTION 706. PROHIBITED SIGNS

It shall be unlawful for any person to erect, display or maintain a sign or advertising structure falling within any of the following descriptions.

- (a) Moving signs or flashing signs or any signs or advertising structures which have any visible moving part or visible mechanical movement of any description or other apparent visible movement achieved by any means, including intermittent electrical pulsation; excepting clocks, barber poles, public service information signs, and time or temperature signs.
- (b) Signs which are obscene, hazardous to traffic, initiative of official government signs; (i.e., Stop, Danger, Caution, etc.) or obstructive to visibility so as to create a hazard to the public.
- (c) Windblown signs, such as posters, pennants, streamers, balloons or other inflated objects, except as provided for in *Section 705 (k)* above.
- (d) Temporary signs except as permitted in *Section 705*.
- (e) Except for time and temperature signs, no reflective type bulb or power spot bulb shall be used for, on, or in a sign except as herein and otherwise provided. All lamps or bulbs exposed to direct view shall be limited to twenty-five (25) watts or less capacity. On time and temperature signs each bulb is limited to thirty-three (33) watts capacity. Strings of light bulbs and spotlights are included in this section, except for holiday decorations.
- (f) Off-premises signs including billboards, except as provided in *Section 705 (f)*.
- (g) No sign shall be erected in a residential zoning district containing information other than property numbers, post box numbers, names of occupants or premises, home occupations, or as hereinafter permitted in *Section 708*.
- (h) Sandwich signs or A boards.
- (i) Roof sign.

- (j) No sign shall be located less than six (6) feet horizontally or twelve (12) feet vertically from overhead electrical conductors which are energized in excess of 440 volts. Overhead conductor, used herein means any electrical conductor, either bare or insulated, installed above the ground, except such conductors that are enclosed in rigid iron conduit or other material covering of equal strength.
- (k) Any signs creating traffic safety problems determined by city engineer, building inspector or police department.

SECTION 707. SIGN MAINTENANCE

Any signage that has been approved or that has been issued a permit shall be maintained by the owner or person in possession of the property on which the sign is located. Maintenance shall be such that the signage continues to conform to the conditions imposed by the sign permit.

- (a) Any damaged sign base shall be repaired within sixty (60) days.
- (b) Any metal pole covers and sign cabinets shall be kept free of rust and rust stains.
- (c) Any internally illuminated sign cabinets or sign panels, which have been damaged, shall remain un-illuminated until repaired.
- (d) Any signage, which has been damaged to such extent that they may pose a hazard to passersby, as determined by the Zoning Administrator, shall be repaired or removed immediately.
- (e) Legal non-conforming signage, which has been damaged to the extent of more than fifty percent (50%) of its reproduction value, shall be removed or altered so as to conform to the provisions of this Section.
- (f) When a business is discontinued at a specific location the owner shall be required to remove all the wall signs and free standing signs (including the pole) on the premises within sixty (60) days of the discontinuation.
- (g) Failure to comply with these sign maintenance requirements shall constitute a violation of the City of Douglas Zoning Code.

SECTION 708. PERMITTED SIGNS, RESIDENTIAL DISTRICTS

- (a) One and Two Family Dwellings: Message limited to property numbers, post box numbers, names of occupants of Premises, or other identification of premises not having commercial connotations.
 - (1) Area: one (1) square foot.

- (2) Height and/or Clearance: A sign consisting of numerals and letters identifying a property address shall not be less than four (4) inches in height and cannot exceed twelve (12) inches.
 - (3) No permit is required.
- (b) Permanent subdivision signs. Message limited to name of subdivision only.
- (1) Area. The total surface of permanent subdivision signs shall have a maximum of thirty-two (32) square feet for each sign.
 - (2) Height and/or Clearance. The maximum height of the permanent subdivision sign shall be four (4) feet if not in conflict with any required clear vision area.
 - (3) Number. Permanent subdivisions are limited to one (1) free standing masonry wall sign at each entrance. All such signs shall require a landscape area equal to four (4) square feet for each square foot of sign area. This landscape area shall be located around the base of the sign. *(Refer to Article 18, Section 1804 for landscape maintenance)*
 - (4) Prior to issuance of the building permit, the Building Inspector shall have on file a copy of an acceptable finding and agreement describing the maintenance responsibility for the subdivision sign.
- (c) Permanent Multi-Family Dwellings: Message limited to name of complex.
- (1) Free standing Masonry Wall Sign.
 - i Area: A free standing, permanent, sign is limited to two (2) square feet per dwelling unit to a maximum area of thirty-two (32) square feet. Sixteen (16) square feet per display surface if the sign has two display surfaces.
 - ii Height and/or Clearance: A free standing sign is limited to a maximum height of six (6) feet.
 - iii Number: Permanent Multi-Family dwellings are limited to one (1) free standing masonry wall sign. All such signs shall require a landscape area equal to four (4) square feet for each square foot of sign area. This landscape area shall be located around the base of the sign. *(Refer to Article 18, Section 1804 for landscape maintenance)*
 - iv Location: No free standing or any portion of any free standing sign shall be located on or projected over any portion of the street,

sidewalk, or other public right-of-way. No such sign shall be erected at the intersection of any street or driveway in the clear vision area of the traveling public as determined by the police department, building inspector or city engineer.

- (2) Wall signs.
 - i Area: A permanent wall sign is limited to two (2) square feet per dwelling unit up to a maximum of thirty-two (32) square feet.
 - ii Height and/or Clearance: The maximum height of any portion of the wall sign shall not exceed five (5) feet in height. No wall sign shall extend above the roof line at the wall or the top of a parapet wall, whichever is higher.
- (3) Prior to the issuance of the building permit, the Building Inspector shall have on file a copy of an acceptable agreement describing the maintenance responsibility for the multi-dwelling structures sign.

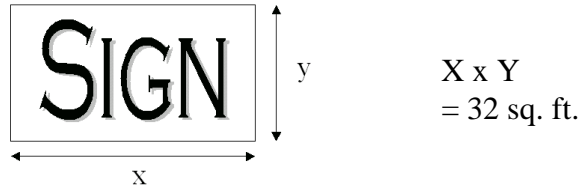
(d) Mobile Home and Trailer Parks: Message limited to name of the park only.

- (1) Area: The total surface of permanent sign shall have a maximum of thirty-two (32) square feet for a sign.
- (2) Height and/or Clearance: The maximum height of the permanent park sign shall be four (4) feet if not in conflict with any required clear vision area.
- (3) Number: Permanent parks are limited to one (1) free standing masonry wall sign at each entrance. All such signs shall require a landscape area equal to four (4) square feet for each square foot of sign area. This landscape area shall be located around the base of the sign. *(Refer to Article 18, Section 1804 for landscape maintenance)*
- (4) Location: No free standing or any portion of any free standing sign shall be located on or projected over any portion of the street, sidewalk, or other public right-of-way. No such sign shall be erected at the intersection of any street or driveway in the clear vision area of the traveling public as determined by the police department, building inspector or city engineer.
- (5) Prior to issuance of the building permit, the Building Inspector shall have on file a copy of an acceptable finding and agreement describing the maintenance responsibility for the sign.

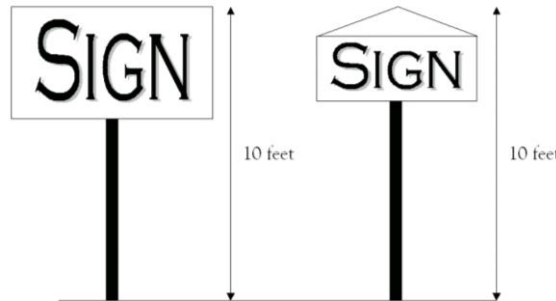
SECTION 709. SIGNS PERMITTED FOR NON-RESIDENTIAL USES: NC, OP, GC, IP, LI, HI, and AA

(a) Free Standing Sign.

- (1) Area: The maximum permitted area of a free standing sign shall be thirty-two (32) square feet per sign face.



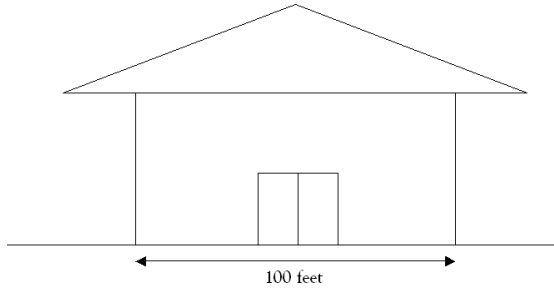
- (2) Height and/or Clearance: The maximum height of any portion of the sign structure shall be ten (10) feet as measured from the level of the main commercial floor of the primary structure.



- (3) Number: One (1) multi-faced free standing sign identifying the business designating the principal goods, products, or facilities or services available on the premises shall be permitted.
- (4) Location: No free standing or any portion of any free standing sign shall be located on or projected over any portion of the street, sidewalk, or other public right-of-way. No such sign shall be erected at the intersection of any street or driveway in the clear vision area of the traveling public as determined by the police department, building inspector or city engineer.

(b) Wall Sign.

- (1) Area: The maximum permitted area of a wall sign or wall signs shall not exceed one (1) square foot for each one (1) linear foot of primary building frontage or one (1) square foot for each five (5) feet of primary lot frontage; with the aggregate area of any wall signs plus any free standing sign not to exceed the total obtained by one (1) square foot per one (1) linear square foot.



Example:
Aggregate area of wall signs and free standing signs cannot exceed 100 sq. ft.

- (2) Height and/or Clearance: The maximum height of any portion of the wall sign shall not exceed five (5) feet in height. No wall sign shall extend above the roofline at the wall or the top of the parapet wall, whichever is higher.



- (3) Maximum Square Footage by Multiple Frontages: On buildings having more than one street frontage, the maximum allowable number of square footage of on-site signs is permitted for each street frontage. Said maximum allowance, however, is not transferable either in whole or in part from one building frontage to another, nor from one occupancy to another occupancy.

Section 709.1 Signs on Common Buildings.

When one (1) or more attached signs are located on a building which is divided and contains more than one (1) business or use, the regulation of such attached signs as to size and projection shall apply separately to the part of the exterior walls which contain that business or use.

Section 709.2 Street Address in Signs.

All free standing signs in commercial or industrial districts shall contain the street address in a size clearly legible from the street.

SECTION 710. NON-CONFORMING SIGNS

A sign, including its supporting structure, shall be considered nonconforming when it does not conform to all or part of the provisions of this Article applicable thereto, is not a temporary sign and the sign:

- (a) was in existence and lawfully located and used in accordance with the provisions of the prior ordinance applicable thereto or which was considered legally nonconforming thereunder and has since been in continuous or regular use; or
- (b) was in existence, located and used on the premises at the time it was annexed into the City and has since been in regular and continuous use.

SECTION 710.1 Destruction; Repair.

- (a) Any nonconforming portable, attached, or ground sign, including its supporting structure which is blown down, damaged, dilapidated or deteriorated, or otherwise destroyed or dismantled for any purpose other than maintenance operations or for changing the letters, symbols, or other matter on the sign, shall not be replaced, repaired, or renovated, in whole or in part, if the cost of such replacement, repair or renovation is in excess of sixty percent (60%) of the cost of erecting a new sign of the same type at the same location, including its supporting structure, unless such alteration or repair makes the sign conforming. No person shall repair, renovate, or alter a nonconforming sign without first receiving a sign permit.
- (b) No sign or supporting structure, which is lawfully reproduced, repaired or renovated as a nonconforming sign shall be increased in effective area or height.

SECTION 711. SPECIAL USE PERMITS

In order to encourage and promote a harmonious relationship between buildings and signs, the Planning and Zoning Commission shall have the authority to issue a Special Use Permit for signs, which are designated into and are a part of an integrated architectural feature of a building where the provisions of the code would otherwise prohibit such signs.

- (a) A comprehensive sign plan may be submitted by the developers of proposed shopping centers, industrial parks, industrial and commercial subdivisions, hotel conference centers and other uses as approved by the Community Development Director. This plan shall include the location, size, height, lighting and orientation of all proposed signs, in addition to any other information deemed necessary. This sign plan may be submitted in conjunction with the required preliminary Site Plan for the development. If the comprehensive sign plan is found to be acceptable, exception to the provisions of this Code may be granted, if the sign areas and densities shown on the plan are in conformity with the intent of this Code and if such exceptions result in an improved relationship between the various parts of the plan.
- (b) The owners of sixty (60%) percent or more of the street frontage, in feet, or properties on both sides of the street in any defined area may petition the Planning and Zoning Commission for the creation of a special sign district for the purpose

of creating an integrated special sign theme in the area. The Planning and Zoning Commission shall hold a public hearing on such a request after posting the property in question at least fifteen (15) days prior to the hearing, the Planning and Zoning commission shall make its recommendation to the City Council.

SECTION 712 APPEALS

Appeals procedure as set forth in Article 11, Section 1104.