

## CHAPTER 5

### Signs

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#### **SEC. 12-5-1 PURPOSE**

The purpose of this section is to promote health, safety, general welfare and order within the City of Thorp through the establishment of a comprehensive and impartial series of standards, regulations and procedures governing the type, numbers, size, structure, location, height, lighting, use and/or display of devices, signs or symbols serving as a visual communication media to persons situated within or upon public rights-of-way or properties. With this purpose in mind, it is the intention of this section to authorize signs which are:

- (a) Compatible with their surroundings.
- (b) Appropriate to the activity to which they pertain.
- (c) Expressive to the identity of the individual properties or the community as a whole.
- (d) Legible in the circumstances in which they are seen.
- (e) Safely located with respect to passing vehicular and pedestrian traffic.

It is further the intent of this section to prohibit signs which:

- (a) Prevent or inhibit adequate light, air or ventilation.
- (b) Inhibit the safety of vehicular or pedestrian traffic by actual physical or visual impairment or obstruction.
- (c) Distract from the aesthetics of the location, area and community as a whole.

**SEC. 12-5-2 PERMITTED SIGNS**

The following signs are allowed without a permit but shall comply with all other applicable provisions of this Ordinance.

- (a) **Public Signs**: Signs of a public, noncommercial nature to include safety signs, danger signs, traffic signs, signs indicating scenic or historical points of interest, memorial plaques and the like, when signs are erected by or on order of a public officer or employee in the performance of official duty.
- (b) **Nameplates and Identification Signs**: Nameplates and identification signs shall not exceed three (3) square feet in area for each dwelling unit. Content shall be limited to the name and address of the occupant and the name and nature of a permitted home occupation.
- (c) **Bulletin Board and Identification Signs**: Bulletin boards and identification signs for churches, schools and other permitted institutions and nonprofit organizations, not exceeding twenty-four (24) square feet; one per zoning lot on which such use is located. Such sign shall be located entirely within the property line of the use.
- (d) **Direction Signs (on-site)**: On-site directional signs not exceeding two (2) square feet in area, intended to facilitate the movement of pedestrians and vehicles within the site upon which such signs are located.
- (e) **Integral Signs**: Names of buildings, date of construction, commemorative tablets and the like, which are a permanent type of construction, and which are an integral part of the building or structure.
- (f) **Political Campaign Signs**: Signs or poster announcing the candidates seeking political office and/or political issues and a date pertinent thereto providing all such signs are located on private property. Such signs shall not exceed four (4) square feet in area. These signs shall remain in place for no longer than forty-five (45) days before and five (5) days after the election for which they are intended.
- (g) **Individual Property Sale or Rental Signs**: Any on-premises sign announcing the name of the owner, manager, realtor or other person directly involved with the sale or rental of the property or announcing the purpose for which it is being offered provided that:
  - (1) Signs must be removed within ten (10) days after sale or rental of the property.

- (2) Signs may not measure more than six (6) square feet in R1 and R3 Districts and twenty (20) square feet in the C1, C2, IL and IG Districts.
- (3) There shall be only one such sign per property. Corner properties may contain two signs, one per frontage.
- (h) **Development Signs:** One temporary sign not larger than thirty-two (32) square feet pertaining to the development of the land on which the sign is located, during actual development or construction of the site. No such sign shall be located closer than twenty (20) feet to a property line or right-of-way.
- (i) **Thrift Sale Signs:** No more than 4 temporary, free-standing signs used to promote short-term events, as for example thrift sales, garage sales, and yard sales, may be placed in the street right-of-way for periods not to exceed 48 hours, subject to the limitations imposed by 12-2-11 and 10-6-5(d) of these Ordinances and provided that these signs in no way obstruct the free passage of pedestrian or vehicular traffic on the streets and sidewalks
- (j) **Advertising signs placed on fences of certain athletic facilities, so long as:**
  - (1) The athletic facility is owned by the Thorp School District, is intended to be permanent and is designed to host WIAA sanctioned events; and
  - (2) Text or graphics appear only on one side of the sign and face the field or playing surface; and
  - (3) Total sign area shall not exceed the limits for Commercial Districts as provided in 12-5-5(b)(1)

### **SEC. 12-5-3 PROHIBITED SIGNS**

The following signs are specifically prohibited by this Ordinance:

- (a) Signs which obstruct the vision of drivers or pedestrians or detract from the visibility of any official traffic control device.
- (b) Signs which make use of flashing or intermittent lights, or that create animated images except that signs conveying time and temperature information and signs containing scrolling text are permitted in C1 and C2 Districts.
- (c) Permanent signs which consist of banners, pennants, ribbons, streamers, strings of light bulbs, spinners or similar devices for private or commercial purposes.

- (d) Signs or posters which are tacked on trees, fences, utility poles or other such permanent supports within the public right-of-way.

**SEC. 12-5-4        COMPUTATION OF NUMBER AND SQUARE FOOTAGE OF SIGNS**

The gross sign area shall be the area within the single continuous line enclosing the extreme limits of such sign and in no case passing through or between any adjacent elements of same. It does not include any structural or framing elements lying outside the limits of such surface and not forming an integral part of the display. In computing the number and square footage of signs, all signs other than those allowed in Section 12-5-2 and signs on windows shall be included.

**SEC. 12-5-5        DIRECT REGULATIONS**

The following signs are allowable providing a permit is acquired from the Zoning Administrator.

- (a) **R1 and R3 Districts:** No signs allowed except for those provided in Section 12-5-2.
- (b) **C1 and C2 Districts:**
  - (1) **Area.** The gross area in square feet of all signs shall not exceed four (4) times the lineal front footage of the zoning lot; and
    - a) **Illuminated Signs.** The gross surface area of all illuminated signs shall not exceed two (2) times the lineal front footage.
    - b) **Freestanding Signs.** No more than seventy-five (75%) percent of the gross surface area shall be in a freestanding sign.
    - c) **Advertising Signs.** An advertising sign structure shall not contain more than eight hundred (800) square feet of gross sign area per facing.
  - (2) **Number.**
    - a) **Temporary Signs.** Three temporary signs shall be permitted per zoning lot.
    - b) **Permanent Signs.** Ten (10) permanent signs shall be permitted per zoning lot
    - c) **Freestanding Signs.** One (1) freestanding sign shall be permitted per zoning lot.
  - (3) **Advertising Signs.** One (1) advertising sign shall be permitted per zoning lot.
  - (4) **Height.**

- a) Freestanding signs. No part of any freestanding sign shall be higher than thirty-five (35) feet above grade level in a C-1 District and fifty (50) feet above grade level in a C-2 District.
  - b) Permanent Signs. No part of a permanent sign shall extend higher than the building to which it is attached.
- (5) Other Restrictions.
- a) Permanent Signs. Permanent signs shall be attached to a building. No sign attached to a building shall project more than forty-eight (48) inches from face of the wall of the building. If the sign projects more than eighteen (18) inches from the face of the wall of a building, the lowest point of the sign shall be located at least ten (10) feet above the grade.
  - b) Freestanding Signs. No freestanding sign structure shall be permitted to be erected within two hundred (200) feet of an existing freestanding sign structure located on the same side of the right-of-way and facing the same direction.
- (c) **IL and IG Districts:**
- (1) Area: The gross area in square feet of all signs shall not exceed four (4) times the lineal front footage of the zoning lot; however, the gross surface area of all illuminated signs shall not exceed two (2) times the lineal front footage.
  - (2) Freestanding Signs: No more than seventy-five (75%) percent of the gross surface area shall be in a freestanding sign. Only one (1) freestanding sign shall be permitted per zoning lot. No part of any freestanding sign shall be higher than forty (40) feet above grade level.
  - (3) Attached Signs: No sign attached to a building shall project more than eighteen (18) inches from face of the wall of the building.
  - (4) Advertising Signs. One freestanding advertising sign shall be permitted to be erected on a zoning lot having fifty (50) feet or less of frontage provided that no sign structure shall be permitted to be erected within two hundred (200) feet of an existing sign structure located on the same side of the right-of-way and facing the same direction. An advertising sign structure shall not contain more than eight hundred (800) square feet of gross sign area per facing. Advertising signs shall not project higher than thirty-five (35) feet above grade level.

- (d) **Integrated Shopping Centers:** For integrated shopping centers in single ownership or under unified control, one additional sign, other than those listed under Section 12-5-5(d) shall be permitted, subject to the following:
- (1) **Content:** Such signs shall advertise only the name and location of such center and the name and type of business of each occupant of the center.
  - (2) **Area:** The gross surface area, in square feet of all business signs on a zoning lot shall not exceed three (3) times the lineal feet of street footage on such zoning lot. All signs may be illuminated.
  - (3) **Height:** Such sign shall not project higher than thirty-five (35) feet above grade level.

**SEC. 12-5-6 MAINTENANCE AND REMOVAL**

- (a) All signs and sign structures shall be kept in good repair. Responsibility for the maintenance and removal of signs and structures rests first with the sign owner and secondly with the property owner.
- (b) At the termination of a business, commercial or industrial enterprise, all signs shall be removed if the building and/or property remain vacant after six (6) months. Responsibility for removal in this case rests with the property owner, according to the latest official tax roll listing.
- (c) Vacant lots upon which signs now exist or are erected in the future shall be maintained in an orderly fashion by the removal of rubbish and maintenance of any plants growing on the lot.
- (d) If any sign is in violation of this Ordinance or becomes damaged or dilapidate, the Zoning Administrator shall give written notice to the owner of the sign or the owner of the property on which the sign is located, in person or by mail, addressed to the last known post office address of such owner to repair or remove the sign. If the order is not complied with within sixty (60) days of serving the notice, the Zoning Administrator shall cause the sign and structure to be razed and the cost thereof assessed as a special charge against the property on which the sign was located.

**SEC. 12-5-7      MURALS**

**DEFINITIONS:** Mural: A noncommercial message, picture, scene or diagram exhibited on the outside wall of the building or structure through application of paint, canvas, tile, panels or similar materials such that the wall becomes the background surface or platform for the mural. A mural shall be considered a wall sign or commercial message if it contains words, logos, trademarks or graphic representations of any person, product or service for the purpose of advertising or identifying a business. Explanatory wording relative to the artwork may be incorporated into the mural. Signatures shall be allowed and limited to maximum of 2 feet in size.

- (a) **Permitted Zoning Districts.** Murals are permitted in a C-1 District. Murals are also permitted as a conditional use in C-2, LI and IG Districts.
- (b) **Location Restrictions.**
  - (1) **Primary Facade.** A mural is not permitted on the primary facade of a building. A primary facade is defined (for purposes of this section) as the side of the building that faces the adjacent street right-of-way and is the primary customer entrance.
  - (2) **Protrusion.** A mural shall not project from the wall surface, other than the minimum necessary protrusion to mount the mural to the wall or structure.
  - (3) **Traffic.** A mural shall not interfere with visibility or the proper operation of any traffic sign, signal or device, or obstruct or physically interfere with a motor vehicle operator's view of approaching, merging, or intersecting traffic.
- (c) **Prohibited Content.**
  - (1) Representations or designs that imitate or appear to imitate a traffic sign, signal or device.
  - (2) Moving parts, including solar, wind, or water driven devices.
  - (3) Gang affiliation symbols.
  - (4) Commercial messages or advertising.
  - (5) Obscene content. For purposes of this section, any material is obscene if applying contemporary community standards:
    - a) The predominant appeal is to a prurient interest in sex;
    - b) The average person would find the material depicts or describes sexual content in a patently offensive way; and

- c) A reasonable person would find the material lacks serious literary, artistic, political, or scientific value.

(d) **Maintenance**

- (1) The mural shall be kept in good condition for the life of the mural according to the maintenance schedule approved by the Zoning Administrator or his/her designee.
- (2) The display surface shall be kept clean and neatly painted and free from corrosion.
- (3) Any mural that is not maintained, faded, or is in disrepair shall be ordered removed or covered with opaque paint, similar to the primary building materials/colors or other appropriate material by the Zoning Administrator or his/her designee.

(e) **Design Standards.**

- (1) The proposed mural will not have an adverse impact on the safe and efficient movement of vehicular or pedestrian traffic;
- (2) The location, scale and content of the mural should be in keeping with and enhance the building or structure on which it is located;
- (3) The proposed mural is well integrated with the building's facade and other elements of the property and enhances the architecture or aesthetics of a building or wall;
- (4) The proposed mural, by its design, construction, and location, will not have a substantial adverse effect on abutting property or the permitted use thereof;
- (5) The proposed mural is not detrimental to the public health, safety, or welfare;
- (6) The mural will not have a detrimental effect on the structural integrity of the wall on which it is applied/affixed; and
- (7) The maintenance schedule is reasonable for the mural and the building on which it is applied/affixed.

(f) **Mural Permit.** No mural shall be installed unless a mural permit has been issued by the City to the owner, or his agent.

(g) **Application Requirements.** The permit application shall contain, but not be limited to, the following information:

- (1) Site plan showing the lot and building dimensions and indicating the proposed location of the mural.
- (2) Pictures of the building facades.
- (3) A scale drawing and color photo of the building

facade showing the proposed size and placement of the mural.

- (4) A colored drawing of the proposed mural.
- (5) A description of the proposed maintenance schedule that includes the timeframe for the life of the mural and method for removal, if applicable.

(h) **Mural Permit Approval.** No mural permit shall be approved unless the Zoning Administrator, or his/her designee, shall find that the requirements of this Section have been fulfilled.

(i) **Notification and Waiting Period.** After the Zoning Administrator, or his/her designee, determines that a mural permit application meets the requirements of this Section of the Zoning Ordinance, a 10 day notification and waiting period is established. Notification of permit application shall be mailed to all property owners adjacent to or abutting the proposed mural property. Said notification will contain information regarding the mural permit, date that the notification period ends, and an appeals process. Notice shall state that a mural permit may be issued 10 days after date of notification by the Zoning Administrator.

(j) **Appeals.**

- (1) **Permit Approval.** Any person may appeal the decision of the Zoning Administrator, or his/her designee, regarding the decision of the Administrator to grant the mural permit. Said appeal shall be made in writing to the City Administrator and shall be received by the City Administrator prior to the end of the 10-day notification period. Appeals will be heard by the Board of Appeals to determine if the Zoning Administrator's decision to grant the permit is consistent with the provisions of this Section of the Zoning Ordinance.
- (2) **Permit Denial.** A mural permit applicant may appeal the decision of the Zoning Administrator to deny a mural permit. Said appeal shall be made in writing to the City Administrator and said appeal shall be made within 30 days of the decision by the Zoning Administrator to deny the permit. Appeals will be heard by the Board of Appeals to determine if the Zoning Administrator's decision to deny the permit is consistent with the provisions of this Section of the Zoning Ordinance.

**SEC. 12-5-8      APPLICATION FEES**

The City Council may establish, from time to time, the fee for an application for sign or mural permit. No application for sign or mural permit shall be complete until the established fee, if any, is paid.