

**ARTICLE VII
SIGNS AND OUTDOOR ADVERTISING DISPLAYS**

Section 7.01. SIGNS AND OUTDOOR ADVERTISING DISPLAYS PERMITTED

Signs and outdoor advertising displays shall be permitted in all districts subject to the provisions and regulations contained herein.

Section 7.02. DEFINITIONS - SIGNS AND OUTDOOR ADVERTISING DISPLAYS

(a) Signs: Any advertising display affixed to land or improvements thereon, which it is located and which may be either illuminated or non-illuminated, except where illumination is otherwise specifically prohibited in this chapter. No billboards (an advertising display that is not affixed to the improvements but is affixed to the land) are allowed in B-2 districts unless the proposed billboard is advertising the business located on the same property or unless the billboard was in existence prior to the enactment of this ordinance amendment.

(b) Outdoor Advertising Display: Any advertising display, whether affixed to land or improvements thereof and which is not an accessory use to the premises upon which it is located and which may be either illuminated or non-illuminated, except where illumination is otherwise specifically prohibited in this chapter. No billboards (an advertising display that is not affixed to the improvements but is affixed to the land) are allowed in B-2 districts unless the proposed billboard is advertising the business located on the same property or unless the billboard was in existence prior to the enactment of this ordinance amendment.

(c) Directional Sign: A sign conveying directions to a premises other than the premises on which the sign is located. Directional signs shall not exceed 16 square feet in area and may be either illuminated or non-illuminated, except where illumination is otherwise specifically prohibited in this chapter.

(d) Pennants and Special Events Signs: A sign or advertising display or pennant which relates specifically to a scheduled special event. All such signs or pennants shall be removed within seven (7) calendar days from the final day of the event.

Section 7.03. PERMIT REQUIRED

A building permit shall be required for all signs and outdoor advertising displays, except

pennants and special event signs. Any buildings located in the area designated B-3 shall be required to apply for a conditional use permit for any proposed alterations to the outside of a commercial building related to change in building color, signs, or artwork on said building(s). Any alterations to the outside appearance of a commercial building related to change of building color, signs painted on said building(s) and/or artwork on said building(s) located in areas zoned B-3 shall not be made to said building if the conditional use permit is denied.

Section 7.04. LOCATION

(a) Signs - No sign shall be erected or placed nearer to any street right-of-way upon which said display faces than the building lines provided in zones where the use is permitted, except one sign advertising the primary nature of the business or industry conducted on the premises may be placed not closer than five feet to the street right-of-way line, but in no case to be permitted to obstruct view of traffic. If the use is on a corner lot, two signs are allowed, one on each street, however, in the Central Business District where buildings may be built up to the street right-of-way line, one sign, attached parallel and flush to the wall of the building is permitted; provided that no signs shall project from the face of the building or structure over a street, alley or other public space more than eighteen inches. A clear space on not less than ten feet shall be provided below all parts of such signs. Projecting signs shall be securely attached to the building or structure. No overhanging sign which was in compliance with this ordinance as of December 1, 1992 (hereinafter referred to as "grandfathered sign"), shall continue to be in compliance subsequent to the effective date of the amendment contained in the City of Central City Ordinance Bill #92-9A (which amendment prohibits projecting overhead signs in the Central Business District) from the time that any such grandfathered sign is removed, for any reason, from its grandfathered position. Any such removal shall extinguish such sign's "grandfathered" status, and it may not be reinstalled, contrary to the provisions of this ordinance, either at its former location or at any new location. Any such removal shall include, but is not limited to, removal for maintenance, by vandalism, for safety, involuntary removal by casualty or disaster of any sort.

(b) Outdoor advertising display - Outdoor advertising displays shall be permitted only in B-2 and B-3 districts. All outdoor advertising displays shall be placed not closer than twenty (20) feet from any street right-of-way line upon which said display faces. The total number of outdoor advertising displays on any one lot shall not exceed two. Back-to-back displays commonly supported shall be considered as one display.

(c) Direction sign - Directional signs shall be permitted in all commercial and industrial districts only. Such signs shall not be placed closer than five feet to any street right-of-way line nor shall it be permitted to obstruct the flow or view of traffic.

(d) Pennants and special events signs - Pennants and special events signs are allowed in commercial districts and shall not be permitted to obstruct the view or flow of traffic.

(e) Signs, advertising, billboards and "bench" advertising erected on public property other than signs erected by public authority for public purposes are prohibited.

(f) Signs so located as to prevent free ingress or egress from any door, window, or fire escape are prohibited. No sign shall be attached to a standpipe or fire escape.

(g) On-premise signs erected, maintained, or continued which cause any interference to sight distance are prohibited.

(h) No on-premise sign shall contain commercial advertising which is unrelated to the existing use of the property.

(i) Signs which are obscene, indecent, or immoral are prohibited.

Section 7.05. LIGHTING

Signs and outdoor advertising displays which involve lighting or motion resembling traffic or directional signals, warning - such as "stop" or "danger" or any other signal signs which are normally associated with highway safety or regulations are prohibited. Additionally, no sign or outdoor advertising display device constituting a nuisance because of light, glare, focus, animation, flashing, or any illuminated signs of such intensity of illumination as to unduly disturb the use of residential property shall be erected or continue in operation.

Section 7.06. MAINTENANCE

Signs and outdoor advertising displays shall be maintained. Such maintenance shall include proper alignment of structure, continued readability of the structure and preservation of the structure with paint or other preservatives. If a sign or outdoor advertising display is not maintained, written notice of any disrepair shall be issued by the enforcement officer to the owner of said structure. If the disrepair is not corrected within sixty (60) days on issuance of said notice, said structure shall be removed at the owners expense.

Section 7.07. NON-CONFORMING SIGNS AND OUTDOOR ADVERTISING

All non-conforming signs, awnings, or marquee existing at the time of enactment of this chapter, but not in conformity with the provisions of this Ordinance, may be continued with the following limitations:

(a) Except for normal maintenance, such as cleaning, painting or replacing globes or tubing, a permit for any other repairs and maintenance must first be secured from the Building Inspector.

(b) Any sign, awning, or marquee which is hereinafter reconstructed or repaired wherein a major structural change is made, must, after said reconstruction or repairs, conform with the provisions of this Ordinance.

(c) Any sign, awning, or marquee which, in accordance with the findings and judgment of the Building Inspector, is considered to be materially damaged or dangerous or detrimental to the public safety by its continued use, and which must be removed from the building or its supports for the purpose of repair, must, after said repairs, conform with the provisions of this Ordinance.

(d) Any sign, awning, or marquee which is dislodged from the building or its supports by the elements or other causes must, upon replacement or reconstruction, conform with the provisions of this Ordinance.

Section 7.08. ILLEGAL SIGNS AND OUTDOOR ADVERTISING DISPLAYS

The city shall remove at the owners expense, any sign or outdoor advertising display erected or maintained illegally if the owner or lessee thereof fails to do so within sixty (60) days after receiving notice from the enforcement officer to remove the sign or display. The city shall have a lien against the real estate upon which or for which such illegally maintained signs are located for the cost of such removal. Such lien shall be co-equal with real estate ad valorem taxes and may be included with the tax bill for such property.

Section 7.09. USE EXCEPTIONS

Several types of structures and uses are permitted in all districts even though they are not listed as permitted uses under the zoning district regulations. These structures and uses are listed as follows:

No zoning permit or certificate of occupancy required:

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(a) Local public utility distributing and collecting structures such as pipes and transmission lines, transformers and meters. Large utility structures such as electrical substations or gas pumping stations are permitted only as conditional uses.