

ARTICLE VII. - SIGNS

DIVISION 1. - GENERALLY

Sec. 30-1163. - Purpose.

This article regulates the type, number, size, structure, height, lighting, erection, repair, location and maintenance of all outdoor signs within the town; provides for the issuance of permits and the charging of fees therefor; and for violations thereof.

(Code 2004, § 808.01)

Sec. 30-1164. - Definitions.

The following words, terms and phrases, when used in this article, shall have the meanings ascribed to them in this section, except where the context clearly indicates a different meaning:

Square footage, including "square feet" and "aggregate square footage," means the total area of all display surfaces of any sign. The display surfaces of a sign are those surfaces which contain lettering, symbols, numbers or other graphic features. If a sign has more than one display surface, the total area of each display surface must be taken into account.

Support structure means the support structure is that part of a sign which is constructed in or upon the ground and to which the display surface of the sign is attached.

(Code 2004, § 808.02(subd. 11))

Sec. 30-1165. - Temporary signs.

(a) Temporary signs for any lawful purpose, under 32 square feet per side, may be erected for 30 days or less without a permit.

(b) This section shall not be construed to allow the ongoing use of a sign location by the replacement of a temporary sign every 30 days or less. Such a use shall be deemed a permanent sign use, which shall require compliance with this article.

(Code 2004, § 808.02(subd. 12))

Sec. 30-1166. - Town signs.

Signs which are the property of the town are exempt from the provisions of this article.

(Code 2004, § 808.02(subd. 13))

Sec. 30-1167. - Noncommercial signs.

All noncommercial signs of any size may be posted in any number from August 1 in a state general election year until ten days following the election.

(Code 2004, § 808.02(subd. 14))

Sec. 30-1168. - Construction.

All signs shall be constructed in such manner and of such material that they shall be safe and substantial, shall be properly secured, supported and braced and shall be kept in good repair.

(Code 2004, § 808.02(subd. 1))

Sec. 30-1169. - Structural or feature restrictions of signs.

No sign shall be painted directly on any building, fence, rock or similar structure or feature, except in an industrial district.

(Code 2004, § 808.02(subd. 2))

Sec. 30-1170. - Interference with traffic.

No sign shall be erected that because of color, shape, position or illumination would interfere in any way with traffic safety or the proper functioning of traffic control devices.

(Code 2004, § 808.02(subd. 3))

Sec. 30-1171. - Political signs.

Political campaign signs shall be permitted on private property in any district but may not be placed sooner than 90 days preceding the election involved and must be removed within ten days following the election.

(Code 2004, § 808.02(subd. 4))

Sec. 30-1172. - Public rights-of-way and easements.

No sign shall be permitted within any public right-of-way or upon any public easement.

(Code 2004, § 808.02(subd. 5))

Sec. 30-1173. - Illuminated, flashing signs.

Illuminated, flashing signs shall not be permitted, except in an industrial or a general business district.

(Code 2004, § 808.02(subd. 6); Ord. No. 182, § 2, 9-24-2019)

Sec. 30-1174. - State of disrepair; town action.

Signs determined by the town board to be in a state of disrepair shall be restored to good repair by the sign owner or by the owner upon whose property the sign is located within 30 days after mailing of written notice to repair by the town board or its delegate. In the event of non-compliance with said notice, the town board shall have the authority to remove said sign at the expense of the sign owner or the property owner.

(Code 2004, § 808.02(subd. 7))

Sec. 30-1175. - Temporary real estate signs for individual residences.

Temporary real estate signs advertising for sale an individual residence shall not require a permit if they are under eight square feet per side.

(Code 2004, § 808.02(subd. 8))

Sec. 30-1176. - Compliance with town regulations.

All signs shall comply with the provisions of the zoning regulations and building code of the town.

(Code 2004, § 808.02(subd. 9))

Sec. 30-1177. - Temporary real estate signs for residential projects or commercial, industrial areas.

One temporary real estate sign for the purpose of selling or promoting a residential project of numerous dwelling units, or a commercial or an industrial area of five acres or more, shall be allowed and may be erected upon the project site, but such sign shall not exceed 32 square feet of advertising surface. Such a sign shall be removed after 90 percent of the project is developed, i.e., ownership thereof transferred or sold by the developer to third parties.

(Code 2004, § 808.02(subd. 10))

Secs. 30-1178—30-1202. - Reserved.

DIVISION 2. - ADMINISTRATION AND ENFORCEMENT

Subdivision I. - In General

Secs. 30-1203—30-1222. - Reserved.

Subdivision II. - Sign Permits

Sec. 30-1223. - Permits required.

All signs shall require a sign permit, except for political campaign signs permitted by section 30-1171, temporary real estate signs permitted by section 30-1175, temporary signs permitted by section 30-1165 and single residential identification signs and multiple residential identification signs permitted by section 30-1283(1) and (2).

(Code 2004, § 808.04(subd. 1(1)))

Sec. 30-1224. - Application.

Application for a sign permit shall be made to the planning and zoning commission on an "Application for Sign Permit" form available from the town clerk. Each application must be accompanied by a non-refundable application fee as provided in section 2-249. The application must contain at least the following information:

- (1) Name, address and telephone number of the fee owner of the property;
- (2) Name, address and telephone number of any contract for the deed purchaser or lessee of the property;
- (3) Street address of the property;
- (4) Legal description of property;
- (5) Site plan or sketch, showing the location of all buildings, driveways and other improvements and topographical features and the proposed sign. The application must be accompanied by a drawing of the proposed sign, which drawing must give the dimensions of the sign. The planning and zoning commission shall recommend to the town board that the application be approved or disapproved. For signs which require a conditional use permit, this application procedure shall be administered concurrently with the conditional use permit procedure.

(Code 2004, § 808.04(subd. 1(2)))

Sec. 30-1225. - Approved permits.

If the town board approves the permit application, the town clerk shall be instructed to issue a sign permit to the applicant upon receipt of the required sign permit fee. The permit shall be dated. A copy of the permit shall be retained by the clerk and attached to a copy of the application and drawings.

(Code 2004, § 808.04(subd. 1(3)))

Sec. 30-1226. - Responsibility of permit owner.

The permit owner shall be responsible for all the requirements of this article, including the liability for expenses for removal of illegal signs incurred by the town. Any sign now or hereafter existing which no longer advertises or identifies a bona fide business conducted, or a service rendered, or a product sold, shall be taken down and removed by the owner, agent or person having the beneficial use of the building, structure or lot upon which the sign may be found within ten days after written notice from a member of the town board.

(Code 2004, § 808.04(subd. 1(5)); Ord. No. 128, § 1, 7-24-2007)

Sec. 30-1227. - Sign permit fee.

All signs requiring a permit shall have an initial, one-time application fee plus an annual fee as outlined in section 2-249.

(Code 2004, § 808.04(subd. 1(6)); Ord. No. 128, § 1, 7-24-2007)

Sec. 30-1228. - Initial sign permit.

If the work authorized under a sign permit has not been completed within six months after the date of issue of the permit, then the permit shall become null and void.

(Code 2004, § 808.04(subd. 1(7)); Ord. No. 128, § 1, 7-24-2007)

Sec. 30-1229. - Permit revocation at any time.

All rights and privileges acquired under the provisions of this article or any amendments thereto are mere licenses revocable at any time by the planning and zoning commission and town board, and all such permits shall contain this provision

(Code 2004, § 808.04(subd. 3))

Secs. 30-1230—30-1246. - Reserved.

Subdivision III. - Nonconforming Signs

Sec. 30-1247. - Existing signs.

Signs existing on the effective date of the ordinance from which this article is derived which do not conform to the regulations set forth are nonconforming uses and must be brought into conformity within 15 months from the date of the ordinance from which this article is derived.

(Code 2004, § 808.04(subd. 2))

Secs. 30-1248—30-1264. - Reserved.

DIVISION 3. - SIGN REGULATIONS BY DISTRICT

Subdivision I. - In General

Sec. 30-1265. - When special or conditional use permit required.

Only the signs in the specific district shall be permitted, unless the town board shall grant a special or conditional use permit, after a public hearing, with ten days published notice or such notice as state law otherwise may require.

(Code 2004, § 808.03(intro. ¶1))

Secs. 30-1266—30-1282. - Reserved.

Subdivision II. - Residential Districts

Sec. 30-1283. - Permitted signs.

The following signs are permitted in the residential districts:

- (1) Single residential identification: Nameplate not more than four square feet per side.

- (2) Multiple residential identification: Wall sign up to six square feet.
- (3) Other signs: up to 32 square feet per side, with a sign permit as provided in division 2, subdivision II, of this article may be allowed if the proposed sign use meets one or more of the following criteria:
 - a. The sign will advertise farm products or dairy products which have been produced on the owner's land and which are for sale by the owner;
 - b. The sign will advertise a business which is a previously existing, nonconforming use pursuant to this chapter;
 - c. The sign will advertise a permitted home occupation as defined in section 30-7;
 - d. The sign will advertise a use which is a conditional use permitted by action of the town board pursuant to this chapter.

This section shall not be construed to allow any particular sign use to be exempted from the requirements of the conditional use permit procedures of this chapter.

- (4) No sign and no sign support structure shall be closer than 20 feet from any side or rear property line and no closer than 15 feet from any public right-of-way, and no sign shall obstruct in any way a driver's vision of the road or hinder or obstruct any pedestrian path.

(Code 2004, § 808.03(subd. 1))

Secs. 30-1284—30-1295. - Reserved.

Subdivision III. - Business and Industrial Districts

Sec. 30-1296. - General business district.

- (a) Within a limited or neighborhood business district, the aggregate square footage of sign space per lot shall not exceed one square foot per front foot of the building but in no case shall exceed a maximum of 50 square feet and shall not be higher than 12 feet.
- (b) Within a shopping center or other business district, the aggregate square footage of sign space per lot shall not exceed the sum of 100 square feet.
- (c) Advertising signs, defined as signs which direct attention to a business, service or entertainment not exclusively related to the premises where such sign is located, shall not exceed 300 square feet, shall not be higher than 45 feet and shall not exceed the sum of five square feet per front foot of the lot.
- (d) No sign and no sign support structure shall be closer than 20 feet from any side or rear property line and no closer than 15 feet from any public right-of-way, and no sign shall obstruct in any way a driver's vision of the road or hinder or obstruct any pedestrian path.

(Code 2004, § 808.03(subd. 2); Ord. No. 182, § 1, 9-24-2019)

Sec. 30-1297. - Industrial districts.

- (a) Within any industrial district, the aggregate square footage of sign space per lot shall not exceed four square feet per front foot of the building but in no case shall exceed a maximum of 32 square feet in size, except advertising signs, which, on industrial property, shall not exceed 32 square feet of sign surface and shall not exceed the sum of five square feet per front foot of the lot.
- (b) Within any industrial district, no sign shall exceed a height of 30 feet above the highest outside wall of a principal building, if it is a roof sign or attached to the building; and no ground sign shall exceed a height of 40 feet above the average grade of lot; nor shall any sign or sign support structure be located closer than 20 feet from any lot line or closer than 15 feet from any public right-of-way, and no sign shall obstruct in any way a driver's vision of the road or hinder or obstruct any pedestrian path.

(Code 2004, § 808.03(subd. 3))

Secs. 30-1298—30-1580. - Reserved.