

Chapter 32 - SIGNS

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ARTICLE I. - IN GENERAL

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Sec. 32-1. - Definitions.

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

Commercial message means an image or text on a sign which proposes or promotes a commercial transaction, or concerns the economic interest of the advertiser and/or the audience. Donor recognition messages, as defined herein, shall not be considered commercial messages.

Donor recognition message means the use of allowable sign area on a permitted monument general business sign, which is located on property owned or occupied by a nonprofit 501.C.3 organization, to recognize its donors. The maximum area used to recognize each donor shall not exceed 15 percent of the allowable sign face area. The donor recognition message shall be limited to the name and/or logo of the donor.

Erect means to build, construct, attach, hang, place, suspend, or affix.

Face or surface means the surface of the sign upon, against, or through which the message is displayed or illustrated on the sign.

Front building face means that building face which is the primary access into a building or lease space, as determined by the building official. The determination of front building face applicable to building spaces within a multiple occupancy building shall include all building frontage which is integral to the lease space and constructed as storefront for the purpose of visibility and/or access. The area of the front building face shall be the height or vertical plane from the ground to the top of the building times the length of the front building face, exclusive of any architectural features or roof lines, as determined

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by the building official.

Frontage, Interstate 30, means any property which has frontage directly on the service roads along Interstate 30.

Gross surface area of sign means the entire area within a single continuous perimeter enclosing the extreme limits of each sign. A sign having information on two surfaces shall be considered as a single sign providing that the surfaces are located back-to-back and contain identical copy. A sign having information on two or more surfaces with different copy shall be calculated as the sum of all portions and evaluated as a single sign. In the event two or more signs share a single structure (i.e., directory signs, or signs on v-shaped structures), each sign or panel shall be considered separately for square footage purposes, provided that the combined area of such signs cannot exceed the total square footage allowed on a single sign.

Height, for purposes of this chapter, means the height of a sign measured from an average elevation of the finished grade along the area of sign installation, excluding any artificial berming, to the highest point of the sign.

Illuminated sign means any sign which has characters, letters, figures, designs, or outline illuminated by electric lights. These lights shall not interfere with traffic or surrounding land use.

Incombustible material means any material which will not ignite at or below a temperature of 1,200 degrees Fahrenheit, and will not continue to burn or glow at that temperature.

Logo means any formalized design or insignia of a company or product, which is commonly used in advertising to identify that company or product.

Noncommercial message means one that visually displays speech or images not pertaining to commercial matters.

(1) The term "noncommercial messages" commonly concern religion, politics, social commentary and other matters of public debate.

(2) The term "noncommercial messages" does not include a political sign as defined in this section.

Off-premises means that the sign to which it refers must reflect goods, products, or services provided at a location other than where the sign is placed.

On-premises means that the sign to which it refers must reflect those goods, products, or services provided at the location on which the sign is placed.

Permanent means a sign intended to be used for a period of longer than six months.

Premises means a lot or unplatted tract or combination of contiguous lots or tracts if under single ownership as reflected in the plat records.

Setback means a line defining an area on the site between the existing street right-of-way or future right-of-way as proposed on the city's current thoroughfare plan, whichever is greater, and the line within which no sign shall be constructed, encroach, or project except as specifically authorized by this chapter.

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Sign includes every sign, name, number, identification, description, announcement, declaration, demonstration, device, display, flag, banner, pennant, illustration, beacon, light, or insignia, and structure supporting any of the same, affixed directly or indirectly to or upon a piece of land, which directs attention to any object, product, service, place, activity, person, institution, organization, or business. Any interior illuminated or moving sign or light, which is visible from the exterior, may be determined as being erected on the exterior of the building or structure.

Sign, abandoned, means any sign without a current, valid permit, deserted, surrendered or forsaken; cessation of use; given up or relinquished or does not identify or advertise a bona fide business, lessor, service, owner, product, event, or activity, or pertains to a time, event or purpose which no longer applies.

Sign, agricultural, means any sign identifying the farm or ranch on which it is placed and advertising the produce, crops, animals or poultry raised or quartered thereon. (On-premises)

Sign, apartment, means any sign identifying an apartment building or complex of apartment buildings. (On-premises)

Sign, awning, means a sign which is applied or attached to an awning or other rooflike cover, intended for protection from the weather or as a decorative embellishment, projecting from a wall or roof of a structure over a window, walk, door, or the like.

Sign, banner, means a temporary sign generally constructed of cloth, plastic, or paper. (On-premises/off-premises)

Sign, canopy, means a sign that is applied, attached or affixed on a canopy or other rooflike cover over gasoline fuel pumps, vacuum area at car detail facilities, or other areas where services are provided to a patron in a vehicle intended for protection from the weather or as a decorative embellishment. A canopy sign may contain only the business's name and/or logo on the canopy band.

Sign, changeable electronic variable message (CEVMS).

(1) The term "changeable electronic variable message sign (CEVMS)" means an on-premises sign which permits light to be turned on or off intermittently or which is operated in a way whereby light is turned on or off intermittently, including any illuminated sign on which such illumination is not kept stationary or constant in intensity and color at all times when such sign is in use including an LED light emitting diode or digital sign an which varies in intensity or color.

(2) The term "changeable electronic variable message (CEVMS) sign" does not include a sign located within the right-of-way that functions as a traffic control device and that is described and identified in the Manual on Uniform Traffic Control Devices (MUTCD) approved by the Federal Highway Administrator as the National Standard. (On-premises)

Sign, construction, means any temporary sign identifying the property owner, decorator, or financier engaged in the design, construction or improvement of the premises on which the sign is located. (On-premises)

Sign, development, means any temporary promotional sign pertaining to the development of land. (On-premises)

Sign, directional, means a temporary sign which is limited, exclusively, to the identification of a specific premises, occupancy, or owner of said premises located elsewhere, and which tells the location of

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and/or route to said premises or occupancy. (Off-premises)

Sign, directory, means any sign listing the occupants within shopping centers, industrial parks, retail districts, and commercial parks. The name of the center or district may be included on the sign. (On-premises)

Sign, human, means a sign held by or attached to a human being who stands or walks on the ground, at a business location. A human sign includes a person dressed in costume, for the purposes of advertising or otherwise drawing attention to an individual, business, commodity, service, activity, or product. (On-premises)

Sign, identification, means any sign which is used to identify shopping centers, industrial and commercial parks, office districts, and retail districts. These signs are not intended to identify individual businesses or activities within a center or district. (On-premises)

Sign, institutional, means any sign used to identify schools, churches, and similar public buildings or institutions. Off-premises sign information may include the name, address and directions to the location. On-premises signs shall include the name of the establishment and general information only. (On-premises/off-premises)

Sign, marquee, means any sign erected on a marquee or fixed awning. (On-premises)

Sign, model home, means any temporary sign used for the advertised sale of a particular structure represented by a model or show home. (On-premises)

Sign, monument, means any permanent low profile sign built on a monument base as opposed to a pole base, solid from the ground up, and which has no clear space for the full width of the sign between the bottom of the sign and the ground. Poles or supports must be concealed. (On-premises) (See illustration 1.)

Sign, off-premises, means a sign displaying advertising copy that pertains to a business, person, organization, activity, event, place, service, or product not principally located or primarily manufactured or sold on the premises on which the sign is located.

Sign, on-premises, means a sign identifying or advertising a business, person, or activity, and installed and maintained on the same premises as the business, person, or activity.

Sign, pole, means any permanent freestanding pole sign, utilizing either monopole or dual-pole design. A pole sign is required to have a minimum of seven feet clearance from grade to the bottom of the sign cabinet. (On-premises) (See illustration 2.)

Sign, political, means any sign that contains primarily a political message and that is located on private real property with the consent of the property owner.

(1) For purposes of this definition, the term "private real property" does not include real property subject to an easement or other encumbrance that allows a municipality to use the property for a public purpose.

(2) The term "political sign" does not include a sign that contains primarily a political message on a temporary basis and that is generally available for rent or purchase to carry commercial advertising or other messages that are not primarily political. (Off-premises)

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Sign, projection, means any sign which projects, either horizontally or vertically, from a building and which has one end attached to that building or other permanent structure. (On-premises)

Sign, real estate, means any temporary sign used to advertise the sale or lease of a piece of real property. (On-premises)

Sign, residential subdivision, means a sign used to identify the name of a specific residential subdivision. (On-premises)

Sign, temporary realtor open house directional means any temporary sign used for directing realtors and potential homebuyers to homes for sale within the city which are open for public viewing. (Off-premises)

Sign, traffic, means any sign used for traffic control purposes. (On-premises)

Sign, wall, means any sign which is attached to the face of a wall, including windows and doors, to advertise businesses in that building.

Sign, weekend development directional, means a temporary sign which is limited exclusively to the identification of a development, consisting of more than one lot available for new construction and which indicates the route to said development. For the purposes of this definition, the term "development" shall be inclusive of all phases. (Off-premises)

Sign code application area means the corporate limits of the city and the area of its extraterritorial jurisdiction as defined by V.T.C.A., Local Government Code § 42.021.

Temporary means a period of six months or until the advertised event is concluded, whichever comes first. If the sign is required for a longer period of time, then a reapplication must be made.

(Ord. No. 10-07, § 1(exh. A(15-232(C))), 3-15-2010; Ord. No. 10-19, § 1, 2010)

Sec. 32-2. - Penalties.

(a) *Injunctions; applicability*. The city shall have the power to administer and enforce the provisions of this chapter as may be allowed by governing law. Any person violating any provision of this chapter is subject to suit for injunctive relief as well as prosecution for criminal violations. The permittee, owner, agent, person having the beneficial use of a sign, the owner of the land or structure on which the sign is located, and the person responsible for erecting the sign are all subject to the provisions of this chapter and are subject to the penalties provided for violations of this chapter.

(b) *Criminal*. Any person who violates any provision of this chapter shall be deemed guilty of a misdemeanor, and upon conviction thereof, in the municipal court, shall be subject to a fine of not more than \$2,000.00 for each offense, and each and every day that the violation of this chapter shall be permitted to continue shall constitute a separate offense. An offense under this chapter is a class C misdemeanor. In prosecutions for violations of this chapter, the culpable mental state shall be criminal negligence.

(c) *Civil*. Appropriate actions and proceedings may be taken by the city in law or in equity to prevent any violation of this chapter, to prevent unlawful construction, to recover damages, to restrain, and correct or abate a violation. These remedies shall be in addition to the penalties described in this chapter, and may include, but are not limited, to the following:

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- (1) Injunctive relief to prevent specific conduct that violates this chapter or to require specific conduct that is necessary for compliance with this chapter;
- (2) A civil penalty up to \$500.00 a day when it is shown that the defendant was actually notified of the provisions of this chapter and after receiving notice of committed acts in violation of this chapter or failed to take action necessary for compliance with this chapter; and
- (3) Any other available relief.

(Ord. No. 10-07, § 2, 3-15-2010)

Sec. 32-3. - Purpose.

(a) The purpose of this chapter is to provide uniform sign regulations and standards which promote a positive city image, reflecting order, harmony, and pride, thereby strengthening the economic stability of the city business community, as well as cultural and residential areas. Objectives to be pursued in applying specific standards are as follows:

- (1) To identify individual business, residential, and public uses without creating confusion, unsightliness, or visual obscurity of adjacent businesses.
- (2) To ensure that all signs in terms of size, scale, heights, and location are properly related to the overall adjacent land use, character, and development lot size.
- (3) To ensure that all signs, sign supports, and sign bases shall be so constructed in a safe manner and will not constitute a hazard to the public's health, safety or welfare.
- (4) To ensure that all signs are designed to provide for design compatibility with surrounding development, and will not detract from the pleasure, safety and economic well-being of the community. The materials used, form, color, lighting, and style should be similar to the materials used in the development.
- (5) To accommodate the free speech right to express ideas by displaying a sign, while balancing this right against the cumulative public impacts of signs.

(b) The regulations contained in this chapter are the minimum amount of regulation necessary to achieve its purposes.

(Ord. No. 10-07, § 1(exh. A(15-232(A))), 3-15-2010)

Sec. 32-4. - Applicability; title.

(a) This chapter shall apply to the incorporated area of the city, and to the extraterritorial jurisdiction area of the city as described in subsection (b) of this section. It shall be unlawful for any sign to be erected, constructed, reconstructed, altered or located within the city which does not conform to all the provisions, standards, and procedures of this chapter including any appendices attached hereto and made a part hereof, the Unified Development Code, or other requirements of the city, state or federal government, and failure to comply with this section shall constitute a violation of this chapter. The following governmental agencies are exempt from the provisions of this chapter:

- (1) The city;

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- (2) The state; and
- (3) United States federal government.

(b) Pursuant to V.T.C.A., Local Government Code § 216.902, the city council hereby extends the listed provisions of this chapter to its extraterritorial jurisdiction, as defined by the Municipal Annexation Act (V.T.C.A., Local Government Code ch. 42). It shall be unlawful for any sign to be erected, constructed, reconstructed, altered or located within the city's extraterritorial jurisdiction, which does not conform to all of the provisions, standards, and procedures of this chapter, or other requirements of the city, state or federal government, and failure to comply with this section shall constitute a violation of this chapter. The provisions of this chapter that are in full force and effect throughout the city's extraterritorial jurisdiction are as follows: section 32-1, divisions 2 through 5 of article II, and section 32-309

(c) This chapter shall be known and may be cited as the "Sign Ordinance of the City of Rockwall, Texas."

(Ord. No. 10-07, § 1(exh. A(15-232(B))), 3-15-2010)

Secs. 32-5—32-26. - Reserved.

ARTICLE II. - ADMINISTRATION

- DIVISION 1. - GENERALLY
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DIVISION 1. - GENERALLY

[Secs. 32-27—32-55. - Reserved.](#)

Secs. 32-27—32-55. - Reserved.

DIVISION 2. - PERMITS

- [Sec. 32-56. - Required.](#)
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[Sec. 32-59. - Fees—Required.](#)

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[Secs. 32-66—32-88. - Reserved.](#)

Sec. 32-56. - Required.

It shall be unlawful for any person to erect, replace, alter or relocate any sign without first obtaining a permit to do so from the sign inspector within the city, except as provided in section 32-63. A permit is not required to repaint, change copy, or resurface an existing sign. Every permit issued by the sign inspector under the provisions of this division shall expire and become null and void if the work authorized by such permit is not commenced within 180 days from the date of such permit, or if the work authorized by such permit is suspended or abandoned at any time after the work is started, for a period of 180 days.

(Ord. No. 10-07, § 1(exh. A(15-233(A)(1))), 3-15-2010)

Sec. 32-57. - Issuance.

After ensuring that the applicant has complied with all provisions of this chapter and that the proposed sign complies with all provisions of this chapter, the sign inspector shall issue a sign permit to the applicant.

(Ord. No. 10-07, § 1(exh. A(15-233(A)(2))), 3-15-2010)

Sec. 32-58. - Validity.

A permit is void if it is issued in conflict with the provisions of this chapter, or state or federal law. The sign inspector shall inform the applicant should a permit be voided. The removal of the sign shall be at the expense of the applicant.

(Ord. No. 10-07, § 1(exh. A(15-233(A)(8))), 3-15-2010)

Sec. 32-59. - Fees—Required.

Every applicant, before being granted a permit under this division shall pay to the city a fee in the amount of \$75.00 for processing and issuing such permit and \$50.00 for processing and issuing a permit for a banner sign. If the proposed sign is a double-face sign that is visible from two different directions with different copy, the permit will be assessed per sign face. If the copy is the same on both sides, the fee shall only be assessed on one face.

(Ord. No. 10-07, § 1(exh. A(15-233(A)(6))), 3-15-2010)

Sec. 32-60. - Same—Failure to pay.

If a sign should be installed, erected, replaced, altered, or relocated without a permit for such work, the applicable permit fee shall be doubled, in addition to any other penalties.

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(Ord. No. 10-07, § 1(exh. A(15-233(A)(9))), 3-15-2010)

Sec. 32-61. - Application; contents.

Before a permit will be issued, the applicant must submit an application on a form prescribed by the city, and shall include at a minimum the following information:

- (1) Two copies of a scaled drawing and site plan depicting the size, height, face area, setbacks and construction of the proposed sign, and any additional information required by the city to process the application. One copy of the drawings will be kept on permanent file with the application.
- (2) The legal description of the property where the sign is to be located.
- (3) The property owner's name and written evidence that the property owner has authorized the placement of the sign on their property.
- (4) The name, address, and contact information of the sign contractor and electrical contractor, if applicable.

(Ord. No. 10-07, § 1(exh. A(15-233(A)(10))), 3-15-2010)

Sec. 32-62. - Inspections; right of entry.

All sign installations are to be inspected by the sign inspector so as to determine compliance with the approved application and permit previously issued. Should the newly erected or placed sign be in violation with the approved permit application, the sign is to be corrected immediately and brought into compliance. The inspector shall also inspect, at times he deems necessary, each sign regulated by this chapter for the purpose of determining whether the sign is in need of removal or repair, or has been abandoned. The inspector shall have all rights to enter upon the property for the purpose of conducting inspections in accordance with this section.

(Ord. No. 10-07, § 1(exh. A(15-233(A)(11))), 3-15-2010)

Sec. 32-63. - Exemptions.

An application for a permit shall not be required for the following signs; provided, however, such signs shall otherwise comply with all other applicable sections of this chapter:

- (1) *Noncommercial message and message substitution.*
 - a. *Message substitution.* A noncommercial message which is within the protection of the First Amendment to the U.S. Constitution may be substituted, in whole or in part, for any message on any sign authorized by this chapter. Message substitution is a continuing right which may be exercised any number of times. No permit is required for such message substitution, unless there is a change in the physical structure of the sign displaying the message. This provision does not authorize the substitution of an off-premises commercial message in place of an on-premises commercial message.
 - b. *Noncommercial messages.* Properties zoned residential, multifamily or vacant and not occupied by a building or structure may display any noncommercial message within the protection of the First Amendment to the U.S. Constitution on any parcel and at any time,

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subject to the following:

1. The maximum effective area cannot be greater than 16 feet;
2. The noncommercial message cannot be more than five feet high;
3. The noncommercial messages cannot be illuminated or have moving elements; and
4. Such messages are not prohibited by article IV of this chapter.

(2) *Political signs.* See section 32-310

(3) *Temporary special event signs.* For regulations regarding signs used in conjunction with temporary special events, refer to article VI, chapter 15 of this Code.

(4) *Occupational signs.* Not exceeding two square feet in area, denoting only the name and profession of an occupant in a commercial or public institutional building.

(5) *Memorial signs or tablets.* Names on buildings and date of erection, when cut into any masonry surface or when constructed of bronze or other in combustible material.

(6) *Flags, emblems and insignia.* Of any governmental body and decorative displays for holidays or public demonstrations, which do not contain advertising and are not used as such.

(7) *On-premises traffic signs.* Not exceeding eight square feet used primarily to denote entrances and exits and other directional information, provided such directional signs do not contain advertising and are not used as such.

(8) *Residential real estate signs.* Not exceeding five square feet advertising the sale or lease of an individual residential structure.

(9) *Temporary window signs.* Window signs shall not cover more than 25 percent of the total window area on which it is located.

(10) *Temporary realtor open house directional signs.* See section 32-313

(Ord. No. 10-07, § 1(exh. A(15-233(B))), 3-15-2010)

Sec. 32-64. - Removal or repair of deteriorating, obsolete, abandoned or unsafe signs.

(a) All signs must be kept clean, neatly painted, free from all hazards including, but not limited to, faulty wiring and loose fastenings, and be maintained in a safe condition at all times so as not to be detrimental to the public health and safety. The owner of the property on which a sign is located and the owner of the sign shall be jointly responsible for the conditions of the area occupied by the sign and shall be required to keep the area clean, sanitary and free from rubbish; and failure to comply with this section shall constitute a violation of this chapter. In the event that the sign inspector determines that any sign is not properly maintained, he shall give written notice to the person responsible for such sign. If the sign is not repaired or removed within 60 days of such notice, the permit shall be revoked and the sign inspector is hereby authorized to cause the removal of the sign. If such sign cannot be demolished because it is painted on a non-sign structure, such sign shall be painted over or removed by sandblasting.

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(b) Any sign for which the sign inspector or his designee has made the following determination shall be subject to immediate removal without further notice to any party who may be affected by the removal:

(1) The private party sign is located or erected, without permission, consent or authorization, on property either owned by the city or held by the city for public use including, but not limited to, property such as medians, parkways, streets, sidewalks, alleys or parks; or

(2) The private party sign is an immediate danger to the public, whether because of its location, the manner of its construction, its potential for causing fire, or any other reason, and must be removed to prevent potential danger to the public.

(c) An on-premises sign shall be removed by the owner within six months after the first anniversary of the date the business, person, or activity that the sign identifies or advertises ceases to operate on the premises on which the sign is located. If the premises containing the sign is leased, the sign shall be removed within six months after the second anniversary after the date the most recent tenant ceases to operate on the premises. If the sign is not removed within the time periods set forth in this subsection, it shall be subject to removal by the city under the applicable provisions of this section.

(d) All costs incurred by the city for removal of a sign under the provisions of this chapter shall be paid by the owner of the sign, land, building, or structure. The sign inspector shall also request that the city council file a lien against the property in the amount of the cost of any and all such work.

(Ord. No. 10-07, § 1(exh. A(15-233(C))), 3-15-2010)

Sec. 32-65. - Revocation.

The sign inspector may suspend or revoke any permit issued under the provisions of this division whenever he shall determine that the permit is issued in error or on the basis of incorrect or false information supplied, or whenever such permit is issued in violation of any of the provisions of this chapter or any other ordinance of this city, of laws of this state or the federal government that were in effect at the time the permit was issued. Such suspension or revocation shall be effective when communicated in writing to the person to whom the permit is issued, the owner of the sign, or the owner of the premises upon which the sign is located.

(Ord. No. 10-07, § 1(exh. A(15-233(A)(7))), 3-15-2010)

Secs. 32-66—32-88. - Reserved.

DIVISION 3. - CONTRACTOR LICENSES

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Sec. 32-89. - Required.

No person shall install, erect, or maintain any sign, or contract for such service, until such person has applied to the sign inspector for a license to install, erect, and maintain signs, and until such license has been approved and issued.

(Ord. No. 10-07, § 1(exh. A(15-233(A)(3)(intro. ¶))), 3-15-2010)

Sec. 32-90. - Fees.

Such license shall be \$100.00 per year, renewed on an annual basis. The license fee is nonrefundable.

(Ord. No. 10-07, § 1(exh. A(15-233(A)(3)(a))), 3-15-2010)

Sec. 32-91. - Term.

All licenses issued pursuant to this article shall continue in full force and effect for one year from the date of issuance, and may be renewed annually thereafter, unless the license has been suspended or revoked.

(Ord. No. 10-07, § 1(exh. A(15-233(A)(3)(b))), 3-15-2010)

Sec. 32-92. - Nontransferable.

No license shall be transferable and no holder of any license issued under this article shall allow his name to be used by any other party, either for the purpose of doing work or obtaining a permit under the penalty of forfeiting his license, in addition to paying any fine levied under this chapter. The city is authorized to refuse to issue permits to the holder of any license violating this provision. This provision shall not be construed to preclude or impede the use of subcontractors by any license holder, although in such event, the license holder shall be held responsible as though he performed the work personally.

(Ord. No. 10-07, § 1(exh. A(15-233(A)(3)(c))), 3-15-2010)

Sec. 32-93. - Suspension or revocation.

(a) The city may suspend or revoke the license and permit privileges of a person, or request the suspension of a state-licensed electrical sign contractor after determining that the person is guilty of any of the following:

- (1) Fraud or deceit in obtaining a license under this article;
- (2) Allowing a person other than the licensee who obtained the sign permit, or an employee acting under the direct supervision of that person, to perform work for which that permit is required;
- (3) Gross negligence, incompetency, or misconduct in the performance of sign work, erection or repair;
- (4) Intentionally making a false or misleading material statement on the application for a sign installation permit, sign license application or to support the zoning determination by the city that a particular sign is a nonconforming sign;

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- (5) Installing, moving, or structurally altering or repairing a sign in violation of this chapter; or
- (6) Failing to maintain the insurance required by this chapter.

(b) A licensee may appeal the city staff's decision to revoke or suspend the licensee's license to the zoning board of adjustment.

(c) A person whose license is revoked may not apply for a license for a period of one year after the revocation.

(d) It is unlawful for any person whose license has been suspended or revoked by the board to engage in, construct, install or otherwise attempt any work regarding signs for which a permit is required under this article.

(Ord. No. 10-07, § 1(exh. A(15-233(A)(3)(d))), 3-15-2010)

Sec. 32-94. - Insurance or bonding.

No license for the installation, erection, and maintenance of signs shall be issued to any person until such person has provided proof of liability insurance naming the city as an additional insured, in the amount of \$500,000.00 per occurrence and \$250,000.00 for property damage to the sign inspector. A surety bond in the amount of \$2,000.00 will also be acceptable. The sign inspector shall have discretion to require additional reasonable policy or bond limits depending on the type and size of the sign proposed to be constructed. Such insurance or bond shall be approved by the sign inspector and shall be conditioned for the installation and erection of signs in accordance with this chapter, and the laws of the state, and shall provide for the indemnification of the city, its members, agents, officers and employees, their successors and assigns, individually or collectively, for any and all damages or liability which may accrue against it by reason of faulty installation, erection, demolition, repair, removal or defects in, or collapse of, any sign for a period of one year after erection and for such period of time that such sign is maintained or serviced by or under the direction of the maker of such bond. Such bond shall further provide for the indemnification of any person who shall, while upon public property or in any public place, incur damage for which the principal named in the bond is legally liable. Two different companies shall share no bond. The sign contractor shall pay all expenses incurred in defending against any such claims made against the city.

(Ord. No. 10-07, § 1(exh. A(15-233(A)(4))), 3-15-2010)

Sec. 32-95. - Exemption to insurance, bonding and licensing requirements.

Business owners shall be authorized to install one general business sign for their own business without meeting the license and bonding requirements of this division. Temporary commercial real estate signs are exempt from the licensing and bonding requirements of this division. All signs installed under this provision shall meet all other provisions of this chapter and the applicant shall first obtain a sign permit as required.

(Ord. No. 10-07, § 1(exh. A(15-233(A)(5))), 3-15-2010)

Secs. 32-96—32-118. - Reserved.

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DIVISION 4. - NONCONFORMING SIGNS

[Sec. 32-119. - Compliance with chapter required; exceptions; sign board of review.](#)

[Sec. 32-120. - Abandonment and termination.](#)

[Secs. 32-121—32-148. - Reserved.](#)

Sec. 32-119. - Compliance with chapter required; exceptions; sign board of review.

Every sign or other advertising structure lawfully in existence upon the adoption of the ordinance from which this chapter is derived which violates or does not conform to the provisions of this chapter, shall not be moved, altered, repaired, expanded, or the use intensified unless it is made to comply with all the provisions of this chapter. This provision shall not apply to repainting or changing copy on an existing nonconforming sign. It is prohibited to alter a nonconforming sign, by converting it to a changeable electronic variable message sign (CEVMS). For purposes of this section, the term "alteration or repair" means at least 60 percent of the replacement cost of the subject sign. The sign inspector shall determine whether the proposed alteration or repair exceeds 60 percent of the replacement cost. The sign board of review shall serve as the appeal board for determinations made by the sign inspector.

(Ord. No. 10-07, § 1(exh. A(15-233(D)(1))), 3-15-2010)

Sec. 32-120. - Abandonment and termination.

A nonconforming sign is deemed abandoned and the right to operate a nonconforming sign shall terminate immediately if any of the following occur:

- (1) The nonuse of the sign for a continuous period of 120 days or more;
- (2) A portion or all of the sign is damaged or destroyed by the intentional act of the owner or his agent; or
- (3) Discontinuance or abandonment shall be conclusively deemed to have occurred irrespective of the intent of the property owner if the nonconforming sign is dilapidated, substandard, or is not maintained in a suitable condition during a continuous period of 120 days.

(Ord. No. 10-07, § 1(exh. A(15-233(D)(2))), 3-15-2010)

Secs. 32-121—32-148. - Reserved.

DIVISION 5. - VARIANCES

[Sec. 32-149. - Written request required; fee; burden of proof on applicant.](#)

[Sec. 32-150. - Sign board of review.](#)

[Sec. 32-151. - City council approval.](#)

[Secs. 32-152—32-175. - Reserved.](#)

Sec. 32-149. - Written request required; fee; burden of proof on applicant.

After submission of a written request and payment of a fee in an amount as established from time to time by the city council, an applicant may request a variance to the regulations in this chapter. The burden is on the applicant to submit the necessary information so that the sign board of review or the city council may make its decision. Further, the burden is on the applicant to demonstrate the need for the variance. The sign board of review or the city council may establish separate procedural guidelines for its review of variances and exceptions.

(Ord. No. 10-07, § 1(exh. A(15-233(E)(1))), 3-15-2010)

Sec. 32-150. - Sign board of review.

(a) *Created.* There is hereby created a sign board of review, which shall be composed of the same members as the zoning board of adjustments. The rules of order of the sign board of review shall be the same as those established for the zoning board of adjustments.

(b) *Approval of variances.* Any person aggrieved by the decision of the sign inspector on the following provisions may apply for a hearing before the sign board of review. The sign board of review, upon application by the sign owner or his agent, may grant variances to this chapter as follows:

- (1) Projections of sign over public property.
- (2) Setbacks when repairing or replacing existing permanent on-site signs when compliance with the required setback would create a hardship.
- (3) Placement of general business signs, identification signs, and residential subdivision signs in right-of-way pursuant to the provisions of this chapter.
- (4) Determination of the sign inspector that a proposed alteration or repair exceeds 60 percent of the replacement cost of the sign. The sign board of review may not grant any other type variance to this Code.

(Ord. No. 10-07, § 1(exh. A(15-233(E)(2))), 3-15-2010)

Sec. 32-151. - City council approval.

(a) The city council may grant variances to this chapter as follows:

- (1) Setbacks or height restrictions for new signs when compliance with the required setback or height restriction would create a hardship.
- (2) Review of sign plans as provided under division 5 of article III of this chapter and sections 32-304 through 32-306
- (3) Size of permitted general business signs, pursuant to division 5 of article III of this chapter and sections 32-304 through 32-306, not to exceed 200 square feet in area, for uses primarily involved in the sale of gas, food, or lodging services when compliance with the established size restrictions would create a hardship and only if the proposed location shall be within 200 feet of the I-30 right-of-way.
- (4) Size of permitted general business signs, larger than 200 square feet but not to exceed 400

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square feet in area, for uses primarily involved in the sale of gas, food, or lodging services when compliance with the established size restrictions would create a hardship and only if the proposed location for the sign shall be within 200 feet of the I-30 right-of-way. Requests for a variance under this subsection may only be made for lots which are located at the intersection of an arterial street and I-30, and which have frontage on both roadways.

(5) Allowable area or height of wall signs when the literal enforcement of this chapter would, in the opinion of the city council, create an undue hardship on the applicant due to the unique character of a building or building space. The city council may consider characteristics such as the design, location, and visibility of the sign and building, as well as the proximity of the proposed sign location to other buildings and roadways.

(6) Size of permitted directory signs when compliance with the established size restrictions would create a hardship and only when the proposed location for the directory sign shall be within 200 feet of the I-30 right-of-way.

(7) Materials used for permitted signs when a variance would be appropriate for the construction of a sign to be consistent with the theme or style of an individual development.

(8) A shopping and/or office center that contains a group of four or more retail and office establishments which is planned and developed as a business center with common access and parking, and new motor vehicle dealerships, may submit a sign plan to the city council for consideration of a variance from the functional sign standards in regard to the size, materials, height, and number of signs if justification of such changes to the standards can be substantiated by the applicant's overall design for the shopping and/or office center or new motor vehicle dealership. The sign plan shall include architecturally integrated signs that blend with the development or offer a design that is unique to the area and complements the surrounding businesses. Criteria for consideration of varying the sign standards shall include:

- a. The property's location;
- b. The elevation of the adjacent roadway;
- c. The number of business tenants in the center, or in the case of new car dealerships, the number of franchise products; and
- d. The overall architectural scale and massing of the buildings.

(9) Consideration may be given to allow a sign that is removed as a result of an eminent domain action by the city or any other political subdivision to be relocated. This provision does not apply to off-premises signs.

(b) An exception of the directional sign requirements pursuant to the provisions of section 32-366 functional standards table (number of signs allowed). A request for one additional directional sign (for a total of three such signs), for a period of time not to exceed six months from the date of approval by the city council may be requested by the applicant. Such requests by an applicant must demonstrate, in writing, that the two-sign limit imposes a substantial hardship upon the applicant. The applicant must also submit a proposed location, a drawing showing the proposed sign design, and the information to be placed on the sign, for the third directional sign for which the exception is being requested. Such additional sign, if approved by the city council, shall otherwise comply with the requirements of this chapter.

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(Ord. No. 10-07, § 1(exh. A(15-233(E)(3))), 3-15-2010)

Secs. 32-152—32-175. - Reserved.

ARTICLE III. - REGULATIONS AND REQUIREMENTS

- DIVISION 1. - GENERALLY
- DIVISION 2. - STRUCTURAL STANDARDS
- DIVISION 3. - FUNCTIONAL STANDARDS
- DIVISION 4. - DOWNTOWN DISTRICT (DT) SIGNS
- DIVISION 5. - GENERAL BUSINESS SIGNS
- DIVISION 6. - SPECIFIC SIGN REGULATIONS

DIVISION 1. - GENERALLY

- [Sec. 32-176. - Information to be displayed.](#)
- [Sec. 32-177. - Wind pressure and dead load.](#)
- [Sec. 32-178. - Signs to be maintained in good condition.](#)
- [Sec. 32-179. - Permitted construction materials.](#)
- [Secs. 32-180—32-201. - Reserved.](#)

Sec. 32-176. - Information to be displayed.

Every sign erected after the passage of the ordinance from which this chapter is derived shall have displayed in a conspicuous place thereon, in letters not less than one inch in height, the date of erection, the number of the permit issued pursuant to this chapter, and the voltage of any electrical apparatus used in connection therewith, and the sign erector's name, address, and license number.

(Ord. No. 10-07, § 1(exh. A(15-233(A)(12))), 3-15-2010)

Sec. 32-177. - Wind pressure and dead load.

All permanent signs shall be designed and constructed to withstand a wind pressure of not less than 30 pounds per square foot of area, and shall be constructed to receive dead loads as required by the building code of the city as it now exists or may hereafter be amended.

(Ord. No. 10-07, § 1(exh. A(15-233(A)(13))), 3-15-2010)

Sec. 32-178. - Signs to be maintained in good condition.

All signs and supports shall be maintained in good condition to prevent deterioration, oxidation, rust, and other unsightly conditions.

(Ord. No. 10-07, § 1(exh. A(15-233(A)(14))), 3-15-2010)

Sec. 32-179. - Permitted construction materials.

Unless otherwise authorized in this chapter, all sign frames, supports, and faces shall be steel, wood, aluminum, or masonry construction as provided for in the functional standards table, contained in section 32-366. All signs constructed of wood, when authorized by the provisions of this chapter, shall be constructed of decay-resistant materials. Plastic inserts shall be allowed on illuminated signs, when illumination is provided from within the sign. Raised plastic letters shall be allowed as sign face material when affixed directly to a wall surface.

(Ord. No. 10-07, § 1(exh. A(15-233(A)(15))), 3-15-2010)

Secs. 32-180—32-201. - Reserved.

DIVISION 2. - STRUCTURAL STANDARDS

[Sec. 32-202. - Functional standards table applies to chapter.](#)

[Sec. 32-203. - Marquee signs.](#)

[Sec. 32-204. - Wall signs.](#)

[Sec. 32-205. - Projection signs.](#)

[Sec. 32-206. - Projection of marquee, wall and projection signs over private property.](#)

[Sec. 32-207. - Freestanding signs.](#)

[Secs. 32-208—32-227. - Reserved.](#)

Sec. 32-202. - Functional standards table applies to chapter.

All signs located or to be located within the city shall conform to the general provisions set forth in the functional standards table entitled "Functional Standards." In addition, the specific standards of this division shall apply.

(Ord. No. 10-07, § 1(exh. A(15-234(A)(1))), 3-15-2010)

Sec. 32-203. - Marquee signs.

Marquee signs erected on the face of a marquee shall be built as an integral part of the marquee. Such sign faces shall not have a vertical height of more than four feet, nor exceed 75 percent of the width of such building or store frontage, nor the sign standards of the functional standards table set forth in section 32-366. Vertical clearance shall be subject to the requirements of section 32-206. No sign shall be allowed to overhang public property unless such sign has been approved by the sign board of review.

(Ord. No. 10-07, § 1(exh. A(15-234(A)(2))), 3-15-2010)

Sec. 32-204. - Wall signs.

(a) Wall signs may be painted on a window or door, but no other building surface. All other wall signs shall be attached to, and not painted onto any building. The sign brackets or supports for wall signs may not project more than two inches from said wall. Such sign faces shall not have a vertical height of more than six feet nor exceed ten percent of the front face area of the building or storefront as

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established in approved plans submitted to the city, or 60 square feet, whichever is greater, nor exceed 75 percent of the width of such building or store frontage, nor the sign standards of the functional standards table set forth in section 32-366. Vertical clearance shall be subject to the requirements of section 32-206

(b) When a building has frontage on two or more public roads with no developed or developable property intervening, the allowable sign area may be calculated for each building face which fronts a road. In no case shall more than the calculated maximum signage for any single face be placed on that face. In no case shall the allowable sign area of a building face, other than the front face, exceed the allowable sign for the front building face.

(Ord. No. 10-07, § 1(exh. A(15-234(A)(3))), 3-15-2010)

Sec. 32-205. - Projection signs.

No sign shall be allowed to overhang public property unless such sign has been approved by the sign board of review. Vertical clearance shall be subject to the requirements of section 32-206. Such sign faces shall not have a vertical height of more than four feet, nor exceed 75 percent of the width of the building or store frontage, nor the sign standards of the functional standards table set forth in section 32-366.

(Ord. No. 10-07, § 1(exh. A(15-234(A)(4))), 3-15-2010)

Sec. 32-206. - Projection of marquee, wall and projection signs over private property.

(a) Projection of signs over private property allowed over pedestrian sidewalks, walkways, and corridors shall not exceed the following:

Vertical Clearance	Maximum Projection
7 feet or less	3 inches
7 feet to 8 feet	12 inches
8 feet or more	4 feet

(b) The projection or overhang of signs over driveways shall have a minimum vertical clearance of 14 feet.

(Ord. No. 10-07, § 1(exh. A(15-234(A)(5))), 3-15-2010)

Sec. 32-207. - Freestanding signs.

(a) Any projection or overhanging portion of the sign must be a minimum of 14 feet above driveways, sidewalks, walkways, and corridors.

(b) Such signs shall be protected by wheel or bumper guards required by the sign inspector when he determines that a hazard exists.

(Ord. No. 10-07, § 1(exh. A(15-234(A)(6))), 3-15-2010)

Secs. 32-208—32-227. - Reserved.

DIVISION 3. - FUNCTIONAL STANDARDS

- [Sec. 32-228. - Compliance with functional standards table required.](#)
- [Sec. 32-229. - Agricultural signs.](#)
- [Sec. 32-230. - Awning signs.](#)
- [Sec. 32-231. - Banner signs.](#)
- [Sec. 32-232. - Canopy signs.](#)
- [Sec. 32-233. - Changeable electronic variable message signs \(CEVMS\).](#)
- [Sec. 32-234. - Construction signs.](#)
- [Sec. 32-235. - Development signs.](#)
- [Sec. 32-236. - Directional signs.](#)
- [Sec. 32-237. - Directory signs.](#)
- [Secs. 32-238—32-257. - Reserved.](#)

Sec. 32-228. - Compliance with functional standards table required.

All signs located or to be located within the city shall conform to the general provisions set forth in the functional standards table set forth in section 32-366.

(Ord. No. 10-07, § 1(exh. A(15-234(B)(1))), 3-15-2010)

Sec. 32-229. - Agricultural signs.

All agricultural signs shall be no less than 300 feet from any other agricultural sign.

(Ord. No. 10-07, § 1(exh. A(15-234(B)(2))), 3-15-2010)

Sec. 32-230. - Awning signs.

Awning signs are subject to the same size regulations for wall signs. If an awning and wall sign are used in conjunction with each other, the total square footage of both signs must be added together to determine the total square footage permitted.

(Ord. No. 10-07, § 1(exh. A(15-234(B)(3))), 3-15-2010)

Sec. 32-231. - Banner signs.

(a) Temporary banner signs may be used for advertisement of events, activities, products or commodities as follows:

(1) Off-premises temporary banner signs in the city's right-of-way may be used to advertise activities or events that are sponsored by a nonprofit or governmental agency or group to benefit a program or activity of that agency or group under the following conditions:

a. The nonprofit agencies submitting an application for a banner must provide a certificate of nonprofit status issued by the Internal Revenue Service. Examples of these signs include vacation Bible schools, sport league sign ups and private school enrollments.

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- b. No more than two off-premises banners may be erected for a period not exceeding 14 days.
- c. Such banners shall not exceed 60 square feet.
- d. Banners erected must apply for a permit as prescribed by this chapter, but shall be exempt from the permit fee requirements.
- e. The placement of such banners shall meet the terms of this chapter and shall be maintained during the period of time they are erected. Banner signs proposed under this section may be placed in public rights-of-way only upon approval of the sign inspector and all applicable public agencies. The city may remove any banner signs not adequately maintained in public right-of-way, at the banner owner's sole expense.
- f. Banner signs must be braced across the top with a rigid support, such as a metal rod, PVC pipe, or some other means of support to prevent the banner from sagging. The city may remove any banner signs that are displayed without meeting these bracing requirements.
- g. Banners with expired permits must be removed within 24 hours of the permit expiration, or be subject to removal by the city at the banner owner's sole expense.
- h. The message for these banners are limited to the following topics:
 - 1. Educational, scholastic, or artistic events;
 - 2. Community or public interest activities or destinations;
 - 3. Designated or recognized civic routes or trails;
 - 4. Areas of historical or archeological significance;
 - 5. Directional assistance to other areas in near proximity;
 - 6. Other civic and cultural programs or facilities; or
 - 7. Trade shows, events, and festivals.

(2) Banner signs for all other advertising purposes. On-premises temporary banners are hereby authorized under the following conditions:

- a. Banners shall not exceed 60 square feet in area.
- b. Banners must be suspended or hanging from a building or sign.
- c. The placement of banners shall meet the terms of this chapter and shall be maintained during the entire time they are erected.
- d. Banners are required to be permitted by the sign inspector prior to installation and are subject to all required fees.
- e. Establishments will be permitted for no more than one banner at a time.
- f. Banners shall advertise specific onsite special events, product, or commodity

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promotions or grand openings, or shall provide leasing information. Banners will not be used for general advertising purposes.

g. Banner permits will be valid for a period not to exceed 30 days and additional banner permits for the same location will not be issued for a period of 30 days from the expiration date of the previous permit.

h. Grand opening banner. May be used for a period of up to 30 days any time after the issuance of a certificate of occupancy. Businesses may only use this provision one time.

i. Coming soon banner. May be used prior to the issuance of a certificate of occupancy, for a period of up to 60 days.

j. Change of business banner. A "name only" banner may be used for a period of up to 30 days after a sign permit has been applied for, and while a new sign is being made.

k. Going out of business banner. May be used for a period of up to 60 days before the closing of a business. Businesses may only use this provision one time.

(b) Banners with expired permits must be removed within 24 hours of the permit expiration, or be subject to removal by the city at the banner owner's sole expense.

(Ord. No. 10-07, § 1(exh. A(15-234(B)(4))), 3-15-2010)

Sec. 32-232. - Canopy signs.

Canopy signs shall not exceed 50 square feet in size or 50 percent of the canopy face area per canopy facade, whichever is fewer. Signs must be attached directly to the exterior face of the canopy band. Signs shall not extend above or below the canopy band.

(Ord. No. 10-07, § 1(exh. A(15-234(B)(5))), 3-15-2010)

Sec. 32-233. - Changeable electronic variable message signs (CEVMS).

Changeable electronic variable message signs are subject to the same size and location restrictions as other signs regulated by this division. In addition, changeable electronic variable message signs are subject to the following restrictions:

(1) Any change of pictures or information on the changeable electronic variable message sign shall not produce the illusion of blinking, flashing, expanding or contracting shapes, rotation or any similar effect of animation. The scrolling of text is allowed, however, it shall not last any longer than five seconds.

(2) There shall be a minimum period of five seconds between any change of pictures, information, or scrolling on the changeable electronic variable message signs.

(Ord. No. 10-07, § 1(exh. A(15-234(B)(6))), 3-15-2010)

Sec. 32-234. - Construction signs.

Construction signs shall be removed from the site upon issuance of a certificate of occupancy.

(Ord. No. 10-07, § 1(exh. A(15-234(B)(7))), 3-15-2010)

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Sec. 32-235. - Development signs.

Development signs shall be removed from the site at the developer's expense upon 75 percent occupancy of the subdivision.

(Ord. No. 10-07, § 1(exh. A(15-234(B)(8))), 3-15-2010)

Sec. 32-236. - Directional signs.

All directional signs shall be no less than 200 feet from any other directional sign.

(Ord. No. 10-07, § 1(exh. A(15-234(B)(9))), 3-15-2010)

Sec. 32-237. - Directory signs.

(a) Directory signs shall be located a minimum of 30 feet from adjoining property lines on lots with 200 feet of frontage and over, a minimum of 20 feet on lots with over 100 feet of frontage and less than 200 feet of frontage, and a minimum of ten feet on lots with 100 feet of frontage or less, and a minimum of 60 feet from any other freestanding sign. If the premises is over seven acres along I-30, or over five acres along all other roads, a sign plan for the site may be submitted to the city council for determination of the allowable number of directory signs. Additional directory signs may be allowed, in lieu of the use of any otherwise allowable freestanding sign.

(b) The maximum area for directory signs shall not exceed 40 square feet per tenant within a site; however, in no case shall the sign area exceed 300 square feet along I-30 and 200 square feet along other roads. If the sign is also used as an identification sign for the site, the size may be increased to 360 square feet along I-30 and 260 square feet along other roads. In no case shall a separate directory sign and identification sign be permitted on the same frontage, but shall only be allowed as one combined sign. Directory signs located outside of the I-30 Overlay District must be monument style and are limited to a maximum size of 200 square feet. Directory signs in excess of seven feet in height are required to have a minimum 30-inch masonry base, measured from grade level to the bottom of the sign area, a minimum 12-inch masonry border on each side of the sign area, and a minimum six-inch masonry cap.

(c) The allotment of the total allowed area shall be the responsibility of the property owner; however, in no case shall any one tenant or business be allowed more than 50 percent of the total allowed sign area.

(Ord. No. 10-07, § 1(exh. A(15-234(B)(10))), 3-15-2010)

Secs. 32-238—32-257. - Reserved.

DIVISION 4. - DOWNTOWN DISTRICT (DT) SIGNS

[Sec. 32-258. - Definitions.](#)

[Sec. 32-259. - Purpose.](#)

[Sec. 32-260. - Conflicts.](#)

[Sec. 32-261. - Applicability.](#)

[Sec. 32-262. - Functional standards within district.](#)

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[Secs. 32-263—32-282. - Reserved.](#)

Sec. 32-258. - Definitions.

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

Awning sign means a sign which is applied or attached to an awning or other rooflike cover, intended for protection from the weather or as a decorative embellishment, projecting from a wall or roof of a structure over a window, walk, door, or the like.

Hanging sign means a sign that is suspended from the underside of an awning, canopy, or floor overhang. (See Illustration 3.)

Projection sign means a sign attached to and projecting out from a building face or wall more than 12 inches, generally at a right angle to the building. (See Illustration 4.)

Sidewalk sign means a sign constructed in such a manner as to form an "A" or other tentlike shape, hinged or not hinged at the top and each angular face held at an appropriate distance by a supporting member, or a single or dual post pedestal design may also be used. (See Illustration 5.)

(Ord. No. 10-07, § 1(exh. A(15-234(B)(11)(b))), 3-15-2010)

Sec. 32-259. - Purpose.

The purpose of this division is to regulate the construction of new signs and alterations made to existing signs to ensure consistency with the historic, urban, pedestrian-oriented nature of the district.

(Ord. No. 10-07, § 1(exh. A(15-234(B)(11)(intro. ¶))), 3-15-2010)

Sec. 32-260. - Conflicts.

Where there is a conflict between sections of this division or the Unified Development Code, this division shall govern in this district.

(Ord. No. 10-07, § 1(exh. A(15-234(B)(11)(a))), 3-15-2010)

Sec. 32-261. - Applicability.

Requirements in this division are applicable only in the Downtown District (DT); however, other requirements within this chapter may be applicable to this section.

(Ord. No. 10-07, § 1(exh. A(15-234(B)(11)(a))), 3-15-2010)

Sec. 32-262. - Functional standards within district.

(a) *Hanging signs.* Hanging signs must maintain a minimum clearance of seven feet above the sidewalk and be located a minimum of one foot back of a curb of any adjacent street. No hanging sign shall exceed six square feet in area per face.

(b) *Projection signs.* In the Downtown District (DT), projection signs shall be located a minimum of one foot back of a curb of any adjacent street. If a projecting sign is constructed over a sidewalk, a

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minimum of seven feet shall be provided between the grade of the sidewalk and the lowest portion of the projection sign. The maximum area of a projection sign is 12 square feet. Projection signs must not extend above the wall to which it is attached.

(c) *Awning signs.* Awning signs are subject to size regulations for wall signs. If an awning and wall sign is used in conjunction with each other, the total footage of both signs must be added together to determine the total square footage used.

(d) *Sidewalk signs.*

(1) Sidewalk signs are permitted only in the Downtown District (DT). Sidewalk signs may be placed on properties during business hours only.

(2) Should a sidewalk sign be placed on or adjacent to a sidewalk, an unobstructed pedestrian clearance of at least four feet in width must be provided adjacent to the sign.

(3) The maximum size of a sidewalk sign is six square feet per face, with a maximum height of four feet. A maximum of one sidewalk sign may be placed in front of the business for which they are advertising.

(4) The sign must be sufficiently weighted or anchored to prevent movement by wind or other elements.

(e) *Materials.* The same materials allowed for general business signs will be allowed in the Downtown District (DT), with the addition of wood also being allowed as an approved sign material.

(Ord. No. 10-07, § 1(exh. A(15-234(B)(11)(c))), 3-15-2010)

Secs. 32-263—32-282. - Reserved.

DIVISION 5. - GENERAL BUSINESS SIGNS

[Sec. 32-283. - Number permitted upon premises and other roads.](#)

[Sec. 32-284. - Location.](#)

[Sec. 32-285. - Placement on public property; removal.](#)

[Secs. 32-286—32-303. - Reserved.](#)

Sec. 32-283. - Number permitted upon premises and other roads.

Each freestanding building shall be allowed one freestanding sign; however, regardless of the number of buildings, a specific premises with seven acres or less along I-30 and five acres or less along all other roads shall only be allowed one freestanding sign. A premises over seven acres along I-30 and over five acres along all other roads shall be allowed three freestanding signs. If the premises is over 20 acres along I-30, or any size along all other roads, a sign plan for the site may be submitted to the city council for determination of allowable number of signs.

(Ord. No. 10-07, § 1(exh. A(15-234(B)(12)(intro. ¶ 1))), 3-15-2010)

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Sec. 32-284. - Location.

Such freestanding signs shall be located a minimum of 30 feet from adjoining property lines on lots with 200 feet of frontage and over, a minimum of 20 feet on lots with over 100 feet and less than 200 feet of frontage, and a minimum of ten feet on lots with 100 feet of frontage or less and a minimum of 60 feet from any other freestanding sign. Lots with less than 100 feet of frontage along a two-lane road must utilize a monument sign.

(Ord. No. 10-07, § 1(exh. A(15-234(B)(12)(intro. ¶ 2))), 3-15-2010)

Sec. 32-285. - Placement on public property; removal.

Upon approval of the sign board of review, a General Business District (GB) sign may be placed upon a city right-of-way if there is a minimum of 50 feet between the property line and the improved roadway, and location of the sign as otherwise required by this division can be proven to be a hardship. Any General Business District (GB) sign in the right-of-way shall be removed at the owner's expense when the distance between the property line and improved right-of-way is reduced to 30 feet or less or whenever necessary by the city.

(Ord. No. 10-07, § 1(exh. A(15-234(B)(12)(intro. ¶ 3))), 3-15-2010)

Secs. 32-286—32-303. - Reserved.

DIVISION 6. - SPECIFIC SIGN REGULATIONS

- [Sec. 32-304. - Monument signs.](#)
- [Sec. 32-305. - Pole signs.](#)
- [Sec. 32-306. - Wall signs.](#)
- [Sec. 32-307. - Identification signs.](#)
- [Sec. 32-308. - Model home signs.](#)
- [Sec. 32-309. - Off-premises signs.](#)
- [Sec. 32-310. - Political signs.](#)
- [Sec. 32-311. - Real estate signs.](#)
- [Sec. 32-312. - Residential subdivision signs.](#)
- [Sec. 32-313. - Temporary realtor open house directional signs.](#)
- [Sec. 32-314. - Weekend development directional signs.](#)
- [Secs. 32-315—32-331. - Reserved.](#)

Sec. 32-304. - Monument signs.

Unless otherwise specifically provided, the regulations set forth in this division shall be applicable to all monument signs which are allowed under this chapter.

- (1) All monument signs shall be limited to a maximum height of seven feet and a total structure size of 98 square feet. The maximum size for the sign area is 60 square feet with a maximum height of five feet. Every monument sign shall be required to have a minimum one-foot masonry base, measured from grade level to the bottom of the sign area. Every monument sign shall be required to have a minimum six-inch masonry border on each side of the sign area. A minimum

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six-inch masonry cap is allowed above the sign area, however, it is not required. If, the masonry cap option is not chosen, the maximum height of the sign structure shall be limited to six feet. All monument signs will require engineer-sealed drawings.

(2) Building materials and colors utilized for construction of monument bases, side borders, caps, and sign frames shall be constructed of the same materials found on the main building on the lot, unless otherwise approved by the city council.

(3) If the proposed sign is to be constructed on a lot with an existing building which does not contain a masonry facade, the materials used for the monument base, side borders and cap must be stone or brick.

(Ord. No. 10-07, § 1(exh. A(15-234(B)(12)(a))), 3-15-2010)

Sec. 32-305. - Pole signs.

Pole signs are allowed only within the I-30 Overlay District. Allowable area of pole signs located on I-30 shall not exceed a size equal to the width of the lot frontage on which the sign will be located up to a maximum of 200 square feet. Pole signs located along other roadways shall not exceed 60 square feet in area. The maximum height for a general business along I-30 is 40 feet only for the purpose of advertising food, gas, or lodging. All other uses are allowed a maximum height of 30 feet. The maximum height along all other roads is 20 feet. All structures will be either monopole or dual pole design and require engineer-sealed drawings.

(Ord. No. 10-07, § 1(exh. A(15-234(B)(12)(b))), 3-15-2010)

Sec. 32-306. - Wall signs.

A business shall be allowed any number of attached wall, projection or marquee signs so long as the total face area of the attached signs does not exceed ten percent of the front face area of the building or store front as established in approved plans submitted to the city, or 60 square feet, whichever is greater, or exceed six feet in height.

(Ord. No. 10-07, § 1(exh. A(15-234(B)(12)(c))), 3-15-2010)

Sec. 32-307. - Identification signs.

(a) Identification signs shall be located a minimum of 30 feet from adjoining property lines on lots with 200 feet of frontage and over, a minimum of 20 feet on lots with over 100 feet and less than 200 feet of frontage, and a minimum of ten feet on lots with 100 feet of frontage or less and a minimum of 60 feet from any other freestanding sign.

(b) The maximum area for identification signs shall not exceed 300 square feet along I-30 and 200 square feet along other roads. If the sign is also used as a directory for the site, the size may be increased to 360 square feet along I-30 and 260 square feet along other roads. In no case shall a separate directory sign and identification sign be permitted on the same frontage, but shall only be allowed as one combined sign. Identification signs located outside of the I-30 Overlay District must be monument style and are limited to a maximum size of 200 square feet. Identification signs in excess of seven feet in height are required to have a minimum 30-inch masonry base, measured from grade level to the bottom of the sign area, a minimum 12-inch masonry border on each side of the sign area, and a minimum six-inch masonry cap.

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(c) Upon approval of the sign board of review, identification signs may be placed on a city right-of-way. Any approved identification sign in the right-of-way must be provided permanent maintenance through an approved designated responsible party. The city retains the right to move, at the owner's expense, any such sign that is not maintained under the terms of this chapter.

(Ord. No. 10-07, § 1(exh. A(15-234(B)(13))), 3-15-2010)

Sec. 32-308. - Model home signs.

All model home signs shall be removed after a certificate of occupancy is issued for the structure.

(Ord. No. 10-07, § 1(exh. A(15-234(B)(14))), 3-15-2010)

Sec. 32-309. - Off-premises signs.

Off-premises signs, other than those specifically permitted by this chapter, are prohibited.

(Ord. No. 10-07, § 1(exh. A(15-234(B)(15))), 3-15-2010)

Sec. 32-310. - Political signs.

A person commits an offense if a person displays a political sign on private property unless a person has the permission of the property owner.

- (1) The sign may not:
 - a. Have a sign area greater than 36 square feet;
 - b. Be more than eight feet high;
 - c. Be illuminated; or
 - d. Have a moving part.

(2) This subsection does not apply to a sign, including a billboard, that contains primarily a political message on a temporary basis and that is generally available for rent or purchase to carry commercial advertising or other messages that are not primarily political.

(Ord. No. 10-07, § 1(exh. A(15-234(B)(16))), 3-15-2010)

Sec. 32-311. - Real estate signs.

All temporary commercial real estate signs are issued for a period not to exceed one year, and must be renewed annually. At the time of renewal, the sign inspector shall inspect the sign to ensure compliance with all the standards and requirements of this chapter.

(Ord. No. 10-07, § 1(exh. A(15-234(B)(17))), 3-15-2010)

Sec. 32-312. - Residential subdivision signs.

Upon approval of the sign board of review, a residential subdivision sign may be placed upon a city right-of-way. Any such approved residential subdivision sign shall meet all other terms and provisions of this chapter. Any approved residential subdivision sign must be provided permanent maintenance

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through designated viable homeowners' association or other approved responsible party. The city retains the right to remove, at the owner's expense, any such sign that is not maintained under the terms of this chapter.

(Ord. No. 10-07, § 1(exh. A(15-234(B)(18))), 3-15-2010)

Sec. 32-313. - Temporary realtor open house directional signs.

(a) Temporary realtor open house directional signs shall be no larger than 24 inches by 30 inches in size (five square feet) and cannot be higher than three feet abovegrade. No sign may be placed closer than 30 feet from an intersection and cannot be placed in the center median. Signs cannot be placed any closer than six feet from the back of the curb or from the edge of the pavement. These signs shall not obstruct the vision of traffic on the roadway. Any signs determined to be in a location that causes an immediate hazard to public safety may be immediately removed by the city. Signs must only direct traffic to properties located within the city limits.

(b) The sign may contain the words "open" or "open house," as well as a directional arrow. The signs must contain the name of the realty company, the name of the listing agent and a current phone number (cell phone) on the back of the sign. No more than two off-site signs and one on-site sign per open house will be allowed.

(c) These signs must be kept well-painted and in good repair. These signs must be made of metal and/or plastic. These signs cannot be made of wood or paper. These signs must be self-supporting and placed into the ground. These signs cannot be placed on a utility pole, streetlight pole, sign pole, fence, tree, or any other manmade or natural feature. These signs cannot be illuminated.

(d) Placement of these signs will only be allowed during the hours of 1:00 p.m. until 5:00 p.m. on Sundays.

(Ord. No. 10-07, § 1(exh. A(15-234(B)(19))), 3-15-2010)

Sec. 32-314. - Weekend development directional signs.

(a) A sign permit must be obtained from the city before weekend development directional signs can be placed. The permit will allow the permit holder to place a maximum of four weekend development directional signs per development, at locations throughout the city. The signs are only allowed from 6:00 p.m. on Friday until 6:00 p.m. on Sunday. Any signs being displayed without an approved permit or at any time other than the above-mentioned times will be removed by the city.

(b) These signs may contain the name of the subdivision, a directional arrow and the words "new homes for sale" and/or "new model homes," only. In order for the city to contact the developer if the need arises, the signs must contain the name of the developer and a current phone number.

(c) These signs shall be no larger than six square feet and cannot be higher than four feet abovegrade. No sign may be placed closer than 30 feet from an intersection, closer than six feet from the back of the curb or from the edge of the pavement and shall not be placed in the center median. The sign shall not be placed within 500 feet from the intersection of I-30 and FM 740 or the intersection of I-30 and SH 205. If the sign is to be placed on private property, written permission must be obtained from the property owner and provided to the city with the permit application. These signs shall not obstruct the vision of traffic on the roadway. Any signs determined to be in a location that causes an immediate hazard to public safety may be immediately removed by the city. These signs must only

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direct traffic to properties located within the city limits.

(d) Weekend development directional signs shall be no less than 60 feet from any other weekend development directional sign.

(e) These signs must be made of metal, including a full metal frame with two supporting legs. These signs must be self-supporting and placed into the ground and shall not be placed on a utility pole, streetlight pole, sign pole, fence, tree, or any other manmade or natural feature. These signs must be kept well-painted and in good repair. These signs shall not be illuminated.

(Ord. No. 10-07, § 1(exh. A(15-234(B)(20))), 3-15-2010)

Secs. 32-315—32-331. - Reserved.

ARTICLE IV. - PROHIBITED SIGNS

[Sec. 32-332. - Certain content or displays unlawful.](#)

[Sec. 32-333. - Exceptions.](#)

[Secs. 32-334—32-365. - Reserved.](#)

Sec. 32-332. - Certain content or displays unlawful.

The following sign content or signs are prohibited:

(1) Phrases on advertising signs located on I-30, FM 549, SH 276, SH 205, John King Boulevard and SH-66 that may be in conflict with the city's own promotion program, welcoming newcomers to the area. Phrases that include "Welcome to Rockwall" or of similar meaning and intent or contain the city motto and/or logo will require city council approval.

(2) Signs illuminated to such an intensity or in such a manner as to cause glare or brightness to a degree that they constitute hazards or nuisances. Flashing, intermittently lighted, changing color, beacons, revolving, moving or similarly constructed signs shall not be allowed. Revolving barber poles may be allowed. For regulations pertaining to changeable electronic variable message signs, see section 32-233

(3) Signs, which by reason of their size, location, movement, shape, content, coloring, or manner or intensity of illumination, may be confused with or construed as a traffic control sign, signal or device, or the light of an emergency or road equipment vehicle, or which hide from view any traffic or street sign, signal or device. This includes signs making use of the words "stop," "go," "look," "slow," "danger," or any other similar words, phrases, symbols, or characters, or employ any red, yellow, orange, or green colored lamps or lights in such a manner as to cause confusion with vehicular or pedestrian traffic.

(4) Lighted signs erected within 150 feet of a residential district or residential use unless the lighting is shielded from view from the residential district or residential use.

(5) Signs, which emit sound, odor or visible matter, which serve as a distraction to persons

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within the public right-of-way.

(6) Flags, other than those of any nation, state or political subdivision or one which depicts any motto, saying, emblem, or logo of a firm or corporation. The above-mentioned flags are not considered signs under the terms of this chapter.

(7) Any balloon, air flow through device, inflatable apparatus, or other floating device anchored to the ground or to any other structure for advertising purposes other than those allowed in subsection (9) of this section.

(8) Goods, wares, merchandise or other advertising objects or structures placed on or suspended from any building, pole, structure, sidewalk, parkway, driveway, or parking area, except as otherwise allowed by ordinance.

(9) Permanent banners, pennants, searchlights, twirling signs, sandwich or "A" frame signs, sidewalk or curb signs, balloons or other gas-filled objects, cloth, paper, flag, device or other similar advertising matter anchored to the ground, attached to, suspended from, or hanging from any sign, building, or structure. Temporary window signs, posters, pennants, searchlights, balloons not exceeding one foot in diameter when inflated, and other similar items may be permitted for a period not to exceed 14 days for grand openings and promotional events with permission of the sign inspector.

(10) Signs attached to a trailer, skid, or similar mobile structure where the primary use of such structure is to provide a base for such sign or constitutes the sign itself. A sign removed from its trailer, skid or similar mobile structure shall be prohibited. This provision does not restrict identification signs on vehicles used for any bona fide transportation activity.

(11) Signs attached to or upon any such vehicle allowed to remain parked in the same location or in the same vicinity, at frequent or extended periods of time, where the intent is apparent to be using the vehicle and signs for purposes of advertising an establishment, service, or product. It shall be prima facie evidence that the primary purpose of a vehicle or trailer is to display a sign if the vehicle or trailer is parked on a site for a continuous period exceeding 72 hours.

(12) Signs, paper and other material or paint, stencil or writing of any name, number (except hours, numbers) or other marks on or attached to any sidewalk, curb, gutter, street utility pole, public building, public bench, tree, fence, or structure except as otherwise allowed by ordinance.

(13) Signs, which prevent free ingress from any door, window, or fire escape.

(14) Signs attached to a standpipe or fire escape.

(15) Freestanding signs erected upon or over public property unless erected by the city, with the permission of the sign inspector for public purposes, or with the permission of the sign board of review.

(16) No changeable electronic variable message signs shall be allowed within this chapter's application area other than the changeable electronic variable message signs provided for in section 32-233

(17) Human signs.

(18) Any sign not referenced in, not governed by, not allowed or not defined by this chapter. Also,

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any sign that does not comply with this or other applicable municipal ordinances, or which does not comply with federal or state laws.

(Ord. No. 10-07, § 1(exh. A(15-235(A)(1)—(11)(intro. ¶), (12))), 3-15-2010)

Sec. 32-333. - Exceptions.

The prohibitions in section 32-332 do not apply to vehicle signs provided that:

- (1) The primary purpose of the vehicle is not for display of the sign;
- (2) The signs are painted upon or applied directly to an integral part of the vehicle;
- (3) The vehicle is operable, currently registered and licensed to operate on the public streets and actively used in the function of the business to which the sign relates;
- (4) The vehicle is parked in and fits within a standard parking space (nine feet by 20 feet);
- (5) The vehicle is not parked within a fire lane;
- (6) The vehicle does not block a parking lot access isle or circulation space;
- (7) A vehicle sign may be used by a business with a current certificate of occupancy (CO) provided the vehicle is parked on the premises of that business.

(Ord. No. 10-07, § 1(exh. A(15-235(A)(11)(a)—(g))), 3-15-2010)

Secs. 32-334—32-365. - Reserved.

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- [Sec. 32-366. - Functional standards table.](#)
- [Sec. 32-367. - Illustrations.](#)

Sec. 32-366. - Functional standards table.

The functional standards of signs shall be as follows:

Appendix A Functional Standards Table

Type of Sign	Maximum Area (in Sq. ft.)	Maximum Height (ft) Free Standing	Lighting Permitted	Maximum Duration	Number of Signs Allowed	Minimum Setback Required	Materials: A-Steel /

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		Sign				ired (in ft.) for Free- Stan- ding Sign (2)	Plast ic/Al umin um/ Mas on- ary/B - Woo d
Agricultural	50	15	Yes	Permanent	1 per ownership	10	A, B
Apartment/O n-premises	32	12	Yes	Permanent	1 per frontage	10	A
Construction/ on-premises	32	10	Yes	Temporary	1 per site	15	A, B
Developmen t/on- premises	150	10 (3)	Yes	Temporary	Street frontage	25	A, B
Developmen t Directional/o ff-premises	50	10	No	Temporary	2 Sites per development	25	A, B
Directory/on- premises I- 30	300/360 (4)	30-35 (5)	Yes	Permanent	1 per frontage	10	A
Directory/on- premises other (9)	200/260	25	Yes	Permanent	1 per frontage	10	A
Gen. Business/on- premises I- 30	See (6)	30/40 (6)	Yes	Permanent	section 15.234.B.12	10	A
Gen. Business/on- premises other	60	20	Yes	Permanent	section 15.234.B.12	10	A
Identification /on-premises I-30	300/360 (7)	30/35 (5)	Yes	Permanent	1 per street frontage	10	A
Identification /on-premises other (9)	200/260 (7)	25	Yes	Permanent	1 per street frontage	10	A
Institutional/ on-premises	32	10	Yes	Permanent	1 per street frontage	15	A
Institutional/ off-premises	16	10	Yes	Permanent	2 per institution	15	A
Model home/on-	16	8	Yes	Temporary	1 per home	0	A, B

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premises							
Monument	98	7	Yes	Permanent	1, unless acreage allows more signage	10	A (8)
Political	36	8	No	Temporary	No limit	0	A, B
Real Estate/on-premises	5 (res.) 32 (Comm.)	4 (res.) 10 (comm.)	No	Temporary	1 per street frontage	5 (res.) 20 (comm)	A, B
Temporary open house	5	3	No	1-5 p.m. Sundays	2 off-premises	6 ft. from pavement	A
Res. Subdivision/on-premises	60	10	Yes	Permanent	2 off-premises/1 on-premises	10	A
Traffic/on-premises	8	3	Yes	Permanent	No limit	0	A
Weekend development directional/of f-premises	6	4	No	Temporary	4 per development	0	Steel /metal

;sz=8.5q;(1) For additional requirements on signs, see corresponding sections in the text of this article.

;sz=8.5q; (2) Minimum setback for wall, marquee and projection signs is zero feet.

;sz=8.5q; (3) The maximum height shall be 15 feet when placed within a development and behind a subdivision screening wall. Must remove upon 75 percent completion of development.

;sz=8.5q; (4) See sections 32-205—32-207 for explanation.

;sz=8.5q; (5) The maximum height shall be 30 feet unless the sign is a combined identification/directory sign, which may be 35 feet in height.

;sz=8.5q; (6) See sections 32-221—32-233 for explanation.

;sz=8.5q; (7) See section 32-262 for explanation.

;sz=8.5q; (8) See sections 32-263—32-237 for material requirements.

;sz=8.5q; (9) Signs located outside of the 1-30 overlay district must be monunment style are limited to a max. size of 200 sq. ft. and a max. height of 20 ft.

(Ord. No. 10-07, § 1(exh. A(app. A)), 3-15-2010)

Sec. 32-367. - Illustrations.

The following are illustrations of sign samples:

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IMAGE NOT FOUND:\file1.municode.com48302-367-004.jpg

IMAGE NOT FOUND:\file1.municode.com48302-367-005.jpg

IMAGE NOT FOUND:\file1.municode.com48302-367-006.jpg

IMAGE NOT FOUND:\file1.municode.com48302-367-007.jpg

IMAGE NOT FOUND:\file1.municode.com48302-367-008.jpg

(Ord. No. 10-07, § 1(exh. A(app. B)), 3-15-2010)