

CITY OF COON RAPIDS, MINNESOTA

CHAPTER 11-2100

SIGN REGULATIONS

11-2101 Purpose and Intent. It is not the purpose or intent of this sign ordinance to regulate the message displayed on any sign; nor is it the purpose or intent of this Chapter to regulate any building design or any display not defined as a sign, or any sign which cannot be viewed from outside a building. The purpose and intent of this Chapter is to:

- (1) Regulate the number, location, size, type, illumination and other physical characteristics of signs within the City in order to promote the public health, safety, and welfare;
  - (2) Maintain, enhance and improve the aesthetic environment of the City by preventing visual clutter that is harmful to the appearance of the community;
  - (3) Improve the visual appearance of the City while providing for effective means of communication, consistent with constitutional guarantees and the City's goals of public safety and aesthetics; and
  - (4) Provide for fair and consistent enforcement of the sign regulations set forth herein.
- [Revised 12/18/07, Ordinance 1971]

11-2102 Definitions. For the purposes of this Chapter, definitions in Chapter 11-200 apply.[Revised 12/18/07, Ordinance 1971]

11-2103 General Provisions.

(1) Permit Required. The following general provisions are applicable to all signs. It shall be unlawful for any person to erect, alter, replace, or relocate any sign or other advertising structure without first obtaining a permit and paying the required fees, except as herein otherwise provided.

(2) Exempted Signs. The following signs are exempt from the requirements of this Chapter:

- (a) Signs erected by a public agency in a public right-of-way.
- (b) Private traffic directional signs not exceeding eight square feet.[Revised 12/18/07, Ordinance 1971]

(3) Prohibited Signs.

- (a) No sign will be attached to trees or utility poles.
- (b) No sign will be painted directly on any exterior building surface. Sign letters and symbols may be attached directly to a wall by adhesive or mechanical means.
- (c) No sign will overhang the public right-of-way, sidewalk easement, walkway easement or bicycle path easement except a bus bench or approved trash container at a designated public transportation pick up location.
- (d) No sign will extend above the roof line of a building.
- (e) Projecting signs must not project further than two feet from the wall to which they are anchored.
- (f) No sign will be installed that by reason of position, movement, shape, illumination, or color would constitute a traffic hazard by obstructing a driver's vision or by interfering, confusing, or misleading traffic.
- (g) No sign will noticeably move either by mechanical means or as a result of normal wind pressure.

(h) All other signs not expressly permitted by this Chapter.[Revised 12/1/8/07, Ordinance 1971]

(4) Permit Application. An application for a sign permit must be made on blanks provided by the Zoning Administrator and state or have attached thereto the name and address of the person or company that will be erecting the sign; the location of the building, structure, or lot on which the sign is to be erected; the position of the sign in relation to nearby buildings or structures; the written consent of the owner of the land on which the sign is to be erected; and any other information the Zoning Administrator considers necessary. These requirements may be waived by the Zoning Administrator where they are not applicable. The Zoning Administrator will approve or deny a sign permit application in an expedited manner no more than 30 days from the receipt of the complete application, including the applicable fee. Any application not approved or denied within 30 days will be deemed denied. If the permit is denied, the Zoning Administrator will issue a written notice of denial within 10 days of the decision, describing the applicant's appeal rights under Section 11-336.[Revised 12/18/07, Ordinance 1971]

(5) Fees. Every applicant must pay a fee for each sign regulated by this Chapter before being granted a permit.

(a) The City Council will establish the permit fee by ordinance.

(b) Except for maintenance, any substantial alteration, replacement of the business message, or relocation of a sign constitutes a new sign, requiring an additional permit and fee.

(c) A double fee will be charged if a sign is erected without first obtaining a permit for such sign.

(d) The permit fee for a temporary sign erected without first obtaining a permit may be charged against the lot or parcel of land if the property owner fails to comply with a written request from the Zoning Administrator to obtain a permit. The amount so charged against the lot or parcel of land together with a description of the premises and the name of the owner will be certified to the County Auditor and will be collected in the same manner as taxes or special assessments against said premises. The charge is a perpetual lien on the premises until paid.[Revised 12/18/07, Ordinance 1971]

(6) Revocation of Permit. The Zoning Administrator is hereby authorized to revoke a sign permit upon failure of the holder thereof to comply with any provision of this Chapter. Any party aggrieved by such revocation may appeal the action to the Board of Adjustment and Appeals within 10 days after the revocation.

(7) Expiration of Permit. A permit expires if the sign is not erected within 180 days after issuance and no permit fees or inspection fees for such sign will be refunded.

(8) Initial Inspection. All sign installations for which a permit is required are subject to inspection by the Zoning Administrator to ensure that such signs are erected according to the permit.

#### 11-2104 Maintenance and Removal of Signs.

(1) All signs must be maintained by the sign owner in a safe, neat, clean and attractive condition. A sign must be replaced or refurbished so as to restore the original appearance thereof whenever it begins to fade, chip or discolor, rust, ceases to be in good repair or becomes unsightly.

(2) Removal of signs will be governed by the following:

(a) On-premises signs shall be removed from the building and property by the owner of such property within 14 days after the use is terminated.

(b) Off-premises signs shall be removed within 30 days after discontinuation of use of the sign. A sign shall be considered discontinued if the message is removed, the subject of the message no longer exists, or the sign is not maintained.

(3) If the Zoning Administrator finds that any sign is unsafe, a detriment to the public, not maintained, or constructed, erected, or maintained in violation of the provisions of this Chapter, the sign owner shall be notified of the violation in writing personally or by U.S. Mail. If the sign owner fails to comply with the standards of this Chapter within 20 days after such notice is given or mailed, if no appeal is taken pursuant to the provisions of Section 11-336 or if no owner, occupant, or agent can be found, such sign may be removed or altered to comply by the Zoning Administrator; provided, that for temporary signs, the notice and appeal period is seven days. The records showing the cost of such work attributable to each separate lot or parcel shall be delivered to the City Clerk. The amount so charged against said lot or parcel of land, together with a description of the premises and the name of alleged owner, will be certified to the County Auditor and will be collected in the same manner as taxes or special assessments against said premises. The charge shall be a perpetual lien on the premises until paid.

#### 11-2105 Design of Illuminated Signs.

(1) Signs must not have blinking, flashing, or fluttering lights or change in brightness or color.

(2) On-premises signs may include dynamic displays, except as regulated in Table 11-2107(2), provided that the message is changed at intervals of not less than four seconds by electronic process or remote control and the only movement is the periodic changing of information against a solid, colorless background, engineered for maximum legibility and readability, and having a constant light level and glare-reducing screens. Fading, dissolving, scrolling, traveling, or any transition that creates the illusion of movement is prohibited.[Revised 12/18/07, Ordinance 1971][Revised 12/2/08, Ordinance 1996]

(3) The light from illuminated signs must not reflect direct rays of light onto adjacent property or public streets.

(4) No incandescent lamps may be used on exterior surfaces of any sign that exceeds 15 watts during nighttime hours.

#### 11-2106 Temporary Signs.

##### (1) Banners, Streamers, Spinners, Revolving Beacons, Search Lights, and Portable Signs.

(a) The Zoning Administrator may issue permits for the use of portable signs 12 square feet or less in area, banners, streamers, spinners, revolving beacons, search lights or other exterior temporary signs in commercial and industrial districts, as well as for institutional uses in residential districts.

(b) Permits for portable signs 12 square feet or less in area, banners, streamers, spinners and other exterior temporary signs must not be issued in conjunction with the same business activity for more than 60 days in any calendar year.

(c) No more than three portable signs or banners may be displayed under a single permit.[Revised 1/4/10, Ordinance 2029]

(d) A business activity may only be issued one permit at any given time. A separate permit is required for each display period.[Revised 1/4/10, Ordinance 2029]

(e) Search lights and revolving beacons must not be directed into residential areas or onto streets and are not to be permitted more than six days per calendar year.

(f) Twenty days will be subtracted as a penalty from a business activity's allotted number of days when that activity maintains a temporary sign past the expiration date for

the permit, irrespective of compliance during the period under 11-2106(2)(e). If the business activity has fewer than 20 allotted temporary sign days remaining for the calendar year in which the penalty is imposed, the balance of those penalty days will be subtracted from that activity's allotted temporary sign days in the following calendar year.

(2) Other Temporary Signs:

(a) No permit or permit fee is required, however, all other provisions of this Chapter shall apply.

(b) A temporary sign under this section must be set back at least one foot from a public sidewalk or 18 feet from the street pavement if there is no sidewalk. In no case will a sign be located within a public right-of-way or within 10 feet from any other property line.

(c) A temporary sign under this section must be removed within 10 days after its use has been terminated.

(d) A temporary sign under this subsection must not exceed eight square feet in a residential district and 32 square feet in all other districts and no more than one temporary sign will be allowed on each street frontage.

(e) Limitations on size and number of non-commercial speech signs do not apply from 46 days before the state primary in a state general election year until 10 days following the state general election and 46 days before a primary for a special election, or, in the event there is no primary, 46 days before the special election until 10 days following the special election.[Revised 5/4/10, Ordinance 2032]

(f) The City may, without notice, remove any sign erected in violation of this Section or any other federal, state, or local law or ordinance. Any signs not claimed within 30 days after removal may be destroyed by the City.

(g) Temporary window signs will only be permitted in a commercial district, provided that they do not occupy more than 40 percent of the window area on any building frontage.

(h) One temporary real estate sign constructed of durable materials located on the premises is permitted for sale or lease of building or vacant lot for each street frontage.

(i) One temporary construction sign constructed of durable materials is permitted on each street frontage of a development under construction.[Revised 12/18/07, Ordinance 1971]

11-2107 On-Premises District Sign Provisions.

(1) Wall Signs. Wall signs will be permitted by zoning district in accordance with the standards established in Table 11-2107(1):

Table 11-2107(1) Wall Sign Allowances by Zoning District

Use Type/Zoning District	Number/Location	Maximum Area per Wall on which signs are permitted
Multi-Family Buildings/ Residential Developments in LDR1, LDR2, MDR, HDR, MH	One per street frontage identifying the name of the building only. A wall containing a public entrance may be signed in lieu of a wall facing a street frontage.	20 square feet

Use Type/Zoning District	Number/Location	Maximum Area per Wall on which signs are permitted
O, Institutional Uses in LDR1, LDR2, MDR, HDR, MH	Unlimited number of signs permitted on one business frontage.	32 square feet or 10 percent of the building face to which the sign is attached whichever is greater, to a maximum of 100 square feet.
Shopping Centers/ Multiple Tenant Buildings in O, NC, I	Unlimited number of signs permitted on each business frontage, not to exceed two walls per business.	40 square feet or 10 percent of the area of the front of the building, whichever is greater, to a maximum of 100 square feet
Other Developments in NC, I	Unlimited number of signs permitted on each business frontage, not to exceed two walls per building, subject to standards in 11-2107(1)(a).	40 square feet or 10 percent of the area of the front of the building, whichever is greater, to a maximum of 100 square feet
Shopping Centers/ Multiple Tenant Buildings in CC, GC	Unlimited number of signs permitted on each business frontage, not to exceed two walls per business, subject to standards in 11-2107(1)(b).	40 square feet or 10 percent of the face of the building to which the sign is attached, whichever is greater, to a maximum of 200 square feet
Other Developments in CC, GC	Unlimited number of signs permitted on each business frontage, not to exceed two walls per building.	80 square feet or 10 percent of the wall to which it is attached, whichever is greater, to a maximum of 200 square feet
RS	Unlimited number of signs permitted on each building wall facing a street or parking field.	80 square feet or 10 percent of the wall to which it is attached, whichever is greater, to a maximum of 200 square feet
RRO, PORT	Governed by underlying zoning outside of PORT districts. Within PORT districts, governed by district most similar to use.	Governed by underlying zoning outside of PORT districts. Within PORT districts, governed by district most similar to use.
Permitted Uses in CD	One wall or ground sign per street frontage.	32 square feet
Conditional Uses in CD	Governed by district most similar to use, unless otherwise specified in development plans.	
PUD	Governed by the approved development plan. This Chapter is the standard by which the PUD sign plan will be evaluated.	
Nonconforming Uses	No additional signs permitted.	

#### Zoning Districts

Abbreviation	Zoning District
LDR1	Low-Density Residential 1 District
LDR2	Low-Density Residential 2 District
MDR	Moderate-Density Residential District
HDR	High-Density Residential District
MH	Mobile Home District
O	Office District
NC	Neighborhood Commercial District

CC	Community Commercial District
GC	General Commercial District
I	Industrial District
RS	Regional Shopping District
RRO	River Rapids Overlay District
PORT	Port Evergreen, Port Riverwalk, Port Campus Square, and Port Wellness Districts
CD	Conservancy District
PUD	Planned Unit Development

(a) Shopping Center Signs in NC. No sign will be erected to the rear of a business except for an identification sign of up to four square feet. Signs in shopping centers and multiple tenant buildings must be standardized in terms of location on building and style. Sign criteria will be documented in standards to be approved by the Zoning Administrator prior to issuance of any sign permit for the center. A copy of the standards will be kept on file with the Zoning Administrator.

(b) Shopping Centers/Multiple Tenant Buildings in CC, GC, RS, and I. No sign will be erected to the rear of a business except for an identification sign of up to four square feet if the rear of the business faces a residential district. Signs in shopping centers must be standardized in terms of location on building, method of construction, and style. Sign criteria will be documented in standards to be approved by the Zoning Administrator prior to issuance of any sign permit for the center. A copy of the standards will be kept on file with the Zoning Administrator.[Revised 12/18/07, Ordinance 1971]

(2) Ground Signs. Ground signs are permitted by zoning district in accordance with the standards established in Tables 11-2107(2) and 11-2107(3).

Table 11-2107(2) Ground Sign Allowances by Zoning District

Use/District	Number	Maximum Area	Maximum Height	Min. Setback
Multi-Family Buildings/ Residential Developments in LDR,1 LDR2, MDR, HDR, MH	One per frontage.	32 square feet	10 feet	See 11-2108.
Other Residential Uses, including Home Occupations in LDR1 LDR2, MDR, HDR, MH	One per lot. Cannot be illuminated.	Six square feet	Three feet	See 11-2108.
O, Institutional Uses in LDR1, LDR2, MDR, HDR, MH	One per building	100 square feet A sign greater than 25 square feet may only be displayed on a frontage greater than 100 feet	See 11-2109.	See 11-2108.

Use/District	Number	Maximum Area	Maximum Height	Min. Setback
Shopping Centers/ Multiple Tenant Buildings in O, NC, I	One area identification sign per center.	100 square feet	See 11-2109.	See 11-2108.
Other Developments in NC, I	One	100 square feet	See 11-2109.	See 11-2108.
Shopping Centers/ Multiple Tenant Buildings in CC, GC	For centers less than 15 acres, One identification sign is permitted per arterial/ collector frontage. For centers greater than 15 acres, two identification signs are permitted or two area identification signs per arterial/ collector street frontage, whichever is greater.	For centers less than 15 acres, the maximum size of an identification sign is 264 square feet, but no more than 200 square feet may be devoted to the permanent message portion of the sign with the remainder being reader board or electronic display. For centers greater than 15 acres, the maximum size of an identification sign is 300 square feet.	See 11-2109.	See 11-2108.
Unified Developments in CC, GC	One per business frontage, not to exceed two per building. One area identification sign per development subject to standards in 11-2107(2)(a)	100 square feet for individual building signs; 300 square feet for area identification signs if there are no other ground signs on the same frontage.	See 11-2109.	See 11-2108.
Other Developments in CC, GC	One per building frontage.	For properties with less than 300 feet of frontage-100 square feet; for properties with 300 feet of frontage or more-100 square feet + one square foot for each additional foot of frontage over 300 feet for a maximum of 200 square feet	See 11-2109.	See 11-2108.
RS	Governed by the approved development plan.	Governed by the approved development plan.	See 11-2109.	See 11-2108.

Use/District	Number	Maximum Area	Maximum Height	Min. Setback
RRO PORT	One; must be monument sign, limited to two faces, per property or residential development, subject to standards in 11-2107(2)(b).	100 square feet, including base and supporting material. Base and supporting material must constitute at least 25 percent of the total area. A reader board or electronic display must not exceed 50 percent of the area containing sign copy.	10 feet	See 11-2108(4)
Permitted Uses in CD	One wall or ground sign per street frontage.	32 square feet	See 11-2109.	See 11-2108.
PUD	Governed by the approved development plan. This Chapter will be the standard by which the PUD sign plan will be evaluated.			
Nonconforming Uses	No additional signs permitted.			

(a) Signs for Unified Developments. All ground signs on the same frontage must be the same height. All ground signs must be mounted on supports of identical design. Area identification signs for shopping centers 20 or more acres in size located within unified developments may be placed on a lot within the unified development less than 20 acres in size. The following requirements apply to such signs:

(i) The sign must be located within 500 feet of the shopping center.

(ii) The sign must not be separated from the shopping center by an arterial street.

(iii) The sign will be subject to the height, setback and separation requirements of a ground sign in the zoning district in which it is located. It will otherwise be subject to the requirements of 11-2107(2).

(iv) The sign will not be included in the total signage permitted for the property on which it is located.

(v) The general location of area identification signs for shopping centers within unified developments must be approved by the Planning Commission as part of the site plan approval.

(b) Monument Sign Design in River Rapids Overlay District. The monument sign base must be constructed of materials similar in appearance to those of the principal structure and consist of brick, natural stone, stucco, textured cast stone, or integrally colored concrete masonry units. The structure surrounding the face of the sign from the base to the top of the sign must be solid, continuous, and consist of the base materials or complementary materials that match the appearance and color of the principal building. The 200 square feet of ground area around the base of a monument sign must be landscaped with shrubs or perennials. Landscape material must be selected to withstand the environmental conditions of the site and provide seasonal interest.[Revised 12/18/07, Ordinance 1971]

(3) Fuel Pump Canopy Signs. Signs may be placed on two faces of a fuel pump canopy. Canopy signs are limited to a business logo and/or graphic design not to exceed 10 percent of each canopy face area or 24 square feet on each canopy face, whichever is greater. Canopy

signage will be deducted from the permitted wall signage area for the business. Fuel pump canopy signs must not project above or below the canopy area. Dynamic displays are not permitted on fuel pump canopies.[Revised 12/18/07, Ordinance 1971]

11-2108 On-Premises Sign Setbacks.

(1) Permanent pylon signs must be set back at least 15 feet from any right-of-way line and at least 10 feet from any other property line. Permanent monument signs must be set back at least 10 feet from any property line or right-of-way line.[Revised 1/4/10, Ordinance 2029]

(2) A sign (including supporting structure) within the sight triangle must either have maximum height of two and one half feet or a minimum clearance of 10 feet above the center line grade of the intersecting streets.

(3) A ground sign of over 25 square feet may be displayed only on a frontage of 100 feet or more and must not be closer than 100 feet to any other ground sign of over 25 square feet.

(4) Signs must be located a minimum of 10 feet from a public street right-of-way, except that along Coon Rapids Boulevard the minimum setback is 20 feet from the curb of the roadway, two feet behind a public sidewalk, or two feet from the right-of-way of Coon Rapids Boulevard, whichever location places the sign farthest from the roadway.[Revised 12/18/07, Ordinance 1971]

11-2109 On-Premises Sign Height. Ground signs must not exceed the following height as measured perpendicularly from the highest point of the sign structure to the grade level directly below the sign. Existing grade may not be altered for the purpose of increasing the sign height.

(1) River Rapids Overlay District. Maximum height for ground signs in the River Rapids Overlay district is 10 feet.

(2) Zoning Districts Outside of River Rapids Overlay District. Maximum height for monument signs is 10 feet. Maximum height for pylon signs is established in Table 11-2109.

Table 11-2109: Maximum Permitted Pylon Sign Height

Square Footage of Sign	Maximum Height Permitted
40 square feet or less	20 feet
41 to 80 square feet	24 feet
81 to 264 square feet	30 feet
Over 264 square feet	36 feet

[Revised 12/18/07, Ordinance 1971]

11-2110 Off-Premises Signs.

(1) Applicability. No off-premises sign may be placed, erected, or maintained in the City, nor may an owner or lessee permit property under the control of the owner or lessee to be used for such a sign, except in accordance with this Chapter.

(2) Prohibition. No off-premises signs not already existing as of September 10, 2001 may be placed or erected in the City except that a non-conforming off-premises sign located outside the highway corridor may be replaced with a conforming off-premises sign placed or erected within the highway corridor in accordance with this section.

(3) Conforming Off-premises Signs. Off-premises signs located within the highway corridor are conforming signs and may be structurally maintained and replaced as needed provided they otherwise comply with this Chapter.

(4) Requirements. All off-premises signs must meet the following requirements:

(a) May not exceed 250 square feet of display area on any single side. The sign faces must be roughly perpendicular to the roadway. A sign will have no more than two display sides with the two sides mounted back-to-back. The angle of intersection between the display sides will be no greater than 15 degrees.

(b) May not exceed 30 feet in height as measured perpendicularly from the highest point of the sign structure to the grade level directly below the sign. The existing grade level may not be altered for the purpose of increasing sign height.

(c) Must be of mono-pole design. Any exposed metal on the supporting structure must be painted a single dark color.

(d) May be located only in areas zoned Community Commercial, General Commercial or Industrial.

(e) May not be located within an interchange.

(f) Maintain the following setbacks and separations:

Public parks and rest areas	
Measured laterally along roadway	500 feet
Measured in any other direction	200 feet
Residentially zoned property	
Measured laterally along roadway	500 feet
Measured in any other direction	200 feet
Non-residential buildings	200 feet
On-premises sign	100 feet
Property line	100 feet
Right-of-way line	50 feet
Another off-premises sign on same side of roadway	1,000 feet

(5) Dynamic Display Techniques. Nonconforming off-premises signs may not use dynamic display techniques. Any conforming off-premises sign using dynamic display techniques in whole or in part must meet the following operational standards:

(a) Duration. In all districts the full sign image or any portion thereof must have a minimum duration of 60 seconds and must be a static display. No portion of the image may flash, scroll, twirl, change color, or in any manner imitate movement.

(b) Transition. In all districts where the full sign image or any portion thereof changes, the change sequence must be accomplished by means of instantaneous re-pixelization. Fading, dissolving, scrolling, traveling, or any transition that creates the illusion of movement is prohibited.

(c) Brightness. The sign must not exceed a maximum illumination of 5,000 nits (candelas per square meter) during daylight hours and a maximum illumination of 500 nits (candelas per square meter) between dusk to dawn as measured from the sign's face at maximum brightness.

(d) Dimmer Control. Electronic graphic display signs must have an automatic dimmer control to produce a distinct illumination change from a higher illumination level to a lower level for the time period between one half-hour before sunset and one half-hour after sunrise.

(e) Fluctuating or Flashing Illumination. No portion of any sign may fluctuate in light intensity or use intermittent, strobe or moving light or light that changes in intensity in sudden transitory bursts, streams zooms, twinkles, sparkles, or in any manner creates the illusion of movement.

(f) Video Display. No portion of any sign may change its message or background in a manner or by a method of display characterized by motion or pictorial imager, or depicts action or a special effect to imitate movement, or the presentation of pictorials or graphics displayed in a progression of frames that give the illusion of motion or the illusion of moving objects, moving patterns or bands of light or expanding or contracting shapes. [Revised 12/18/07, Ordinance 1971]

11-2111 Wall Graphics. Wall graphics are considered wall signs for purposes of calculating area and are subject to the size requirements established in table 11-2107(1). The Board of Adjustment and Appeals may permit a larger wall graphic if:

- (1) It is compatible in scale, color, and size with the surrounding land uses;
- (2) There is a unique feature to the design which requires more area than is permitted; and
- (3) The wall graphic is the minimum size necessary for the effective presentation of the design.[Revised 12/18/07, Ordinance 1971]

11-2112 Municipal Entry Monuments. Signs or monuments located at street or highway entry points to the City which indicate, exclusive of any commercial message, that one is entering the City are permitted in all districts, subject to the following requirements:

- (1) Municipal entry monuments must be of a design approved by the City Council and shall be owned and maintained exclusively by the City.
- (2) Municipal entry monuments must be set back at least 10 feet from any street right-of-way or property line.
- (3) Any municipal entry monument located within 25 feet of the intersection of a street right-of-way line and a driveway entrance must have a minimum vertical clearance of 10 feet above the centerline of the street pavement.
- (4) The message portion of a municipal entry monument cannot exceed 60 square feet in area. Nor more than four additional square feet in area may be used to set forth the name or logo of any donor.
- (5) The monument or sign structure cannot exceed 30 feet in height as measured perpendicularly from the height of the highest point of the structure to the grade level directly below the monument or sign. Existing grade may not be altered for the purpose of increasing monument or sign height.

11-2113 Nonconforming Signs. It is recognized that signs exist within the zoning districts which were lawful before this Chapter was enacted but will be prohibited under the terms of this Chapter. Nonconforming signs must not be enlarged or expanded nor used as grounds for adding other signs or uses prohibited elsewhere in the same district. Permitting legal nonconforming signs existing on the effective date of this Chapter may continue as legal nonconforming signs provided such signs are safe and are maintained as not to be unsightly, and have not been abandoned or removed, subject to the following provisions:

- (1) No sign will be enlarged or altered in a way which increases its nonconformity.

(2) If the use of the nonconforming sign or sign structure is discontinued for a period of one year the sign or sign structure cannot be reconstructed or used except in conformity with the provisions of this Chapter.

(3) Should such nonconforming sign or sign structure be damaged or structure be destroyed by any means to an extent greater than 50 percent of its market value and all required permits for its reconstruction have not been applied for within 180 days of when the sign or sign structure was damaged, it must not be reconstructed or used except in conformity with the provisions of this Chapter.

(4) Should such non-conforming sign or sign structure be moved for any reason for any distance whatsoever, it must conform to the regulations for the zoning district in which it is located.

(5) No existing sign devoted to a use not permitted in the zoning district in which it is located will be enlarged, expanded, or moved except to change the sign to a sign permitted in the zoning district in which is it located.

(6) When a building loses its nonconforming status all signs devoted to the structure must be removed, and all signs painted directly on the structure must be repainted in a neutral color or a color which will harmonize with the structure.[Revised 12/18/07, Ordinance 1971]

11-2114 Enforcement.

(1) The Zoning Administrator or designated agent will be responsible for enforcement of this Chapter.

(2) Violation of any provision of this Chapter shall be a misdemeanor. Each day the violation continues in existence shall be deemed a separate violation. All signs are subject to penalty for violation even when not required to pay a fee or acquire permit.

(3) Inspections to determine compliance with the provision of this Chapter will be carried out periodically.

(4) The owner of any sign which is otherwise allowed by this Code may substitute non-commercial copy in lieu of any other commercial or non-commercial copy. This substitution of copy may be made without any additional approval or permitting. The purpose of this provision is to prevent any inadvertent favoring of commercial speech over non-commercial speech, or favoring of any particular non-commercial message over any other non-commercial message. This provision prevails over any more specific provision to the contrary.[Revised 12/18/07, Ordinance 1971]

11-2115 Severability. If any section, subsection, sentence, clause, or phrase of this Chapter is for any reason held to be invalid, such decision shall not affect the validity of the remaining portions of this Chapter. The City Council hereby declares that it would have adopted the Chapter and each section, sub-section, sentence, clause, or phrase thereof irrespective of the fact that any one or more sections, subsections, sentences, clauses, or phrases may be deemed invalid.[Revised 12/18/07, Ordinance 1971]