

CHAPTER 16

SIGN CODE

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16.01 PURPOSE AND INTENT

The purpose of this Chapter is to provide a framework for regulating a system of street graphics, thereby promoting pleasant communication between people and our environment. It is the intent of this Chapter to assist in achieving the following objectives:

1. To foster high quality commercial and industrial development and to enhance the economic vitality of existing businesses/industries by promoting the reasonable, orderly and effective display of street graphics;
2. To encourage sound street graphics display practice and to mitigate the objectionable effects of competition in respect to the size and placement of street graphics;
3. To protect pedestrian and motorists from any damage or injury that might result from the improper construction, placement and use of street graphics;
4. To protect the public investment in streets and highways by reducing the obstructions and distractions, which may cause traffic accidents;
5. To preserve the value of private property by assuring the compatibility of street graphics with nearby land uses;
6. Ensuring signs are appropriate to the type of activity to which they pertain; and
7. Guide development to reinforce distinct districts.

16.02 DEFINITIONS

In addition to those definitions found in Appendix A of this Code, for the purpose of this Chapter, the following definitions shall apply unless the context clearly indicates or requires a different meaning.

Abandoned sign: A sign structure that has ceased to be used and the owner no longer intends to use for the display of sign copy, or as otherwise defined by state law.

Animated sign: A sign employing actual motion or the illusion of motion.

Architectural projection: Any projection that is not intended for occupancy and that extends beyond the face of an exterior wall of a building, but that does not include signs as defined herein. (e.g. awning, canopy, cornice).

Awning: An architectural projection made of cloth, metal or other material attached to a building when the same is so erected as to permit its being raised or retracted to a position against the building when not in use.

Awning sign: A sign displayed on or attached flat against the surface or surfaces of an awning.

Backlit awning: An awning with a translucent covering material and source of illumination contained within its framework.

Backlit sign: A sign with opaque painted, raised letters lit by an electric lamp or lamps from behind the sign to create a silhouette effect.

Banner: A temporary sign of lightweight fabric or non-rigid material with or without enclosing framework, a flexible substrate on which copy or graphics may be displayed that is mounted to a pole or a building at one or more edges.

Billboard sign: Any general outdoor advertising sign, which is designed to advertise or direct attention to a business or activity conducted or a product, commodity, service, real property, entertainment, or facilities offered or sold elsewhere to where it is affixed, or which directs persons to a location different from where the sign is installed.

Blight: A severely spoiled or ruined state, especially of an urban area

Building: A structure having a roof supported by columns or walls for the shelter, support or enclosure of persons, animals or chattels; and when separated by division walls from the ground up and without opening, each portion of such building shall be deemed as a separate building.

Building front: That portion of a building where the primary entrance is located. Where more than one primary entrance is provided, the building front shall be that portion of the building facing toward the street to which the legal address has been assigned. Corner lots shall have only one building front. For the purpose of this definition, the terms “building front” and “building

façade” shall be deemed synonymous.

Building elevation: The entire side of a building, from the ground level to the roofline, as viewed perpendicular to the walls on that side of the building.

Building marker: A sign indicating the name of the building and date of erection, or historic data or information, when cut or etched into any masonry surface or when constructed of bronze or other materials approved by Chapter 24, Building Code, of the Marengo Municipal Code, and mounted on the building.

Canopy (attached): A multisided overhead structure or architectural projection supported by attachments to a building on one or more sides and either cantilevered from such building or also supported by columns at additional points. The surface(s) and/or soffit of an attached canopy may be illuminated by means of an internal or external source of light. See also “marquee.”

Canopy (freestanding): A multisided overhead structure supported by columns, but not enclosed by walls. The surface(s) and/or soffits of an attached canopy may be illuminated by means of an internal or external source of light.

Canopy sign: A sign affixed to the visible surface(s) of an attached or free-standing canopy.

Changeable sign: A sign with the capability of content change by means of manual or remote input, including signs which are:

1. Electrically activated: Changeable sign whose message copy or content can be changed by means of remote electrically energized on-off switching combinations of alphabetic or pictographic components arranged on a display surface. Illumination may be integral to the components, such as characterized by lamps or other light-emitting devices; or it may be from an external light source designed to reflect off the changeable component display. See also “electronic message sign or center.”
2. Manually activated: Changeable sign whose message copy or content can be changed manually.

Chapter: Chapter 16, Sign Code, of the Marengo Municipal Code.

Code Official: Enforcement officer named as Building Commissioner, Building Inspector and/or Zoning Administrator.

Column: An upright support shaped like a long cylinder.

Construction sign: A temporary sign identifying an architect, engineer, contractor, subcontractor, and/or supplier participating in construction on the property on which the sign is located.

Copy: Those letters, numerals, figures, symbols, logos and graphic elements comprising the content or message of a sign, excluding numerals identifying the street address only

Directional sign: Any sign that is designed and erected for the purpose of providing direction, instructions, and/or facility orientation for pedestrian and vehicular traffic.

Double-faced sign: A sign with two faces, back to back.

Electrical sign: A sign or sign structure in which directional electrical wiring, connections, or fixtures are used.

Electronic message sign or center: An electrically activated changeable sign whose message changes automatically on a lamp bank or through mechanical means or whose variable message capability can be electronically programmed. This shall not include areas of signs which indicate time and temperature.

Exterior sign: Any sign placed outside a building.

Externally illuminated sign: A sign illuminated by a source of light which is cast upon the surface of the sign to illuminate by reflection of that light.

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

Facade: The front or main face of a building; the side of a building, the exterior wall of a building exposed to public view.

Flag: A piece of fabric, or bunting containing distinctive colors, patterns or symbols, used as a symbol of a government, religious or political subdivision.

Flashing sign: A sign in which the illumination intermittently flashes off and on in whole or in part used primarily to attract attention.

Foot candle: A unit of measure for luminance. A unit of luminance on a surface that is everywhere one foot from a uniform point source of light of one candle and equal to one lumen per square foot.

Freestanding sign: A sign principally supported by a structure affixed to the ground, and not supported by a building, including signs supported by one or more columns, poles or braces placed in or upon the ground.

Frontage (building): The length of an exterior building wall or structure of a single premise oriented to the public way or other properties that it faces. (The length of the property line of any one lot along a public right-of-way which it borders.)

Frontage (property): The length of the property line(s) of any single premise along either a public way or other properties on which it borders. (The length of an outside wall that is adjacent to a street.)

Frontage (tenant): In a multiple unit building, that portion of the building frontage that is the length of a unit for occupancy by an individual tenant or owner. The tenant frontage is measured from the center line of the tenant separation wall to the center line of the tenant separation wall; in the event the wall is an outside wall, it is measured from the outside of the outside wall to the center of the tenant separation partition.

Government sign: A temporary or permanent sign erected and maintained by the City, county, state, federal government or political subdivision for traffic direction or other municipal signs; legal notices; railroad crossing signs; danger or other temporary emergency or non-advertising signs; or for designation to any school, hospital, historic site, public service, property or facility.

Ground sign: A sign supported by two or more uprights or braces in or upon the ground surface.

Height (of a sign): The vertical distance measured from the highest point of the sign, including decorative embellishments to the natural surface grade beneath the sign, excluding berms, planter boxes, etc.

Historic sign: Any sign that is historic in nature or historically established for use in relationship to a structure that is exactly or reasonably preserved or restored to the condition of its original historic period.

Illegal sign: A sign that does not meet the requirements of this Chapter.

Illuminated sign: A sign characterized by the use of artificial light, either projecting through its surface(s) or reflecting off its surface(s).

1. Exposed bulbs and neon: A sign that is lighted by a direct external artificial light source that is integral to the sign, such as neon tubes or light bulbs mounted on the face of the sign.
2. External: A sign which is lighted by an artificial light source which is not incorporated within the sign, such as flood lights or spot lights.
3. Internal: A sign with an artificial light source incorporated within the sign for the purpose of lighting the sign.

Incombustible material: Any material which will not ignite at or below a temperature of 1200 degrees Fahrenheit and will not continue to burn or glow at that temperature.

Institutional sign: A sign which identifies a public or private organizational, educational or public health or safety institution.

Interior sign: Any sign placed within a building, and is readily visible from the exterior.

Lot: The word lot when used alone shall mean a zoning lot.

Maintain or repair: The replacement of existing work with equivalent materials for the purpose of its maintenance, including but not limited to cleaning, painting, repair or replacement of defective parts of a sign; but not including any addition, change or modification in construction from the original permit approval.

Mansard sign: A wall sign erected on a sloped roof or roof-like façade architecturally comparable to a building wall.

Marquee: Any hood of permanent construction projecting from the wall of a building but not supported by the ground or sidewalk serving the purpose of providing shelter and protection from the weather.

Marquee sign: A sign attached to, hung from or supported by a marquee.

MHPC: Marengo Historic Preservation Committee.

Monument sign: A ground mounted sign, completely or principally self supported by a monument base that is wide, low to the ground and incorporates architectural detailing/merit to the overall.

Moving sign: Any sign which rotates or moves or gives the visual impression of rotation or movement.

Multiple faced sign: A sign containing three or more faces.

Multiple-tenant building: A building developed under one ownership, containing two or more individual businesses.

Nameplates: A non-electric on-premises identification sign giving only the name, address, and/or occupation of an occupant or group of occupants.

Neon sign: A sign made of glass tubing, which is electrified to cause fluorescent agents to glow in various colors.

Non-illuminated sign: A sign having no illumination.

Occupancy: The portion of a building or premises owned, leased, rented or otherwise occupied for a given use.

Off-premises sign: A sign which directs attention to a use, business, commodity, service or

activity not conducted, sold or offered upon the premises where the sign is located.

On premise sign: A sign erected, maintained or used in the outdoor environment for the purpose of the display of messages appurtenant to the use of, products sold on, or the sale or lease of, the property on which it is displayed.

Owner: A person recorded as such on official records.

Painted wall sign: A sign which is directly applied with paint or similar substance on any portion of an exterior building wall, fascia, parapet, chimney, on a fence or fence type wall, retaining wall, bench, fence post, refuse enclosure, utility box, storage shed, bus shelter, satellite dish, antenna or other accessory structure, except wall signs regulated herein.

Parapet: The extension of a false front or wall above a roof line.

Pennant: A temporary sign of lightweight plastic, fabric or other material, whether or not containing a message of any kind, suspended from a rope, wire or string.

Permanent sign: A sign or sign structure which is directly affixed to the ground surface or any part of a building or structure.

Pole sign: A sign supported by one upright or brace in or upon the ground surface.

Political sign: A temporary sign intended to advance a political statement, cause or candidate for office and also known as a campaign or election sign. A legally permitted outdoor advertising sign shall not be considered to be a political sign.

Portable sign: Any sign not permanently attached to the ground or to a building or building surface. Usually of a temporary nature, designed to be moved easily and not permanently affixed, including but not limited to: signs to be transported by means of wheels; menu and sandwich boards signs, umbrellas used for advertising; and signs attached to or painted on vehicles or trailers located for the primary purpose of displaying said signs, unless the vehicles are used in the normal day-to-day operations of the business.

Post sign: A sign supported by one upright or brace in or upon the ground surface.

Projecting sign: A sign supported by a building or other structure which projects over any street, sidewalk, alley or public way or public easement, structure or supporting wall. A sign that is affixed perpendicular to a building in such a manner that its leading edge extends more than twelve inches beyond the line of such building or beyond the lot line.

Public right-of-way: Land either owned by or prescribed to the municipality that is used for public purposes, such as streets, sidewalks, utilities or green space. A right-of-way includes all land and improvements located within the property lines of said right-of-way.

Public sign: Any informational sign which is owned or maintained by a local, regional, state or federal government.

Pylon sign: A tall vertical structure on or forming part of a sign. Pylons are not poles, posts or cylindrical in shape.

Real estate sign: A temporary sign erected for purpose of advertising the sale, rental or lease of the premise or property upon which it is located.

Revolving sign: A sign that revolves 360 degrees about an axis.

Roof line: The top edge of a roof or building parapet, whichever is higher, excluding any cupolas, pylons, chimneys or minor projections.

Roof sign: A sign erected, constructed or maintained in whole or in part upon or over the roof of a building or structure.

Setback: The distance from the property line to the nearest part of the applicable building, structure or sign, measured perpendicularly to the property line.

Sign: Any device visible from a public place that displays either commercial or non-commercial messages by means of graphic presentations of alphabetic or pictorial symbols or representations.

Sign area: The area of the smallest geometric figure, or the sum of the combination of regular geometric figures, which comprise the sign face.

Sign copy: Those letters, numerals, figures, symbols, logos and graphic elements comprising the content or message of a sign, exclusive of numerals identifying a street address only.

Sign face: The surface upon, against or through which the sign copy is displayed or illustrated, not including structural supports, architectural features of a building or sign structure, nonstructural or decorative trim, or any areas that are separated from the background surface upon which the sign copy is displayed by a distinct delineation, such as a reveal or border.

Sign structure: Any structure supporting a sign.

Subdivision sign: A sign identifying a recognized subdivision, complex or residential development.

Temporary sign: A sign intended to display either commercial or non-commercial messages of a transitory or temporary nature. Portable signs or any sign not permanently embedded in the ground, or not permanently affixed to a building or sign structure that is embedded into the ground, are considered temporary signs.

Vehicle sign: Any advertising or business sign attached to a motor vehicle which is parked or

placed in position for the purpose of displaying the same to the public.

Wall sign: A sign mounted, attached to or painted on the exterior wall of a building or structure in a plane parallel to that of the supporting wall.

Window sign: A sign visible from the exterior of a building or structure which is painted on a window; depicted upon a card, paper or other material; or placed on, taped on or hung immediately behind the window; or displayed from a window for the specific purpose of attracting attention of the passerby to a sale or to promotional items or other products or services.

16.03 GENERAL PROVISIONS

A. **PERMIT REQUIRED:** It shall be unlawful for any person to erect, alter, construct, enlarge or relocate within the City any sign or other advertising structure, as defined in this Chapter, without first obtaining a permit from the Building Department and paying the permit fee pursuant to Exhibit A of Chapter 24 of the Marengo Municipal Code.

B. **PERMIT APPLICATION:** Applications for the erection, alteration or relocation of a sign shall be made to the Building Department upon a form provided by the Building Department and shall include the following information:

1. Name, address and telephone number of the applicant;
2. Type of sign or sign structure as defined in this Chapter;
3. A site elevation plan showing the proposed location of the sign along with the locations and square footage area of all existing signs on the lot or building(s);
4. Location of building, structure or lot to which or upon which the sign or other advertising structure is to be attached or erected;
5. Position of the sign or advertising structure in relation to nearby buildings, structures or other signs;
6. Two-color elevation drawings, shown to scale, of the plans and/or specifications, materials, design, dimensions, structural support, methods of construction and attachment to the building, other structures or in the ground;
7. If required by the Building Department, a copy of stress sheets and calculations showing the structure is designed for the dead load and wind pressure in any direction in the amount required by this and all other applicable provisions of this Chapter, City codes and ordinances;

8. Name of person erecting the sign or other advertising structure, as defined herein;
9. Name and address and written consent of the owners of the building, structure or land to which or on which the sign or other advertising structure is to be erected;
10. Electrical specifications pertaining to the sign and wiring diagrams from the building, structure of which will illuminate or power the sign; and
11. Any other provisions the Building Department shall require showing full compliance with this Chapter and all other applicable codes and ordinances in effect.

C. LANDSCAPING: All signs affixed to the ground shall be landscaped in accordance with this Chapter and Section 21.13 of the Marengo Municipal Code.

D. MAINTENANCE: All signs and advertising devices shall be reasonably maintained in a clean, presentable and safe condition. All signs shall be inspected annually to enforce the provisions of this Chapter.

E. WINDOWS: Signs displayed in windows, whether temporary or permanent, shall cover no more than 30 percent of the square footage of the window pane surface.

F. WINDOWS: In no case shall windows be covered with plastic sheeting, paper or any other material that would obstruct the view through the window and cause blight to the building. In the case of construction and remodeling, the applicant may request written approval by the Code Official prior to installing such window coverings. Pull down window shading and tinting are not subject to this Section 16.03-F.

G. CLEARANCE: Signs and their supporting structures shall maintain clearance and non-interference with all surface and underground facilities and conduits for water, sewer, gas, electricity or communication equipment of lines. Furthermore, sign placement shall not interfere with natural or artificial drainage of surface or underground water.

H. EASEMENTS: New signs shall not be placed on or over any easement unless the easement is designated for the placement of signs.

I. SIGN CONTENT: The advertisement contained on any sign, except for temporary signs of a civic, political or religious nature, shall pertain only to the business, industry or pursuit conducted on or within the premises on which said sign is located.

J. GLASS: Any glass forming a part of any sign shall be safety glass. In the case the glass area exceeds three square feet, wire glass shall be used.

L. ILLUMINATION: Illumination of any sign shall not exceed 75 foot candles and shall comply with the City's electrical code.

M. NEON SIGNS: Interior neon signs shall be restricted to one per window pane. Not more than 30 percent of window shall be covered. The outer dimensions of the sign will be used to calculate the area of the neon sign.

N. SUPPORTS: New sign supports, such as posts, poles, pylons, uprights, braces, standard, etc., designed to raise the surface of the sign face above the ground, shall not be visible. They shall be enclosed in a material(s) which incorporates an architectural feature of the building and is similar in color to the building.

O. OBSTRUCTIONS: No sign or other street graphics shall be erected or maintained in such a manner that it interferes with, obstructs the view of or is likely to be confused with any authorized traffic sign, signal or device. Accordingly, no street graphic shall contain the words "stop," "go," "caution," "danger," "warning" or other similar words.

P. LUMBER: Pressure treated lumber shall not be utilized as a finish product for any type of permitted sign.

16.04 REMOVAL OF CERTAIN SIGNS

A. Any sign which is located on any property or a building or portion thereof within the City which becomes vacant and unoccupied shall be removed within 30 days by the owner, agent or persons having the beneficial use of the property, building or structure upon which such sign may be found.

B. Any sign and its associated structure not used for a period of three months, or if the business so advertised is closed or otherwise abandoned for a period of three months, shall be removed and may not be erected or re-established unless in compliance with the requirements of this Chapter.

C. Permanent signs applicable to a business temporarily suspended because of a change in ownership or management may be granted a 30-day extension by the Code Official after a written application has been submitted and reviewed.

D. If the Code Official finds that any sign or other advertising structure is abandoned, unsafe or insecure, or is a menace to the public, or has been erected, or is being maintained in violation of this Chapter, he/she shall send written notice via certified mail to the permittee or owner thereof seeking compliance with the applicable provisions of this Chapter. If the permittee or owner fails to repair, maintain, alter or remove the sign structure, so as to comply with the requirements herein set forth, within a specified one-day or no more than 20 days after receipt of such notice, such sign or advertising structure may be removed by the Code Official at the expense of the permittee or owner of the property upon which it is located. The Code Official may cause any sign or other advertising structure which is an immediate peril to persons or

property, to be removed summarily and without notice. The cost of such removal shall be the responsibility of the owner of such sign. Payment shall be due within 30 days or a lien shall be made against the property.

16.05 NON-CONFORMING SIGNS

A. Signs existing on the effective date of this Chapter (August 25, 2006) and not conforming to its provisions but which were constructed in compliance with previous City ordinances shall be regarded as non-conforming signs. A non-conforming sign shall not be:

1. Changed to another non-conforming sign;
2. Structurally altered as to prolong the life of the sign;
3. Expanded;
4. Re-established after its discontinuance for a period of 30 days;
5. Removed and replaced, or moved in whole or in part to another location, unless the sign and the use thereof, are in conformance with this Chapter;
6. Re-faced or had the copy changed;
7. Re-established after damage or destruction by means, including an act of God, exceeding 50 percent of the estimated value of the sign. For the purpose of establishing a value, all signs will be deemed to have a cost value of \$1,000.00 unless a bill of sale, tax return or a written appraisal by a sign manufacture can prove the value; nor
8. A continued use with a change of business ownership or business lessee for more than 30 days.

B. No such repair, replacement or alteration shall be made to a non-conforming sign unless such repair, replacement or alteration will create a sign that conforms to the provisions of this Chapter. Minor maintenance such as bulb replacement and painting is allowed.

16.06 PROHIBITED SIGNS

The following signs are strictly prohibited everywhere within the City unless the sign was previously permitted by the issuance of a City permit. If the sign was permitted under a previous permit and not currently in compliance with this Chapter, it must comply with the provisions set forth in Section 16.05 Non-Conforming Signs, and, if applicable, the provisions of Section 16.11, Overlay District.

1. Mobile, movable and portable signs not affixed to the ground (e.g. flashing arrow signs);

2. Pennants, flags (other than those described in Section 16.07), streamers, ribbons, strings of lights (except as defined herein), spinners and other similar signs used as attention getters;
3. Signs attached to trees, fences or public utility poles, other than warning signs used by public utilities and entities;
4. Signs placed in any public right-of-way, other than warning signs used by public utilities and entities;
5. Defunct signs, including the support structure(s) that advertise or identify an activity, business, product or service no longer conducted on the premise where such sign is located;
6. Roof-mounted signs;
7. Billboards;
8. Pole signs;
9. Off-premise business signs with the exception of recreational sporting areas;
10. Off-premise real estate signs;
11. Projecting signs (except as permitted herein);
12. Abandoned signs;
13. Animated signs;
14. Signs placed or affixed to vehicles and/or trailers which are parked and visible from the public right-of-way where the apparent purpose is to advertise a product or direct people to a business activity located on the same nearby property. However, this is not in any way intended to prohibit signs placed on, or affixed to, vehicles and trailers, such as permanent lettering on motor vehicles where the sign is incidental to the primary use of the vehicle or trailer;
15. Signs which contain characters, cartoons, statements, works or pictures of an obscene, indecent, prurient or immoral character;
16. Illuminated signs in residential zoning districts (excluding the R-3 Single Family Zoning District);
17. Moving or rotating signs;

18. Folding and collapsible sign (sandwich boards); and
19. Portable signs.

16.07 **PERMITTED SIGNS ALLOWED WITHOUT A PERMIT**

The following signs may be erected within the City without obtaining a building permit, provided they comply with the provisions set forth herein. The area of said signs shall not be debited against the displaying establishments sign area allowance.

1. Construction signs identifying the architect, engineers, developers, realtor, contractors and other individuals or firms involved with the construction, and/or announcing the character or purpose of the building, but not advertising any product or continued leasing. Such signs shall not exceed 32 square feet in area, shall be confined to the site of the construction and shall be removed once the first occupancy certificate is issued.
2. Directional and informational signs erected for the convenience of the public and signs identifying entrances, exits, parking areas, no-parking areas, restrooms, public telephones, walkways and similar features or facilities. Such signs are limited to two and shall not exceed three square feet in area.
3. Special event signs when approved by the City Council. Special event signs shall be subject to the provisions for temporary signs.
4. Garage sale signs advertising a garage or yard sale on private residential property. Such signs shall not exceed four square feet in area, shall be confined to the premises on which the sale is conducted and shall not be posted more than three days.
5. Governmental public signs, such as traffic control signs, railroad crossing signs, legal notices, public safety signs and signs indicating the location of underground cables, etc.
6. Holiday decorations such as Christmas lights and ornaments, or special events such as birthdays, provided such decorations are removed within a reasonable time after the special event or holiday.
7. House numbers and/or name or occupant signs located on the lot to which the sign pertains. Such signs shall not exceed three square feet in area for a single family dwelling nor six square feet for multiple family dwellings.
8. Institutional signs for public, charitable or religious institutions. Such signs shall be located on the premises of the institution, shall not obstruct the vision of motorists and shall not exceed 24 square feet in area.
9. Integral signs carved into stone or inlaid so as to become part of the building and

memorial tributes.

10. Signs communicating the history of the property such as historic markers or plaques affixed to buildings. Such signs shall not exceed five square feet.
11. Interior signs located in the interior of any building or within an enclosed lobby or court of any building or group of buildings, provided such signs are not visible from the exterior of the building.
12. Property regulation signs such as no trespassing, no hunting and no fishing. Such signs shall not exceed three square feet.
13. Public interest signs publicizing a charitable or non-profit event of general public interest. Such signs shall only be erected upon private property. In any residential zoning district, such signs shall not exceed 16 square feet in area; elsewhere, such signs shall not exceed 32 square feet in area. Public interest signs shall be permitted only for 14 days before and seven days after such event.
14. Real estate signs indicating the sale, rental or lease of the premises on which they are located. Such signs on residential property shall not exceed four square feet in area. On other property, such signs shall not exceed 16 square feet in area. Not more than one real estate sign per street front shall be erected on any one zoning lot. Such signs shall be removed within 24 hours after the sale, rental or lease.
15. Flags, consisting of not more than one each of the United States flag, state flag, municipal flag and/or corporate flag, provided that the flagpole for any such flag shall not exceed 30 feet in height, including the height of any such structure which it is mounted. The length of any such flag shall not exceed one-third of the height of the flag pole (including the height of any structure which it is mounted) to which it is attached.
16. Door labeling with applicable logos.

16.08 **CALCULATION OF SIGN AREA**

A. **CALCULATION OF SIGN AREA:** The calculation of sign area for every sign shall be calculated as follows:

1. If a sign is enclosed by a box or outline, the total area, including the background and including that outline, shall be deemed the sign area;
2. If a sign consists of individual letters, parts or symbols, the area of the one imaginary square or rectangle that would completely enclose all letters, parts or symbols shall be deemed the sign area; and
3. In calculating the sign area, only one side of any double-faced sign shall be

counted.

B. **SIGN AREA ALLOWANCE:** Within the limitations and restrictions of this Chapter and all other applicable City codes, the total area of all signs which a particular establishment is permitted to display shall be computed according to the following provisions:

1. One and one-half (1.5) square feet of sign per one foot of lineal street frontage for the first 100 feet of such frontage, plus one square foot of sign area per one foot of frontage in excess of 100 feet of frontage.
2. No establishment shall display more than 300 square feet of signs.
3. If an establishment has frontage on two or more streets, each side having frontage shall be considered separately for the purpose of determining compliance with the provisions of this Chapter. However, the sign area allowances shall not be aggregated so as to allow any such establishment to display on any one frontage a greater area of signs than this Chapter would otherwise permit. No establishment shall have more than 300 square feet of signs.
4. The side of an establishment adjacent to an off-street parking area shall not be deemed frontage unless the establishment has no other frontage.
5. For strip centers that have no "street frontage," the calculation of sign area shall be 1.5 square feet of sign area per one foot of width the occupancy (unit) has. Corner occupancies (units) are allowed one sign per side not to exceed the 1.5 square feet of signage per one square foot of width the occupancy contains.
6. Shopping center identification signs shall be calculated as follows; One and one-half (1.5) square feet of sign per one foot of lineal street frontage for the first 100 feet of such frontage, plus one square foot of sign area per one foot of frontage in excess of 100 feet of frontage and shall not be allowed signage in excess of 300 square feet.

16.09 **TEMPORARY SIGNS (NOT INCLUDING MOBILE SIGNS)**

The following temporary signs are permitted subject to the provisions set forth herein:

1. **BANNERS:** Banners or inflatable signs and advertising devices are permitted in the business, ORI Office, Research & Light Industrial and M Manufacturing districts for not more than 20 days in length consecutively and not more than five times a year. Banners or inflatable signs and advertising devices are subject to the following provisions:
 - a. Banners shall not be greater than 50 square feet in area for a single or double sided

banner.

- b. The maximum quantity of banners allowed per establishment shall be two with a maximum 100 square foot of sign area combined.
 - c. The owner of such establishment shall obtain written approval from the Building Department prior to installing any banner(s) or inflatable sign(s) and advertising device(s). All banners installed shall have the date of installation marked in one bottom corner for the enforcement officer to view. The marking shall be minimum one-inch numerals.
 - d. Banners or inflatable signs and advertising devices shall be located on the structure of such establishment doing such advertisement and or located within the property of such establishment. No such signs advertising shall be allowed to be installed on or in any state, federal or public right-of-way or on or in any easement public or private unless such easement is for the installation of signs.
 - e. Charities, new business, grand opening and special events may be allowed to portray attention getting signage, pennants and streamers for a period not no exceed 30 days before and after the business grand opening, charity event or special event. All installations are subject to approval by the Code Official. To exceed 30 days, such organizations shall present their case to the Zoning Administer for approval.
2. **POLITICAL SIGNS:** Political signs are permitted provided they are displayed no more than 90 days prior to the election relating to the sign, or the first day of filing for the office, whichever is later, and must be removed within five days after the election. Such signs shall be limited to four square feet in any residential zoning district and not more than 32 square feet in all other zoning districts. No fee shall be required for the posting of temporary political signs. All political signs shall remain on private property.
3. **SUBDIVISION/RESIDENTIAL/COMMERCIAL OR INDUSTRIAL DEVELOPMENT SITE(S):** One temporary non-illuminated subdivision sign, not exceeding 32 square feet, located not less than 15 feet from any side lot line, is permitted for a period of one year. The applicable permit fee plus an approved permit from the Building Department is required. The permit may be allowed to be renewed at no cost providing construction is diligently pursued.
4. **SPECIAL EVENT SIGNS:** All special event signs are subject to City Council approval.

16.10 **PERMITTED SIGNS**

The provisions of this Section 16.10 allow signs on private property after obtaining sign permits, provided however said signs shall be subject to the provisions of this Section 16.10. The signs in this Section 16.10 are prohibited in any residential zoning district or on any property used

extensively for residential purposes.

1. EXTERIOR ILLUMINATED SIGNS: All exterior illuminated signs shall be subject to the following provisions:
 - a. Only white light shall be permitted.
 - b. Beacon lights, strobe lights colored lights and illumination by flame are prohibited.
 - c. The light which casts upon any illuminated sign shall be shaded, shielded or directed so as to avoid the creation or continuation of any nuisance or traffic hazard and avoid excessive glare or illumination to adjacent property.
 - d. No matter its height or width, in no case shall the lighting intensity of any sign exceed the limit of 75 foot candles measured with a standard light meter perpendicular to the face of the sign at a distance equal to the narrowest dimension of the sign.
 - e. No sign shall be either directly or indirectly illuminated in such a manner to adversely affect the use and enjoyment of nearby buildings.
2. WALL SIGNS: In addition to the sign area allowance, wall signs shall be subject to the following provisions:
 - a. No wall sign shall cover wholly or partially any wall opening or architectural feature, nor shall any wall sign project beyond the ends of the wall or beyond the top of the building to which it is affixed.
 - b. Wall signs must be affixed flat against the building wall. Any projection will be limited to the necessary mounting frame and shall not extend more than four inches.
 - c. No wall sign shall be affixed to a wall at a height of less than four feet above the sidewalk or ground. If there is an adjacent sidewalk, wall signs mounted less than eight feet above the ground shall not be permitted unless flush against the wall.
 - d. A wall sign shall be safely and securely affixed to the building wall to the satisfaction of the Building Department.
 - e. Wall signs may be located either on the front of the building abutting a street or on either side wall perpendicular to the street frontage. Buildings that have more than one entrance from public ways are allowed to have a wall sign affixed to the wall sharing the entrance.
 - f. In no case shall a wall sign be allowed to be affixed to a portion of a wall without

street frontage that extends higher than its neighboring building.

- g. No more than one wall sign shall be allowed per business or use per building side.
 - h. Multiple unit buildings are allowed a wall sign indicating tenants and individual units. The maximum square footage of the outline of signage containing the individual tenants shall not exceed 25 square feet.
3. Freestanding Signs: In addition to the sign area allowance, freestanding signs are subject to the following provisions:
- a. Not more than one freestanding sign shall be displayed on any street front of any lot.
 - b. Freestanding signs shall not exceed seven feet in height the any business, ORI Office, Research & Light Industrial or M Manufacturing zoning districts. Height is measured from the adjacent “normal” grade to the top of the sign.
 - c. No freestanding sign shall be erected closer than 25 feet to any side, corner side or rear lot line.
 - d. Freestanding signs shall not portray signs in excess of 85 square feet. In determining sign area, the base of such free standing sign does not count as square footage, providing there are no signs attached to it.
 - e. No part of a freestanding sign shall intrude or project over any public right-of-way. All structural supports shall be situated at least 10 feet from any public right-of-way.
 - f. All freestanding signs shall be securely constructed and erected. At the discretion of the Building Department, construction plans may be required to be certified by a registered architect or engineer. Such plans will ensure compliance with applicable wind, seismic and snow loads.
 - g. Unless the sign is mounted on a concrete base at least three feet in height, any freestanding sign within three feet of a driveway, parking area or maneuvering area shall be completely surrounded by curbing that is not less than three feet from the outermost perimeter of the sign.
 - h. All freestanding signs shall be located a minimum of 80 feet apart.
4. **MONUMENT (GROUND) SIGNS:** In addition to the sign area allowance, monument signs are subject to the following provisions:
- a. No part of any monument sign shall intrude into any public-right-of way.

- b. No monument sign shall be closer than 25 feet to any side, corner side or rear lot line.
 - c. No monument sign shall exceed 85 square feet and, if applicable, is subject to the dimensions listed in Section 16.11. If a base is constructed to raise the monument sign, the maximum surface area of the sign and base shall not exceed 100 square feet in area, based on constraints listed in Section 16.08.
 - d. No monument sign shall exceed seven feet. Height is measured from the adjacent "normal" grade to the top of the sign.
 - e. All monument signs shall be located a minimum of 60 feet apart.
5. **AWNINGS AND AWNING SIGNS:** Awning signs are subject to the following provisions:
- a. The total area of an awning sign shall not exceed 50 percent of the total area of the awning.
 - b. Awnings and awning signs shall be constructed so that the lowest portion thereof is not less than eight feet above the sidewalk of parkway.
 - c. Every awning shall be securely attached to and supported by the building. Posts or columns beyond the building line shall not be permitted.
 - d. No awning shall be permitted to extend beyond a point two feet inside the curb line.
 - e. Lettering incorporated as signage on an awning shall not exceed 24 inches in height.
 - f. Awning signs shall only portray the copy of the business name of the establishment doing business on such property.
 - g. Awnings shall be limited to the street level story of every multiple story building.
 - h. Every awning and awning sign shall be maintained in a neat and attractive condition by its owner. The awning materials and hardware shall be kept painted and/or treated to prevent rust and/or deterioration.
6. **CANOPIES AND CANOPY SIGNS:** In addition to the sign area allowance, canopies and signs attached to canopies are subject to the following provisions:
- a. There shall be a limit of one canopy sign per canopy face and one canopy per street

frontage erected for the purpose of identifying the establishment and provided that no wall signs are directed to the same street frontage.

- b. Canopy signs may only be mounted to the face (vertical edges only) of the canopy proper.
 - c. The sign area for a canopy sign shall not extend beyond the canopy face on which the sign is located. No sign or portion of a sign shall exceed the borderline of any outer edge of said canopy. No sign shall be placed on the roof of said canopy.
 - d. The outline shape and silhouette of a copy sign shall be simple and compatible with the building it is mounted on.
 - e. Canopy signs shall be harmonious in scale and proportion with the building they are mounted to and with the architectural elements of the building.
 - f. A canopy shall not extend beyond a point two feet inside the curb line.
 - g. All canopy supports shall be designed so as not to obstruct the continuous flow of pedestrian traffic along any sidewalk and in conformance with any other reasonable requirements established by the Code Official.
 - h. No advertising shall be placed on any canopy except for the name of the owner and business, industry or pursuit conducted within the premises.
 - i. Canopy signs shall not be illuminated.
7. MARQUEES: Marquee signs are subject to the following provisions:
- a. The roof of all marquees shall be guttered and connected by downspouts to a drain so water will not drip or flow directly onto public property.
 - b. The roofs of all marquees shall be used for no other purpose than to form and constitute a roof.
 - c. No portion of a marquee shall be less than eight feet above the level of the sidewalk or other public thoroughfare. However, if the marquee extends beyond two-thirds of the distance between the building and the curb, it must be 12 feet above the sidewalk.
 - d. No marquee shall be permitted to extend beyond a point two feet inside the curb line.
 - e. Marquees shall be supported solely by the building to which they are attached and no columns or posts shall be permitted as supports.

- f. The roof of any marquee shall be designed and constructed to support a live load of not less than 60 pounds per square foot.
 - g. Marquees shall be designed to withstand wind pressure of not less than 80 miles per hour.
 - h. There shall be a limit of one marquee sign (per marquee face) per building, erected for the purpose of identifying the establishment and provided that no wall signs are directed to the same street frontage.
 - i. Marquee signs shall be mounted on the face (vertical edges only) of the marquee proper. Signs shall not be erected above the roof line of the marquee.
 - j. The sign area for marquee signs shall not extend beyond the marquee face on which the sign is located. No sign or portion of a sign shall exceed the borderline of any outer edge of said sign. No sign shall be placed on or over the roof of said marquee.
 - k. The surface area of a marquee shall not exceed 40 percent of the sign area of a marquee attached to the building front.
 - l. The outlined shape and silhouette of a marquee sign shall be simple and compatible with the building it is mounted on. Shapes that disrupt the architectural order and composition of a building façade are not acceptable.
 - m. Marquee signs shall be harmonious in scale and proportion with the building they are mounted to and with the architectural elements of the building. A marquee sign shall not visually overpower those elements nor detract from the composition of a building's façade.
 - n. Marquee signs shall be constructed of non-combustible materials.
 - o. Marquees outside the designated area of Overlay District may only be internally illuminated or back-lit.
8. MURALS: Murals are subject to the following provisions:
- a. All murals to be painted on any building within the City are required to appear before the Planning and Zoning Commission for a recommendation to the City Council and final approval from the City Council.
 - b. Information should be submitted to the Zoning Administrator, to be placed on Planning and Zoning Commission and City Council agendas. The following information shall be submitted for review:

- I. An 8-inch by 10-inch color photo of building face the mural is to be painted upon; and
- II. An 8-inch by 10-inch color sketch or painting of the actual mural to be painted on the building face.

16.11 OVERLAY DISTRICT SIGNAGE

In addition to the applicable provisions set forth in this Chapter, all exterior fixed signs proposed within the following locations shall be subject to the following provisions. Prior to granting a permit for the erection of a sign to be located anywhere within the Overlay District and/or a Historic District, as defined pursuant to the Historic Preservation Ordinance (Ordinance 00-11-3 and amended by Ordinance 05-11-2), the applicant shall make application to the Code Official, who will require the MHPC to review the application and submit its recommendations.

- 1. **OVERLAY DISTRICT AREA:** For the purposes of this Section 16.11, the Overlay District incorporates all buildings located within the following locations:
 - a. All buildings within the City that have frontage on the streets that are within two blocks north and south of the centerline of US Route 20 and;
 - b. All buildings within the City that have frontage on the streets that are within two blocks east and west of the centerline of US Route 23.
- 2. All proposed signs within the designated area of the Overlay District and a Historic District shall be subject to the following guidelines and stipulations:
 - a. All signs shall be subject to the provisions of this Chapter.
 - b. Sign materials shall be similar to those used historically. Substitute materials with the same appearance may be approved.
 - c. All signs shall be subordinate to the overall character of the area and they should be subordinate to the individual building or buildings they are related.
 - d. Neon signs may have achieved historic significance on building styles related to the modern era and may be allowed to continue.
 - e. Ground or freestanding signs shall be set back from the property line a minimum of 10 feet.
 - f. Florescent, neon or other bright garish colors shall not be approved. Historic colors and earth tones are recommended.

- g. Monument and freestanding signs shall be low in scale and visually relate to the building. The maximum size shall be 32 square feet. They must also conform to the provisions set for in Section 16.10.
 - h. Lettering style shall be compatible with the time the building was erected or to a period the building currently reflects or compatible with the surrounding area, as determined by the MHPC.
 - i. All three dimensional signs shall be of a style used at the time the building was erected or compatible with the surrounding area, as determined by the MHPC, and should pertain to the type of business conducted within.
 - j. Signs affixed to buildings may only be externally illuminated by fixtures compatible with the period in which the building was erected, or to a period the building currently reflects or compatible with the surrounding area, as determined by the MHPC.
 - k. All signs shall be constructed or painted in a workmanlike manner and all lettering shall be of uniform size and style.
 - l. Signs of a period other than when the building was erected may be approved if they are of a special design merit, reflective of an era, consistent with the building façade having undergone significant remodeling or compatible with the surrounding area, as defined by the MHPC.
 - m. Any original sign that was used at the time the building was constructed or prior to the year 1900, or an authentic facsimile thereof, may be replaced on that building subject to the structural and maintenance guidelines of the City.
 - n. Within the Overlay District area or a Historic District, signs shall identify only the name of the business and the general type of goods, products or service(s) offered. In addition to lettering, graphics may include a trademark, symbol or other representation directly related to the use but not advertising specific brands within the building. A brand name or symbol may be included, however, if the business is a franchise and/or it is the major brand sold or service offered on the premises.
 - o. The Code Official may forward any application to the MHPC for review to confirm compliance with the provisions of this Section 16.11. All external permanent signage may require MHPC approval.
 - p. Canopies attached to building are not permitted.
3. **ILLUMINATION:** Signs shall not be illuminated in any manner between the hours of 9:00 p.m. and 8:00 a.m. unless tied to the business' hours of operation within the B-1 Central Business District and business districts with transitional yards, as provided in the zoning

regulations of this Chapter and Chapter 22, the Marengo Zoning Code.

16.12 STRUCTURAL AND MAINTENANCE REQUIREMENTS

The structural condition and general maintenance obligations of the owners of all signs within the City are subject to the following provisions:

1. **BRACING:** In addition to the main attachment of a sign, any extra bracing, angle iron, guide wires, temporary supports or any other item that assist the sign to be affixed to any structure are prohibited. All signs shall be structurally affixed to buildings using best building construction practices and shall comply with the City's current building code.
2. **MAINTENANCE:**
 - a. Every sign or other street graphic shall be maintained in a neat and attractive condition by its owner. Sign skins shall not be allowed to fade to a point the messages are unreadable. Sign supports shall be kept painted and/or treated to prevent rust or deterioration.
 - b. All electrical components of existing signs shall be kept in compliance with the City's current electrical code.
 - c. The Code Official shall determine the time frame for compliance.

16.13 ADMINISTRATION AND ENFORCEMENT

A. The Code Official is authorized and directed to administer and enforce the provisions of this Chapter. The responsibility encompasses, but is not limited to the following specific duties:

1. Review and pass upon compliance applications for street graphics and signs;
2. Inspect existing and newly constructed signs and street graphics to determine compliance with the provisions of this Chapter. Where violations are evident, to initiate the appropriate corrective action;
3. Review and forward to the MHPC and/or the Planning and Zoning Commission all applications for special signs or street graphic permits, variances, appeals or request recommendations from each respective Commission to approve such application;
4. Maintain up-to-date records of applications and any official actions taken to pursuant thereto;

5. Periodically review the provisions of this Chapter to determine whether revisions are needed, and to make recommendations on these matters to the Planning and Zoning Commission, MHPC and City Council;
6. To provide information to the general public on matters relating to this Chapter; and
7. To perform such other duties as the City Council may from time to time prescribe.

B. PENALTIES: Any person violating any provision of this Chapter shall be fined pursuant to Section 1.07 of the Marengo Municipal Code and shall be responsible for reasonable attorney's fees incurred by the City in the prosecution of such violations. Each day a violation is committed, or permitted to continue, shall constitute a separate offence and shall be punishable as such hereunder.

C. APPEALS:

1. Any person shall have the right to appeal a decision of the Code Official or MHPC to the Planning and Zoning Commission. An application for appeal shall be based on the claim that the true intent of the regulations of this Chapter have been incorrectly interpreted, that the provisions of this Chapter do not fully apply, or that an equivalent form of construction is to be used.
2. The appeals procedures shall be those utilized by the City with respect to appeals of the Building Code Official or pursuant to the Historic Preservation Ordinance, whichever is applicable.