

## CHAPTER 166

### SIGNS

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**166.01 PURPOSE.** The purpose of this chapter is to provide that signs shall be safely constructed and kept in a safe condition, and that signs shall not be located so as to cause a safety hazard.

**166.02 DEFINITIONS.** For use in this chapter, the following terms are defined as follows:

1. “Building sign” means all flat signs of solid face construction which are placed against the building or other structure and attached to the exterior front, rear or side wall of any building or other structure, which includes all signs painted on exterior surface of building.
2. “Changeable copy sign” means a sign with graphical content which can be changed or altered manually.
3. “Channel letter sign” means a sign consisting of internally lit of backlit three-dimensional individual letters or copy.
4. “Electronic sign” means a sign with graphical content which can be changed or altered manually or automatically through electronic controls or software, including dynamic signs that may display video clips, text, or graphics.
5. “Erect” means to build, construct, attach, hang, suspend, or affix, and also includes the painting of wall signs.
6. “Facing” or “surface” means the surface of the sign upon or against or through which the message is displayed or illustrated on the sign.
7. “Freestanding sign” means any sign supported by uprights or braces, placed upon the ground and not attached to any building.
8. “Illuminated sign” means any sign which has characters, letters, figures, designs or outline illuminated by electric lights or luminous tubes as part of the sign proper.
9. “Monument sign” means a freestanding ground sign that does not have any exposed pole or pylon and is attached to a base for at least 66 percent of the entire width of the sign. Monument signs shall be constructed with materials chosen for their durability and strength, in addition to aesthetic value, and shall match the materials of

the principal structure. No gap will be permitted between the sign and the pedestal base that is greater than five percent of the total height of the sign.

10. “Multi-lot sign” means any freestanding monument sign that provides identification or advertisement for more than one lot in a contiguous commercial or industrial development, said sign being under common control.

11. “Multi-tenant sign” means any freestanding monument sign that provides identification or advertisement for more than one premises in a commercial or industrial development under common ownership, management or control.

12. “Panel sign” or “light box sign” means a sign consisting of a frame or box covered by an opaque or translucent material that contains text, graphics or similar copy which may be internally illuminated and includes both rectangular and irregularly shaped frames or boxes.

13. “Pole sign” means any freestanding sign that is supported by one or more posts or pylons or is not considered a monument sign.

14. “Portable sign” means any sign not permanently attached to the ground or other permanent structure or a sign designed to be transported, including but not limited to the following: signs designed to be transported by the means of wheels, trailers or chassis, whether or not the wheels are presently attached; sign constructed as or converted to A- or T-frames; menu and sandwich board signs; balloons or other hot-air or gas filled figures; and signs attached to or painted on vehicles parked and visible from the public right-of-way and not being used in the normal day-to-day operations of the business.

15. “Prohibited material” for signs will include paper and cardboard material.

16. “Projecting sign” means any sign which is attached to a building or other structure and extends more than six inches beyond the line of said building or structure or beyond the surface of that portion of the building or structure to which it is attached.

17. “Roof sign” means any sign erected, constructed and maintained wholly upon or over the roof of any building with the principal support on the roof structure.

18. “Sign” means and includes every sign, billboard, freestanding sign, wall sign, roof sign, illuminated sign, projecting sign and temporary sign, and includes any announcement, declaration, demonstration, display, illustration or insignia used to advertise or promote the interest of any person when the same is placed out of doors in view of the general public.

19. “Street line” means the place where the public sidewalk begins and the private property line ends.

20. “Structural trim” means the molding, battens, cappings, nailing strips, latticing and platforms which are attached to the sign structure.

21. “Substantial improvement” means any reconstruction, rehabilitation, addition, or other improvement of a structure, the cost of which equals or exceeds 50 percent of the market value of the structure before the start of construction of the improvement.

**166.03 PERMIT REQUIRED; EXCEPTIONS.** It is unlawful for any person to erect, alter, or relocate within the City limits, any sign or other advertising structure as defined in this chapter without first obtaining a sign permit from the Building Inspector and making payment of the fee required by Section 166.06 hereof unless said sign is exempted in accordance with Section

166.13 herein. All illuminated signs shall, in addition, be subject to the provisions of the *Electrical Code*, and the permit fees required thereunder. This section does not apply to preexisting signs within the City as defined by Section 166.23 herein. However, it does apply to any sign which is altered or relocated within the City or any sign located on a property that is being substantially improved.

1. No sign shall be allowed unless specifically permitted in this chapter.
2. No temporary signs, except garage sale signs, shall be placed within public rights-of-way or alleys unless specifically approved by the City Manager. All temporary signs illegally placed within public rights-of-way shall be subject to removal by the Code Enforcement Officer, Police Department, or Public Works Department.
3. No permanent signs shall be placed within public rights-of-way or alleys unless they are for civic purposes and have been specifically approved by the Council.

**166.04 PERMIT APPLICATION.** Application for sign permits shall be made upon forms provided by the Building Inspector and shall contain or have attached thereto, the following information:

1. Name, address, and telephone number of the applicant;
2. Location of building, structure, or lot to which or upon which the sign or other advertising structure is to be attached or erected;
3. Position of the sign or other advertising structure in relation to nearby buildings or structures and, in the case of freestanding signs, the setback from public right-of-way;
4. One blueprint or drawing of the plans and specifications and method of construction and attachment to the building or in the ground;
5. Copy of stress sheets and calculations showing the structure is designed for dead load and wind pressures in any direction in the amount required by this chapter and other ordinances of the City as the Building Inspector deems necessary;
6. Name of person, firm, corporation, or association erecting the structure;
7. Method of illuminating the sign and any electrical permit required and issued for said sign.

**166.05 PERMIT ISSUANCE PROCEDURE.** It is the duty of the Building Inspector, upon the filing of an application for a sign permit, to examine the same, and if it appears that all required information has been submitted and that the proposed sign is otherwise in compliance with all the requirements of this chapter, the approved Site Plan when applicable, and all other ordinances of the City, the Building Inspector shall then issue the sign permit. If the work authorized under a sign permit has not been completed within six months after the date of issuance, the said permit shall become null and void.

**166.06 PERMIT FEES.** Every applicant, before being granted a sign permit, shall pay to the Clerk for each sign a permit fee according to a schedule adopted from time to time by resolution of the Council.

**166.07 HOME OCCUPATIONS.** No signs of any kind shall be permitted in connection with home occupations or home offices which are permitted in residential districts under the Zoning Ordinance and other regulations of the City, except as provided in Section 166.13.

**166.08 UNSAFE OR UNLAWFUL SIGNS.** If the Building Inspector finds that any sign regulated hereunder is unsafe or insecure or is a menace to the public, or has been constructed or erected or is being maintained in violation of the provisions of this chapter, such official shall give written notice thereof to the permit holder by certified and regular mail, unless such illegal sign is a temporary sign located within public rights-of-way or alleys, the removal of which requires no prior notification by the Code Enforcement Officer, or designee. Such notice shall include a statement explaining the alleged violations and deficiencies, an order to repair or remove said sign, and an explanation of the consequences of failure to comply with said order. If the permit holder fails to remove or alter said sign so as to comply with the order within ten 10 days after such notice, the offending sign may be removed or altered by the Code Enforcement Officer or designee at the expense of the permit holder or owner of the property on which it is located. The permit holder may appeal the order of the Building Inspector to the City Council, and if such appeal is on file, the 10-day compliance period shall be extended until 10 days following the Council's decision on the matter. If, however, the Building Inspector finds that any sign imposes a serious and immediate threat to the safety or health of any person, such official may order the removal of such sign summarily, and without notice to the permit holder. Such an order may be appealed to the Council, and, if the Council reverses, it shall order restitution at the City's expense.

**166.09 PERMIT REVOKED; EFFECT OF REVOCATION.** Any permit holder who fails to comply with the valid order of the Building Inspector within the allotted time, or who fails to pay reasonable removal or repair expenses assessed under the preceding section, shall have the permit as to such sign or signs revoked, and another permit for the erection of such sign or signs shall not be issued to said permit holder for a period of one year from the date of revocation.

**166.10 PAINTING AND MAINTAINING.** The owner of any sign, as defined and regulated by this chapter, shall be required to have properly painted and maintained all parts and supports of the said sign, including maintenance or treatment as is necessary to prevent rust.

**166.11 WIND PRESSURE AND DEAD LOAD REQUIREMENTS.** All signs and other advertising structures shall be designed and constructed to resist wind pressure, live load, and dead load requirements. For any particular sign in question, the City Inspector may require a structural engineer's certification indicating compliance with acceptable structural standards.

**166.12 REMOVAL OF CERTAIN SIGNS REQUIRED.** Any sign now or hereafter existing, which has not yet been removed, for more than six months after the last day of business, shall be taken down and removed within 10 days after written notification from the Building Inspector, and upon failure to comply with such notice within the time specified in such order, the Building Inspector is hereby authorized to cause removal of such signs, and any expense incident thereto shall be paid by the owner of the building or structure to which said sign is attached. Time extension may be made by the Council upon written request from said owner. Further, if any existing sign is, upon inspection, found to be unsafe, or in a state of disrepair, such as to affect the health, safety or welfare of the citizens, the sign shall be subject to the provisions of Section 166.08 of this chapter.

**166.13 EXEMPTIONS.** The provisions and regulations of this chapter shall not apply to the following signs; provided, however, said signs shall be subject to the provisions of Section 166.08.

1. Bulletin boards not over eight square feet in area for public, charitable or religious institutions when the same are located on the premises of said institution;

2. Traffic or other municipal signs, legal notices, railroad crossing signs, danger, and such temporary, emergency or non-advertising signs which may be approved by the Council;
3. Signs under gasoline canopies having letterings or text no taller than four inches and a sign area no greater than two square feet.
4. On-site private traffic control signs, in accordance with an approved Site Plan, provided the lettering, text, or graphics are no taller than four inches and the total sign area is no greater than two square feet.

**166.14 OBSTRUCTIONS PROHIBITED.**

1. No sign shall be erected, located or maintained so as to prevent free ingress to or egress from any door, window or fire escape. No sign of any kind shall be attached to a stand pipe or fire escape.
2. No sign regulated by this chapter shall be erected at the intersection of any streets in such a manner as to obstruct free and clear vision, or at any location where, by reason of the position, shape or color, it may interfere with, obstruct the view of, or be confused with any authorized traffic sign, signal or device; in such a manner as to interfere with, mislead or confuse traffic.
3. No signs regulated by this chapter shall encroach upon or have posts, guides, or supports located within any public right-of-way or alley.

**166.15 FACE OF SIGN TO BE SMOOTH.** All signs which are constructed on a street line or within five feet thereof shall have a smooth surface and no nails, tacks, or wires shall be permitted to protrude therefrom, except electrical reflectors or devices which may extend over the top and in front of the advertising structures.

**166.16 REFLECTORS AND LIGHTING EQUIPMENT.** Gooseneck reflectors and lights shall be permitted on freestanding signs and building signs; provided, however, the reflectors shall be provided with proper glass lenses concentrating the illumination upon the area of sign as to prevent glare upon the street or adjacent property.

**166.17 CERTAIN LIGHTS PROHIBITED.** It is unlawful for any person to maintain any sign which extends over public property which is wholly or partially illuminated by floodlights or spotlights, except in areas designated as C-1 zoning areas where a sign may extend up to six inches over public property.

**166.18 FREESTANDING SIGNS.**

1. All freestanding signs, for which a permit is required under this chapter, shall have a surface or facing of one-half-inch MDO plywood or better quality.
2. All freestanding signs constructed or substantially improved after the adoption of the ordinance codified in this chapter shall be monument signs.
3. All letters, figures, characters, or representations in cutout or irregular form, maintained in conjunction with, attached to, or superimposed upon any sign, shall be safely and securely built or attached to the sign structure.
4. It is unlawful to erect any freestanding sign whose total height is greater than 10 feet above the level of the street upon which the sign faces or above the adjoining ground level, if such ground level is above street level.

5. Open space may be required between the base line of the sign and the ground line when deemed necessary to provide visibility for traffic and public safety.
6. Freestanding signs shall be no nearer the street right-of-way than 10 feet.
7. Freestanding signs shall not exceed one (1) square foot per lineal foot of building frontage with 100 square feet total signage maximum, except multi-lot signs and multi-tenant signs as discussed herein. Double-faced signs, when both sign faces are perpendicular to the public right-of-way and not visible at the same time, shall be permitted to have the maximum allowable size sign on each of the two sign faces.
8. Shielded spotlight, internal message, internal lighting and back lighting signs are permitted in all commercial and industrial districts.
9. Freestanding electronic signs may be permitted in commercial and industrial zoning districts only provided the lighting levels, color intensity, frequency of transitions, or display effects are not intrusive to adjacent residential properties or motorists traveling on public streets. The property owner shall be responsible for reducing lighting intensity or making other adjustments as necessary to minimize the intrusiveness of the sign to a level deemed acceptable by the City Manager.
10. All posts, anchors, and bracing for the same, shall be treated to protect them from moisture by creosoting or other approved methods when they rest upon or enter into the ground.
11. All freestanding signs and the premises surrounding the same shall be maintained by the owner thereof, in a clean, sanitary and inoffensive condition, and free from all obnoxious substances, rubbish and weeds.
12. Signage in C-2A Districts shall meet a standards policy proposed by the Planning and Zoning Commission and adopted by the Council. Multi-tenant signs shall be permitted to have a maximum area of 150 square feet total signage. Multi-lot signs are encouraged and shall be permitted to have a maximum area of 200 square feet total signage.

#### **166.19 BUILDING SIGNS.**

1. All building signs, for which a permit is required under this chapter, shall have a surface or facing of one-half inch MDO plywood or better quality.
2. Building signs shall not exceed one square foot per lineal foot of building frontage with 100 square feet total signage maximum per street frontage. Logos, stripes and similar items shall be considered part of the sign area.
3. Shielded spotlight, backlit lettering, gooseneck lighting and backlit or internally lit channel letters are permitted in all commercial and industrial districts. Internally lit panel signs, whether lit or unlit, are strictly prohibited.
4. No building sign shall be permitted to extend more than six inches beyond the building line, defined herein as a projecting sign, and shall not be attached to a wall at a height of less than 10 feet above the sidewalk or ground.
5. Electronic building signs are not permitted.
6. All building signs shall be safely and securely attached to the building wall by means of metal anchors, bolts or expansion screws of not less than three-eighths inch in diameter imbedded in the wall at least five inches in depth; provided however, such signs may rest in or be bolted to strong, heavy, metal brackets, set not over six (6) feet

apart, each of which shall be securely fixed to the wall as hereinbefore provided. In no case shall any building sign be secured with wire, strips of wood or nails.

7. Canopy signs at gas stations, car washes, convenience stores and other like businesses are permitted, however the area of each canopy sign, up to a maximum of 25 square feet, shall be considered as part of the permitted total square footage permitted for building signs. Any portion of the canopy that is internally lit shall be considered part of the sign.

8. Awning signs are considered building signs if the awning does not project more than four feet from the building wall; however, only the lighted portion of the awning, together with lettering and logos, shall be considered a building sign. An awning that is an architectural feature and not internally lit and which does not contain lettering or logos shall not be considered a sign.

9. All building signs shall conform to the requirements of Section 166.11.

#### **166.20 SUBDIVISION SIGNS.**

1. In Planned Unit Development (PUD) Districts, subdivision signs which are of a landscaping nature are permitted and may be free-standing. Such signs shall be of such materials and design as shown on an approved Site Plan and there shall be an owner's association that provides for the maintenance of the sign, structures and landscaping. The sign fascia may not exceed 220 square feet in area or 10 feet in height.

2. In Residential and Commercial Districts, subdivision signs which are of a landscaping nature are permitted, and may be freestanding. Such signs shall be of such materials and design as shown on an approved Site Plan and there shall be an owner's association that provides for the maintenance of the sign, structures and landscaping. The sign fascia may not exceed 100 square feet in area or 10 feet in height.

3. The minimum setback required of a subdivision identification sign is five feet.

4. The maximum height of a subdivision identification sign is 10 feet.

#### **1.21 TEMPORARY SIGNS.**

1. Temporary Signs in Commercial and Industrial zoning districts and for permitted non-residential uses in Residential zoning districts shall require a temporary sign permit and shall conform to the following regulations:

A. Temporary signs shall be limited to two events per year for any one business. Each temporary sign event shall last for a period of not more than 10 days and shall not exceed two occurrences in a calendar year. In conjunction with a temporary Site Plan, the Council may permit the display of temporary signs for a greater period of time.

B. Grand openings for new business shall be permitted one temporary sign for a period of not more than 60 days.

C. Temporary building signs shall be no larger than 100 square feet. Temporary free-standing signs shall be no longer than 32 square feet in area and have a minimum sign setback of five feet.

2. Temporary signs in Residential zoning district shall not require a temporary sign permit provided such signs conform to the following regulations:

- A. Temporary freestanding signs shall be no larger than four square feet in size and have a minimum sign setback of five feet. Such signs shall be limited to five per yard. Each temporary sign shall last for a period of not more than three months per year.
  - B. Temporary building signs are not permitted.
3. Temporary free-standing signs for new subdivisions shall require a temporary sign permit and shall conform to the following regulations:
- A. Such temporary signs shall not exceed 32 square feet on each face, with a maximum of two faces per sign.
  - B. In residential districts, real estate/project identification signs shall be limited to one sign per subdivision unless the subdivision has more than 1,000 feet of frontage along one public street, in which case no more than two real estate/project identification signs are permitted. Said sign shall be removed before issuance of the final building permit in the subdivision.
  - C. In commercial and industrial districts, real estate/project identification signs shall be limited to one sign for each lot listed which shall be removed before issuance of a certificate of occupancy for the lot on which the sign is located.
4. Under no circumstances shall any temporary sign be located on public property or affixed to a utility pole or appurtenance located within a public utility easement.

**166.22 PROHIBITED SIGNS.** The following signs shall not be permitted, erected, or maintained on any property within the City.

- 1. Roof signs.
- 2. Pole signs. Existing pole signs constructed prior to the adoption of the ordinance codified in this chapter shall be brought into compliance when the sign is altered or the property redeveloped.
- 3. Projecting signs.
- 4. Billboards.
- 5. Portable or temporary signs, except as permitted elsewhere in this chapter.
- 6. Inflatables, flag signs, spotlights or strobe lights, whether stationary or moving, intended to draw attention to a location of a property and not primarily intended to accent the signage or building form, except as expressly permitted by the City in conjunction with a temporary site plan.
- 7. Any signs not specifically permitted herein including any sign unlawfully installed, erected or maintained in violation of this chapter.

**166.23 EXISTING SIGNS NOT AFFECTED.** Any existing sign, otherwise conforming to the Zoning Ordinance and regulations of the City on the effective date of the applicable ordinance codified in this chapter, shall be permitted to remain, provided that no such sign shall be replaced or substantially improved, remodeled, repaired, or modified, except in conformance with all of the provisions of this chapter.

**166.24 ANNUAL INSPECTION.** The Building Inspector shall inspect annually, or at such times as the inspector deems necessary, each sign regulated by this chapter for the purpose of



ascertaining whether the same is secure or insecure and whether it is in need of removal or repair.

**166.25 ENFORCEMENT.** The Code Enforcement Officer or designee employee shall have complete authority to enforce the provisions of this section and may summarily remove any sign which is posted in violation of this section.

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## CHAPTER 170

# SUBDIVISION REGULATIONS

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### 170.01 TITLE AND PURPOSE.

1. This chapter shall hereafter be known as the “Subdivision Code” or “Subdivision Regulations” and may be cited as such, and may be referred to herein as “chapter” or “code” The City has adopted this chapter in accordance with the provisions of Chapter 18B and Chapter 354 of the *Code of Iowa* and amendatory acts thereto.
2. The purpose and intent of this chapter is to establish minimum standards for the division of land and for the design and construction of all subdivision improvements within the jurisdiction of the City to provide for:
  - A. A balance between the land use rights of individual land owners and the economic, social, and environmental concerns of the public while enforcing land use and subdivision regulations; and
  - B. Accurate, clear, and concise legal descriptions of real estate consistent with zoning and land use regulations and to prevent, wherever possible, land boundary disputes or real estate title problems; and
  - C. Regulation of the design and construction of public improvements and extensions thereto in a manner consistent with the Comprehensive Plan, Zoning Ordinance, and other plans as may be adopted by the City Council; and
  - D. Provide adequate land and infrastructure for building sites, transportation, parks, recreational trails, drainage ways, open space, and public facilities for orderly community development and adequate capacity for streets and utilities serving developable land within the jurisdiction of the City.

### 170.02 JURISDICTION AND APPLICATION.

1. This chapter governs the division, subdivision, and platting of all lands within the corporate limits of the City and the unincorporated extra-territorial jurisdiction as defined herein.
2. It is the specific intent and purpose of this provision to extend all applicable regulations concerning the division, subdivision, and platting of land as set forth in this chapter to all land within the City’s extra-territorial jurisdiction and to establish the City’s jurisdiction for review and approval of all plats of subdivision, minor plats of subdivision, auditor’s plats, acquisition plats, and plats of survey in accordance with the provisions of Section 354.9 of the *Code of Iowa* and as may be established by mutual agreement with the County or neighboring cities pursuant to Chapter 28E of the *Code*