

City of Urbandale

Sign Ordinance

June 26, 2008

**TITLE VII
CHAPTER 17
of the CODE OF ORDINANCES
of the CITY OF URBANDALE, IOWA, 1999**

SECTION 1: TITLE AND PURPOSE

1.1 Title. This Ordinance shall be known as the Sign Ordinance of the City of Urbandale, Iowa and may be cited as such, and may be referred to herein as "This Ordinance" or "This Code".

1.2 Purpose and Intent. The purpose and intent of this ordinance shall be to regulate the number, size, and design of signs so that signs will not by reason, number, size, location, construction or manner of display endanger the public health, safety, welfare, or morals; confuse, mislead, obstruct vision necessary for traffic safety, or over-attract motorists' attention from hazards of the road and traffic; or be detrimental to property values and esthetics of the community.

SECTION 2: DEFINITIONS (Amended by Ordinance No. 2008-01, April 4, 2008)

The following definitions shall apply wherever the following terms are used in this Ordinance.

2.1 Administrator. The Zoning Administrator or his designated representative.

2.2 Animation. Rotation or any other movement or appearance thereof, or change of lighting to depict action or create a special effect or scene, whether by atmospheric movement, mechanical, or electrical means, or any combination thereof.

2.3 Architectural Blade. A roof sign or projecting sign with no legs or braces. Designed to look as though it could have been part of the building structure, rather than something suspended from or standing on the building.

2.4 Area, sign. The area of the largest single face of a sign within not more than two rectangles enclosing the extreme points or edges including air space and background of the sign, but not including poles or supports on which the sign is placed if they do not include copy. The area of a sign composed of symbols or letters attached directly to a building or wall surface shall be computed by drawing not more than two rectangles enclosing the entire group of symbols or letters.

2.5 Awning. A temporary shelter supported entirely from the exterior wall of a building and composed of non-rigid materials except for the supporting framework.

- 2.6 Background Area. The entire area of a sign on which copy could be placed, as opposed to the copy area.
- 2.7 Building Face or Wall. All window and wall area of a building in one plane or elevation.
- 2.8 Building Frontage. The linear length of a building facing the right-of-way or the linear length of the right-of-way facing the building, whichever is smaller.
- 2.9 Chasing. The effect produced by using three electrical contacts which cause lamps to come on in a one-two-three sequence again and again, as characterized by the borders of movie marquees.
- 2.10 City. The city, town or municipality of Urbandale, Iowa.
- 2.11 Comprehensive Design Plan. Building design and signs integrated into one architectural plan, the comprehensive plan being complete in all other building, structural and electrical requirements.
- 2.12 Copy. Words, letters, logos, figures, symbols, illustrations, or patterns that form a message or otherwise call attention to a business, product, service, or activity, or to the sign itself.
- 2.13 Copy Area. The smallest rectangle which encloses the actual copy of a sign.
- 2.14 Council. The City Council of Urbandale, Iowa.
- 2.15 Embellishment
- (a) Letters, figures, characters, or representations in cut-outs or irregular forms or similar ornaments attached to or superimposed upon the sign.
 - (b) Embellishment (Decorative Only) - A purely decorative embellishment on a free-standing sign.
- 2.16 Erected. This term shall mean attached, altered, built, constructed, reconstructed, enlarged or moved, and shall include the painting of wall signs, but does not include copy changes on any sign.
- 2.17 Face. The copy area, background area, and the peripheral encasement, structural elements, or trim which forms the outer perimeter of the sign, but not including poles, monuments, or similar support structures.
- 2.18 Fade. On an electronic message center, a gradual changing of one copy display to another in a manner that one display appears to dissolve as another forms.

2.19 Flashing. A change in light intensity at regular intervals, including repeated brightening or dimming of lights, change in contrast or hue, or turning them on and off in a manner in which the duration of light is less than the duration of darkness.

2.20 Frontage. The width of a lot as measured in a straight line at the street line, said measurement to be along a chord between the end points in the case of a curved street line.

2.21 Ground Level. Finish grade line of site within setback limits.

2.22 Indexing. Turning and stopping action of the triangular vertical sections of a multi-prism sign designed to show three messages in the same area.

2.23 Letter, Channel. An individual dimensional letter that is fabricated or formed with opaque backing and side walls and whose internal light source illuminates only the face of the individual letter, and that is mounted directly to the face of a building or ground sign or on a raceway if a raceway is allowed by this Ordinance.

2.24 Letter, Dimensional. A three-dimension letter or logo that is cut out, cast, or molded and fabricated with side walls, back, and face into a solid, integral three-dimensional unit of sufficient depth to contain an internal light source, and that usually has a U-shaped pan cross-section or an H-shaped cross-section.

2.25 Letter, Push-through. A three-dimension letter or logo created by routing or otherwise cutting and removing it from an aluminum or other opaque sign face material and also forming it out of a clear or translucent backing material, and mounting the backing material on the inside of the opaque sign face in such manner that the letters and logo formed from the backing material are pushed through the opaque face material to extend beyond the exterior plane of the sign face.

2.26 Letter, Reverse Channel. An individual dimensional letter that is cut out, cast, or molded and fabricated similar to a channel letter but with an opaque face and side walls, and usually mounted on studs or a similar bracket or post to stand an inch or more away from the face of the building or ground sign so an internal light source is projected onto the wall or ground sign to create a back-lit or halo affect around and behind the letter.

2.27 Letter, Routed. An individual letter or logo that is cut into an opaque sign face by a computer numerical control (CNC) router or similar machine to form sign copy that is non-illuminated or is illuminated by an external light source.

2.28 Letter, Sandblasted. An individual letter or logo created by applying a stencil to an opaque sign face to protect that portion of the sign face from erosion during a sandblasting process that erodes away the area around the stencil to create three-dimensional copy that is raised above or depressed below the background, and that is non-illuminated or is illuminated by an external light source.

2.29 Letter, Three Dimensional. An individual dimensional letter with a depth of one inch or more including mounting studs if any, that is cut out, cast, or molded and mounted directly to the face of a building or ground sign, or on studs or a similar bracket or post to stand an inch or more away from the face of the building or ground sign, that does not contain an internal light source and is non-illuminated or is illuminated by an external light source.

2.30 Logo. A symbol, emblem, or other graphical element that is easily recognized as representing a product, identity, or service.

2.31 Lot. A parcel of land having such dimensions and size as is necessary to comply with all of the requirements of the Zoning Ordinance and all other ordinances of the City for such structures as may be placed on such land, and all uses of such land.

2.32 Maintain. To permit a sign, structure or any part of each to continue or to repair or refurbish a sign, structure or any part of either.

2.33 Manufacturer. A person, firm or corporation who assembles or installs a sign upon the site.

2.34 Message. Copy or a series of copy displays that directly or indirectly names, advertises, or calls attention to a business, product, service or other activity.

2.35 Message center, Electronic. A sign which uses a bank of lights that can be individually lit to form copy.

2.36 Nameplate. A non-electric sign identifying only the name and occupation or profession of the occupant of premises on which the sign is located. If any premises include more than one occupant, nameplate refers to all names and occupations or professions as well as the name of the building and directional information.

2.37 Occultation. Any intermittent lighting other than flashing, scintillation, chasing, or animation.

2.38 Owner. A person recorded as such on official records and including duly authorized agent or notary, a purchaser, devisee, judiciary; any person having a vested or contingent interest in the property in question.

2.39 Parapet or Parapet Wall. That portion of a building wall that rises above the roof level.

2.40 Penthouse. A structure on top of a building roof such as houses an elevator shaft or similar form.

2.41 Person. Any individual, corporation, association, firm, partnership, or other legal entity singular or plural.

2.42 Premises. A lot together with the structures and other improvements located thereon.

2.43 Raceway. A box or other conduit containing most or all of the electrical components powering a sign and that is fastened to the outside of the building, and that usually runs the length of a sign behind channel letters.

2.44 Roof Line. The top edge of the roof or the top of the parapet, whichever forms the top line of the building silhouette.

2.45 Scintillation. The effect produced by turning lamps on and off in a seemingly random pattern, customarily producing a twinkling affect.

2.46 Scrolling. On an electronic message center, a form of animation whereby elements of copy are sequentially displayed so as to give the appearance of movement on or across the sign, whether vertically or horizontally.

2.47 Sign. Any identification, description, illustration or device illuminated or non-illuminated which is visible from any public place or is located on private property and exposed to the public and which directs attention to a product, service, place, activity, person, institution, business or solicitation, including any permanently installed or situated merchandise; or any emblem, painting, banner, pennant, placard or temporary sign designed to advertise, identify or convey information, with the exception of window displays and national flags. For the purpose of removal, signs shall also include all sign structures.

2.48 Sign, Abandoned. A sign which no longer correctly directs or exhorts any person, advertises a bona fide business, lessor, owner, product or activity conducted or product available on the premises where such sign is displayed.

2.49 Sign, A-Frame. A temporary, portable sign fabricated with two sides attached at the top and thereby forming the shape of an "A" as viewed from the side, and allowing the sign to stand in an upright position. (Amended by Ordinance No. 2008-08, June 3, 2008)

2.50 Sign, Animated. Any sign that includes animation.

2.51 Sign, Banner. A temporary sign composed of lightweight material either enclosed or not enclosed in a rigid frame, secured or mounted so as to allow movement of the sign caused by movement of the atmosphere.

2.52 Sign, Cabinet. A sign that is constructed as a box-style frame, usually but not necessary using aluminum for said frame, into which one or more Plexiglas, acrylic, polycarbonate or other translucent faces are placed and whose copy is placed on such faces, usually but not necessarily by painting, silk-screening, or affixing vinyl letters and usually having an internal light source. May also be referred to or known as a "box sign".

2.53 Sign, Changeable Copy (Manual). A sign on which copy is changed manually in the field, i.e., reader boards with changeable letters or changeable pictorial panels.

2.54 Sign, Changing (Automatic). A sign as an electronically or electrically controlled public service time, temperature and date sign, message center or reader board, where different copy changes are shown on the same lamp bank.

2.55 Sign, Directional. Any on-site sign which serves solely to designate the location or direction of any place or area within the site.

2.56 Sign, Directory. An on-premise sign displaying the names of two (2) or more separate business tenants on the same sign structure.

2.57 Sign, Directly Illuminated. Any sign designed to provide artificial light either through exposed lighting on the sign face or through transparent or translucent material from a light source within the sign.

2.58 Sign, Electrical. Any sign containing electrical wiring which is attached or intended to be attached to an electrical source.

2.59 Sign, Flashing. Any sign which contains an intermittent or flashing light source, or which includes the illusion of intermittent or flashing light by means of animation, or an externally-mounted intermittent light source. Automatic changing signs such as public service time, temperature and date signs or electronically controlled message centers are classed as "Changing Signs" not "Flashing Signs".

2.60 Sign, Free-Standing. See "Ground Sign."

2.61 Sign, Ground. A sign erected on a free-standing frame, mast or pole and not attached to any building.

2.62 Sign, Height of. The vertical distance measured from the ground level at point of location of the sign on the site.

2.63 Sign, Identification. A sign which is limited to the name, address and number of a building, institution or person and to the activity carried on in the building or institution, or the occupancy of the person.

2.64 Sign, Illuminated. Any sign which emanates light either by means of exposed tubing or lamps on its surface, or by means of illumination transmitted through the sign faces.

2.65 Sign, Indirectly Illuminated. Any sign which reflects light from a source intentionally directed upon it -- for example, by means of floodlight, gooseneck reflectors or externally mounted fluorescent light fixtures.

2.66 Sign, Individual Letter or Individually Mounted Letters. A sign whose copy is comprised entirely of channel letters, reverse channel letters, or three dimensional letters that are mounted directly to a building or ground sign, on studs or a similar bracket or post to stand an inch or more away from the face of the building or ground sign, or on a raceway if a raceway is allowed by this Ordinance, provided that push-through letters may be used for a portion of the copy if permitted by this Ordinance.

2.67 Sign, Interstate. A sign legally erected in accordance with this ordinance along Interstate Highways 35 and 80.

2.68 Sign, Legally Nonconforming. Any sign which does not conform to the requirements of this ordinance, but which was lawfully erected in accordance with the ordinance in effect at the time it was erected.

2.69 Sign, Monument. A ground sign which is mounted in or on a monument and does not have any exposed pole or pylon, and is attached to a base for at least 60% of the entire width of the sign.

2.70 Sign, Multi-Prism. A sign made with a series of triangular vertical sections that turn and stop, or index, to show three pictures or messages in the same area.

2.71 Sign, Non-Electrical. Any sign that does not contain electrical wiring or is not attached or intended to be attached to an electrical energy source.

2.72 Sign, Off-Premise. A third-party sign that advertises or directs attention to another location, or to a business, commodity, service, entertainment, attraction, or facility that is generally sold, produced, or available at a location other than the lot where the sign is located. May also be referred to or known as an "outdoor advertising sign" or "billboard".

2.73 Sign, On-Premise. A sign that identifies or directs attention to the business, commodity, service, entertainment, or attraction sold or offered on the same lot where the sign is located.

2.74 Sign, Pole. A ground sign which is supported by one or more poles or pylons.

2.75 Sign, Portable. 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 means of wheels, trailer or chassis, whether or not the wheels are presently attached; signs 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, unless there is no other reasonably available place to park such vehicle and it is being used in the normal day to day operations of the business for something other than storage.

2.76 Sign, Projecting. A sign, other than a wall sign, which is attached to and projects from a structure or building face. The area of double faced projecting signs are calculated on one face of the sign only.

2.77 Sign, Public Service Information. Any sign intended primarily to promote items of general interest to the community such as time, temperature and date, atmospheric conditions, news or traffic control, etc.

2.78 Sign, Real Estate. Any sign pertaining to the sale, lease or rental of land or buildings.

2.79 Sign, Roof. Any sign erected upon, against or directly above a roof or on top of or above the parapet of a building.

2.80 Sign, Rotating. Any sign or portion of a sign which moves in a revolving or similar manner, but not including multi-prism indexing signs.

2.81 Sign, Seasonal or Holiday. Signs such as Christmas decorations, those used for a historic holiday and installed for a limited period of time.

2.82 Sign, Swinging. A sign installed on an arm or spar that is not, in addition, permanently fastened to an adjacent wall or upright pole.

2.83 Sign, Temporary Window or Building. A sign painted on the interior of a window or constructed of paper, cloth, or other like material and attached to the interior side of a window or displayed on the exterior of a building wall in order to direct attention of persons outside the building to a sale of merchandise or a change in the status of the business.

2.84 Sign, Unlawful. A sign which contravenes this code or which the administrator may declare as unlawful if it becomes dangerous to public safety by reason of dilapidation or abandonment or a non-conforming sign or a sign not specifically allowed by this ordinance or for which a permit required under a previous code was not obtained.

2.85 Sign, Wall (or Facia Sign). A sign attached to or erected against the wall of a building with the face in a parallel plane to the plane of the building wall.

2.86 Sign, Wayfinding. A directional on-premise or off-premise sign whose purpose is to help a person to find a given destination.

2.87 Sign, Window. A sign installed inside a window for purposes of viewing from outside the premises. This term does not include merchandise located in a window.

2.88 Sign Sticker. A sticker affixed either to the face or the channel of a sign visible from the street denoting the name of the manufacturer or designated servicing company for purpose of identification by city officials.

2.89 Sign Structure. Any structure which supports, has supported or is capable of supporting a sign, including decorative cover.

2.90 Street. A public roadway, or a private roadway that has been approved by the City for common use, which provides frontage for and vehicular access to lots or which may carry through traffic, whether designated as a highway, street, avenue, road, drive, place, court, way, lane, or circle.

2.91 Street Line. A property line between a lot and a contiguous street.

2.92 Trademark. A name, word, symbol, logo, phrase, design, image, or combination thereof that is registered with the United States Patent and Trademark Office (USPTO) and protected by the Federal government and that is used by a business to distinguish itself and its products from those of other entities, and usually considered to be intellectual property having financial value.

2.93 Underwriters' Laboratories (48). In the United States, a non-profit organization which establishes standards for electrical and mechanical equipment and materials and is commonly referred to as "UL". The electrical section is known as "Underwriters' Laboratories (48)".

2.94 Use. The purpose for which a building, lot, sign or other structure is arranged, intended, designed, occupied or maintained.

2.95 Wireway. A box or other conduit mounted behind a building wall or ground sign face that contains all of the wiring for a sign except transformers.

SECTION 3: GENERAL REGULATIONS

3.1 Permission to Install. No person shall erect, construct or maintain any sign upon any property or building without the consent of the owner or person entitled to possession of the property or building if any, or their authorized representatives.

3.2 Obstruction of fire exists, light or ventilation. No sign or sign structure shall be permitted to obstruct or interfere in any way with free use of any door, window, or fire escape, nor to obstruct or impair operation of any opening required for light or ventilation.

3.3 Not to Constitute Traffic Hazard. It shall be illegal for any sign to interfere with, obstruct the view of, or be of such design which may be confused with any authorized traffic sign, signal, or device; nor shall any sign imitate an official traffic sign or include the words "STOP", "LOOK", "CAUTION", or any other word, phrase, symbol, or character in such manner as to interfere with, mislead, or confuse motorists.

No ground sign shall be located within the vision clearance triangle as defined by Title VII, Chapter 2, of the 1980 Municipal code, known as the Zoning Ordinance, nor closer than twenty (20) feet to any drive exiting onto a public street unless setback from the street a minimum of twenty (20) feet, or having a height of less than two (2) feet or more than ten (10) feet above the grade of the drive.

3.4 Obscene Matter Prohibited. No obscene, indecent, or immoral matter shall be displayed on any sign.

3.5 Public property and garage sale signs. (Amended by Ordinance No. 2008-01, April 4, 2008). No sign shall be located on or allowed to extend over public property unless expressly approved by the City Council, except for signs identifying a residential garage sale.

Garage sale signs shall not be placed on any public property other than street rights-of-way; shall be allowed for a duration of not more than 3 consecutive days, not more than 3 such 3-day periods in any calendar year, and only during the hours of 6:00 am. until 7:00 p.m. each day; shall not be attached to any sign, pole or utility appurtenance, or fire hydrant; shall not exceed five square feet in area, a dimension of 2.5 feet, or a height of 2.5; obstruct any vision clearance triangle or walk; or create a traffic or pedestrian hazard; and shall not exceed 3 in number including not more than two wayfinding signs.

3.6 Lighting of Signs. Signs may be lit by either internal or external fixtures unless there is a specific requirement to the contrary. In the "O-R" District, signs shall be non-illuminated or shall be illuminated by internal fixtures or luminous tubes. Fixtures shall be designed to concentrate illumination upon the sign face and prevent glare. A constant level of light shall be maintained, provided that this shall not be construed to prohibit use of an automatic dimmer to reduce garish effects at night. Lighting shall not

flash, scintillate, animate, move, chase, occultate, or otherwise be intermittent unless expressly permitted.

Exposed lamps shall not exceed eleven (11) watts and inert gas tube lighting shall not exceed sixty (60) milliamps. Internal lamps and lamps housed inside frosted lamps, or exposed lamps covered with a diffusing screen shall not exceed twenty-five watts. Intensification of illumination by reflectorized lamps or external reflectors is prohibited.

3.7 Setback. No freestanding sign shall be located nearer to the street or property line than permitted by Section 4 of this Ordinance. The setback shall be measured from the property line to the closest point of the sign.

3.8 Minimum Clearance. Pole signs extending over any vehicular drive shall be a minimum of fifteen (15) feet above the grade of said drive, and if extending over a sidewalk shall be a minimum of eight (8) feet above such sidewalk. Projecting, awning, and marquee signs shall be a minimum of eight (8) feet above any sidewalk area and a minimum of fifteen (15) feet above any vehicular drive.

3.9 Maintenance. All signs and parts thereof, including but not limited to electrical wiring and fixtures, supports, faces, lighting, braces, guys and anchors, shall be kept in good repair at all times, and shall be kept neatly painted or otherwise treated to prevent rust and similar unsightly deterioration and weathering.

3.10 Clearance from Electrical Lines. A clearance of not less than six (6) feet horizontally or twelve (12) feet vertically shall be maintained between any sign and any overhead electrical transmission line.

3.11 Wall Signs. Wall signs shall not be mounted above the second story, parapet line, or eave line of any building, whichever is lowest unless otherwise expressly permitted by this ordinance. Such signs shall be parallel to and shall not extend more than twelve inches from the face of the building. Window signs shall be counted as part of the allowable area for wall signs, unless displayed for less than six (6) weeks.

3.12 Number of faces. No sign shall have more than two (2) faces, which shall be parallel.

3.13 Emissions Prohibited. No sign shall emit audible sound, noticeable odor, or smoke or other visible matter.

3.14 Properties having frontage on two or more streets. (Amended by Ordinance No. 2008-01, April 4, 2008). If a lot has frontage on two or more streets, signs shall be permitted on each frontage to which the lot has or is allowed direct legal access in the number and size that are apportioned by this Ordinance to each frontage except that in the case of a corner lot, the maximum wall sign area allowed on the side wall shall be two square feet of area for each lineal foot of building frontage or the maximum sign area allowed for the building front, whichever is less. Signs or area earned for one

street frontage shall not be displayed on or combined with signage on any other frontage.

Copy on said signs shall be identical on all frontages for each tenant, except for directory signs or directional information and address if necessary to properly inform the public.

3.15. Real Estate Signs. For sale or lease signs shall be removed upon sale or lease of the property, and shall not carry information regarding facilities available on the property or within the buildings. Such signs shall advertise the sale, rental, or lease of only the premises upon which the sign is located. (Amended by Ordinance No. 2008-08, June 3, 2008)

3.16. Political Signs. Political Signs, as defined by Section 306C.10(20), Code of Iowa 1991, shall be permitted on private property in accordance with the provisions of Section 306C.22 of said Code for a period beginning forty-five days before the date of the election to which the signs pertain and ending seven days after the date of said election, provided that such signs do not endanger the public health, safety, or general welfare or any reason, and further provided that the area of any such sign shall not exceed thirty-two square feet.

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for future use"

SECTION 4: PERMITTED SIGNS

4.1 Type and Number. It shall be unlawful to erect or maintain any sign except as expressly permitted by Figure 2, by reference included and made a part hereof, or by Section 4.3.

4.2 Bulk Regulations. All signs shall comply with the requirements of Figure 2 and Section 3, except as otherwise provided by Section 4.3.

4.3 Exceptions and Modifications.

- A. Businesses not fronting on a street. (Amended by Ordinance No. 2008-01, April 4, 2008). Any retail, office, or industrial business that does not have street frontage shall be permitted one wall sign on the wall containing the primary public entrance for said business. The maximum permitted area for any such sign shall be calculated in the same manner as if such wall fronted on a street, provided that the maximum permitted area shall be 200 square feet and that a minimum of forty (40) square feet shall be permitted. Such sign shall comply with all City requirements for a wall sign that apply to the lot.
- B. Pole Signs. (Amended by Ordinance No. 2008-01, April 4, 2008). Pole signs shall be allowed only by conditional use in accordance with the procedures and requirements of the Zoning Ordinance, except for Interstate Signs located in the "C-H" Highway Commercial District and fully compliant with this ordinance. In addition to all other requirements for approval of a conditional use, the appellant shall submit evidence showing that a monument sign is not feasible and a pole sign is the only means of providing reasonable ground sign identification for the lot.
- C. Monument Signs. In lieu of any pole sign, a lot with 500 or more feet of street frontage shall be allowed one monument sign with a maximum copy display area of 125 square feet for each such street frontage. A lot with less than 500 feet of street frontage shall be allowed one monument sign with a maximum copy area of 75 square feet or 50% of the frontage dimension, whichever is less, for each frontage in lieu of a pole sign. The total size of the monument shall not exceed 2.5 times the copy area, and the monument shall utilize the same building materials found in the principal building. The maximum height of any sign shall be 20 feet. Copy shall be limited to the name and address of the complex, center or principal tenant, and comprised of individually mounted letters. Alternatively, the copy area may be a plastic face encased in the monument and subject to a maximum copy area of 50 square feet, maximum height of 15 feet, and maximum monument area of 190 square feet. Both the copy area and monument shall be limited to a simple geometric shape unless it emulates the building form.
- D. Individually Mounted Letters Sign. (Amended by Ordinance No. 2008-01, April 4, 2008). When required by this or any other City Ordinance, Planned Unit Development Master Plan, or any City action, the copy on such signs shall be

created entirely from channel letters, reverse channel letters, or three-dimensional letters except as otherwise permitted by this paragraph.

Channel letters may be mounted on a raceway unless expressly prohibited, provided that all raceways shall be painted or otherwise finished to closely match the color of the wall or sign structure to which it is attached. The height of a raceway shall not exceed 33% of the height of the channel letters attached thereto if such letters are more than twenty-four inches (24") in height, nor a height, depth, or width of eight inches (8") in any case, unless it can be shown that a greater dimension is necessary to comply with a requirement of the Electrical Code, Underwriters Laboratories Inc. (UL), or similar safety requirement or standard.

Push-through letters may be used for internally illuminated copy that is eight inches (8") or less in height, provided that the sign face shall be formed from aluminum or some other metal having a minimum thickness of 0.125 (1/8") to provide a uniformly smooth surface with no buckling or waving, and the sides and backing shall be opaque. Exposed fasteners shall be minimized and any fasteners on the sign face shall be flush with the face unless the fasteners are an integral part of the sign design.

Push-through letters also may be used for internally illuminated trademarks that cannot reasonably be fabricated as a dimensional letter, if the trademark does not exceed 40 percent of the total copy area.

Three-dimensional letters can be used in the same manner as push-through letters if such copy will not be illuminated, or if the entire sign copy is externally illuminated.

Each push-through letter shall extend a minimum of one-half inch (1/2") above the sign face, and shall be internally lit.

- E. Directory Sign. (Amended by Ordinance No. 2008-01, April 4, 2008). Any retail, office, or industrial premises that this ordinance permits to have a ground sign may erect a directory sign as such permitted ground sign if such premises have three or more tenants occupying a total of not less than 9,000 square feet of gross floor area. Directory signs shall conform to the monument sign requirements except as provided by this paragraph.

Tenant copy shall be updated within ninety (90 days) after any and all changes in tenant occupancy on the premises to reflect current occupancies, and any tenant copy remaining after such time that does not identify a current tenant shall be deemed obsolete and shall cause the entire sign to be defined as an abandoned or unmaintained sign and as such shall be removed in its entirety as required by this Ordinance.

Not more than one directory sign shall be permitted on each street frontage unless the premises has 600 or more feet of frontage on a continuous street, in which case

two (2) directory signs separated by a minimum of 250 feet shall be permitted. All directory signs on a premises shall be consistent in design, color, and materials, and the copy shall be identical except that different tenant names can be displayed in each directory sign.

Cabinet signs or other signs with Plexiglas, acrylic, polycarbonate or other translucent faces upon which copy is painted, silk-screened, or created by affixing vinyl letters shall be prohibited in all cases.

Directory signs shall have a minimum setback of 50 feet from all property lines except street lines; a minimum setback of 100 feet from the point of street line intersection on a corner lot; and a minimum setback of 10 feet from any street line or if no street right-of-way line exists shall have a minimum setback of 25 feet from the curb or pavement edge.

The premises' street address, including the entire range of address numbers if more than one, shall be displayed below all other copy and a minimum of three (3) feet above the grade at the base of the sign; shall have a letter height of not less than six inches (6") nor more than fourteen inches (14"); shall be formed from individually mounted letters, provided that push-through letters may be used for letters that are 8" or less in height; shall be lit with the same brightness and intensity as all other copy on the sign; and shall have a white font color if the background is dark, or a dark font color if the background color is light. The address copy shall not be included in computing the permitted sign area or counted as a tenant name.

The name of the premises, if any, may be displayed on the monument above or below the tenant copy in individually mounted letters having a maximum height of 14" and maximum copy area of 15 square feet in addition to the maximum sign area allowed for the tenant faces.

The maximum monument height shall be 15 feet, the maximum monument area shall be 190 square feet, and the maximum total sign area for all tenant faces shall be 50 square feet unless the directory sign complies with all of the following criteria, in which case the maximum monument height shall be 20 feet; the maximum monument width shall be 24 feet; and the maximum monument area shall be 2.5 times the copy area or 320 square feet, whichever is less:

1. The copy for each tenant shall be not less than eight inches (8") nor more than fourteen inches (14") in height, unless a height of less than eight inches is necessary to fully display an individual tenant's name and trademark. Calculations for such heights shall be the cap height or ascender height as measured from the copy baseline to the top of the ascenders or capital letters and disregarding the descender height of lower case letters' stems.
2. All copy shall be fabricated from channel letters, reverse channel letters, or push-through letters.

3. Tenant copy shall be limited to names and logos displayed on an individual background area for each tenant, and the directory sign shall not display copy for more than six (6) tenants. The tenant background areas shall be fully encased within the sign monument. The background area shall be identical in area and dimensions for all tenants. The background area for each tenant shall not exceed twenty-six (26) square feet, a height of 24 inches, or width of 13 feet. For channel and reverse channel letters, the copy letters shall be the same height for all tenants; the background area dimensions shall be scaled from midpoints between the copy area for each tenant; and the copy area for each tenant shall not exceed 60 percent of the tenant's background area.
 4. All copy shall be internally illuminated, and all illumination shall be identical in color, brightness, and intensity. The background area shall be a single, identical color for all tenants, and the copy shall be a single, identical color for all tenants. It is preferred, but not required, that the background color be dark and that the copy color be white to optimize contrast and night visibility.
- F. Temporary Signs. (Amended by Ordinance No. 2008-08, June 3, 2008). Each retail, office, or industrial business, and churches, schools, and similar institutional uses, shall be allowed to display one banner or one ground sign on its premises (hereafter "Temporary Sign") a combined total of not more than four (4) times in each calendar year to advertise or announce seasonal sales, special promotions, store openings, or similar events (hereafter "Events") subject to full compliance with the following and all other requirements of this Ordinance:
1. A sign permit shall be obtained and all pertinent fees paid prior to installing or displaying any Temporary Sign for any Event, and each permit shall be valid for a maximum of ten (10) days. If the City issues a sticker or tag in conjunction with the permit, such sticker or tag shall be valid only for the duration of the permit and for the Temporary Sign permitted, and shall be firmly affixed to the Temporary Sign by the permittee. Failure to obtain a sign permit prior to installation or display, or failure to affix any such sticker or tag to the Temporary Sign, shall render the Temporary Sign unlawful. Copying or emulating any such sticker or tag shall be a violation of this Ordinance and subject to any and all penalties allowed by law. Any and all unlawful Temporary Signs shall be subject to confiscation and destruction, together with civil citations and any and all other penalties allowed by law.
 2. A Temporary Sign shall not be displayed for more than ten (10) consecutive days for each Event and shall comply with all requirements of this Ordinance and the permit issued for such sign. Permits may be applied for consecutive ten-day Event periods, provided that the maximum duration of all permits shall not exceed a total of forty (40) days in each calendar year.
 3. Temporary Signs shall not be illuminated.
 4. Temporary Sign banners shall be limited to a maximum area of one hundred (100) square feet and a maximum height of 10 feet; shall be attached flat to and against the permittee's building frontage below the eave or parapet line, whichever is lower; and shall be securely anchored and comply with the

Urbandale Building Code requirements pertaining to wind loads and dead loads, and prevent any and all motion.

5. Temporary ground signs shall be restricted to A-Frame Signs molded from ultra-violet protected polyethylene or polyvinyl chloride plastic or other rigid, non-metal or non-wood material approved by the Zoning Administrator and having a maximum combined background and copy area of six (6) square feet, and a maximum height of four (4) feet. All copy shall be professionally printed on the sign or a rigid, removable panel using ultra-violet protected and non-soluble ink or paint. Chalk; dry-erase or other markers; hand-lettered copy; vinyl or plastic lettering attached with adhesives; magnetic letters; reader boards; removable letters mounted in slide-in tracks, slots, channels, or other mounts; or other changeable message signs are expressly prohibited. Moving parts, balloons, streamers, pennants, illumination, or other adornments or effects are expressly prohibited along with all other prohibitions of this Ordinance.
6. Temporary ground signs shall be displayed only between the hours of 7:00 a.m. and 8:00 p.m. each day or while the business is open to the public, whichever is less, and shall be displayed only during mild weather conditions when winds or other conditions are incapable of tipping or transporting the sign. At all other times such sign shall be stored in a location that is not visible from any street or public way.
7. Temporary ground signs shall be set back a minimum of five feet from all property lines; shall not be located on public property under any circumstances; shall not be attached to trees, shrubs, or other landscaping, or to fire hydrants, light poles, or other utility appurtenances; and shall not be allowed to create an unsafe situation for the public. Such signs shall be manufactured or incorporate internal ballast sufficient to cause such sign to weigh not less than fifteen (15) pounds. In addition, such signs shall be sufficiently weighted or ballasted to withstand continuous wind speeds of not less than 15 miles per hour; to withstand wind gusts or bursts of not less than 25 miles per hour; and such signs shall not be displayed at any time when wind strength or other conditions may reasonably be expected of being capable of tipping, collapsing, or transporting the sign around or off the premises, and may be confiscated by the City and a citation issued if the permittee does not remove or otherwise continuously and satisfactorily remedy the situation for the duration of any and all wind incidents or other inclement weather conditions potentially capable of making the sign dangerous.

Temporary signs promoting a civic event, celebration, or festival that is recognized by the City Council are permissible for no more than 45 days prior to the first day of the event, celebration, or festival, and shall be removed immediately upon completion of the event, celebration, or festival. Each sign allowed by this paragraph shall not exceed 32 square feet in area or a height of eight (8) feet; shall be located only on private property or on public property for which permission has been obtained from the appropriate governing body owning or controlling such public property, or their authorized administrator; and shall be weighted or ballasted

to resist wind, and be removed during inclement conditions, in the same manner that is required by this Section for temporary ground signs.

G. Signs for Interstate-oriented businesses. In the "C-H" Highway Commercial District, one additional on-premise sign oriented to the Interstate shall be allowed for each lot which: contains a retail business providing food, lodging, or fuel and repair services essential to normal operation and maintenance of motor vehicles; is not separated from the Interstate by any property, on either side of the route of access, that is zoned or designated by the Comprehensive Plan for any residential or office use; and is located within a travel distance of 2600 feet from the Interstate Highway, said distance being calculated by beginning at the center point of the Interstate median at the nearest interchange, and thence measuring along the centerlines of streets traveled to reach the property's primary access, to the closest point on the lot. Such Interstate Signs shall comply with all regulations of this Ordinance, provided that the following bulk regulations shall apply in lieu of those contained in Figure 2:

1. Orientation. The faces of a free-standing or roof sign shall be perpendicular to, or in the case of a curve radial to, the right-of-way of the nearest section of Interstate.
2. Area. The maximum area shall be 300 square feet, except as provided by paragraph 4.3 (E) for motor fuel price signs.
3. Height. The maximum height of a free-standing sign shall be 50 feet.
4. Setback. The minimum setback of a free-standing sign from any property line shall be 50 feet.
5. Roof Sign in lieu of Free-standing. Alternatively to a free-standing sign, a wall or roof sign having a maximum area of three hundred (300) square feet and oriented towards the Interstate may be mounted on the building, provided that no roof sign shall extend more than ten (10) feet above the roof line in the case of a building two or less stories in height, or more than fifteen (15) feet in the case of a building having more than two stories. Further provided that such signs shall not exceed the height limitations of the zoning district. Roof signs shall be constructed in such manner that they appear to be an architectural blade or penthouse which is part of the building itself, and no visible guy wires, braces, or angle iron supporting structure shall be permitted.

H. Signs for lots having Interstate frontage or visibility. Lots located within 600 feet of and visible from the Interstate, but not serving travelers thereon as required by paragraph 4.3(B), may orient a portion of their permitted wall signage to the Interstate. Such lots shall not earn additional signage of any type for Interstate frontage, but shall be granted a bonus of one hundred (100) square feet of area for wall signs if choosing to orient such signage towards the Interstate. Lots eligible for

signage under this paragraph are separate and distinct from lots eligible under paragraph 4.3(B), and shall not apply for signage under both paragraphs.

- I. Planned Unit Development or Special Sign Districts. Planned Unit Developments or other developments are encouraged to set up special districts establishing separate design-oriented regulations which promote better design and higher quality of signs, in lieu of the provisions of this ordinance. Such special provisions shall be submitted for consideration by the Planning and Zoning Commission and City Council, and if approved shall be binding and have the same force and effect as this ordinance. If no special provisions are approved the provisions of this ordinance shall apply.

- J. Motor fuel price signs. Gasoline service stations, convenience stores, and similar retail businesses selling gasoline or similar fuels for use in motor vehicles as a major part of their business, shall be allowed sign area in addition to that customarily permitted by this ordinance, to display manually changeable price information for such fuel. The copy on each such price sign shall be limited to the type of fuel, such as "unleaded" or "diesel", and price per unit of measure therefor. The maximum copy area for any one fuel price and type shall be 8 square feet, and the maximum total additional sign area shall not exceed 16 square feet. Such signage may be placed on a ground sign, wall sign, or canopy support if such sign types are customarily permitted, but shall not be placed on a separate sign structure or portable sign.

Such businesses which are eligible for an Interstate sign in accordance with the criteria and regulations specified by paragraphs 4.3(B), shall be allowed to place sign area on the permitted Interstate sign in addition to that customarily allowed by this ordinance, to display fuel price information. Copy shall be limited as stated above. The maximum copy area of any one fuel price and type shall be twenty-five (25) square feet, and the maximum total additional sign area shall not exceed fifty (50) square feet. Because of the nature of such signage the price copy may be displayed in a single color in the manner found in an electronic message center, or may utilize mechanical means of altering the copy. The copy message shall not be changed more than six times in any 24 hour period, and only to reflect changes in the sales price of such fuels and communicate same to the traveling public. Flashing, scintillation, chasing, animation, occultation, or similar effects, are expressly prohibited.

- K. Automobile Dealerships. Businesses which sell new cars as a principal business shall be allowed one ground sign in addition to the number customarily allowed by this ordinance, with a maximum area of forty (40) square feet and maximum height of twenty (20) feet, to identify a sales area for used cars.

L. Off-Premise Signs.

1. Where Permitted. Off-premise signs shall not be located within 660 feet of the Interstate right-of-way, irrespective of zoning. Not more than one off-premise sign shall be located on any one lot or parcel. Off-premise signs are a permitted use in the "M-2" Medium Industrial District and "M-3" Heavy Industrial District, and may be permitted as a Conditional Use on a limited basis in the "C-H" Highway Commercial District and "M-1" Light Industrial District, subject to all of the requirements of this Chapter, the Zoning Ordinance, and other applicable regulations.

Where permitted subject to Conditional Use approval, the following conditions shall be met, together with all other customary standards for a conditional use:

- a. It is the intent of the City to promote removal of existing legally nonconforming off-premise signs, particularly those within zoning districts where they are no longer permitted, by providing an opportunity for a limited number of such signs to be erected in the "C-H" and "M-1" Districts to replace such nonconforming signs, if it can be found that the new signs would not be detrimental to the public health, safety, and welfare, nor to property values or esthetics. In addition, no such sign shall be permitted in the "C-H" or "M-1" District unless and until an existing legally nonconforming off-premise sign in a residential district, "P.U.D.", "C-N", "C-G", "C-H", or "M-1" District within the City is voluntarily removed by the appellant without compensation being paid for such sign by a governmental body or agency, and without being required to do so by the owner or lessee of the property, prior to or concurrently with erection of the proposed sign. The appellant shall provide satisfactory evidence showing how and when such removal will be accomplished.
- b. In the "M-2" and "M-3" Districts, the area of a permitted sign may be increased to not more than 675 square feet, and the height to not more than 35 feet, after obtaining a conditional use permit and satisfactorily showing that buildings and lot sizes in the vicinity of the sign generally are of such size that the increased area and/or height of the sign will be in keeping with the scale of the area, and that the sign will not overwhelm or dominate the street and vicinity. Evidence shall be required to show that the majority of the buildings are generally 30 feet or more in height, with floor areas of 75,000 square feet or more; and that lot or parcel sizes are generally five acres or more in size.

2. Bulk Regulations.

- a. Height. The maximum height shall be twenty-five feet in the case of a sign having an area of 300 square feet or less, and not more than thirty-five feet in height if the sign is permitted to have an area of more than 300 square feet.
- b. Setback. The minimum set back from each property line shall not be less than the height of the sign, and the minimum set back from any and all streets shall not be less than the average setback of the principal buildings located on adjoining lots. The maximum setback shall be 75 feet. If no building is located within three-hundred feet of the lot where the off-premise sign is located in one or both directions, then the minimum front setback required for the district shall be used for the vacant property in computing the street set back requirement. Setbacks shall be measured to the closest point of the sign, including any walkways or similar appurtenances to the sign or sign structure that extend more than four feet from the sign face.
- c. Size. The maximum area shall be 300 square feet except as otherwise permitted. A maximum area of 675 square feet may be allowed by conditional use in the "M-2" Medium Industrial and "M-3" Heavy Industrial Districts; if so allowed, such signs may also have extensions not exceeding 15% of the sign area.
- d. Spacing. Off-premise signs shall be located a minimum of one-thousand (1000) feet in any direction from any other off-premise sign or any electronic message center, and not less than five-hundred feet in any direction from the property line of any public park or building, or the boundary of a zoning district in which off-premise signs are not permitted, unless the sign will not be visible from such public property or zoning district.
- e. Orientation. The faces shall be perpendicular to, or in the case of a curve radial to, the street right-of-way.

M. Electronic Message Centers. Electronic message centers may be allowed in lieu of an Interstate Sign otherwise permitted by Section 4.3(B) of this ordinance, but only by special permit granted by the City Council and subject to all of the requirements of this Section, including the payment of fees, and any additional stipulations adopted by the City Council as conditions for granting said permit. The City Council finds that message centers create special concerns for the safety of the motoring public and esthetics of the community which necessitate additional regulations and additional penalties to ensure compliance with the City's regulations.

- 1. Eligibility for an electronic message center. Permits shall be issued only to Interstate-oriented retail businesses providing food, lodging, or fuel or repair services essential to normal operation and maintenance of motor vehicles. The

lot on which such business is located shall have a minimum of 500 feet of frontage on an Interstate Highway, shall be zoned "C-H" Highway Commercial District, and located within a travel distance of 2600 feet from the Interstate Highway as defined by Section 4.3(B).

Such business shall further demonstrate that: a competing Interstate business within the Des Moines Metropolitan Area with the same principal use has lawfully erected an electronic message center; and the message center will not obstruct the view of or distract attention from official governmental signs or become a public nuisance.

Any and all variances granted for ground signs shall be voluntarily vacated and declared null and void. Existing Interstate signs shall be removed concurrently with erection of the electronic message center, and all other existing ground signs, except directional signs, shall be removed within five years after erection of the electronic message center. No new on-premise ground signs shall hereafter be erected or used by such business unless the electronic message center is first removed; said existing ground signs shall be considered fully amortized upon erection of the electronic message center, and shall be treated as legally nonconforming signs thereafter.

2. Bulk Regulations.

- a. Height. The maximum height of any sign which includes an electronic message center shall be 50 feet above the roadway grade of the Interstate Highway at that point closest to the sign.
- b. Setback. An electronic message center shall be setback a minimum of 50 feet from the Interstate right-of-way but not more than 200 feet from said right-of-way; shall be sufficiently set back from any public street right-of-way other than an Interstate or Interstate frontage road so as to be located a minimum of 350 feet from the centerline of said streets; and 50 feet from any other property line.
- c. Size. Maximum total area of any sign containing an electronic message center shall be 300 sq. ft., and the maximum dimensions of an electronic message center shall be 4 feet-8 inch vertically and 40 feet horizontally; such sign shall not be eligible for additional sign area under 4.3 (E).
- d. Operation. Electronic message centers shall not utilize animation, chasing, flashing, scintillation, scrolling or running messages, fade, or any other effect which depicts movement or is intended to draw attention to the sign. Each copy display, whether or not in a sequential message, shall be totally extinguished a minimum of one second before a new copy display appears, and each copy display shall remain lit a minimum of five seconds. Such signs shall not display off-premise advertising. Other limitations may be

imposed by the City Council if found to be necessary to protect the public health, safety, and welfare.

- e. Spacing. Electronic message centers shall be located a minimum of 1000 feet from any other electronic message center or any off-premise sign.
- f. Orientation. The faces shall be perpendicular to, or in the case of a curve radial to, the right-of-way of the nearest section of Interstate.

3. Special Permit Requirements.

- a. Application. Application shall be made to the City Council on a form prescribed by the City, and shall be accompanied by a contract with a licensed sign company for the maintenance of all electrical components and the sign structure; fees; and surety to guarantee compliance with all regulations. The permittee shall provide the name and address of a person who will be responsible for operation of the sign, and in making application acknowledges that violation of these regulations shall result in forfeiture of surety and constitutes grounds for nonrenewal of the permit.
- b. Fee. An annual fee in the amount of \$ 500 shall be paid to the City to cover the costs of monitoring the sign and enforcing these regulations; an additional fee for the initial permit shall be paid in the amount of the engineering fee for the services required by paragraph 2(b) of this section.
- c. Surety. The permittee shall deposit a cash bond or other acceptable surety in the amount of \$ 5,000 with the City to ensure compliance with these regulations. Such surety shall be forfeited to the City if the number of violations in any one year exceed the number allowed herein, or if the permittee fails to file for a renewal of the license within 60 days after the date of expiration. The City may use the proceeds of said bond to remove the sign or for any other purpose, and if choosing to remove the sign may assess any costs including legal fees in excess of the surety amount against the property.
- d. Violations. If any one or more of the restrictions on operation on a message center, as specified in paragraph H-2d, are violated on more than 3 separate occasions in any license year, the surety required herein shall be forfeited unless the City Council directs otherwise, and such violations shall be grounds for denying a renewal of the permit. The City Council shall hold a public hearing on such matter and provide a minimum of 7 days notice. The Zoning Administrator or other official charged with enforcing this ordinance shall document each violation and send notice of same to the person and address identified on the permit application as being responsible for the message center. The permittee shall be responsible for informing the City in writing of any changes in the name or address of the responsible

party. Violations shall be promptly corrected, and if not corrected within seven (7) days after notification shall constitute a separate violation.

- e. Hold-harmless. The permittee shall hold the City harmless and indemnify it against any and all costs or judgments arising from erection and operation of the sign.
 - f. Renewal. Permits may be renewed each year at the City Council's discretion upon payment of the prescribed fee and providing all information and the surety required herein, and upon demonstrating continued compliance with all of the requirements of this and all other ordinances.
- N. Public Buildings and Churches. (Amended by Ordinance No. 2008-01, April 4, 2008). Publicly owned or leased buildings and churches shall be allowed to erect wall signs and monument signs regardless of the zoning district in which the lot is located in accordance with the following:
- 1. Wall signs shall be allowed, provided that the maximum copy area shall be two square feet for each lineal foot of building frontage and not more than 200 square feet, whichever is less, on each building frontage.
 - 2. A monument sign having a maximum of 75 square feet of copy area shall be allowed on each street frontage to the extent allowed by this ordinance, subject to compliance with all monument sign requirements of this ordinance.
 - 3. All wall and monument signs shall be individual letter signs

SECTION 5: PROHIBITED SIGNS

The following signs are expressly prohibited in any zoning district and on any lot.

5.1 Unlawful Signs, as defined by Section 2.

5.2 Abandoned, Damaged, or Unmaintained Signs. Any such sign shall be removed in its entirety, including poles and other structural members, provided that footings may be retained if in the opinion of the Administrator they do not represent a threat to the public and might reasonably be reused by a future occupant. If a sign is altered, any unused structural supports or parts thereof shall be deemed abandoned and removed. If the owner fails to promptly remove such sign or support, the City may order such removal and the costs therefor shall become a lien on the property.

5.3 Painted Wall Signs. Wall signs shall not be painted directly on the surface of a building wall.

5.4 Portable Signs. Portable signs, pennants, spinners, streamers, string lights, festoons, searchlights, swinging signs, flags other than those of the United States or State of Iowa, or similar devices not expressly permitted by Section 4.

5.5 Roof Signs. Roof signs are prohibited except as allowed by Section 4.3.

5.6 Snipe Signs. Any sign attached to a tree or utility pole, whether on public or private property, and any sign placed on public property without permission by the City Council, is prohibited, except official notices or announcements by a governmental authority.

5.7 Animated or Flashing Signs and Electronic Message Centers. Any sign using or displaying flashing, chasing, scintillating, occultating, or intermittent lights; animation; indexing; or sound, odor, emission of visible matter, or other means of drawing attention to itself, whether by electronic, mechanical, atmospheric movement, or other means or any combination thereof, is prohibited unless expressly permitted by Section 4.3.

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SECTION 6: PERMITS

6.1 Permit Required. (Amended by Ordinance No. 2008-08, June 3, 2008). No sign shall be erected, installed, displayed, or modified, and no sign copy shall be changed or replaced, prior to issuance of a sign permit by the Zoning Administrator unless exempted from the permit requirements by this Section. Sign permits shall become null and void if erection or installation is not commenced within one hundred and twenty (120) days from the date of issuance, or if the work is suspended or abandoned for one hundred and twenty (120) days at any time after the work was commenced. A new permit shall be obtained and fees paid in full for such new permit prior to continuing any suspended or abandoned work, and such work shall comply with the requirements of this Ordinance as of the date of issuance of the new permit.

A permit is not required for painting, cleaning, and other customary annual maintenance or repair of a legal sign if the sign is not modified in any way.

Permits for real estate signs, project signs, and construction signs shall expire the earlier of six (6) months or when the premises are sold or leased or the project or construction is completed, according to the purpose for the sign. Such signs shall be promptly removed upon expiration unless renewed together with payment of relevant fees.

The following signs are hereby exempted from the permit requirements but shall otherwise comply with all requirements of this Ordinance:

- A. Garage and yard sale signs that comply with Section 3.5 and all other requirements of this Ordinance.
- B. Real estate signs not exceeding five (5) square feet in area and compliant with Section 3.15 and all other requirements of this Ordinance, in all zoning districts.
- C. Political signs that comply with Section 3.16 and all other requirements of this Ordinance.
- D. Directional signs that do not contain any advertising copy and that comply with all requirements of this Ordinance.
- E. Temporary window signs, provided that such signs do not cover more than twenty-five percent (25%) of the window area and are not displayed for more than thirty (30) total (but not necessarily consecutive) days per calendar year.
- E. Except window signs, signs that are located within the confines of a building and not legible from a public street or way.
- F. Traffic control signs on private streets and drives, and for parking lot circulation aisles and drives, that do not contain any advertising or other copy unrelated to a traffic control purpose.
- G. Service signs identifying restrooms, first aid stations, emergency shelters and other similar non-commercial public service facilities, and official signs identifying handicapped parking and other publicly-enforced parking restrictions.
- H. Street addresses on buildings and signs not exceeding four square feet in area, or larger in area if such increased size is required by Urbandale ordinances or by order

of the Fire or Police Chief.

- I. No trespass, no hunting, and similar restrictive signs, each not to exceed two square feet in area, if placed upon private property by the owner at intervals of 300 or more foot.
- J. Memorial signs or plaques not exceeding ten (10) square feet in area.

6.2 Application for Permit. Application for a permit in accordance with Figure 2, hereby included in this ordinance, shall be made to the Administrator upon a form provided by the Administrator and shall be accompanied by such information as may be required to assure compliance with all appropriate laws and regulations of the city including:

- A. Name and address of owner of the sign.
- B. Name and address of owner or the person in possession of the premises where the sign is located or to be located.
- C. Clear and legible drawings with description definitely showing location of the sign which is the subject of the permit and all other existing signs whose construction requires permits, when such signs are on the same premises.
- D. Drawings showing the dimensions, structural supports, sizes, electrical wiring and components, materials of the sign and method of attachment and character of structural members to which attachment is to be made. The design, quality, materials and loading shall conform to the requirements of the International Building Code as adopted by the City. If required by the Administrator, engineering data shall be supplied on plans submitted certified by a duly licensed engineer.

6.3 Issuance or Denial of Permit. The Administrator shall issue a permit for the erection, alteration, or relocation of a sign within the city when an application therefor has been properly made and the sign complies with all appropriate laws and regulations of the City.

The Administrator may, in writing, suspend or revoke a permit issued under provisions of this Section whenever the permit is issued on the basis of a mis-statement of fact or fraud. When a sign permit is denied by the Administrator, he shall give written notice of the denial to the applicant, together with a brief written statement of the reasons for the denial.

6.4 Effect of Issuance. No permit for a sign issued hereunder shall be deemed to constitute permission or authorization to maintain an unlawful sign nor shall any permit issued hereunder constitute a defense in an action to abate an unlawful sign.

6.5 Permit Fees. (Amended by Ordinance No. 2008-08, June 3, 2008). A fee shall be paid for each sign permit at the time of application and in such amount as may be set from time to time by resolution of the City Council.

6.6 Notice of Change. Whenever there is a change in the sign user, owner, or owner of the property on which the sign is located, the new sign user, owner or new property owner shall forthwith notify the Administrator of the change. No new sign permit is required, unless the sign is altered or relocated.

6.7 Inspection. The person erecting, altering or relocating a sign shall notify the Administrator upon completion of the work for which permits are required.

- A. Inspections. All free-standing signs shall be subject to a footing inspection, prior to erection, and all signs to a final electrical inspection by the Administrator.
- B. Maintenance. Every sign in the city, including but not limited to those signs for which permits or for which no permits or permit fees are required, shall be maintained in good structural condition at all times. All signs, including those exempted, shall be kept neatly painted, including all metal parts and supports by which these conditions are deteriorating. An inspection can be applied in two alternative methods: (1) The Administrator can request that a licensed sign company duly certify and file with the city that the sign meets as nearly as possible all of the structural, electrical and material specifications set out in this code or the laws or regulations of the city; or (2) Alternatively, the city shall send out an inspector, and the inspector shall verify that the sign is in a safe condition with respect to its physical characteristics.
- C. Signs Declared Unlawful. The Administrator may declare any sign unlawful if it endangers public safety by reasons of inadequate maintenance, dilapidation or abandonment. Any such declaration shall state the reasons of the Administrator for stating that the sign constitutes a safety hazard to the general public.

Any sign owned, kept, displayed or maintained by any person within the city, the ownership keeping a display which is unlawful pursuant to the provisions of this Code, is hereby declared to be in violation of this Code. The Administrator may declare any such sign to be unlawful, and such declaration shall state in writing the reason or reasons why such sign and the keeping, owning, maintenance, construction, and display or operation thereof, is unlawful under the terms of this Code, such declaration shall be sent to the owner and shall include notification that unless such violation is corrected within thirty (30) days, said sign shall be removed at the owners expense.

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SECTION 7: LICENSING

7.1 Sign Contractors to be Licensed. No person shall perform any work or service for any person or for any government entity for compensation, in or in connection with the erection, construction, enlargement, alteration, repair, moving, improvement, maintenance, conversion or manufacture of any sign in the city, or any work or service in connection with causing any such work to be done unless such person shall first have obtained a sign contractor's license from the Administrator and pay the license fee of Ten Dollars (\$10), or shall be represented by a duly licensed agent or sub-contractor; provided, however, that this shall not include the placement of the standard real estate, for sale, lease or identification sign.

7.2 Sign Manufacturers. Before any manufacturer can engage in the manufacturing of an electrical sign, it must demonstrate the ability to issue electrical label pertinent to electric signs, certifying that the construction meets the electrical sign specifications of the Underwriters' Laboratory (48).

7.3 Indemnification. As a condition to the issuance of a business license as required in the City Code, all persons engaged in the business of installing or maintaining signs which involves, in whole or part, the erection, alteration, relocation, maintenance of a sign or other sign work in or over or immediately adjacent to a public right-of-way or public property so that a portion of the public right-of-way or public property is used or encroached upon by the sign installer, shall agree to hold harmless and indemnify the city, its officers, agents, and employees, from any and all claims of negligence resulting from the erection, alteration, relocation, maintenance of a sign or other sign work insofar as this Code has not specifically directed the placement of a sign.

7.4 Insurance. Every applicant for a license shall, before such license is granted, file with the State a satisfactory certificate of insurance to indemnify the State or municipality against any form of liability to a minimum of five hundred thousand dollars (\$500,000), or shall be responsible through any agent or sub-contractor. The insurance shall be maintained in full force and effect during the term of the business license and said insurance policy or certificate shall provide that the city be notified of any cancellation of the insurance ten days prior to the date of cancellation.

7.5 Other Licenses. Federal, Provincial or State licenses as applicable. Any sign company seeking to erect, construct, enlarge, alter, repair, move, improve, maintain, convert or manufacture any sign shall demonstrate and register with the city a statement that they have all of the necessary licenses from all other governmental agencies applicable, or shall be represented by a duly licensed agent or sub-contractor.

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SECTION 8: NONCONFORMING SIGNS

8.1 Legally Nonconforming Signs. (Amended by Ordinance No. 2008-08, June 3, 2008). Such signs may be continued and maintained subject to the provisions of Section 8.2, provided that a nonconforming sign shall not be enlarged, reconstructed, structurally altered or changed in any manner, nor shall copy on an on-premise nonconforming sign other than a legal directory sign be changed to advertise or identify any use or business other than that in operation on the date such sign became legally nonconforming.

No sign that had been erected in violation of any previously existing regulation shall be granted legal nonconforming status.

8.2 Termination of Legally Nonconforming Signs. A legally nonconforming sign shall immediately lose its legal status, and shall immediately comply with the provisions of this ordinance or be removed, if any of the following occurs:

- A. Abandonment. Any sign which advertises or identifies a business, product, or service that has not been available or in operation at the location for more than ninety (90) days, or which has not been maintained in a state of good repair for such time, shall be deemed to be abandoned and nonconforming rights extinguished, and shall be removed. This provision shall not apply to permanent signs accessory to businesses which are open only on a seasonal basis, provided there is a clear intent to continue operation of the business.
- B. Destruction, Damage, or Obsolescence. If more than 60% of the face of a sign is damaged or destroyed, or if a sign is structurally damaged, the sign shall be brought in conformance with this ordinance.
- C. Amortization. Legally nonconforming signs shall be maintained only as long as they advertise or identify the business or nature thereof in existence on the effective date of this ordinance. Change of copy, enlargement, relocation, reconstruction, structural alteration, or other change shall not be permitted. The right to maintain a legally nonconforming sign shall be deemed to run with the business in existence on the effective date of this ordinance and shall not be transferable to another business, use, or lot, but shall expire along with discontinuation of the business, service, or product being advertised on the effective date of this ordinance. Copy on off-premise signs and changeable copy boards which is meant to be periodically changed may be changed without affecting legally nonconforming status.

8.3 Maintenance and Repair. Nothing in this section shall relieve the owner or user of a legally nonconforming sign or the lot owner from maintaining such sign in a state of good repair.

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SECTION 9: APPEALS

9.1 Appeal from Denial of Permit. Appeal may be taken to the Board of Adjustment from the Administrator's denial of a sign permit.

9.2 Appeal from Failure of Administrator to Grant Permit within Thirty (30) Days. The Administrator's failure to either formally grant or deny a sign application within thirty (30) days of the date an application meeting the requirements of this Code is filed shall be grounds for appeal to the Board of Adjustment, under the terms of Section 6.2 of this Code.

SECTION 10: VIOLATIONS AND PENALTIES

Any violation of any of the terms or conditions of this chapter, or any failure to comply with any of its requirements, shall constitute a misdemeanor. Any person who is convicted of a violation of any requirement of this chapter shall be fined not more than One Hundred Dollars (\$100) or be imprisoned for not more than thirty (30) days. Each day such violation continues shall be considered a separate offense.

SECTION 11: SEPARABILITY

Should any section or provision of this Ordinance be declared invalid or unconstitutional, such adjudication shall not affect the validity of this Ordinance as a whole or any section, provision or part thereof not adjudged invalid or unconstitutional.

SECTION 12: EFFECTIVE DATE

This Ordinance shall be in full force and effect from and after its final passage and notice thereof is published as provided by law.

FIGURE 2: REGULATIONS FOR ON-PREMISE SIGNS

| Zoning District | Real Estate Sign | Permanent Identification | Permanent Directional | Ground Sign | Wall Sign | Minimum Setback | Maximum Height |
|-----------------------------------|---|--|---|--|--|---|---|
| A-1 | 1-24"x30" | None | None | None | None | 10 feet from any Property Line | 5 feet |
| A-2 | 1-24"x30" | One-36 sq. ft. Maximum | 1-Each Entrance or Exit-4 sq. ft. Maximum Each Sign | None | None | 10 feet from any Property Line | 5 feet |
| R-1L, R-1I, R-1S, R-2 | 1-24"x30" | New Subdivisions Only 1-36 sq. ft. Maximum | None | None | None | 10 feet from any Property Line | 5 feet |
| R-3, R-4 | 1-24"x30" for single family; One, with a max. size of 4 ft. by 8 ft. for multi-family | 1-36 sq. ft. Maximum | 1-Each Entrance or Exit-4 sq. ft. Maximum Each Sign | None | None | 10 feet from any Property Line | 5 feet |
| O-R | 1-24"x30" for single family; One, with a max. size of 4 ft. by 8 ft. for Commercial or multi-family | Multi-family: 30 sq. ft., max. dimension 15 feet | Multi-family or Commercial; one each entrance or exit drive, max. area 4 sq. ft. each | Residential: none; Commercial: 30 sq. ft. area and max. dimension 15 ft. | S.F. Attached or detached: none; Home Occupation: 4 sq. ft.; M.F. 5% of 1 st floor wall area facing st. or 30 sq. ft. whichever is less; Comm.: 5% of 1 st floor wall area facing St. or 10 sq. ft. whichever is greater | 10 feet from any Property Line | 10 feet |
| C-O | One, with a max. size of 4 ft. by 8 ft. | One directory sign, 25 sq. ft. maximum area | 1-Each Entrance or Exit-4 sq. ft. Maximum Each Sign | Max. of 50 sq. ft. identifying the principal permitted use | Not to exceed 1 sq. ft./200 sq. ft. of floor area | Directory sign; 25' from any Property Line; Ground Sign: 10' from any property line | Directory Sign: 6 feet; Ground Sign: 35 ft. |
| C-N, C-G, C-H, C-P, M-1, M-2, M-3 | One, with a max. size of 4 ft. by 8 ft. | None | 1-Each Entrance or Exit-4 sq. ft. Maximum Each Sign | 1-Each Street Frontage; 50 sq. ft. Max. each sign | 1-Each Street Frontage; Max. Area of all signs=2 x Lineal Frontage of Principal Building | 10 feet from any Property Line | Same as Max. Height of Principal Bldg. for District |
| PUD | 1-24"x30" | 1-36 sq. ft. Maximum | 1-Each Entrance or Exit-4 sq. ft. Maximum Each Sign | None | None | 10 feet from any Property Line; | 5 feet |