

EXHIBIT "A"
OF ORDINANCE 1002

CHAPTER 14
SIGN CODE REGULATIONS
(Codification of Original Ordinances No. 910 & No. 931)
ARTICLE 14-1
SCOPE AND ENFORCEMENT

Sec. 14-1-1 **PURPOSE**

Signs use private land and the sight lines created by the public right-of way to inform and persuade the general public by publishing a message. This ordinance provides standards for the erection and maintenance in accordance with these standards. The general objectives of these standards are to promote health, safety, welfare, convenience and enjoyment of the public, and in part to achieve the following:

- A. Safety: To promote the safety of persons and property by providing that signs:
 - 1. Do not create a hazard due to collapse, fire, collision, decay or abandonment;
 - 2. Do not obstruct fire fighting or police surveillance;
 - 3. Do not create traffic hazards by confusing or distracting motorists, or by impairing the driver's ability to see pedestrians, obstacles, or other vehicles, or to read traffic signs. Ord. 931

- B. Communications Efficiency: To promote the efficient transfer of information in sign messages by providing that:
 - 1. Those signs which provide messages and information most needed and sought by the public are given priorities. Ord. 931
 - 2. Businesses and services may identify themselves. Ord. 931
 - 3. Customers and persons may locate a business or service. Ord. 931
 - 4. No person or group is arbitrarily denied the use of the sight lines from the public right-of-way for communication purpose. Ord. 931
 - 5. Persons exposed to signs are not overwhelmed by the number of messages presented, and are able to exercise freedom of choice to observe or ignore aid messages, according to the observer's purpose. Ord. 931

C. Landscape Quality and Preservation: To protect the public welfare and to enhance the appearance and economic value of the landscape, by providing that signs:

1. Do not interfere with scenic views;
2. Do not create a nuisance to persons using the public right-of-way;
3. Do not create a nuisance to occupancy of adjacent and contiguous property by their brightness, size, height or movement; and
4. Are not detrimental to land or property values. Ord. 931

Sec. 14-1-2 **AUTHORITY**

The provisions of this Code are adopted pursuant to Texas Local Government Code Section 216. Notwithstanding any other provision of this Article, no legally erected sign shall be required to be relocated, reconstructed or removed except in compliance with Texas Local Government Code. Ord. 910

Sec. 14-1-3 **FIRST AMENDMENT RIGHTS**

This Ordinance shall not be interpreted nor enforced in a manner to violate First Amendment Rights and any provision of this Ordinance or the application of any provision to any person or circumstance is held invalid or unconstitutional by a court of competent jurisdiction, such holding shall not affect the validity of the remaining provisions of the Ordinance. Ord. 910

Sec. 14-1-4 **JURISDICTION**

In accordance with the Texas Local Government Code, the provisions of this Article shall apply to all signs in the city limits of the City of Palmer and to the areas in the City's Extraterritorial Jurisdiction (ETJ), including, but not limited to the following roadways. Ord. 910

- A. H-I 45
- B. F M 8 1 3
- C. F M 8 7 8
- D. Business 45. Ord. 910

Sec. 14-1-5 **APPLICABILITY AND ENFORCEMENT**

A. A sign may not be altered, installed, erected, constructed, placed, painted, created, enlarged, moved or converted within the City of Palmer or its specified extraterritorial jurisdiction except in compliance with the standards, procedures, exemptions, and other requirements of this Code. Ord. 910

- B. The provisions of this Article may be enforced against, without limitation, a sign owner, a sign user, an operator or lessee of a sign, or the property owner on which the sign is located. Such persons shall be referred to herein as "Responsible Persons." Ord. 910

ARTICLE 14-2 DEFINITIONS

Sec. 14-2-1 The following words, terms and phrases, when used in this article, shall have the meanings ascribed to them in this section, except where the context clearly indicates a different meaning: Ord. 1002.

Building - means a structure which has a roof supported by columns or walls for the shelter, support, or enclosure of persons, animal or chattel. Ord. 931

Dilapidated - Any surface element, background, panels, or support of any sign that has finished materials that are missing, broken, bent, cracked, decayed, dented, harmful, hazardous, illegible, leaning, splintered, ripped, torn, twisted, or unsightly. Ord. 1002

Effective Area, Attached Sign - means the sum of the areas of the minimum imaginary rectangles enclosing each word attached to any particular facade. Effective area shall also be referred to as size. (See Illustration 1) Ord. 931

Effective Area, Monument Sign - means the area enclosed by drawing a rectangle of horizontal and vertical lines which fully contain all extremities of the sign location above the ground including the sign base. The measurement is to be calculated from a viewpoint which gives the largest rectangle of that kind. The effective area shall also be referred to as size. (See Illustration 1) Ord. 931

Effective Area, Other Sign - Signs that do not meet the definition of attached signs or monument signs shall be referred to as other signs. The effective area of other signs shall be calculated by drawing a rectangle of horizontal and vertical lines which fully contain all extremities of the sign exclusive of its supports. Effective area shall also be referred to as size. Ord. 931

Electronic Billboards – An off-premises sign for the purpose of display of commercial or noncommercial digital messages which include any of its support, frame, or other appurtenances. Ord. 1002

Facade - means any separate face of a building, including parapet walls and omitted wall line, or any part of a building which encloses or covers usable space. Where separate faces are oriented in the same direction, or in the directions within forty-five degrees of one another, they are to be considered as a part of a single facade. Ord. 931

Graffiti - means any rude inscription, design, motto, or pictograph, scratched, drawn, painted, or in any way marked on the surface of any wall, fence, rock, escarpment, or any other exposed surface of any public or private property. Ord. 1002

Historic District – The Downtown area within the corporate limits of the City. Ord. 1002

Model Home - means a single family dwelling structure that is open for inspection by the general public and is not used as a dwelling. Ord. 931

Premises - means a lot or un-platted tract, or a combination of contiguous lots or un-platted tracts if the lot or tract, or combination is under single ownership and is reflected in the plat records of the city. Ord. 931

Sign - Any form of publicity or advertising which directs attention to an individual, business, commodity, service, activity, or product, by means of words, lettering, parts of letters, figures, numerals, phrases, sentences, emblems, devices, trade names, or trademarks, or other pictorial matters designed to convey such information and displayed by means of print, bills, posters, panels, or other devices on an open framework, or attached or otherwise applied to stakes, posts, poles, buildings, or other structures or supports. Ord.1002.

Sign, Abandoned Sign – An on-premises sign, attached or detached, advertising a business that has closed or ceased operation for a period of 30 calendar days, or where the operations permit has been revoked or expired. Ord. 1002.

Sign, Attached - means any sign attached to, applied on, or supported by, any part of a building (such as a wall, roof, window, canopy, awning, arcade, or marquee) which encloses or covers usable space. Ord. 931

Sign, Awning – A permanent sign that is directly applied, attached or painted onto an awning, which is a retractable or non-retractable projection, shelter or structure of rigid or non-rigid canvas, metal, wood, or other similar approved material approved. Ord. 1002.

Sign, Banner - means a sign which is not permanently affixed. Ord. 931

Sign, Billboard - An off-premises sign for the purpose of display of commercial messages or noncommercial messages. The term includes any of its support, frame, or other appurtenances.

Sign, Detached - means any sign connected to the ground which is not an attached sign, inclusive of signs on movable objects, except signs on vehicles which are moving or are parked only temporarily, incidental to their principal use for transportation. Ord. 931

Sign, Monument - A freestanding sign set on a ground monument base. Monument signs shall include pedestal signs. Ord. 1002

Sign, Movement Control - A sign which directs vehicular or pedestrian movement within or on the premises such as, but not limited to, entrance, exit, or overhead clearance, and which does not advertise the name of the establishment. Ord. 1002

Sign, Off-premises - A sign that identifies or advertises a business, person, activity, goods, products, entertainment or services at a location other than where the sign is located. Ord. 1002

Sign, On-premises – Any sign which identifies or advertises a business, person, activity, goods, products, entertainment or services primarily sold, offered, or conducted, for sale on the premises where the sign is located, installed, maintained, or to which it is affixed when such premises is used for business purposes. Ord. 1002

Sign, Political - means any type of sign which refers only to the issues or candidates involved in a political election. Ord. 931

Sign, Portable – Any sign designed or intended to be relocated from time to time, whether or not it is permanently attached to a structure, or is located on the ground. Ord. 1002

Sign, Protective - means any sign which is commonly associated with safeguarding the permitted uses of the occupancy, including, but not limited to, “bad dog,” “no trespassing,” and “no solicitors.” Ord. 931

Sign, Projecting – A sign attached and projecting out from a building face or wall, generally at a right angle to the building a maximum of 18 inches. Ord. 1002

Sign, Pylon – A freestanding sign permanently affixed to the ground by supports, but not having the appearance of a solid base. Ord. 1002

Sign, Subdivision Entry – A sign mounted to a screening wall or engraved into a masonry block which identifies a development, either residential or non-residential, and generally refers to the platted name of the subdivision. Ord. 1002

Sign, Support - means any pole, post, strut, cable, or other structural fixture or framework necessary to hold and secure a sign, providing that said fixture or framework is not imprinted with any picture, symbol or word using characters in excess of one (1) inch in height, nor is internally or decoratively illuminated. Ord. 931

Sign, Temporary – Any sign that is not intended for permanent use and that is typically utilized for advertisement of seasonal specials or special events. Temporary signs include, but are not limited to, banners, inflatable devices, and wind flags, etc. Ord. 1002

Sign, Vehicular - Any sign on or in a moving vehicle or on any vehicle parked temporarily, incidental to its principal use for transportation. This definition shall not include signs or lettering on company vehicles that advertises only the company name, address, and phone number. This definition exempts magnetic signs on the sides and rears of cars. Ord. 1002

Sign, Wall – A sign erected against an exterior wall, erected parallel to a wall or painted directly onto a wall. Ord. 1002

Sign, Window – A sign either attached on a window (by painting or other adhesive) or hanging within the window that generically advertises a commodity, service, activity, or product by means of words, lettering. Ord. 1002

Zoning District, Business - means any zoning district designated by the Zoning Ordinance of the City of Palmer as C-I, C-2, I, and any PD district with the previous listed zoning prefix is also included in this list, unless specifically excluded by its provisions. Ord. 931

Zoning District, Non-business - means any zoning district not designated as a business district in accordance with the above definition. Ord. 931

ARTICLE 14-3
PERMIT PROCEDURES AND FEES

Sec. 14-3-1 ADMINISTRATION

The provisions of this code shall be administered by the City Secretary or authorized representative. Ord. 931

Sec. 14-3-2 PERMITS

No sign shall be erected, constructed, relocated, altered, repaired or maintained except as provided in this article until a permit for such has been issued and the fee paid, except as otherwise provided in this article. Ord. 931

Sec. 14-3-3 APPLICATIONS

All applications for permits shall include a drawing to scale of the proposed sign and all existing signs maintained on the premises and visible from the right-of-way; a drawing of the plot plan or building facade indicating the proposed location of the sign, and specifications. Ord. 931

Sec. 14-3-4 FEES

Every applicant, before being granted a permit, otherwise noted as permitting, shall pay to the City of Palmer the applicable fee herein defined.

- A. Fees for a permit to erect, alter, replace or relocate a sign shall be One Hundred Dollars (\$100.00) for each sign unless otherwise stated in this ordinance.
- B. It shall be unlawful for any person to repair, excluding repainting or changing the message, any sign requiring a permit without first obtaining a repair permit and making payment of the fee required. Fees for a permit to repair shall be Fifty Dollars (\$50.00).
- C. When a sign is erected, placed or maintained, or work started thereon before obtaining a sign permit, there shall be a late fee equal to twice the amount of the sign permit fee. The late fee does not excuse full compliance with the provisions of this article.
- D. A permit for a sign, shall expire if the work is not commenced within forty-five (45) days from the date of such permit, or if work authorized by such permit is suspended or abandoned at any time after work is commenced for a period of forty-five (45) days. Ord. 931

Sec. 14-3-5 **ELECTRICAL PERMIT**

Prior to issuance of a sign permit for a sign in which electrical wiring and connections are to be used, an electrical permit must be obtained according to the existing fee schedule. The electrical inspector shall examine the plans and specifications submitted with the application to ensure compliance with the Electrical Code of the City. No sign shall be erected in violation of the Electrical Code. Ord. 931

ARTICLE 14-4
PROVISIONS FOR ALL ZONING DISTRICTS

Sec. 14-4-1 **IMITATION OF TRAFFIC AND EMERGENCY SIGNS PROHIBITED**

No person shall cause to be erected or maintained any sign using any combination of forms, words, colors, or lights, which imitate standard public traffic regulatory, emergency signs, or signals. Ord. 931

Sec. 14-4-2 **EXEMPTIONS**

The following signs are specifically exempt from the provisions of this code.

A. **Movement Control Signs.** Movement control signs may be erected at any place of occupancy or any premises, other than single family or duplex premises. The signs may be attached or detached, and may be erected without limits as to number; provided that such signs shall comply with all other applicable requirements of this ordinance. Movement control signs shall be premises signs only and shall not be construed as any sign listed in Section 14-8-5 or Section 14-8-6. The occupant of a premises who erects a movement control sign shall comply with the following requirements:

1. Each sign must not exceed three (3) square feet in effective area.
2. If a sign is an attached sign, the words must not exceed six (6) inches in height.
3. Each sign must convey a message which directs vehicular or pedestrian movement within or onto the premise on which the sign is located.
4. The signs must contain no advertising or identification message.

B. **Protective Signs.** The occupant of a premises may erect not more than a single protective sign per entrance, in accordance with the following provisions:

1. Each sign must not exceed two (2) square feet in effective area. Ord. 931
2. Detached signs must not exceed two (2) feet in height. Ord. 931
3. Letters must not exceed four (4) inches in height. Ord. 931
4. Security stickers may be placed at all entrances. Ord. 931

- C. **Vehicular Signs.** Vehicular signs shall conform to the following restrictions:
 - 1. Vehicular signs shall contain no flashing or moving elements. Ord. 931
 - 2. Vehicular signs shall not project beyond the surface of a vehicle. Ord. 931
- D. **Government Signs.** Flags, insignia, legal notices, or informational, directional, or traffic signs which are legally required or necessary to the essential functions of government agencies. Ord. 931

Sec. 14-4-3 **PROHIBITED SIGNS**

The following types of signs are specifically prohibited.

- A. Portable Signs. Ord. 931
- B. Balloons, streamers, bunting, banners (except temporary banners under section 14-5-4 of this code), flags (except flags allowed under Section 14-4-4 of this code) or signs that contain moving parts unless otherwise specifically allowed by this code. Ord. 1002
- C. Signs erected in violation of the building or electrical code of the city. Ord. 931
- D. Signs attached to or maintained upon any tree or public utility pole or structure. Ord. 931
- E. Signs attached to or painted on the outside of a fence, railing or wall that is not a structural part of a building. Ord. 931
- F. Signs attached to or painted on any sidewalk, curb, gutter or street (except house address numbers). Ord. 931
- G. Signs illuminated to intensity to cause glare or brightness to a degree that could constitute a hazard or nuisance. Ord. 931
- H. Signs that move, flash, light intermittently, change color or revolve unless specifically allowed by this ordinance. Ord. 931
- I. Flag poles unless otherwise specifically allowed by this code. Ord. 1002
- J. Off-premises signs. (Except for those signs allowed under Section 14-8-5 and section 14-8-6 of this code). Ord. 931

- K. Signs erected in the public right-of-way. (Except for those signs allowed under Section 14-8-5 and section 14-8-6 of this code). Ord. 931
- L. A sign attached to a vehicle parked adjacent to or within a public right-of-way, with the intent to use the parking location for advertising the sale of the vehicle to persons using the public right-of-way. Said sign shall not be a prohibited sign if said vehicle is on or adjacent to the property of the owner of the vehicle. Ord. 931

Sec. 14-4-4 FLAGS

All flags shall conform to the following requirements:

- A. Nothing in this ordinance shall be construed to prevent the display of a National, State or City flag. Ord. 931
- B. Businesses may erect one corporate flag and flag pole, per location, for a bona fide company or corporate office located within the City of Palmer. Ord. 931

Sec. 14-4-5 OBSCENITY

No person shall display on any sign any obscene, indecent or immoral matter. Any sign which does contain any obscene, indecent or immoral matter must be removed or the obscene, indecent or immoral matter must be removed within twenty-four (24) hours of notice. The owner of the property on which the sign is located shall be responsible for compliance with this section. Ord. 931

Sec. 14-4-6 OBSOLETE SIGNS

All signs relating to a product no longer available for purchase by the public and all signs relating to a business which has closed or moved away shall be removed or the advertising copy shall be removed. Painted wall signs shall be painted over with a color that resembles or matches the wall and does not allow the sign message to be visible after over painting. The owner of the property on which the sign is located shall be responsible to remove the sign within thirty days of obsolescence. Ord. 931

Sec. 14-4-7 MAINTENANCE OF SIGNS

All signs shall be maintained in good condition. Signs that are visibly damaged in any way, rusty, or have peeling paint do not meet minimum maintenance criteria and shall be brought into compliance no later than the tenth (10th) day after notice of such violation or the sign must be removed. The owner of the property on which the sign is located shall be responsible for compliance. Ord. 931

Sec. 14-4-8 **GRAFFITI**

Graffiti (including murals) is specifically prohibited within the City. The owner of the property on which graffiti is located shall remove all graffiti within 72 hours of notice. Ord. 931

ARTICLE 14-5
PROVISIONS FOR BUSINESS ZONING DISTRICTS

Sec. 14-5-1 **NON-BUSINESS DISTRICT**

Signs which are located within twenty-five (25) feet of a non-business district boundary shall conform to the requirements of non-business zoning district signs found in Article 14-6. Ord. 931

Sec. 14-5-2 **DETACHED (MONUMENT) SIGNS.**

Detached (monument) signs are permitted in business districts as follows:

- A. Shopping Centers with multiple tenants are permitted to erect a maximum of two (2) monument signs with the following stipulations.

Maximum size	110 square feet
Maximum height	12 feet
Setbacks	15 feet from street right-of-way 75 feet from property lines other than those property lines fronting the street right-of-way. 500 feet from other monument signs on the property.

- B. Businesses located on individually platted land including individual pad sites within a shopping center are permitted to erect one monument sign with the following stipulations:

Maximum size	75 square feet.
Maximum height	12 feet
Setbacks	15 feet from street right-of-way 75 feet from property lines other than those property lines fronting the street right-of-way. Ord. 931

Sec. 14-5-3 **ATTACHED SIGNS.**

Attached signs are permitted in business areas in accordance with the following provisions:

- A. All signs and their words shall be mounted parallel to the building surface to which they are attached and shall project no more than eighteen (18) inches from that surface.

B. Effective area: Attached signs shall not exceed the following schedules:

1. An attached sign located at a height of thirty-six (36) feet or less, shall not exceed one (1) square foot of sign area for each lineal foot of building frontage, but not to exceed three hundred (300) square feet.
2. An attached sign located above a height of thirty-six (36) feet shall be permitted an increase in maximum effective area equal to an additional 4 square feet for each one foot of height above thirty-six (36) feet, but not to exceed four hundred (400) square feet.
3. Attached signs may be located on each facade; however, the maximum effective area on any one facade shall not exceed three hundred square feet for signs less than thirty-six (36) square feet, or four hundred square feet for signs above thirty-six (36) feet in height.

C. Canopies. Signs shall not be attached to canopies e.g. gasoline service station canopies unless the sign is incorporated into the canopy.

D. Industrial Zoned Property. Buildings located within an area zoned I are allowed to erect the attached signs as follows:

1. Height: Letter/logo

<u>Wall Height above grade</u>	<u>Maximum Letter Height</u>
0-50 ft.	48 inches
50-100 ft.	60 inches
100-150 ft.	72 inches
150-200 ft.	84 inches
above 200 ft.	96 inches

2. Area:

<u>Maximum Letter/Logo Height</u>	<u>Maximum Area</u>
48 inches	200 sq. ft.
60 inches	250 sq. ft.
72 inches	300 sq. ft.
84 inches	350 sq. ft.
96 inches	400 sq. ft.

- a. Horizontal and vertical signs shall not exceed seventy five (75) percent of the wall width (or height, if vertical) of such building or store front.
3. Number of Signs:
 - a. One (1) sign per elevation per business. Rear wall signs are prohibited. Ord. 931

Banner signs shall be erected as outlined below. Such signs shall be constructed of cloth, canvas, or similar material and must be anchored in such a way that would prevent the sign from moving freely in the wind. Businesses that erect signs under the provisions of this section shall not display a sign that states "Going Out of Business" or similar message more than one time.

- A. During the initial year of operation, a business shall be permitted to erect one (1) temporary banner sign, a maximum of one (1) time. Such signs shall be erected a maximum of forty-five (45) days. The permit application for the sign must include the date the sign will be erected, the date the sign will be removed and a drawing showing the location of the sign. The permit fee for a temporary banner sign shall be fifteen dollars (\$15.00). The effective area for such signs shall not exceed forty (40) square feet.
- B. A business that has been in operation for a period of one (1) year or more shall be permitted to erect one (1) temporary banner sign at occupancy two (2) times per calendar year. Such signs shall be erected a maximum of fourteen (14) days for each permit. A new permit, for such a sign, shall not be issued within thirty (30) days of the date that any temporary banner sign was erected at the occupancy. The permit fee for a temporary banner sign shall be dollars (\$15.00). The effective area for such signs shall not exceed forty (40) square feet
 1. Non-profit organizations shall be permitted to display temporary banner signs as outlined above. A sign permit is required; however, no permit fee will be assessed.
- C. New multi-family developments shall be allowed to display one (1) banner sign as provided in this paragraph. Signs shall refer to leasing information only and shall be removed within six (6) months of the date the permit was issued. Signs shall not exceed one hundred fifty (150) square feet in effective area. The permit fee for a temporary banner sign shall be fifteen dollars (\$15.00). Ord. 931

ARTICLE 14-6
PROVISIONS FOR NON-BUSINESS ZONING DISTRICTS

Sec. 14-6-1 PROVISIONS

The provisions of this article apply to all signs in any non-business zoning district, and also to signs which are within twenty-five (25) feet of a non-business zoning district boundary.

- A. No sign shall be illuminated in such a manner so as to produce intense glare or direct illumination across any property line.
- B. Owners of property in a non-business zoning district shall only erect signs listed in the following sections of this article. Ord. 931

Sec. 14-6-2 DETACHED MONUMENT SIGNS

- A. Churches, model homes, apartments, town homes, schools or government facilities or buildings may have detached monument signs subject to the following restrictions:
 - 1. Number of signs: Each premises may have no more than one (1) detached monument sign provided, however, that a premises with more than seven hundred fifty (750) feet of additional frontage may have two detached monument signs. Signs must be a minimum of seven hundred fifty (750) feet apart.
 - 2. Setback and effective area: A minimum setback of fifteen (15) feet from the City right-of-way is required of all detached monument signs. No detached monument sign shall exceed thirty-six (36) square feet.
 - a. The minimum setback for a model home sign shall be 3 feet from the sidewalk or the property line where there is no sidewalk. Ord. 931

Sec. 14-6-3 ATTACHED SIGNS

- A. Churches, model homes, apartments, town homes, schools, or Government facilities or buildings may have one (1) attached sign subject to the following restrictions:

1. Location: All signs and their words shall be mounted to and parallel to the building surface to which they are attached. No sign or work shall project more than eighteen (18) inches from the surface to which it is attached. Signs shall not be mounted on or to the roof surface and support members and shall not project above roofs.
2. Effective area: Attached signs may not exceed thirty-six (36) square feet in effective area. Ord. 931

ARTICLE 14-7 NON-CONFORMING SIGNS

Sec. 14-7-1 PURPOSE OF ARTICLE

Signs which do not conform to this article but which lawfully existed and were maintained on the effective date of this ordinance shall be kept in good repair or visual appearance and no structural alterations shall be made thereto. Signs which have been granted variances prior to the adoption of this article may remain; however any permits for new signs must comply with this article. If more than 60 percent of the total dollar value for replacement of a nonconforming sign is damaged, the sign shall be replaced with a conforming sign rather than repairing the damage. Ord. 1002.

Sec. 14-7-2 ENFORCEMENT AUTHORITY

The City shall issue a citation and order the repair or removal of any dilapidated, abandoned, illegal, or prohibited signs from property within the corporate city limits of the City. If the owner of the property fails or refuses to comply with this Article, the city shall give written notice to the property owner. The notice shall be delivered by U. S. mail or in person to the owner. If delivery in person is not possible or the owner's address is unknown, notice shall be given by publication in the city's official newspaper at least once. A notice of violation shall contain a statement setting forth the requirements of this article. The owner has ten working (10) days from the date of this notice to correct the violation. If the owner fails to correct the violation or fails to pay the cost for abatement, a lien shall be filed against the property to secure all costs and fees. In the event that a temporary or portable sign is erected without a permit, the City may remove any sign without notice and the sign shall be destroyed. Ord. 00.

Sec. 14-7-3 REMOVAL OF CERTAIN NON-CONFORMING SIGNS.

Non-conforming signs which have been blown down or otherwise destroyed or dismantled for any purpose other than maintenance operations or for changing the letters, symbols, or other matter on the sign shall be removed or brought into compliance with this ordinance. Ord. 931

Sec. 14-7-4 IMPOUNDED SIGNS - RECOVERY/DISPOSAL

A. Impounded signs may be recovered by the owner within ten (10) days of the date of impoundment and owner notification. Signs that are not recovered within ten (10) days of impoundment will be destroyed. Impoundment fees are as follows:

1. A fee of Five Dollars (\$5.00) for signs which are twelve (12) square feet or less in area.
2. A fee of Fifteen Dollars (\$15.00) for signs which are larger than twelve 12) square feet in area. Ord. 931

ARTICLE 14-8 EXCEPTIONS TO SIGN CODE

Sec. 14-8-1 CONDITIONS AND EXCEPTIONS

The signs listed below in this article shall be erected and maintained under the conditions and exceptions listed in the following sections. Ord. 931

Sec. 14-8-2 REAL OR PERSONAL PROPERTY SALE (includes RENT or LEASE) AND POLITICAL SIGNS

- A. Residential. Permission is granted to owners or occupants for the erection of non-illuminated real or personal property sale signs to be erected in the required front yard of platted property zoned AG, R-1, R-2, R-3, R-4, R-5 and MF until the ownership has been transferred. On lots where a sidewalk exists within the street right-of-way, signs shall be located between the sidewalk and the house but no closer than three (3) feet from the sidewalk. On lots where no sidewalk exists within the street right-of-way, the sign shall be located at least fifteen (15) feet from the edge of the street. (not in the right-of-way). Lots that abut streets where sidewalks exist shall locate the signs no closer than fifteen (15) feet to any street curb line. Lots shall be limited to three (3) such real or personal property signs not exceeding six (6) square feet each. No permit or permit fee is required. Ord. 931

- B. Business. Permission is granted to owners or occupants of business zoned property for the erection of non-illuminated real estate sale signs until the ownership has been transferred. Such signs shall not exceed six (6) square feet and shall be located no closer than fifteen (15) feet from any property line. No more than one (1) sign shall be located for every 2 acres in a tract of land or portion thereof No permit or permit fee is required. Ord. 931

- C. Political signs. Political signs shall conform to the following requirements.

Political signs may be erected at dwelling premises with no limitation as to their number. On lots where a sidewalk exists within the street right-of-way, the sign shall be located at least fifteen (15) feet from the edge of the street. (not in the right-of-way). Signs must be removed within ten (10) days of the completion of the election. Political signs that are located on a dwelling premise shall not exceed thirty-six (36) square feet in effective area per side. No permit or permit fee is required for these signs. Ord. 931

Sec. 14-8-3 **REAL ESTATE SIGNS - TEMPORARY**

- A. Highway Frontage. Temporary signs advertising the sale of the land upon which the sign is located may be erected on tracts of land fronting Interstate 45, provided that the area of the property is a minimum size of two (2) acres. Such signs (which may be two sided) shall not exceed two hundred (200) square feet in effective area and shall be limited to one sign per tract. Permits allowing such signs shall be limited to a period of one year from the date that the permit is issued. Businesses or properties will not be eligible to erect signs under this section once 75% of the property has been rented or leased. Signs allowed under this subsection shall be deemed a privilege of ownership and the right to erect any such signs shall be in the owner rather than any particular sales agent Authorization by the owner to an agent, to erect such a sign, shall be dated and signed by the owner. Signs erected under the provisions of this paragraph shall be located a minimum of fifteen feet from all property lines. Ord. 931

- B. Subdivision Identification. Permission is granted to property owners of property zoned R-1, R-2, R-3, R-4 for the erection of signs to identify new subdivisions, developers and builders, as well as builders' phone numbers and new home price information. Only one sign per subdivision is allowed and such signs shall not exceed (36) square feet in effective area. Signs allowed under this subsection shall be deemed a privilege of ownership and the right to erect any such sign shall be with the owner rather than any particular sales agent. Signs erected under the provisions of this paragraph shall be located a minimum of 15 feet from all property lines. Height of such signs shall be limited to 15 feet. Permits allowing such signs shall be issued for a period of one year from the date of permit issuance subject to renewal upon approval of the City Secretary. These signs must be removed by the time 75% of the subdivision is permitted. Ord. 931

Sec. 14-8-4 **TEMPORARY CONSTRUCTION SIGNS**

Permission is granted to builders and developers to erect one (1) temporary construction sign, except on property zoned R-1, R-2, R-3, R-4, R-5, MF designed to identify contractors, financier, architects, engineers, or to advertise the coming of a new business on the premises the sign is located. Such signs shall not be erected prior to the issuance of a building or utility construction permit for the property the sign pertains to. The sign must be removed prior to the issuance of a Certificate of Occupancy, final inspection or letter of acceptance of the utility construction work from the city. Such signs shall conform to the following provisions:

Maximum size	100 square feet
Maximum height	15 feet
Setbacks	15 feet from the street right-of-way. Ord. 931

Sec. 14-8-5 **SUBDIVISION SIGNS**

Permission is granted to developers and home owners associations to erect subdivision signs. Subdivision signs must either be detached monument signs or attached signs placed on a screening or a decorative wall at the entry to the subdivision. Subdivision signs must be approved by the City Council. The effective area of subdivision signs shall be limited to thirty-six (36) square feet. The effective area of subdivision signs shall be calculated by drawing the largest possible rectangle around the entire message of words including artistic designs and logos. Subdivision signs that are placed in the median are exempt from Section 14-4-3-K. Ord. 931

Sec.14-8-6 **TEMPORARY OFF-PREMISES SIGNS**

Builders, developers and real estate agents are granted permission to erect temporary off-premises signs as outlined below:

- A. Builders and developers may erect temporary off-premise signs which refer to a subdivision only. A subdivision shall be defined as a tract of land platted by the City of Palmer that is zoned R-1, R-2, R-3, and R-4. Separate sections or phases of a subdivision shall not constitute a new and separate subdivision. Such signs shall not list or refer to any individual or group of builders or developers and shall be erected only between the hours of 12:00 noon Friday and 12:00 noon Monday. Such signs shall not exceed six (6) square feet in effective area and may be placed in the City right-of-way provided that they do not project out over the street or sidewalk. No sign shall be allowed to be placed within any street median. No more than ten (10) such signs per subdivision may be placed within the City and shall refer only to subdivisions that are located within the City of Palmer. No permit or permit fee is required. Ord. 931
- B. Real estate agents may erect temporary off-premises signs which refer to open houses and listing agency. Such signs shall be erected only between the hours of 12:00 noon Friday and 12:00 noon Monday and shall contain the words "Open House". Signs shall not exceed six (6) square feet in effective area and may be placed within the City right-of-way provided that they do not project out over a street or sidewalk. No sign will be allowed within any street median. Signs are to refer only to real property that is located within the City of Palmer. No permit or permit fee is required. Ord. 931
- C. If any change is made to this section the City Secretary will notify the real estate companies that have current listings in the City of Palmer. Ord. 931

- D. Homeowners may erect temporary off-premises signs which refer to a garage sale held on their property. Such signs shall be erected only between the hours of noon Friday and noon Monday- Signs shall not exceed six (6) square feet in effective area and may be placed within the city right-of-way, provided that they do not project out over a street or sidewalk. No sign will be allowed within any street median or attached to any tree or to any public utility pole. Ord. 931

Editor's Note: See General Regulations for Garage Sales Article 9-12.

Sec. 14-8-7 **HOLIDAY LIGHTS AND DECORATIONS**

Temporary lights and holiday decorations shall be exempt from the terms of this code. All temporary holiday decorations must be removed within 30 days of the holiday. Ord. 1002

ARTICLE 14-9 VARIANCES

Sec. 14-9-1 PROCEDURE FOR VARIANCE

The City Council may allow signs to vary from the size, location or construction requirements of this ordinance.

An administrative fee of one hundred dollars (\$100.00) shall be charged to all applicants requesting a variance from this ordinance. Non-profit organizations shall be exempt from the one hundred dollar (\$100.00) administrative fee when requesting a variance.

Any sign constructed or which may be hereafter constructed, pursuant to any variance heretofore authorized, shall be considered a sign conforming to the provisions of this ordinance.