

Chapter 23
SIGNS

SECTION:

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XX-23-1: FINDINGS, PURPOSE AND EFFECT:

A. Findings: The town board hereby finds as follows:

1. Exterior signs have a substantial impact on the character and quality of the environment.
2. Signs provide an important medium through which individuals may convey a variety of messages.
3. Signs can create traffic hazards, aesthetic concerns, and detriments to property values, thereby threatening the public health, safety, and welfare.
4. This ordinance has included the regulation of signs in an effort to provide adequate means of expression and to promote the economic viability of the business community, while protecting the town and its citizens from a proliferation of signs of a type, size, location, and character that would adversely impact the aesthetics of the community and threaten the health, safety and welfare of the community. The regulation of physical characteristics of signs within the town has had a positive impact on traffic safety and the overall appearance of the community.

B. Purpose: It is not the purpose or intent of this chapter to regulate the message displayed on any sign; nor is it the purpose or intent of this chapter to regulate any building design or any display not defined as a sign, or any sign that cannot be viewed from outside a building. The purpose and intent of this chapter is to:

1. Regulate the number, location, size, type, illumination, and other physical characteristics of signs within the town in order to promote the public health, safety, and welfare.

2. Maintain, enhance, and improve the aesthetic environment of the town by preventing visual clutter that is harmful to the appearance of the community.
 3. Improve the visual appearance of the town, while providing for effective means of communication, consistent with constitutional guarantees, and the town's goals of public safety and aesthetics.
 4. Provide for fair and consistent enforcement of the sign regulations set forth herein under the zoning authority of the town.
- C. Effect: A sign may be erected, mounted, displayed or maintained, in the town if it is in conformance with the provisions of this chapter. The effect of this chapter, as more specifically set forth herein, is to:
1. Allow a wide variety of sign types in Commercial districts and a more limited variety of signs in other districts, subject to the standards set forth in this chapter.
 2. Allow certain unobtrusive signs incidental to the principal use of a site in all zoning districts, subject to the standards set forth in this chapter.
 3. Prohibit signs whose location, size, type, illumination, or other physical characteristics negatively affect the environment and where the communication can be accomplished by means having a lesser impact on the environment and the public health, safety, and welfare.
 4. Provide for the enforcement of the provisions of this chapter. (Ord. 900, 18 Apr 22)

XX-23-2: SUBSTITUTION OF COPY: The owner of any sign that is otherwise allowed by this chapter may substitute noncommercial copy in lieu of any other commercial or noncommercial copy. This substitution of copy may be made without any additional approval or permitting. The purpose of this provision is to prevent any inadvertent favoring of commercial speech over noncommercial speech, or favoring of any particular noncommercial message over any other noncommercial message. This provision prevails over any more specific provision to the contrary. (Ord. 900, 18 Apr 22)

XX-23-3: PERMIT REQUIRED: Unless otherwise provided by this chapter, all signs shall require permits; no permit is required for the maintenance of a sign or for a change copy on printed, or changeable copy signs. (Ord. 900, 18 Apr 22)

XX-23-4: PERMITTED AND PROHIBITED SIGNS:

- A. Permitted Signs. The following types of signs permitted without approval of a permit but shall otherwise be in conformance with all requirements of this section:

1. On-premise construction signs having a sign area of 64 square feet or less.
 2. On-premise directional/informational signs having a sign area of four feet or less.
 3. Holiday decorations.
 4. On-premise nameplates having a sign area of four square feet or less.
 5. Political signs, on-premise private sale or on-premise event signs.
 6. On-premise real estate signs having a sign area of six square feet or less.
- B. Prohibited Signs: The following signs are prohibited in all districts:
1. Signs imitating or resembling official traffic or government signs or signals;
 2. Signs attached to trees, telephone poles, public benches, street lights.
 3. Signs placed within a public right-of-way by other than an authorized town, county, or state agency.
 4. Signs placed on vehicles or trailers which are parked or placed for the primary purpose of displaying said sign except for portable signs or lettering on buses, taxis, or vehicles operating during the normal course of business;
 5. Signs suspended beneath a canopy, overhang, roof, or marquee without a minimum clearance from grade of eight feet in a vehicular way or seven feet in a pedestrian way;
 6. Any roof sign or sign erected above the roof line of a building;
 7. Any sign placed that may obstruct motorist or pedestrian visibility;
 8. Rotating, flashing or animated signs;
 9. Unsafe/dangerous signs.
 10. Off-premises signs. (Ord. 900, 18 Apr 22)

XX-23-5: GENERAL PROVISIONS:

- A. Setback: All freestanding signs shall be set back a minimum of 10 feet from any property line and shall not encroach into any drainage or utility easement.
- B. Lighting: Unless otherwise specified by this section, all signs may be illuminated. However, no sign regulated by this section may utilize flashing or revolving beacon lights. Lighting shall be directed away from public rights-of-way and adjacent dwellings in accordance with section XX-16-10 of this ordinance.
- C. Changeable Copy: Unless otherwise specified by this section, a sign may use manual or automatic changeable copy but shall not utilize any dynamic display.
- D. Maintenance: All signs shall be properly maintained including the ground around the sign. Exposed surfaces shall be clean and painted if paint is required. Defective parts shall be replaced on conforming signs. The zoning administrator shall have the right to order the repair or removal of any sign which is defective, damaged, or substantially deteriorated.
- E. Nonconforming Signs: Existing signs that do not comply with the provisions of this chapter shall be deemed non-conforming structures regulated by chapter 15 of this ordinance. (Ord. 900, 18 Apr 22)

XX-23-6: SIGNS IN ZONING DISTRICTS:

- A. Signs Allowed in all Zones: The following signs are allowed in all districts established by chapter 45 of this ordinance:
 - 1. One on-premise temporary combination area identification, construction, and real estate sign not to exceed 96 square feet in sign area or 15 feet in height.
 - 2. One on-premise attached nameplate per occupancy, not to exceed four square feet in sign area;
 - 3. Political signs are permitted in any zone consistent with State Statute. Political signs may be placed only on private property and only with the permission of the property owner. Such signs shall not be illuminated;
 - 4. On-premise directional or informational signs not to exceed for square feet per sign area per sign.

B. Signs allowed in rural and environmental protection districts established by chapter 45 of this ordinance:

1. One permanent area identification sign per neighborhood, subdivision, or development, not to exceed 32 square feet in sign area. The area identification sign shall be placed on the same premise as the development which it identifies.
2. For permitted nonresidential uses, such as churches, synagogues, and schools, one on-premise freestanding sign and one wall business sign not to exceed 96 square feet in total sign area;
3. Any combination of on-premise freestanding and wall mounted real estate signs for model homes having a combined total sign area not to exceed 32 square feet. Freestanding signs for model homes shall have a maximum height of five feet.
4. Agricultural crop demonstration signs having a sign area of six square feet or less.

C. Signs allowed in commercial and industrial districts established by chapter 45 of this ordinance:

1. One permanent area identification sign per subdivision or development, not to exceed 64 square feet in sign area. The area identification sign shall be placed on the same premise as the development which it identifies;
2. One free standing on-premise sign not to exceed one hundred 164 square feet. Such signs may not exceed a maximum of 40 feet in height.
3. One on-premise business wall sign per premise, not to exceed one square foot of sign area for each linear foot of building frontage up to a maximum of 128 square feet. (Ord. 900, 18 Apr 22)