

SECTION 700. SIGN REGULATIONS

701. Purpose

The purpose of this section of the Zoning Ordinance shall be to coordinate the type, placement, and scale of signs within the different land-use zones: *(Ord No 12-10-2015-2)*

- .01 To recognize the commercial communication requirements of all sectors of the business community
- .02 To encourage the innovative use of design
- .03 To promote both proper maintenance and renovation
- .04 These objectives shall be accomplished by regulation of the display, erection, use, and maintenance of signs. The use of signs is regulated according to zone. The placement and scale of signs are regulated primarily by type and length of street frontage, although lot size, investment, and surrounding conditions will also be considered. No sign shall be permitted as a principal or accessory use except in accordance with the provisions of this section.

702. Scope

The primary scope of this section shall be to regulate signs of a commercial nature intended to be viewed from any vehicular or pedestrian public right-of-way. In achieving that intent, this section shall not pertain to or regulate: *(Ord No 12-10-2015-2)*

- .01 Building design
- .02 Official traffic control signs or devices or government signs
- .03 The copy and message of signs
- .04 Signs not intended or able to be viewed from a public right-of-way
- .05 Window signs and displays where the area of such sign does not exceed 50% of the area of the window
- .06 Product dispensers and point of purchase displays
- .07 Scoreboards on athletic fields
- .08 Flags of any nation, government or non-commercial organization
- .09 Gravestones
- .10 Barber poles
- .11 Religious symbols
- .12 Commemorative plaques
- .13 The display of street numbers
- .14 Any display or construction not defined herein as a sign

703. Permits

Signs are permitted in all use districts, subject to the provisions of this Section. No sign as hereinafter defined shall be erected, or attached to a structure, fence or wall without a permit from the Zoning Officer, except that for sale and political signs in R Districts and such other signs as specifically exempted shall be exempt from this requirement.

704. Definitions

Signs – Any device, object, display, structure or portion thereof that is used for visual communication for the purpose of bringing the subject thereof to the attention of the public, but not including any flag, badge, or insignia of any government or governmental agency, or of any civic, charitable, religious, patriotic, fraternal or similar organization, or a sign providing direction to a public facility. Such device may be either stationary or movable. A sign shall be considered as a structure or a part of a structure for the purpose of applying height regulations except as provided in Subsection 705.02 (3). *(Ord No 1995-H)*

.01 Advertising Sign

A sign which does not direct attention to a business, its name or address, located on the premises of the business, or to a commodity, service or entertainment sold or offered upon the premises where such sign is located, including all signs not otherwise expressly permitted by this Ordinance. *(Ord No 1995-H)*

.02 Awning

A roof-like cover, often of fabric, plastic, metal or glass designed and intended for protection from the weather or as a decorative embellishment, and which projects from a wall or roof of a structure primarily over a window, doorway, walk or similar *(Ord No 12-10-2015-2)*

.03 Balloon Sign

A sign consisting of a bag made of lightweight material supported by helium or by hot or pressurized air, which is greater than 24” in diameter *(Ord No 12-10-2015-2)*

.04 Banner

A temporary sign device generally made of flexible materials such as cloth, plastic, or other non-rigid material with no enclosing framework *(Ord No 12-10-2015-2)*

.05 Billboard

An advertising sign located off the premises where the advertised product is sold or offered

.06 Business Sign

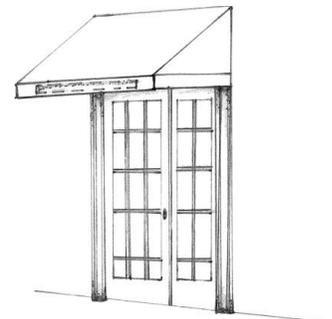
A sign which directs attention to a business, its name or address, located on the premises of the business, or to a commodity, service or entertainment sold or offered upon the premises where such sign is located

.07 Canopy

A roof-like cover, often of fabric, plastic, metal, or glass on a support, which provides shelter over a doorway *(Ord No 12-10-2015-2)*

.08 Canopy Sign

Any sign that is part of or attached to a canopy. A canopy sign is not a marquee and is different from service area canopy signs *(Ord No 12-10-2015-2)*



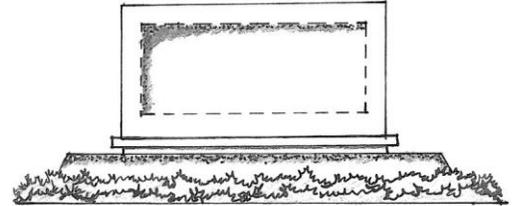
- .09 **Changeable Sign**
 A permanent sign with the capability of content change by means of manual or remote input. Includes the following types: (*Ord No 12-10-2015-2*)
- (1) **Manually Activated.** Changeable sign whose message copy or content can be changed on a display surface
 - (2) **Electrically Activated.** Changeable sign whose message copy or content can be changed by means of remote electrically energized on-off switching combinations of alphabetic or pictographic components arranged on a display surface. Illumination may be integral to the components, such as characterized by lamps or other light emitting devices; or it may be from an external light source designed to reflect off the changeable component display.
- .10 **Clearance (of a sign)**
 The smallest vertical distance between the grade of vehicular uses or pedestrian uses and the lowest point of any sign, including framework and embellishments, extending over that grade (*Ord No 12-10-2015-2*)
- .11 **Electronic Message Sign or Electronic Display Screen**
 An electrically activated changeable sign whose variable message capability can be electronically programmed. This does not include signs which contain weather information, date or time, or fuel prices (*Ord No 12-10-2015-2*)
- .12 **Flag**
 Any fabric or similar light weight material attached at one end of the material, usually to a staff or pole, so as to allow movement of the material by atmospheric changes and which contains distinctive colors, patterns, symbols, emblems, insignia or other symbolic devices (*Ord No 12-10-2015-2*)
- .13 **Flashing Sign**
 Any illuminated sign on which the artificial light is not maintained stationary and/or constant in intensity and color at all times when such sign is in use. For the purpose of this Ordinance, any revolving, illuminated sign shall be considered a "flashing sign"
- .14 **Freestanding sign**
 Shall mean a sign supported permanently upon the ground or upon a building by poles or braces and not attached directly to any building (*Ord No 12-10-2015-2*)
- .15 **Gross Surface Area Repealed** (*Ord No 12-10-2015-2*) See Sign, Area of
- .16 **Ground sign Repealed** (*Ord No 12-10-2015-2*) See Monument Sign
- .17 **Height of Sign**
 The height of a sign shall be computed as the vertical distance measure from the base of the sign at grade to the top of the highest attached component of the sign or sign structure (*Ord No 12-10-2015-2*)

.18 Illuminated Sign
A sign on which artificial light is directed on or from. Illuminated signs shall include "reader" board signs

.19 Marquee Sign
A sign which is constructed as an integral part of the structure and projects more than 12" from the building plane

.20 Mobile Sign Repealed (*Ord No 12-10-2015-2*) See Portable Sign

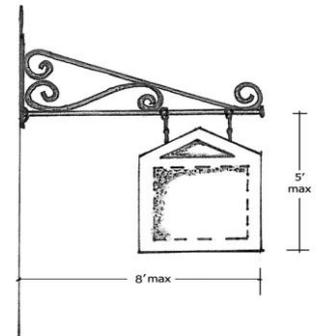
.21 Monument sign
A sign mounted directly to the ground not supported by exposed posts or poles which is architecturally designed and located directly at grade where the base width dimension is at least as wide as the sign and has not more than two sides (*Ord No 12-10-2015-2*)



.22 Name Plate Sign
A sign which states only the name or address or both of the business or occupant of the lot where such sign is placed

.23 Portable sign
Any sign which is manifestly designed to be transported, including by trailer or on its own wheels, even though the wheels of such sign may be removed and the remaining chassis or support is converted to another sign or attached temporarily or permanently to the ground since this characteristic is based on the design of such sign (*Ord No 12-10-2015-2*)

.24 Projecting Sign
Shall mean a sign, other than a flat wall sign, which is attached to and projects from a building wall or other structure not specifically designed to support the sign (*Ord No 12-10-2015-2*)



.25 Pylon Sign
A freestanding sign supported by its own structure and not attached to any building

.26 Reader Board Sign
See Changeable, Electronic Message and Illuminated Signs (*Ord No 12-10-2015-2*)

.27 Roof Sign
A sign that is mounted on the roof of a building or which is wholly dependent upon a building for support and which projects above the point of a building with a flat roof, the eave line of a building with a gambrel, gable or hip roof or the deck line of a building with a mansard roof

.28 Rotating Sign
A sign or display which rotates on its axis by mechanical means. A rotating sign may be an illuminated sign.

- .29 Sign
Any device, structure, fixture, or placard using graphics, symbols, and/or written copy for the primary purpose of identifying, providing directions, or advertising any establishment, product, good, or service (*Ord No 12-10-2015-2*)
- .30 Sign, Area of
The area shall be within a single, continuous perimeter composed of the smallest rectangle which encloses the extreme limits of the advertising message, not including embellishments such as pole covers, framing, decorative roofing, support structures, etc., provided that there is no written advertising copy on such embellishments. If the sign is composed of individual letters or symbols using the wall as the background with no added decoration, the total sign area shall be calculated by measuring the area within the perimeter of each symbol or letter. The combined areas of the individual figures shall be considered the total sign area. For a freestanding or projecting sign only one side of any double-or multiple-faced sign shall be counted in calculating its area (*Ord No 12-10-2015-2*)
- .31 Wall Sign
A sign constructed on a panel attached to a structure, or raised letters or symbols attached to a wall or combination thereof. No part of such sign is painted on the wall surface
- .32 Window Sign
A business sign attached temporarily or permanently to the window or windows of the establishment for purposes of viewing, either inside or outside.

705. Prohibited Signs

- .01 The following signs shall be prohibited within the City
- (1) Signs that by reason of position, shape or color, would interfere with the proper functioning of a traffic sign or signal
 - (2) Signs that resemble any official marker erected by a government agency or that display the words "Stop" or "Danger"
 - (3) Signs or sign structures that obstruct any window, door, fire escape, stairway or opening intended to provide light, air, ingress or egress for any building or structure. Signs painted on windows or doors are exempt
 - (4) Roof signs
 - (5) Balloon signs
 - (6) Portable signs (*Ord No 12-10-2015-2*)
 - (7) Flashing signs (*Ord No 12-10-2015-2*)
 - (8) Non-government signs in the public right-of-way or easements (*Ord No 12-10-2015-2*)

- (9) Advertising and billboard signs except as expressly provided in this Section
- (10) Rotating signs
- (11) Signs painted directly on the outside wall or roof of the building. Signs painted directly on fences, rocks, or similar structures or features
- (12) Paper or similar signs directly attached to a building or structure by adhesive or similar means
- (13) No sign shall be permitted within the public rights-of-way or easements except bench signs, newspaper and cab stands, directional signs to public facilities, public traffic control, real estate, informational signs, residential for sale signs and garage sale signs (*Ord No 12-10-2015-2*)

706. Permitted Signs

- .01 City of Melrose Billboards and Signs (*Ord No 1995-H*)
 - (1) The following billboard signs shall be permitted within the City: two billboard signs for non-commercial purposes, to be used solely for the purpose of providing recognition of the City and for public interest announcements to be located within 150' of Interstate 94. The signs shall be no larger than 600 square feet in area including borders and trim.
 - (2) City signs for non-commercial purposes, to be used solely for the purpose of providing recognition of the City, shall be allowed in all districts. The signs shall be no larger than 100 square feet in area including borders and trim. (*Ord No 1995-H*)
 - (3) No permit shall be required. (*Ord No 1995-H*)
- .02 Billboards
Billboards may be allowed by Conditional Use Permit in designated billboard districts only.
- .03 For Sale Signs
 - (1) For sale signs for the purpose of selling, renting or leasing any residential property shall be permitted in R Districts provided they do not exceed 10 square feet in area and in all other districts provided they do not exceed 30 square feet in area. On-site multiple family for sale or lease signs may not exceed 100 square feet.
 - (2) For sale or lease signs for commercial projects may not exceed 100 square feet and are permitted during the construction period
 - (3) No permit shall be required
- .04 Political Signs
 - (1) Temporary poster signs for political advertising or elections conducted in the City may be posted not more than twenty-one days before primary elections or if no primary election, 28 days before the general election

- (2) Political signs must be removed by those responsible for their being posted within ten days following the primary and/or general elections for which the sign was posted
 - (3) Political signs shall not exceed 16 square feet in area
 - (4) No permit shall be required
- .05 Directional signs
Directional signs may be included in site plans for approval along with development plans. Such signs shall not be larger than 18" x 36" and must only convey traffic informational messages. If any site plan approves a site access plan with a one way drive-way access system, the site plan shall include traffic directional signs.
- .06 Reader Board Signs Repealed (*Ord No 12-10-2015-2*)
- .07 Changeable Copy Sign: Electric (*Ord No 12-10-2015-2*)
Within the C and M Districts Changeable Electronic Copy Signs shall be permitted based on the following regulations:
- (1) Changeable Electronic Copy Signs are allowed only on monument and freestanding signs
 - (2) The variable message sign shall not exceed 25% of the maximum allowable aggregate sign area for the use to which it pertains, the area allowed for an electronic variable message sign is included within the total allowable signage area
 - (3) Modes which cause the message to flash are prohibited
 - (4) The sign may only be used to promote activities, products, or services pertaining to the subject property (not advertising another business); time and temperature; or other public service or community-wide oriented messages
 - (5) Images and messages displayed must be static with gradual transition from one static display to another without resembling a flash must be instantaneous without any special effects.

707. District Sign Regulations

The following sign regulations shall apply in the City.

- .01 R Districts
- (1) In R Districts, home occupation or name plate signs no larger than three square feet and not illuminated shall be allowed
 - (2) In R-3 Districts, one name plate sign with not more than two faces and no larger than 10 square feet shall be allowed
 - (3) In R-3 Districts, one monument (*Ord No 12-10-2015-2*) sign for each group of buildings with no more than two faces limited to one square foot in size for each dwelling unit not to exceed 100 square feet shall be allowed

- (4) Churches, schools and other institutional uses located in R Districts may have an illuminated name plate sign or monument (*Ord No 12-10-2015-2*) sign not greater than 50 square feet in gross surface area
- (5) All signs shall be set back at least 10 feet from the property line except as provided in Section 700 (*Ord No 1995-H*)

.02 Commercial and Industrial Districts

- (1) Business signs shall be permitted in C-1, C-2, I and I-2 (*Ord No 12-10-2015-2*) Districts including name plate, wall, pylon, monument (*Ord No 12-10-2015-2*), window, projecting and marquee signs. Those signs expressly prohibited by Section 703 of this Ordinance shall not be permitted.
- (2) All signs shall be set back at least 10 feet from the property line except as provided in Section 700 (*Ord No 1995-H*)
- (3) General size limitations. (*Ord No 1995-H*)
 - (3.1) Business signs in the C-1 District are permitted up to 50 square feet in area. Additional square feet up to 100 square feet for each foot of frontage over 50 feet is also permitted for a combined maximum square footage of 150 square feet.
 - (a) Projecting signs with a maximum area of 40 square feet. Projecting signs shall not exceed eight feet in length (includes extension arm and sign length) or five feet in height. The projecting sign shall not extend higher than 20' from grade. Such signs shall have a minimum clearance of eight feet to grade (*Ord No 12-10-2015-2*)
 - (3.2) Business signs in the C-2 or I and I-2 (*Ord No 12-10-2015-2*) Districts are permitted up to 85 square feet in area. Additional square feet up to 170 square feet for each foot of frontage over 50 feet is also permitted for a combined maximum square footage of 255 square feet.
 - (3.3) Pylon signs in the C-1, C-2 and I and I-2 (*Ord No 12-10-2015-2*) Districts are permitted up to 85 (*Ord No 12-10-2015-2*) square feet in area. Additional square feet up to 170 (*Ord No 12-10-2015-2*) square feet for each foot of frontage over 50 (*Ord No 12-10-2015-2*) feet is also permitted for a combined maximum square footage of 255 (*Ord No 12-10-2015-2*) square feet.
 - (3.4) Pylon signs in the C-2, I and I-2 (*Ord No 12-10-2015-2*) Districts shall be no higher than 70 feet nor less than 8 feet above ground and in the C-1 (and I District - Repealed (*Ord No 12-10-2015-2*)) District shall be no higher than 30 feet nor less than eight feet above ground.

- (4) Wall business sign or signs shall not exceed 20% of the surface area of the side of the building to which the sign is attached and, in no case, shall be greater in area than 150 square feet *(Ord No 1995-H)*
- (5) Where more than one business or industry is housed in a single building, allowable signs and sign area may be shared, but shall not exceed the maximum allowance for the building
- (6) Illuminated name plate signs, monument *(Ord No 12-10-2015-2)* signs or wall signs not larger than 100 square feet including borders and trim shall be allowed in the C-3 Districts *(Ord No 1995-H)*
- (7) In the C-4 District signage shall be permitted only in the form of a projecting sign with a maximum area of 40 square feet. Projecting signs shall not exceed eight feet in length (includes extension arm and sign length) or five feet in height. The projecting sign shall not extend higher than 20' from grade. Such signs shall have a minimum clearance of eight feet to grade *(Ord No 12-10-2015-2)*
- (8) In the Medical District business signs are permitted up to 85 square feet in area. Additional square feet up to 170 square feet for each foot of frontage over 50 feet is also permitted for a combined maximum square footage of 255 square feet. Pylon signs are permitted up to 85 square feet in area. Additional square feet up to 170 square feet for each foot of frontage over 50' is also permitted for a combined maximum square footage of 255 square feet. Pylon signs shall be no higher than 70' nor less than eight feet above ground *(Ord No 12-10-2015-2)*

.03 Sexually Oriented Business Sign Restrictions *(Ord No 5-04-2006-2)*

In order to protect children from exposure to lurid signs and materials and in order to preserve the value of property surrounding Sexually Oriented Businesses, the following sign regulations shall apply to all Sexually Oriented Businesses in the City.

- (1) All signs shall be flat wall signs. No signs shall be free standing, located on the roof, or contain any flashing lights, moving elements, or electronically or mechanically changing messages. No sign shall contain any message or image which identifies Specified Sexual Activities or Specified Anatomical Areas as defined in Section 115.03 of the Melrose City Code.
- (2) The amount of allowable sign area shall be one square foot of sign per foot of lot frontage on a street, not to exceed 80 square feet

- (3) No merchandise, photos, or pictures of the products or entertainment on the premises shall be displayed in window areas or any area where they can be viewed from the sidewalk or public right-of-way adjoining the building or structure in which the Sexually Oriented Business is located
- (4) No signs shall be placed in any window. A one square foot sign may be placed on the door to state hours of operation and admittance to adults only.

.04 Temporary Sign (*Ord No 12-10-2015-2*)

Temporary signs in C and M Districts shall be allowed based on the following regulations:

- (1) No more than two temporary signs (banner sign) not exceeding 48 total square feet in the C-1 and M-1 Districts and 150 total square feet in the C-2 district may be placed on an outside building wall (or tenant space in the case of multiple occupancy) to advertise special events, grand openings, or holidays. Temporary signs shall have not more than two faces
- (2) Each sign shall be allowed to be displayed for a maximum period of 45 days prior to a special event or holiday and shall be removed five days following the event or holiday
- (3) Temporary signs shall be secured in a manner as to prevent them from being moved or blown over by the wind
- (4) Temporary signs shall be professionally made and constructed of durable, weather-resistant materials such as aluminum, plastic or wood finished surfaces and shall be maintained in good condition
- (5) If any Temporary Sign is not removed by the end of the 45 day period the Zoning Officer or designee may remove it and charge the costs of removal to the individual or enterprise responsible or property owner
- (6) Other Temporary Signage
Community and civic promotion signs. The size, location, frequency, and duration of such signs may vary depending on the nature of the promotion or civic event. A temporary permit is not required
- (7) Other Temporary Cross-Street Banner
One (1) cross-street banner is allowed in the C-1, Commercial Downtown District. The size, location, frequency, and duration of such sign may vary depending on the nature of the promotion or civic event. Sign must be of durable material and secured in a manner to ensure safety of passing traffic and persons.

- (8) Responsibility for temporary signs. Temporary signs located on private property shall have the express consent of the property owner

.05

Sandwich Board Sign (*Ord No 12-10-2015-2*)

Sandwich board signs in the C and M districts shall be permitted with the following regulations:

- (1) A sandwich board sign is hereby defined as a self-supporting, freestanding temporary sign with only two sides that are situated adjacent to a business with the intent to attract pedestrian traffic to businesses. Sandwich board signs are not meant to be read by vehicular traffic
- (2) One sandwich board sign per business is permitted in any business, commercial and mixed use district and shall be located within five feet of the main building entrance to the business it advertises. Sandwich board signs shall be displayed only during open business hours and must be removed daily
- (3) Sandwich board signs shall be no more than a total of two feet in width and three feet in height
- (4) Sandwich board signs must leave a minimum of five feet of clearance for pedestrian access if placed on a public or private sidewalk. Sandwich board signs may not hinder the ability of persons to access vehicles parked at the curb and/or access to a building
- (5) Acceptable materials for sandwich board signs shall include the following: metal, wood, synthetic materials such as a chalk board and whiteboard. Sandwich board signs shall not be illuminated, nor shall they contain moving parts, or have balloons, streamers, stringers, pennants or similar adornments attached to them
- (6) Sandwich board signs shall be maintained in a good appearance at all times
- (7) No sandwich board sign shall be secured, tethered or installed on traffic devices, utility equipment, street furniture, street lights, or any other public fixture
- (8) Sandwich board signs are temporary signs and shall not be counted towards the total sign area of the site for permanent signage.

708. Billboard Overlay District

.01

Billboards may be allowed by Conditional Use Permit within the Billboard Overlay District on property zoned C-2 or I according to the following regulations:

- (1) Setbacks
No closer than 500 feet from county road rights-of-way; 50 feet from Interstate 94; 30 feet from any street right-of-way and 50 feet from R Districts
 - (2) Spacing
No closer than 1000 feet from any other billboard
 - (3) Size
No larger than 600 square feet in size including border and trim whether a single sign face or each face of two back to back or V-type signs
- .02 Conditions
The Council, upon recommendation of the Commission, may establish such conditions as are appropriate and necessary to protect the public health, safety and welfare. Such conditions may include a provision that the permit holder certify on a periodic basis that the terms and conditions of the permit have been met and that the billboard and surrounding area has been maintained in a manner consistent with the surrounding properties. The permit may also specify the type and operating hours for illuminated billboards.

709. Miscellaneous Requirements

- .01 The owner, lessee, or manager of any monument (*Ord No 12-10-2015-2*), pylon or billboard sign or the owner of the land on which the sign is located, shall keep grass or weeds and other growth cut, and debris and rubbish cleaned up and removed from the lot on which the sign is located.
- .02 Any sign or sign structure which may be, or may hereafter become, rotted, unsafe or unsightly shall be repaired or removed by the licensee, owner or manager of the property at their expense, upon which the sign stands upon written notice of the Zoning Officer.

710. Sign Maintenance (*Ord No 12-10-2015-2*)

Sign Maintenance. All signs shall be properly maintained. Exposed surfaces shall be clean and painted if paint is required. Defective parts shall be replaced. The Zoning Officer or Building Official shall have the right to order the repair or removal of any sign which is defective, damaged, or substantially deteriorated. The owner of the property on which the sign is situated shall be responsible for ensuring that signs on the property are properly maintained.