

ORDINANCE NO. 188
(Zoning)

CITY OF MAYER,
CARVER COUNTY, MINNESOTA

April 8, 2013

AN ORDINANCE REPEALING AND REPLACING SECTIONS 152.120-152.133 OF TITLE XV OF THE CODE OF ORDINANCES OF THE CITY OF MAYER RELATING TO SIGNAGE.

THE CITY COUNCIL OF THE CITY OF MAYER, CARVER COUNTY, MINNESOTA, ORDAINS:

§ 152.120 FINDINGS; PURPOSE.

(A) *Findings.* The City Council 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) Over the years, the city's zoning regulations have 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 city and its citizens from a proliferation of signs of a type, size, location and character that would adversely impact upon the aesthetics of the community and threaten the health, safety and welfare of the community. The regulation of the physical characteristics of signs within the city has had a positive impact on traffic safety and the appearance of the community.

(B) *Purpose and intent.* A sign may be erected, placed, established, painted, created, or maintained in the city only in conformance with the standards, procedures, exemptions, and other requirements of this ordinance. It is not the purpose or intent of this subchapter to regulate the message displayed on any sign; nor is it the purpose or intent of this subchapter to regulate any building design or any display not defined as a sign, or any sign which cannot be viewed from outside a building. The purpose and intent of this subchapter is to:

- (1) Regulate the number, location, size, type, illumination and other physical characteristics of signs within the city in order to promote the public health, safety and welfare.
- (2) Maintain, enhance and improve the aesthetic environment of the city by preventing visual clutter that is harmful to the appearance of the community.
- (3) Improve the visual appearance of the city while providing for effective means of communication, consistent with constitutional guarantees and the city'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 city.
- (5) Provide for the safety of the traveling public by limiting distractions, hazards, and obstructions.
- (6) To establish a permit system to allow a variety of types of signs in commercial and industrial zones and a limited variety of signs in other zones, subject to the standards and the permit procedures of this ordinance.
- (7) To allow certain signs that are small, unobtrusive, and incidental to the principal use of the respective lots on which they are located, subject to the substantive requirements of this ordinance, but without a requirement for permits.
- (8) To provide for temporary signs without commercial messages in limited circumstances in the public right-of-way.
- (9) To prohibit all signs not expressly permitted by this ordinance.
- (10) To provide for the enforcement of the provisions of this ordinance.

§ 152.121 SEVERABILITY.

If any section, division, sentence, clause, or phrase of this subchapter is for any reason held to be invalid, such decision shall not affect the validity of the remaining portions of this subchapter. The City Council hereby declares that it would have adopted this subchapter in each section, division, sentence, or phrase thereof, irrespective of the fact that any one or more sections, divisions, sentences, clauses, or phrases be declared invalid.

§ 152.122 DEFINITIONS.

For the purposes of this subchapter, the following definitions shall apply unless the context clearly indicates or requires a different meaning.

ABANDONED SIGN.

- (1) Any sign and/or its supporting sign structure which remains without a message or whose display surface remains blank for a period of one year or more, or any sign which pertains to a time, event or purpose which no longer applies, shall be deemed to have been abandoned.
- (2) Signs applicable to a business temporarily suspended because of a change in ownership or management of such business shall not be deemed abandoned unless the property remains vacant for a period of one year or more.
- (3) Any sign remaining after demolition of a principal structure shall be deemed to be abandoned.
- (4) Signs which are present because of being legally established nonconforming signs or signs which have required a conditional use permit or a variance shall also be subject to the definition of ***ABANDONED SIGN.***

ADMINISTRATOR. The City Administrator of the City of Mayer or his or her designee. The person designated by the City Council to administer this subchapter.

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, walk, or the like. Any part of an awning which also projects over a door shall be counted as an ***AWNING.***

AWNING SIGN. A building sign or graphic printed on or in some fashion attached directly to the awning material.

BALLOON SIGN. A sign consisting of a bag made of lightweight material supported by helium, hot, or pressurized air which is greater than 24 inches in diameter.

BANNER. A sign of any lightweight fabric or similar material that is permanently mounted to a pole or building by a permanent frame at one or more edges. National, State, and municipal flags and any official business and/or institutional flag are not banners.

BLADE SIGN. Any freestanding sign with its sign face mounted on the ground or mounted on a base which has a height exceeding its width.

BUILDING. Any structure used or intended for supporting or sheltering any use or occupancy.

BUILDING SIGN. Any sign attached or supported by any structure used or intended for supporting or sheltering any use or occupancy.

CABINET SIGN. Any wall sign that is not of channel or individually mounted letter construction.

CANOPY. A roof-like cover, often of fabric, plastic, metal, or glass on a support, which provides shelter over a doorway.

CANOPY SIGN. Any sign that is part of or attached to a canopy, made of fabric, plastic, or structural protective cover over a door or entrance. A **CANOPY SIGN** is not a marquee and is different from service area canopy signs.

COMMERCIAL SIGN. Any sign wording, logo, or other representation that, directly or indirectly, names advertises, or calls attention to a business, product, service, or other commercial activity.

COMMERCIAL SPEECH. Speech advertising a business, profession, commodity, service or entertainment.

DYNAMIC SIGN. A motion sign or a digital flat panel/screen that can display video, LCD, plasma, or other moving images.

ELEVATION. The view of the side, front, or rear of a given structure(s).

ELEVATION AREA. The area of all walls that face any lot line.

ERECT. Activity of constructing, building, raising, assembling, placing, affixing, attaching, creating, painting, drawing or any other way of bringing into being or establishing.

FLAG. Any fabric or similar lightweight 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.

FREESTANDING SIGN. Any sign which has supporting framework that is placed on, or anchored in, the ground and which is independent from any building or other structure.

FRONTAGE. The line of contact of a property with the public right-of-way.

GRADE. The final ground elevation after construction. Earth mounding criteria for landscaping and screening is not part of the final grade for sign height computation.

GROUND SIGN. Any freestanding sign with its sign face mounted on the ground or mounted on a base at least as wide as the sign and which has a total height not exceeding eight feet.

HEIGHT OF SIGN. The height of the sign shall be computed as the vertical distance measured from the base of the sign at grade to the top of the highest attached component of the sign.

ILLUMINATED SIGN. Any sign which contains an element designed to emanate artificial light internally or externally.

INCIDENTAL SIGN. A sign, generally informational, that has a purpose secondary to the use of the zone lot on which it is located, such as “no parking”, “entrance”, “loading only,” “telephone,” and other similar directives. No sign with a commercial message legible from a position off the zone lot on which the sign is located shall be considered incidental.

INTERIOR SIGN. A sign which is located within the interior of any building, or within an enclosed lobby or court of any building, and a sign for and located within the inner or outer body, court or entrance of any theater.

ISSUING AUTHORITY. City of Mayer.

LEGALLY ESTABLISHED NONCONFORMING SIGN. Any sign and its support structure lawfully erected prior to the effective date of this subchapter which fails to conform to the requirements of this subchapter. A sign which was erected in accordance with a variance granted prior to the adoption of this subchapter and which does not comply with this subchapter shall be deemed to be a **LEGAL NONCONFORMING SIGN**.

MARQUEE. Any permanent roof-like structure projecting beyond a building or extending along and projecting beyond the wall of that building, generally designed and constructed to provide protection from the weather.

MARQUEE SIGN. Any building sign painted, mounted, constructed or attached in any manner, on a marquee.

MONUMENT SIGN. Any freestanding sign with its sign face mounted on the ground or mounted on a base at least as wide as the sign and which has a height exceeding eight feet.

MULTIPLE TENANT SITE. Any site which has more than one tenant, and each tenant has a separate ground level exterior public entrance.

NON-COMMERCIAL SPEECH. Dissemination of messages not classified as commercial speech which include, but are not limited to, messages concerning political, religious, social, ideological, public service and informational topics.

OFF-PREMISE SIGN. Any sign that with a message that is related to an establishment, merchandise, service, or entertainments which is not sold produced, manufactured, or furnished at the property on which said sign is located, e.g. billboards, or outdoor advertising.

ON-PREMISE SIGN. A sign which message is related to the premises or the activity and use occurring on the premises on which the sign is located

PARAPET (WALL). That portion of building wall that rises above the roof level.

PENNANT. Any lightweight plastic, fabric, or other material, whether or not containing a message of any kind, suspended from a rope, wire, or string, usually in series, designed to move in the wind.

POLE SIGN. See **PYLON SIGN.**

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 a sign.

PORTE COCHERE. A roofed structure or roof-like cover, extending from the entrance of a building and which provides shelter over a doorway.

PRINCIPAL BUILDING. The building in which the principal primary use of the lot is conducted. Lots with multiple principal uses may have multiple principal buildings, but storage buildings, garages, and other clearly accessory uses shall not be considered **PRINCIPAL BUILDINGS.**

PROJECTING SIGN. Any sign which is affixed to a building or wall in such a manner that its leading edge extends more than two feet beyond the surface or such building or wall face.

PROPERTY OWNER. Legal owner of property as officially recorded by Carver County.

PUBLIC STREET RIGHT-OF-WAY. The planned right-of-way for a public street.

PYLON SIGN. Any freestanding sign which has its supportive structure(s) anchored in the ground and which has a sign face elevated above ground level by pole(s) or beam(s) and with the area below the sign face open.

READER BOARD SIGN. A sign on which copy is designated so that it can be changed manually. This may include but is not limited to a panel on which individual letters or pictorials are mounted, or displayed.

RESIDENTIAL DISTRICT. Any district zoned for residential uses.

RESIDENTIAL SIGN. Any sign located in a district zoned for residential uses that contains no commercial message except advertising for goods or services legally offered on the premises where the sign is located, if offering such service at such location conforms with all requirements of the zoning ordinance.

ROOF. The exterior surface and its supporting structure on the top of a building or structure, the structural make-up of which conforms to the roof structures, roof construction and roof covering sections of the Uniform Building Code.

ROOF LINE. The upper-most edge of the roof or in the case of an extended facade or parapet, the upper-most height of the facade.

ROOF SIGN. Any sign erected and constructed wholly on and above the roof of a building, supported by the roof structure, and extending vertically above the highest portion of the roof.

ROOF SIGN, INTEGRAL. Any building sign erected or constructed as an integral or essentially integral part of a normal roof structure of any design, so that no part of the sign extends vertically above the highest portion of the roof and so that no part of the sign is separated from the rest of the roof by a space of more than six inches.

ROTATING SIGN. A sign or portion of a sign which turns about on an axis.

SANDWICH BOARD SIGN. A freestanding temporary sign, with no moving parts or flashing lights, no larger than eight square feet total sign size per side (no taller than four feet from grade), displayed outside an establishment during business hours. It is not intended as permanent business signage.

SETBACK, FRONT. The minimum horizontal distance permitted between the public right-of-way and a structure on the premises. In instances in which a property fronts on more than one street, front setbacks are required on all street frontages.

SETBACK, REAR. The minimum horizontal distance permitted between the property line opposite the principal street frontage and a structure on the premises.

SETBACK, SIDE. The minimum horizontal distance permitted between the side lot line and a structure on the premises.

SHIMMERING SIGNS. A sign which reflects an oscillating sometimes distorted visual image.

SIGN. Any device, fixture, placard, or structure that uses any color, form, graphic, illumination, symbol, or writing to advertise, announce the purpose of, or identify the purpose of a person or entity, or to communicate information of any kind to the public, including brackets, supports, etc.

SIGN FACE. The surface of the sign upon, against, or through which the message of the sign is exhibited.

SIGN STRUCTURE. Any structure including the supports, uprights, bracing and framework which supports or is capable of supporting any sign.

SITE. A plot or parcel of land, or combination of contiguous lots or parcels of land, which are intended, designated, and/or approved to function as an integrated unit.

STRINGER. A line of string, rope, cording, or an equivalent to which is attached a number of pennants.

SUSPENDED SIGN. Any building sign that is suspended from the underside of a horizontal plane surface and is connected to this surface.

TEMPORARY SIGN. Any sign, balloon, banner, blimp, flag, free-standing sign, pennant, poster, reader board, or advertising display which is intended to be displayed for a limited period of time and that is not permanently fixed to the land or a structure. Temporary signs may be constructed of paper, cloth, canvas, cardboard or any other light and nondurable material. Signs other than temporary signs shall be considered permanent signs.

TOTAL SITE SIGNAGE. The maximum permitted combined area of all freestanding and wall identification signs allowed on a specific property.

VISIBLE. Capable of being seen by a person of normal visual acuity (whether legible or not) without visual aid.

WALL. Any structure which defines the exterior boundaries or courts of a building or structure and which has a slope of 60 degrees or greater with the horizontal plane.

WALL SIGN. Any building sign attached parallel to, but within two feet of a wall, painted on the wall surface of, or erected and confined within the limits of an outside wall of any building or structure, which is supported by such wall or building, and which displays only one sign surface.

WINDOW SIGN. Any building sign, pictures, symbol, or combination thereof, designed to communicate information about an activity, business, commodity, event, sale, or service, that is placed inside a window or upon the window panes or glass and is visible from the exterior of the window.

§ 152.123 PERMIT REQUIRED.

(A) No sign shall be erected, altered, reconstructed, maintained or moved in the city without first securing a permit from the city. The content of the sign shall not be reviewed or considered in determining whether to approve or deny a sign permit. Application for a permit shall be in writing addressed to the issuing authority and shall contain the following information:

- (1) Names and addresses of the owners of the display structure and property;
- (2) The address at which any signs are to be erected;
- (3) The lot, block and addition at which the signs are to be erected and the street on which they are to front;
- (4) A complete set of colored plans showing the necessary elevations, distances, size and details to fully and clearly represent the construction and place of the signs;
- (5) The cost of the sign;
- (6) Type of sign (i.e., building sign, monument sign, and the like);

- (7) Certification by applicant indicating the application complies with all requirements of this subchapter;
 - (8) If the proposed sign is along a state trunk highway or interstate highway, the application shall be accompanied by proof that the applicant has obtained a permit from the state for the sign; and
 - (9) Such other information as the Administrator shall require to show full compliance with this subchapter and all other laws and ordinances of the city.
- (B) The issuing authority shall approve or deny the sign permit in an expedited manner no more than 60 days from the receipt of the complete application, including applicable fee. All permits not approved or denied within 30 days shall be deemed approved. If the permit is denied, the issuing authority shall prepare a written notice of within 10 days its decision, describing the applicant's appeal rights under Section 525.15, and send it by certified mail, return receipt requested, to the applicant.

§ 152.124 EXEMPTIONS.

- (A) The following signs shall not require a permit. These exemptions, however, shall not be construed as relieving the owner of the sign from the responsibility of its erection and maintenance and its compliance with the provisions of this subchapter or any other law or ordinance regulating the same.
- (1) The changing of the display surface on a painted, printed, or changeable copy sign/reader board signs only.
 - (2) Signs six square feet or less in size, per surface.
 - (3) Window signage as permitted in the general standards.
 - (4) Temporary and portable signage as permitted in this section.
 - (5) The standards of Mn. Stat. 211B.045 as may be amended and relating to noncommercial signs are hereby incorporated by reference.

§ 152.125 SIGN AREA CALCULATIONS.

- (A) The area of a sign shall be computed by means of the smallest circle, rectangle or triangle that will encompass the extreme limits of the writing, representation, emblem, or other display, together with any material of color forming an integral part of the background of the display or used to differentiate the sign from the building facade against which it is placed, but not including any supporting framework, pole, or bracing. Each surface utilized to display a message or to attract attention shall be measured as a separate sign and shall be calculated in the overall sign area. Symbols, flags, pictures, wording, figures or other forms of graphics painted on or attached to windows, walls, awnings, free-standing structures,

suspended by balloons, or kites or on persons, animals, or vehicles are considered a sign and are included in calculating the overall sign area.

- (B) For monument, ground, and blade signs, the method in division (A) shall be used. Only the face that is specifically intended to be used for signage shall be included when computing the sign area. Any base or other supporting structure, along with all adjoining structures such as fences or walls shall not be included when computing the sign area.

§ 152.126 FEES.

Sign permit fees shall be established by ordinance.

§ 152.127 MAINTENANCE; INSPECTIONS.

(A) *Maintenance.* All signs requiring a permit pursuant to this subchapter, together with all their supports, braces, guys, and anchors, shall be kept in repair and in proper state of preservation. The display surfaces of all signs shall be kept neatly painted or posted at all times. Every sign and the immediate surrounding premises shall be maintained by the owner or person in charge thereof in a clean, sanitary, and unoffensive condition and free and clear of all obnoxious substances, rubbish, and weeds. Notice shall be given to the Administrator of any change in the sign user, sign owner or owner of the property on which the sign is located.

(B) *Inspection.* All signs for which a permit is required shall be subject to inspection by the Administrator. The Administrator or his or her designee is authorized to enter upon any property or premises to ascertain compliance with this subchapter. Such entrance shall be made during business hours unless an emergency exists. The Administrator may order the removal of any sign that is not maintained in accordance with the maintenance provisions of this subchapter.

§ 152.128 SIGN REMOVAL.

(A) Any sign legally existing at the time of the passage of this subchapter that does not conform to the provisions of this subchapter shall be considered a legal nonconforming sign and may be continued through repair, replacement, restoration, maintenance or improvement but not including expansion. *EXPANSION* shall be defined as any structural alteration, change or addition that is made outside of the original sign structure, sign area, or design.

(B) Nothing in this section shall prevent the return of a sign structure that has been declared unsafe by the city's Building Inspector to a safe condition.

(C) When any legal nonconforming sign is discontinued for a period of more than one year or is changed to a conforming sign, any future sign shall be in conformity with the provisions of this subchapter. Any legal nonconforming sign shall be removed and shall not be repaired, replaced, or rebuilt if it is damaged by fire or similar peril to the extent of greater than 50% of its market value at the time of destruction and no sign permit or building permit has been applied for within 180 days of the date of destruction. The city's Building Inspector shall be responsible for making the determination of whether a nonconforming sign has been destroyed greater than 50% at the time of destruction. In making the determination the Building Inspector shall consider

the market value of the entire sign at the time prior to the destruction and the replacement value of the existing sign. In the event that a building permit or sign permit is applied for within 180 days of the date of destruction, the city may impose reasonable conditions upon the building permit in order to mitigate any newly created impact on adjacent properties.

§ 152.129 GENERAL STANDARDS.

(A) Signs are a permitted accessory use in all districts subject to the following regulations:

- (1) No sign shall exceed 250 square feet in area.
- (2) Signs shall not be erected, placed, or maintained on rocks, fences, trees, and the like and shall not interfere with any electric light, power, telephone, or cable wire/fiber or their support.
- (3) *Substitution clause.* The owner of any sign which is otherwise allowed by this subchapter may substitute non-commercial speech signs in lieu of any other commercial speech sign or other non-commercial speech sign. The purpose of this provision is to prevent any inadvertent favoring of commercial speech over non-commercial speech, or favoring of any particular non-commercial speech over any other non-commercial speech. This provision prevails over any more specific provision to the contrary.
- (4) Window signs are permitted in street facing windows provided they do not exceed 25% of the window area which has street frontage. Window signage shall be counted towards the overall permitted signage on a building.
- (5) Freestanding, temporary, sandwich board, portable, or building signs that project/encroach into the public right-of-way shall be approved by the City Council and/or the jurisdictional authority. Projecting signs shall maintain a ground clearance of at least ten feet. Irrespective of the City Council's and/or other jurisdictional authority's approval of the foregoing, the owner of such sign shall be liable for any related bodily injury or property damage however caused and shall save harmless the city its agents and representatives from any and all loss or damages.
- (6) Illuminated signs shall be subject to the electrical requirements of the Electrical Code of the State of Minnesota. Illuminated signs shall have a shielded light source and meet the glare standards stated in § 152.081.
- (7) No sign shall be attached to or placed upon any building in such a manner to obstruct any window or door for fire escape or be attached to any fire escape.
- (8) All off-premise commercial signs are prohibited.

- (9) Every home or structure having an official address shall have an address sign that is visible from the street. Address signs shall not count towards the overall permitted signage on a building.
- (10) *Sight triangle.* No sign, except for authorized signs, shall be erected within a corner lot sight triangle so that clear visibility of approaching vehicular or pedestrian traffic can be maintained. Such sight triangle means that triangular area defined as follows: beginning at the point of intersection of the right of way of two intersecting streets, thence 30 feet along one right of way line, thence diagonally to a point on the other right of way line 30 feet from the point of beginning, thence to the point of beginning. Exception: Signs within the C-2, Central Business District.
- (11) Any additional or other signage not stated in this subchapter shall require approval of the City Council and/or other jurisdictional authority.
- (12) All signs along state and federal highways shall conform to state and federal sign regulations.

§ 152.130 SIGNS PERMITTED IN RESIDENTIAL DISTRICTS.

(A) <u>District</u>	<u>Maximum sign area of single sign</u>	<u>Total area of all signs</u>
R-1	6 square feet per surface	12 square feet
R-2	12 square feet per surface	24 square feet
R-3	12 square feet per surface	48 square feet

- (B) The following types of signs are not permitted in residential zoning districts:
 - (1) Awning signs;
 - (2) Balloon signs;
 - (3) Canopy signs;
 - (4) Shimmering signs;
 - (5) Marquee signs; and
 - (6) Pylon signs.
- (C) Maximum Height: six (6) feet.
- (D) Setback: Ten (10) feet from property line, plus clear sight triangle.
- (E) Signs may be illuminated. Illuminated signs shall have a shielded light source and meet the glare standards stated in § 152.081.

§ 152.1305 SIGNS PERMITTED IN AGRICULTURAL DISTRICT.

(A)	<u>Lot Size</u>	<u>Maximum sign area of single sign</u>	<u>Total area of all signs</u>
	< 10,000 sf	6 square feet per surface	12 square feet
	10,000-20,000 sf	12 square feet per surface	24 square feet
	>20,000 sf	12 square feet per surface	48 square feet

(B) The following types of signs are not permitted in the Agricultural zoning district:

- (1) Awning signs;
- (2) Balloon signs,
- (3) Canopy signs,
- (4) Shimmering signs,
- (5) Marquee signs; and
- (6) Pylon signs.

(C) Maximum Height: six (6) feet.

(D) Setback: Ten (10) feet from property line, plus clear sight triangle.

(E) Signs may be illuminated. Illuminated signs shall have a shielded light source and meet the glare standards stated in § 152.081.

§ 152.131 SIGNS PERMITTED IN COMMERCIAL, INDUSTRIAL AND PUBLIC/INSTITUTIONAL DISTRICTS.

(A)	<u>District</u>	<u>Maximum sign area of single sign</u>	<u>Total area of all signs</u>
	C-1	150 square feet per surface	Five (5) percent of lot area Or 375 sf whichever is less
	C-2	60 square feet per surface	Five (5) percent of lot area Or 125 sf whichever is greater
	C/I	150 square feet per surface	Five (5) percent of lot area Or 375 sf whichever is less
	P/I	150 square feet per surface	Five (5) percent of lot area Or 375 sf whichever is less

(B) The following types of signs are not permitted in the C-1, C-2, C/I, or P/I districts:

- (1) Roof signs;
 - (2) Off premises signs;
 - (3) Beacons,
 - (4) Spotlights, and,
 - (5) Inflatable signs and tethered balloons.
- (C) Maximum Height:
- C-1, C/I, P/I: Thirty (30) feet
C-2: Twenty (20) feet
- (D) Setback:
- C-1, C/I, P/I: Ten (10) feet from property line, plus clear sight triangle.
C-2: Two (2) feet from property line.
- (E) Signs may be illuminated. Illuminated signs shall have a shielded light source and meet the glare standards stated in § 152.081.
- (F) Freestanding signs shall be limited to one per right-of-way visible from a public street.
- (G) The ground area around the base of all freestanding signs shall be landscaped with shrubs and ground cover equal to the area of 50% of the sign. Landscaping shall consist of shrubs and ground covers that can withstand the environmental conditions of the site and will provide seasonal interest.
- (H) Wall signs shall be considered building signs and may project up to two feet away from the wall. Projecting, canopy, awning, and marquee signs shall be considered building signs and may project up to six feet away from the wall. Signs projecting over the public right of way shall be approved by the appropriate jurisdiction. Signs projecting over the sidewalk shall be a minimum of ten (10) feet above the sidewalk.

§ 152.1315 MASTER AND COMMON SIGN PLANS REQUIRED.

- (A) No permit shall be issued for an individual sign requiring a permit unless and until a Master Signage Plan or a Common Signage Plan for the zone lot on which the sign will be erected has been submitted to the Zoning Administrator and approved by the Zoning Administrator as conforming with this section.
- (B) Procedures. A Master or Common Signage Plan shall be included in any development plan, site plan, planned unit development plan, or other official plan required by the city for the proposed development and shall be processed simultaneously with such other plan.

- (C) Amendment. A Master or Common Signage Plan may be amended by filing a new Master or Common Signage Plan that conforms with all requirements of the ordinance then in effect.
- (D) Existing Signs Not Conforming to Common Signage Plan. If any new or amended Common Signage Plan is filed for a property on which existing signs are located, it shall include a schedule for bringing into conformance, within three years, all signs not conforming to the proposed amended plan or to the requirements of this ordinance in effect on the date of submission.
- (E) Master Signage Plan. For any zone lot on which the owner proposes to erect one or more signs requiring a permit, unless such zone lot is included in a Common Signage Plan, the owner shall submit to the Zoning Administrator a Master Signage Plan containing the following:
- (1) An accurate plot plan of the zone lot, at such scale as the Zoning Administrator may reasonably require;
 - (2) Location of buildings, parking lots, driveways, and landscaped areas on such zone lot;
 - (3) Computation of the maximum total sign area, the maximum area for individual signs, the height of signs and the number of freestanding signs allowed on the zone lot(s) included in the plan under this ordinance; and
 - (4) An accurate indication on the plot plan of the proposed location of each present and future sign of any type, whether requiring a permit or not, except that incidental signs need not be shown.

(C) Common Signage Plan.

- (1) If the owners of two or more contiguous (disregarding intervening streets and alleys) zone lots or the owner of a single lot with more than one building (not including any accessory building) file with the Zoning Administrator for such zone lots a Common Signage Plan conforming with the provisions of this section, a 25 percent increase in the maximum total sign area shall be allowed for each included zone lot. This bonus shall be allocated within each zone lot as the owner(s) elects.
- (2) The Common Signage Plan shall contain all of the information required for a Master Signage Plan and shall also specify standards for consistency among all signs on the zone lots affected by the Plan with regard to: color scheme, lettering or graphic style, lighting, location of each sign on the buildings, material, and sign proportions.

§ 152.132 SANDWICH BOARD SIGNS.

- (A) Sandwich board signs shall be allowed in all zoning districts within the city, except that in residential districts sandwich board signs will be permitted only for non-residential uses and uses by conditional use permit.

- (B) There shall be only one sandwich board sign allowed for each entity.
- (C) Sandwich board signs shall be considered temporary signage.
- (D) Sandwich board signs shall not exceed eight square feet in size per surface area.
- (E) Sandwich board signs may be placed on a public sidewalk or within the public right-of-way. If placed on a sidewalk, a sandwich board sign shall not take up more than two feet of sidewalk width and shall not be placed in the middle of the sidewalk.
- (F) Sandwich board signs may be removed by the city if they interfere with any city activities (i.e. snow removal, maintenance of the surrounding area, and the like).
- (G) Public sidewalk sandwich board signs shall be displayed only during the times that the entity is open. No public sidewalk sandwich board sign shall be displayed overnight or when there has been any snow accumulation. Sandwich board signs that do not comply with this requirement may be removed and disposed of by the city.
- (H) Sandwich board signs shall be weighed down.
- (I) Under no circumstances shall a sandwich board sign be used instead of permanent building signage.
- (J) Sandwich board signs shall be taken down after business hours.
- (K) Sandwich board signs that do not comply with the regulations stated above may be removed and disposed of by the city.

§ 152.133 TEMPORARY AND PORTABLE SIGNS (PRIVATE PROPERTY).

- (A) Temporary and portable signage on private property is allowed over and above the typical signage limit allowed on a property for permanent signage. Temporary and portable signs shall not be used in place of permanent signage.
- (B) No more than four temporary and/or portable signs shall be allowed per lot within the Commercial, Public/Institutional, and Industrial Districts. No more than three temporary and/or portable frontage signs shall be allowed. The signs shall not exceed 32 square feet in size per surface with a maximum of two surfaces.
- (C) There shall be no more than two temporary and portable signs not exceeding 12 square feet per surface with a maximum of two surfaces per lot for residential garage/yard sales.
- (D) In all districts, no more than two temporary real estate sale/lease signs, not exceeding 32 square feet, shall be allowed per lot/entity. Real estate/lease signs shall not be placed in the public right-of-way.

(E) Upon written request to the City Administrator, additional temporary or portable signs may be allowed in appropriate circumstances. The number of additional temporary signs shall be subject to City Administrator approval and the City Administrator may place reasonable restrictions on the use and placement of such signs.

§ 152.13325 REPEALER.

(A) Sections 152.120 through 152.133 of Title XV of the Code of Ordinances of the City of Mayer that were in effect prior to the date of the adoption of this Ordinance are hereby repealed and replaced in their entirety by the sections of this Ordinance.

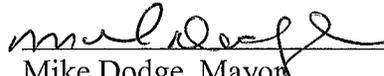
§ 152.13350 VIOLATION, PENALTY, ENFORCEMENT.

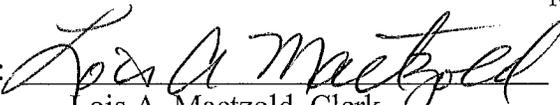
(A) The standards of Title XV, Section 152.999, as may be amended, relating to Penalty are hereby incorporated by reference.

§ 152.133255 EFFECTIVE DATE.

(A) This Ordinance shall be effective upon publication.

Passed and adopted by the City Council of the City of Mayer this ___ day of April, 2013.


Mike Dodge, Mayor

ATTEST: 
Lois A. Maetzold, Clerk

(Summary of Ordinance published in the *Carver County News* on the 11th day of April, 2013.)