

SUBCHAPTER 10 SIGNS

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5-10-1 INTENT. It is the intent of this ordinance to provide for the regulation of signs and to provide for the administration of this ordinance and to provide for penalties for a violation of this ordinance.

5-10-2 DEFINITIONS. The following words and phrases whenever used in the ordinances of the City, shall be construed as defined in this section unless, from the context, a different meaning is intended or unless different meaning is specifically defined and more particularly directed to the use of such words or phrases:

1. “Monument Sign” or “Free-Standing Sign” shall mean any sign supported by a foundation, uprights, or braces placed in the ground. Such a sign is not supported by any building. This type of sign is in contact with the ground and is not elevated by a pole or poles.

2. “Permanent Sign” shall mean a sign that does not advertise a single event such as a yard sale, an electoral campaign, a real estate sale, or a special event such as a church or civic festival. A Permanent Sign is made of materials intended for long-term use. Permanent Signs include, but are not limited to: Wall Signs, Monument or Free-Standing Signs, and Pole Signs.

3. “Pole Sign” means any sign that is mounted on a freestanding pole or other support so that the bottom edge of the sign face(s) is above grade. A billboard sign is a type of Pole Sign.

4. “Blade Sign” shall mean a small sign for commercial structures, which is suspended from a mounting attached directly to the building wall, hangs perpendicular to the building wall, and possibly extends into a public right-of-way.

5. “Temporary Sign” means a sign that is not permanently affixed or anchored to a structure or the ground for long-term use.

6. “Wall Sign” means any sign attached parallel to a wall, painted on the wall surface of, or erected and kept within the confines of an outside wall of any building or structure, which is supported by such wall or building. Wall Signs do not include signs or lettering on doors or windows. Wall Signs do not include minor directional signs and similar.

5-10-3 PROHIBITIONS AND REGULATIONS. The following shall apply:

1. A Permanent Sign shall not be painted or placed on a structure prior to the issuance of a building permit for the sign.

2. A sign shall not be erected on or over the public right-of-way unless a Sidewalk Obstruction Permit (Title VI, Chapter 13 as amended) has been obtained. This includes, but is not limited to Pole Signs and signs that are permanently affixed to a building.

3. A sign shall not obstruct the visibility required by pedestrians or vehicular traffic.

4. Unless otherwise specified within, all signs shall conform to the setback requirements for the district in which they are located. However, signs on properties that abut residential zones, but are larger than signs allowed in residential zones, must have a minimum setback of 25 feet from residentially zoned property.

5. No sign shall be placed higher than the height requirements of the district in which the sign is located.

6. No sign shall exceed the size requirements for the type of sign and the location of the sign.

7. No sign shall block a fire escape door or window.

8. Audible signs are prohibited except for use by city officials, law enforcement, and emergency vehicles.

9. No sign will use flashing or strobing lights that substantially imitate lighting used by emergency vehicles or other applications as used by governmental, emergency, or law enforcement personnel.

10. No sign shall contain the words “stop” or “danger” or substantially imitate a sign posted by governmental officials.

11. Except for an approved Projecting Sign, a sign or banner shall be securely fixed to a building or structure and shall not project from the building or structure more than twelve inches.

12. All signs shall be maintained in a neat and presentable condition and a sign shall not be a visual nuisance.

13. A sign advertising a yard sale or a garage sale shall not be posted more than three (3) days prior to the sale event nor more than one (1) day after the event.

14. No commercial, special event, church, real estate or garage sale sign shall be placed on any utility pole or traffic control post or pole.

5-10-4 SIZE AND HEIGHT REQUIREMENTS. The following regulations apply:

1. Wall Signs, Monument or Free-Standing Signs, and Pole Signs are subject to the following regulations:

- a. These types of signs are eligible uses in all Business and Industrial zoning districts.
- b. Such signs shall not be larger than 100 square feet, except in the B-1 zone where the maximum size is 300 square feet. (Ord. #988, Feb 16, 2004.)
- c. Signs shall not be more than 30 feet high at the top of the sign.
- d. Wall Signs shall not, either singly or in combination, take up more than 50% of the available wall space per each side of a building.
- e. Pole Signs shall have at least 10 feet of clearance from the ground to the bottom of the sign and shall not be more than 30 feet high at the top of the sign.

2. Projecting Signs that overhang a public right-of-way are limited to the Central Business District, B-2 zoning district. Projecting Signs that do not overhang a public right-of-way and meet the setback requirements of their zoning district are also allowed.

Further, these regulations shall apply:

- a. Signs shall not have internal lighting, but may have external lighting.
- b. Signs are limited to one per front of a structure. Buildings on corner lots have double-fronts.
- c. Signs shall not be larger than 16 square feet per side nor more than 4 inches in thickness.
- d. Signs shall not extend farther than 5 feet from the wall of the building to which they are attached.
- e. A minimum 10-foot clearance is required between the bottom of the sign and finished grade.
- f. Signs shall not extend above the roofline of the buildings on which they are located or 20 feet from finished grade, whichever is less.
- g. Buildings with separate businesses above the ground floor may each have their own signs. Such signs must have at least 8 feet of separation between them. The higher sign shall not extend above the roofline of the building.
- h. In addition to the requirements of this Ordinance, signs that would overhang an Iowa Department of Transportation right-of-way may be subject to obtaining DOT approval.

3. Churches, schools, professional offices and similar may utilize Monument Signs of not more than 5 feet in height at the top of the sign and not more than 10 feet in length including the sign's base or foundation. Such signs are allowed in the front yard setback unless such positioning creates a nuisance of any type.

4. Signs in residential zoning districts remain subject to existing regulations as found elsewhere in the City of Maquoketa Code of Ordinances.

5. In the agricultural zoning district, signs shall not exceed 32 square feet in size or 10 feet in height when measured from the average grade of the ground to the top of the sign.

5-10-5 TEMPORARY SIGNS. The following shall apply:

1. Temporary Signs are eligible uses in all Business and Industrial zoning districts and do not require a building permit if they:

a. Do not create a sidewalk obstruction if placed in a public right-of-way or a nuisance of any type if placed in a public right-of-way or a front setback area.

b. Are not larger than 12 square feet or higher than 4 feet if placed in a public right-of-way or a front setback area.

c. Meet the size, height, use, and setback requirements Permanent Signs.

d. Are not in place for more than 6 months.

5-10-6 NON-COMPLIANCE.

1. All Permanent Signs erected prior to the passage of this ordinance shall be classified as non-conforming uses and shall be governed by Subchapter 1P of this ordinance.

5-10-7 ADMINISTRATION AND VARIANCES. The following shall apply:

1. The City Manager or his/her designee is hereby authorized to administer this ordinance and he/she is authorized to enter a ruling that a sign does not comply with the requirements of this Ordinance and he/she may enter an order that the offending sign be removed or modified.

2. The Zoning Board of Adjustment shall be authorized to hold a public hearing regarding a sign variance and make final decision regarding approving or denying the variance.

(ORD. 903, passed 9-8-98)

5-10-8 VIOLATIONS AND PENALTIES. It shall be a violation of this ordinance to disobey and order of the City Manager or his/her designee issued under the terms of this ordinance and it shall be a violation of this ordinance for the owner or person in possession of a real property to allow the presence on the property of a permanent or temporary sign that violates a term of this

ordinance; and, it shall be a violation of this ordinance for a person to post a permanent or temporary sign in violation of this ordinance; and, a violation of this ordinance shall subject the violator to a civil penalty not to exceed \$100.00 and the offending sign shall be subject to abatement as a nuisance.

(Ord. No. 765, 10-16-91)

(Ord, 1130, Passed March 7, 2016)

(Ord. 1142, Passed June 2, 2018