

7.0 SIGN REGULATIONS

SECTION 701. INTENT.

- A. The intent and purpose of this Chapter is to regulate all exterior signs so as to protect health and safety, reduce traffic hazards and visual disturbance and to meet a community based standard for aesthetic qualities. Nothing in this ordinance should be taken as a constraint upon freedom of speech.

SECTION 702. PERMITS.

- A. Permit requirements: Depending on the type of sign or content, a permit may be required from the City of Auburn. See definition for "sign" in Chapter 2.
1. Permits with fee: Freestanding pole and ground signs, highway high-rise or highway billboards. No sign shall be erected, displayed without first obtaining a permit from the City. An existing permitted sign shall not be structurally altered without first obtaining a new permit from the City.
 2. Permits without fee: Portable, temporary, wall and directional signs. No sign shall be erected, displayed without first obtaining a permit from the City. An existing permitted sign shall not be structurally altered without first obtaining a new permit from the City.
 3. No permit but regulated: real estate sign, merchandising, political and window signs, home occupation sign.
- B. Application: Written application for such sign permit shall be made upon forms provided by the City Clerk.
1. Name, address, telephone number of the landowner, developer, or petitioner.
 2. A map of the property at a scale of 1" = 25' showing the location and type of existing structures on the site, property boundaries, location and type of structures or adjacent properties, road rights-of-way, entrances and exits onto the subject property and exact location of the proposed sign(s) with setback from all structures and property lines. The drawings submitted for sign permits must comply with all pertinent aspects of the approved site plan in instances where a site plan is required.
 3. An elevation drawing of the proposed sign(s) depicting its design, lettering, method of illumination and other relevant information. The dimensions of the height and length, and width of the sign(s) and height between ground elevation and the bottom of the sign shall be noted.
 4. In the case of a wall sign, an elevation of the wall of the building on which the sign is to be placed, including a depiction of the wall sign at scale, shall be shown. The dimension of the building wall and the sign shall be depicted.
 5. The proposed dates of construction and completion of the sign.
 6. Structural information necessary to comply with all current building codes.

7. In the case of a portable sign, the length of time the proposed sign will be on the site.

SECTION 703. FEES.

- A. Application fees for sign permits shall be established by the City Commission.

SECTION 704. ISSUANCE OR DENIAL OF PERMITS.

- A. The City Administrator or designated agent shall approve the application for a sign permit when it is found that a sign will comply with the provisions of this Chapter. When a sign permit is denied by the administrator or designated agent, written notice of the denial shall be given to the applicant, together with a written statement of the reason for such denial.

SECTION 705. REGULATIONS WITHIN BUSINESS AND INDUSTRIAL ZONES.

- A. For the following regulations, in the event of a conflict between regulations of signs, resolution shall be based on the principle of "the greater restriction shall apply."
The signs are listed in this manner:
 1. Freestanding (pole/ground/highway)
 2. Wall
 3. Unified Development Signs
 4. Portable
 5. Temporary Signs
 6. Directional Signs
 7. Political Signs and Posters
 8. Real Estate Signs
- B. Freestanding Signs – Each property is limited to one (1) unless it is a corner parcel with three hundred (300') feet or more of frontage on both streets. The sign may be a pole sign or a ground sign. Although there may be multiple businesses or establishments on the property, the limit does not change.
 1. Pole signs:
 - a. Permit required: In a permit application, each sign will require drawings of sign structure, electrical circuits, foundation, and materials.
 - b. Maximum height: Sixteen (16') feet above the grade of the frontage street. Base of sign shall be a minimum of eight (8') feet from that grade to the bottom of the sign.
 - c. Maximum area per side: Fifty (50) square feet
 - d. Minimum setback: No portion of the sign shall be nearer than ten (10') feet to any street easement or dedicated public right-of-way.
 - e. Identification: Sign cabinet must display address number of property on the leading edge to the road.

- f. **Illuminated Sign:** If internal lighting is part of a sign, the lighting equipment that is part of the sign shall have UL listings and shall be labeled for easy reading.
2. **Ground signs:**
- a. **Permit required:** In a permit application, each sign will require drawings of sign structure, any electrical circuits, foundation, and materials.
 - b. **Maximum height:** Six (6') feet above normal ground level.
 - c. **Maximum area per side:** Fifty (50) square feet
 - d. **Minimum setback:** No portion of the sign shall be nearer than eight (8') feet to any street easement or dedicated public right-of-way.
 - e. **Identification:** Sign cabinet must display address number of property on the leading edge to the road.
 - f. **Illuminated Sign:** If internal lighting is part of a sign, the lighting equipment that is part of the sign shall have UL listings and shall be labeled for easy reading.
3. **High-Rise or Highway Billboard Signs:**
- a. **Permit required:** Permit application requires engineered and approved drawings of pole structure, any electrical circuits and structures used for illumination, base, and all sign cabinet structures.
 - b. These signs are allowed if property is within seven hundred thirty-five (735') feet from the State right-of-way for the westbound exit ramp from U.S. 10 to Garfield Road. Other than that specific area, no billboard shall be erected or maintained in any district within one hundred (100') feet of any sidewalk or public highway, nor within three hundred (300') feet of any residential or business building, nor within any distance from adjoining property of less than twice the height of the billboard. The provisions of this Code are not intended to conflict with any provisions controlling signs regulated under the authority of Public Act 106 of 1972, the Highway Advertising Act, as amended.
 - c. **Maximum square feet allowed is two hundred and seventy-five (275) square feet.**
 - (1) **Maximum height not to exceed ninety (90') feet from average grade of property.**
 - (2) **Wind Load:** Because signs must resist a minimum of 135 MPH wind load, the base hole must be inspected before installation is to begin. Failure to have a base hole inspected shall be cause for removal of the sign structure at the expense of the sign owner.
- C. **Wall Signs:**
- 1. **Permit required:** In a permit application, details of structure and dimensions are required of the sign and wall that it is attached to. Outside window signs,

if permanent, are covered by this Section. Interior window signs are not regulated.

2. **Maximum sign area:** Total number of wall sign(s) shall not exceed an area equal to fifteen percent (15%) of the area of the wall to which it is affixed. No wall sign shall have an area greater than one hundred (100) square feet; except that, if the sign has a setback greater than fifty (50') feet from its frontage street, its area may be increased by one (1) square foot for each additional foot of setback up to a maximum of one hundred fifty (150) square feet.

D. Unified Development Signs:

1. **Permit required:** In a permit application, each sign will require drawings of sign structure, any electrical circuits, foundation, and materials.
2. **Maximum height:** Sixteen (16') feet above the grade of the frontage street.
3. **Maximum area:** Eighty (80) square feet

For every foot of street frontage in excess of two hundred (200') feet, maximum sign area may be increased by one (1) square foot for each 12 inches over 200 feet of property frontage.

E. Portable Signs:

1. **Permit required:** In a permit application, each sign will require drawings or a description of the sign structure, electrical circuits and power supply if illuminated, and materials.
2. **Portable Signs:** These can be displayed for fourteen (14) consecutive days. However, if a display is taken down for any reason prior to that period ending, there is another fourteen (14) consecutive days required before a display will be allowed to be displayed again. The intended dates to put such temporary advertisements and banners in place shall be detailed in requests that shall be put on file at City Hall prior to putting the display out. Permits can cover the sign(s) and the time period(s) they shall be permitted to be displayed. Multiple signs can be described in one permit. The intended schedule for using the sign(s) over the year can be detailed in one permit.
3. **The size of portable signs shall not exceed thirty-two (32) square feet or seven (7') feet in height.**

F. Temporary Signs:

1. **Permit required:** In a permit application, each sign will require drawings or a description of the sign structure, period of use, electrical circuits and power supply if illuminated, and materials.

2. Attached to a permanent structure: To qualify as a Temporary Sign, the signage must be attached to a permanent structure. The point of attachment must be detailed in the permit.
 - a. Buildings: If a building wall is to be used for temporary signage, there must be a specific framed area of the wall where the sign will be attached. Whether there is a natural architectural frame on the wall or one that is designated, the cumulative size of the sign(s) placed within that designated area shall be consistent with the size regulations for a permanent wall sign. However, these Temporary Signs can be changed as often as the business desires. The City can require that out-of-date signs be removed. A history of "out-of-date" signs can be considered in denying a permit for these signs. City Hall has the authority to determine what constitutes a "framed" area.
 - b. Between permanent structures or attached to a permanent structure that is not a building. These signs are regulated in the following manner.
 - (1) A fence shall be considered a wall and the total temporary signage attached to the fence shall not exceed an area equal to fifteen percent (15%) of the area of the fence to which it is affixed. Fence signage shall be confined to single area defined in the permit. Space used for signage shall not have an area greater than one hundred (100) square feet; except that, if the signage area has a setback greater than fifty (50') feet from its frontage street, its area may be increased by one (1) square foot for each additional foot of setback up to a maximum of one hundred fifty (150) square feet
 - (2) Temporary Signs attached to a permanent structure other than a building or fence shall be prohibited unless the structure is more than 90 feet from the street. The total signage allowed for a property is 32 square feet per 100 feet of frontage.

G. Directional Signs:

1. Permit required: Permit application requires drawings, any electrical circuits if illuminated, and base.
2. Maximum square feet: four and one-half (4.5) square feet.
3. Maximum height: three (3') feet from average grade of property.
4. Setback: at least five (5') feet from easement and right-of-way.
5. Two directional signs shall be allowed for a single access drive. One sign for each entrance and another for each exit shall be allowed if there are two or more access drives.

H. Political Signs and Posters:

1. No permit required but signs shall conform to this Section.

2. The size of the sign or poster shall not exceed two (2') feet by three (3') feet.
3. The owner of the property where the sign or poster is to be placed must be notified and must give approval for its placement.

I. Real Estate Signs:

1. No permit required but signs shall conform to this Section.
2. The size of the real estate sign or poster shall not exceed two (2') feet by three (3') feet, provided that a "sold" sign not to exceed five inches (5") by sixteen inches (16") may be affixed to the sign to indicate a sale.

SECTION 706. REGULATIONS WITHIN RESIDENTIAL ZONES.

A. In Residential zones R-1 and R-2, one of three signs may be used.

Type	Size Limit	Placement	Height Limit
Nondwelling use Permit required	24 sq. feet	Within required yard	5 ft
Small freestanding No permit	6 sq. feet	Within required yard	4 ft
Wall sign No permit	6 sq. feet	Any wall	Height of wall
Home Occupation	2 sq. feet	Any wall	N/A

- B. In Residential zones R-3 and R-4, the signage for ownership, leasing or rental of multi-family dwellings is regulated by the standards for Business and Industrial.
- C. Political signs in Residential areas R-1 and R-2 are also governed by the same restrictions as political signs in Business or Industrial.
- D. Home occupations may be identified to the public by a non-illuminated wall sign no greater than two (2) square feet.

SECTION 707. PROHIBITED SIGNS.

- A. The following signs are prohibited under this Ordinance. Temporary exceptions to certain prohibited signs are noted in this Section:
 1. Signs or billboards that advertise a commodity or service that is not available on the premises on which the sign is located.
 2. Roof signs.
 3. Projecting wall signs exceeding eight (8) square feet in area.
 4. Abandoned signs, including the related sign structure. Once determined to be abandoned, structures supporting these signs cannot be reused unless they are brought into compliance with the Sign Ordinance. Owners of abandoned signs shall be responsible for removing the sign's message. If the status of an abandoned sign is challenged, it is the obligation of the owner or lessee to provide to the Zoning Enforcement Officer documentation

- that a business is still being conducted on the premises. Proof that a business exists on paper is not sufficient proof for this Ordinance that the business is operating on a particular site.
5. Signs using such words as "stop," "danger" or similar words, phrases, symbols or characters, in such a manner to interfere with, mislead or confuse the public in matters of public safety as determined by the City.
 6. Portable Signs and Temporary Signs will be prohibited in these situations:
 - a. Signs that fail to meet the height and setback requirements that apply to ground signs will be prohibited.
 - b. Electrified Portable/Temporary Signs when the power source is NOT in compliance with safety requirements as deemed applicable by the City Inspector will be prohibited.
 7. No signs, except those established and maintained by the City, county, State, or federal governments, shall be located in, project into, or overhand a street right-of-way or dedicated public easement. This regulation includes railroad rights-of-way.
 8. Signs that block the required clear vision areas for intersections.
 9. Electronic message signs when placement is judged by a public safety officer and city administrator to be a public safety concern.

SECTION 708. MAINTENANCE AND REPAIR.

- A. Every sign, regardless of its permit requirement, shall be maintained in a safe and presentable condition at all times, including but not limited to the replacement of defective parts, painting and cleaning. However, a sign that is not conforming to the Sign Ordinance at the time of its adoption shall be allowed to remain, provided the structure of such nonconforming signs shall not be enlarged or otherwise changed. Maintenance shall be limited to replacement of defective parts, painting and cleaning.

SECTION 709. MANDATORY SIGN REMOVAL.

Emergency Conditions: Should the city administrator or designated agent determine that a sign is so dangerous that it requires immediate removal, the administrator shall attempt to provide the sign owner or property owner with a notice of the danger and the need for immediate abatement. If such notice is not possible due to the emergency nature of the danger, the administrator or designated agent shall abate the danger. The cost of the abatement shall be billed to the owner or become a lien against the property.

- B. **Nuisance Abatement:** Any other sign regulated by this Chapter that fails to comply with the provisions of this Chapter, but which does not require emergency action, shall constitute a nuisance. The owner of such sign and the property owner shall be given written notice of thirty (30) days by certified mail for the abatement

thereof. If such abatement is not accomplished within the thirty-day period, the administrator or designated agent shall abate the nuisance. The cost of the abatement shall be billed to the owner of the sign or become a lien against the property.

SECTION 710. APPEALS.

- A. Any person directly or indirectly affected by the strict application of the provisions of this Chapter may appeal by filing the request in writing to the Zoning Board of Appeals. The Zoning Board of Appeals will consider the appeal in accordance with established procedures.

SECTION 711. PENALTY.

- A. Any person, firm or corporation, or anyone acting in behalf of a person, persons, firm or corporation, who shall violate any of the provisions of this Chapter, or who fails to comply with any of the regulatory measures or conditions adopted pursuant hereto shall, upon conviction thereof, be subject to a fine of not more than five hundred dollars (\$500.00) or imprisonment of not more than ninety (90) days, or both such fine and imprisonment at the discretion of the court. The imposition of any sentence shall not exempt the offender from compliance with the requirements of this Chapter and shall not preclude the City from bringing separate civil legal action to enforce compliance with this Chapter. Every day on which a violation exists shall constitute a separate violation and a separate offense.