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## CHAPTER 415: SIGN REGULATIONS

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### ARTICLE I. GENERAL PROVISIONS

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#### SECTION 415.010: SCOPE

The provisions of this Chapter shall govern the construction, alteration, repair and maintenance of all signs and advertising devices within the City of Olivette. However, where more restrictive in respect to location, use, size or height of signs and outdoor display structures, the limitations of the zoning ordinance affecting required light and ventilation requirements and use of land shall take precedence over the restrictions of these provisions. (R.O. 2008 §225.010; Ord. No. 2257, 1-12-04)

#### SECTION 415.020: DEFINITIONS

For purposes of this Chapter, the following terms shall be defined as follows:

*"A" FRAME SIGN:* An "A" frame or sandwich board which is placed on the sidewalk or curb.

*ADVERTISING MEDIA:* Any banner, pennant, streamer, tent, balloon, ramp, wind-operated mechanism, flashing lights and any other type of fluttering or flashing device or person or animal used for attracting attention.

*ADVERTISING MESSAGE:* Copy on a commercial sign describing products, locations or services being offered to the public.

*AWNING:* Any structure entirely supported by the wall to which it is attached and which has a frame covered by canvas, cloth or other similar temporary material and which can be retracted or rolled or in any other manner moved to the structure by which it is supported.

*BALLOON:* (Cold or forced air) an envelope of material which, regardless of shape, when filled with or is in constant process of being filled with normal atmosphere (referred to herein as "cold air balloon") billows to a point of stretching the envelope to its fullest extension and causing the envelope to provide moderate retention of the cold air forced into it.

*BANNER:* A temporary paper, plastic or cloth device hung to attract attention to a business or special event.

*BILLBOARD:* Any structure or portion thereof upon which advertising is placed, painted or printed, advertising or directing a person to a thing, activity, goods, service or product not located or sold or offered on the lot upon which the billboard is located. This includes billboards, detached pole signs on separate parcels, wall signs and signs otherwise attached to buildings or supported by uprights or braces of any type on the ground.

*BUILDING OFFICIAL:* The Director of Public Services for the City of Olivette or designee.

*CANOPY*: Any structure, other than an awning, attached to a building at the inner end or support on the outer end.

*CITY*: The City of Olivette, Missouri.

*ERECT*: To build, construct, attach, hang, rehang, place, affix or relocate, including the painting and repainting of permanent window signs.

*FLAGS, DECORATIVE GARDEN*: Any decorative flag designed to be placed in the yard of a residence showing only a decorative picture and not conveying any particular message or support for a cause.

*FLAGS, GOVERNMENTAL*: Any official flag of the United States, the State of Missouri, the County of St. Louis, the City of Olivette or any other legitimate governmental entity such as a school district or fire district.

*FLAGS, TRADEMARK*: Any flag which displays only a registered trademark, logo, corporate name or any combination of the former three (3) and no other wording or display of any kind shall be considered a trademark flag.

*LOGO*: Any symbol, trademark, insignia, letter or design that is intended to provide an abbreviated form of identification for a business or product.

*LOT*: A platted parcel of land regardless of whether the parcel is improved or occupied.

*MARQUEE*: Any permanent roof-like structure projecting beyond a building face generally constructed of durable materials such as metal, glass or plastic.

*PERSON*: Any natural person, firm, partnership, association, corporation, company or organization of any kind.

*SIGN*: Any letter, figure, design, symbol, trademark, panel, device, structure, identification, description, illustration, symbol or statue designed or intended to convey information to the public in written or pictorial form and be visible from the outside of a location. This term includes, but is not limited to, any of the following: awning, banner, billboard, canopy, flags, marquee, advertising sign, attached sign, business sign, construction sign, directional sign, flashing sign, fluttering sign, ground sign, hanging sign, identification sign, illuminated sign, government signs, memorial signs, tablets, moving sign, permanent sign, political sign, campaign sign, pole sign, monument sign, portable sign, projecting sign, real estate sign, roof sign, subdivision sign, temporary sign, wall sign, window sign, special displays, standard outdoor advertising structure, time and weather information and street clock or balloon.

*SIGN--ANIMATED*: An announcement directing attention toward a business product, commodity, service or entertainment by means of a banner, pennant, streamer, tent, balloon, wind-operated mechanism, flashing lights or any other type of fluttering or flashing device or person or animal used for attracting attention.

*SIGN AREA*: The area of a sign face. The "sign area" of a multi-faced sign is the sum of the sign area of each face, including structural trim which displays or upon which is displayed any message, name or symbol of any kind for the purpose of advertising, announcing, directing or attracting attention from persons located outside of a building. If a sign is attached to a building or suspended in any manner, whereby there is no apparent trim or confining border, the sign area shall be computed by drawing an imaginary straight line around a generally rectangular margin and measuring the area so encompassed by these lines.

*SIGN--ATTACHED:* A wall sign or projecting sign attached to a building wall or the generally vertical of a mansard type roof.

*SIGN--BUSINESS:* A sign indicating the name of a company, product, service or entertainment offered on the premises, including price information.

*SIGN--CAMPAIGN:* Any sign which is linked to or shows support for a particular candidate or a particular ballot question which is currently scheduled to appear on the ballot during a particular election. This term shall not include any commercial or non-commercial sign, as those terms are defined in this Chapter, and shall not include any sign which contains a message or shows support for a cause which is not linked to a particular candidate or a particular ballot currently scheduled to appear on the ballot during a particular election.

*SIGN--CAUSE OR MESSAGE:* These terms are synonymous with "non-commercial sign".

*SIGN--COMMERCIAL:* Any sign containing an advertising message describing products, locations or services being offered to the public.

*SIGN--CONSTRUCTION:* A temporary sign used during construction of new buildings or reconstruction of or additions to existing buildings, such as those identifying the project and denoting the owner, architect, engineer, contractor and financing institution of the project or any combination of those entities so named herein.

*SIGN--DIRECTIONAL:* A sign which indicates a direction for vehicular or pedestrian traffic or other movement.

*SIGN--DIRECTORY:* An occupational or identification sign containing at least one (1) name within a single sign and directing vehicular or pedestrian traffic to a particular location.

*SIGN--ELECTION:* This term shall be synonymous with campaign sign.

*SIGN FACING AND SURFACE:* Any surface of a sign upon, against or through which the sign message is displayed for the purpose of advertising, announcing, directing or attracting attention from persons located outside of a building, provided that the ends (or thickness) of a sign shall not be counted as a separate sign face unless a message is conveyed thereon.

*SIGN--FLASHING:* An illuminated sign on which artificial or reflected light is not steady or on which letters, characters or colors change, including searchlights.

*SIGN--FLUTTERING:* A sign which flutters or is made of flexible materials which moves with the wind or by some other artificial means including, but not limited to, pennants, banners, balloons, whirligigs, streamers and flags.

*SIGN--GARAGE SALE:* A sign posted on a residential lot on which the garage sale is to be held.

*SIGN--HANGING:* Any sign hanging entirely beneath a canopy, portico or marquee.

*SIGN--ILLUMINATED:* Any sign which is illuminated by light sources mounted on or in the sign or at some other location.

*SIGN--INSTITUTIONAL OR GOVERNMENT:* A sign identifying a not-for-profit, eleemosynary institution or

government facility.

*SIGN--MARQUEE, CANOPY AND AWNING:* A sign attached to or illustrated on the generally vertical plane of a marquee, canopy or awning, respectively. These are considered to be wall signs.

*SIGN--MEMORIAL OR TABLE:* The permanent part of a building which denotes the name of the building, date of erection, historical significance, dedication or other similar information.

*SIGN--MONUMENT:* A low, permanent structure located on the same lot or parcel as the use it advertises, which has its bottom portion erected upon or supported by the ground, planter box, pedestal or other compatible structural supports, with no more than twelve (12) inches clearance between any portion of the bottom edge of the sign and that which it rests upon, with a maximum of two (2) faces having a single name identification of the structure or complex on each face.

*SIGN--NON-COMMERCIAL:* Any sign which contains a personal message or shows support for or identifies a cause or organization. This term shall not include commercial signs or campaign signs.

*SIGN NON-CONFORMING:* Any sign, permanently affixed to the ground or to a building with concrete or metal devices, which was lawfully erected and maintained prior to such time as it came within the purview of this Code and any amendments thereto and which fails to conform to all applicable regulations and restrictions of this Chapter. Signs which are not designed to be permanently affixed to the ground or to a building shall not be considered as non-conforming signs.

*SIGN--PERMANENT:* A sign firmly attached to the ground, wall or other portion of a building and not designed or intended to be readily removed or relocated.

*SIGN--POLE:* Any detached sign located on the same lot or parcel as the use it advertises which is supported by one (1) or more stationary poles longer than two (2) feet above the mean grade line of the ground at its base not to exceed an overall height of twenty (20) feet above said grade. This term shall not include non-commercial signs, campaign signs or real estate signs.

*SIGN--POLITICAL:* This term shall be synonymous with campaign sign.

*SIGN--PORTABLE:* A sign that is not permanently affixed to a building, structure or ground and that may be readily moved or relocated. This includes signs placed on trucks, trailers or other transportable devices (other than identification of owner or lessee of said truck or trailer or other transportable devices and other owner information required by the United States Department of Transportation or the Missouri Department of Transportation).

*SIGN--PROJECTING:* Any sign which projects more than eighteen (18) inches beyond the plane of the wall on which the sign is erected or attached.

*SIGN--REAL ESTATE:* A sign pertaining only to the prospective rental, lease or sale of the real property on which it is located.

*SIGN--ROOF:* Any sign erected on a roof but excluding marquee and canopy signs and excluding wall or projecting signs which do not project greater than two (2) feet above a parapet wall. The generally vertical plane of a mansard type roof shall be interpreted as the same as a wall of a building.

*SIGN STRUCTURE:* The sign face, supports and all other parts associated with its construction.

*SIGN--SUBDIVISION:* A monument sign identifying a subdivision entry, subdivision name or street names within the subdivision or combination thereof.

*SIGN SUPPORTS:* All structures by which a sign is held up, including, for example, poles, braces, guys and anchors.

*SIGN--TEMPORARY:* Any sign intended for a limited or intermittent period of display.

*SIGN--VEHICULAR:* Any sign permanently affixed or temporarily placed on or in or attached to a vehicle by magnetic or self-adhesive means.

*SIGN--WALL:* A sign erected or attached against the wall of any building with the plane of the face parallel to the plane of the wall below the roof line. Any wall sign projecting more than eighteen (18) inches from the wall shall be considered as a "projecting sign".

*SIGN--WINDOW, PERMANENT:* A sign that is permanently affixed to either side of the glass of an exterior door or window. A sign will be deemed permanent if the only change in that sign is the price, regardless of the fact that the entire sign may be of different size, shape, color or other factor.

*SIGN--WINDOW, TEMPORARY:* Window signs of less than thirty (30) days' duration, with no two (2) thirty (30) day time periods running consecutively, up to thirty percent (30%) of the window area.

*SPECIAL DISPLAYS:* Signs not exceeding twenty-four (24) square feet, used for holidays, public demonstrations or other temporary purposes.

*STRUCTURAL TRIM:* The molding, battens, cappings, nailings, strips, latticing and platforms which are attached to the sign structure.

*ZONING ORDINANCE:* The zoning ordinances and maps of the City of Olivette, Missouri. (R.O. 2008 §225.020; Ord. No. 2257, 10-12-04)

## **SECTION 415.030: NON-CONFORMING SIGNS**

A. *Legal Non-Conforming.* Any sign located within the City limits on the date of adoption of this Code or located in an area annexed to the City thereafter, which does not conform with the provisions of this Code, is eligible for characterization as a legal non-conforming sign, if the sign is a permanent sign, incapable of being moved and was in compliance with applicable law on the date of adoption of this Code.

B. *Loss Of Legal Non-Conforming Status.* A legal non-conforming sign shall immediately lose its legal non-conforming designation if:

1. The sign is altered in any way in structure, which tends to or makes the sign less in compliance with the requirements of this Code than it was before the alteration;
2. The sign structure is relocated to a position making it less in compliance with the requirements of

this Code;

3. The sign structure is altered or enlarged so as to prolong the sign's useful life or to enlarge the sign face or supports; or
4. The sign is replaced.

Any sign losing its legal non-conforming status shall be immediately removed or brought into compliance with this Code.

C. *Legal Non-Conforming Sign Maintenance And Repair.* Nothing in this Section shall relieve the owner or user of a legal non-conforming sign or owner of the property on which the legal non-conforming sign is located from the provisions of this Code regarding safety, maintenance and repair of signs contained in this Code, provided however, that any repainting, cleaning and other normal maintenance or repair of the sign structure shall not modify the sign structure in any way which makes it more non-conforming.

D. *Removal Of Legal Non-Conforming Signs.* All roof signs not permitted under this new Chapter shall be removed within one (1) year from the adoption hereof. All other legal non-conforming signs shall be brought into compliance with the provisions of this Chapter within eight (8) years after its adoption.

E. All temporary signs which are prohibited under [Section 415.260](#) shall be removed within thirty (30) days of the adoption of this Chapter. (R.O. 2008 §225.030; Ord. No. 2257, 10-12-04)

## **SECTIONS 415.040--415.090: RESERVED**

## **ARTICLE II. PERMITS**

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### **SECTION 415.100: REQUIRED -- EXCEPTIONS**

A. No new signs shall hereafter be erected or constructed and no existing signs shall be enlarged, altered or relocated, except in conformity to the provisions of this Chapter and only upon issuance of a proper permit.

B. *Exceptions.* The following types of signs do not require a permit as long as they comply with the limitations set forth in this Chapter:

1. Garage sale signs complying with the provisions of this Chapter.
2. Real estate signs complying with the provisions of this Chapter.
3. Campaign signs complying with the provisions of this Chapter.
4. Non-commercial signs complying with the provisions of this Chapter.
5. Identification signs for any governmental building or facility.

6. Official signs for control of traffic and other regulatory purposes, danger signs and signs of public service companies indicating danger and aids to service or safety which are erected by or on order of a public officer in the performance of his/her public duties.
7. Memorial signs or tablets, names of buildings and date of erection when cut into any masonry surface or when constructed of bronze or other non-combustible materials.
8. A professional name plate/plaque/sign not exceeding two (2) square feet in area directly attached to a building.
9. Warning signs of whatever size as may be necessary, which warn the public of the existence of a danger, but containing no advertising material. Said are to be removed upon subsidence of danger.
10. Temporary signs relating to site specific construction or announcement of renovation complying with the provisions of this Chapter.

C. *Certain Signs Related To The Subdivision Of Land.* Any monument sign identifying a subdivision entry, subdivision name or street names and locations within a subdivision shall be approved and constructed in accordance with the provisions for such signs in [Chapter 405](#) "Subdivision" of this Code. (R.O. 2008 §225.100; Ord. No. 2257, 10-12-04; Ord. No. 2305, 2-28-06)

#### **SECTION 415.110: ISSUANCE -- APPLICATION**

- A. A permit shall be issued by the Building Official following any necessary review and approval by the Planning and Community Design Commission in accordance with procedures set forth in this Chapter; [Chapter 425](#), Community Design--Generally; [Chapter 428](#), Community Design--Olive Boulevard Corridor; or [Article XI](#) of the Zoning Ordinance, Site Plan Review.
- B. No owner of property on which a sign is to be installed shall initiate the installation or cause any such act without first obtaining all required permits therefore. Additionally, no contractor shall commence work on said installation prior to the issuance of all required permits.
- C. No permit shall be granted until after an application has been filed with and a permit issued by the Building Official, said application shall include the application fee and the plans and specifications showing location, materials, details of construction, including loads, stresses and anchorage, as well as the verbiage and symbols proposed to be used.

Before a permit can be granted for the installation of any sign, the application shall be signed by the owner or owners of the property granting permission to applicant to install the sign.

The Building Official may prescribe suitable regulations not inconsistent with the provisions of this Chapter concerning the form and content of all applications for the various types of permits herein required. (R.O. 2008 §225.110; Ord. No. 2257, 10-12-04)

#### **SECTION 415.120: PERMIT CONDITIONS -- ALTERATIONS**

- A. All signs shall comply with this Chapter and any conditions imposed upon the sign permit.
- B. No alteration or enlargement may be made to the sign without a new permit; however, the changing of movable parts of a sign approved hereunder, which is designed for such changes or the repainting or reposting of display matter, shall not require an additional permit hereunder, providing the conditions of the original approval and the requirements of this Chapter are not violated. (R.O. 2008 §225.120; Ord. No. 2257, 10-12-04)

### **SECTION 415.130: TEMPORARY SIGN PERMITS -- BANNERS**

Notwithstanding provisions of this Article, the Building Official may issue a temporary sign permit for the erection and maintenance for a limited duration of a banner. The written request shall specify the type, location, materials and method of installation of the banner requested and other information required by the Building Official, including an inspection fee in accordance with [Section 500.100](#) of this Municipal Code. No permit shall be issued unless the Building Official finds that the requested banner will be in substantial compliance with this Chapter and that issuance of the banner will not be contrary to the public health, welfare, safety or morals by reason of size, location, materials, illumination, method of installation or other feature of the requested banner which would adversely affect surrounding properties. Temporary sign permits issued under this Section shall be valid for not more than twenty-one (21) days. Temporary sign permits may be granted one (1) additional extension for up to seven (7) days at the discretion of the Building Official upon written request as set forth above. No more than two (2) temporary sign permits may be issued per calendar year. Upon expiration of a temporary sign permit, the permit holder shall remove the banner immediately. (R.O. 2008 §225.130; Ord. No. 2257, 10-12-04)

### **SECTION 415.140: REVOCATION**

The City Council may revoke any sign permit, after notice and hearing, if it is shown that the sign violates any condition of the sign permit, violates any provision of this Chapter, Zoning Code, Building Code or which has been secured by subterfuge or is void or which has been issued by mistake, misunderstanding or error of the City. (R.O. 2008 §225.140; Ord. No. 2257, 10-12-04)

### **SECTIONS 415.150--415.190: RESERVED**

## **ARTICLE III. GENERAL RULES, REGULATIONS AND PROHIBITIONS**

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### **SECTION 415.200: MATERIALS, LOADS AND STRESSES**

Every sign which shall hereafter be constructed, altered or repaired shall conform to the City's Building Code. (R.O. 2008 §225.200; Ord. No. 2257, 10-12-04)



**SECTION 415.210: ILLUMINATION**

Where illumination of a sign is permitted by this Chapter, illumination shall only be by electrical means and electrical devices and the wiring shall be installed in accordance with the requirements of the electrical code adopted by the City. In no case shall any open spark or flame be used for display purposes. (R.O. 2008 §225.210; Ord. No. 2257, 10-12-04)

**SECTION 415.220: OBSTRUCTION TO EXITWAYS**

No sign shall be erected, constructed or maintained so as to obstruct any fire escape, required exitway, window or door opening used as a means of egress or to prevent through passage from one part of a roof to another part thereof or access thereto as required by the provisions of the City's Building Code. (R.O. 2008 §225.220; Ord. No. 2257, 10-12-04)

**SECTION 415.230: OBSTRUCTION TO VENTILATION**

No sign shall be attached in any form, shape or manner which will interfere with any opening required for ventilation under the City's Building Code, except that signs may be erected in front of and may cover transom windows, when not in violation of the provisions of the Building Code. (R.O. 2008 §225.230; Ord. No. 2257, 10-12-04)

**SECTION 415.240: USE OF COMBUSTIBLE MATERIALS**

- A. *Ornamental Features.* Wood, plastic or metal of combustible characteristics similar to wood may be used for moldings, cappings, nail blocks and other purely ornamental features or designs in accordance with the rules and regulations promulgated by the Building Official.
- B. *Sign Facings.* Sign facings may be made of approved combustible plastics, provided the wiring for electric lighting is entirely enclosed in metal conduit and installed with a clearance of not less than two (2) inches from the facing material. (R.O. 2008 §225.240; Ord. No. 2257, 10-12-04)

**SECTION 415.250: MAINTENANCE AND INSPECTION**

- A. All signs for which a permit is required, together with all their supports, braces, guys and anchors, shall be kept in good repair and in accordance with the provisions of this Chapter and the City's Building Code, including painted or otherwise finished surfaces, as well as all parts and supports which must be maintained in their design condition and position. Broken parts of signs must be replaced or repaired in a timely manner and in such a manner as to maintain the appearance and structure of the sign as it was approved for installation. Signs designed and constructed of materials to be temporary shall be removed or replaced at least once every ninety (90) days; provided however, that such signs shall be removed or replaced sooner as such signs begin to deteriorate.

- B. All signs which are not galvanized or constructed of approved corrosion-resistive, non-combustible materials shall be painted whenever necessary to prevent corrosion.
- C. It shall be the duty and responsibility of the owner or lessee of every sign to maintain the immediate premises occupied by the sign in a clean, sanitary and healthful condition.
- D. Each sign requiring a permit shall be inspected annually by the Building Official and the owner of each sign requiring annual inspection and shall pay the annual inspection fee prior to January first (1st) of each year. Each reinspection of a sign required in any year to determine compliance with the requirements of this Chapter shall require payment of an additional inspection fee. Any sign on which annual inspection or additional inspection fees are not paid within thirty (30) days after the date due and any sign which is not maintained in accordance with the provisions of this Chapter shall be deemed an unlawful sign.
- E. The Building Official shall have the authority to order the painting, repair, alteration or removal of signs which have not been properly maintained or repaired or which have become dilapidated or are abandoned or which constitute a hazard to public safety. (R.O. 2008 §225.260; Ord. No. 2257, 10-12-04; Ord. No. 2305, 2-28-06)

## **SECTION 415.260: PROHIBITIONS**

Unless expressly permitted by this Chapter, specific types of signs shall be prohibited. Signs in excess of the maximum size or height allowed are prohibited.

In addition, the following signs, structures, supports, devices and features are prohibited:

1. Sandwich board signs and "A" frame signs.
2. Signs presenting a traffic hazard including:
  - a. Signs which by color, location or design resemble or conflict with traffic control signs or devices;
  - b. Signs which, by reason of location, position, shape or color, interfere with, obstruct the view of or be confused with any authorized traffic control sign, signal or device;
  - c. Signs which make use of the words "Stop", "Look", "Drive-In", "Danger" or any word, phrase, symbol or character in such manner as to interfere with, mislead or confuse traffic;
  - d. Signs obstructing the free and clear vision of an intersection or curve or obscuring traffic control devices; or
  - e. Signs which by unshielded illumination produce a glare or otherwise interfere with motorists' vision.
3. Exterior use of advertising devices such as banners (except as provided in this Code), streamers, pennants, flags, balloons, lights (whether flashing, flickering, blinking, rotating, scrolling or changing), wind-operated devices and any other type of fluttering or flashing devices. However, any official flag of the United States, the State of Missouri, the County of St. Louis, the City of Olivette or any other governmental entity are exempted from this prohibition as long as there are no more than three

(3) flags per pole.

4. Letters or pictures in the form of advertising printed or applied directly on the wall of a building.
5. Animated signs and mechanical contrivances. No sign erected shall contain flashers, electronically changeable characters or letters, animators or mechanical movement or contrivances of any kind, excepting clocks and time and weather information.
6. Paper posters and painted signs applied directly to the wall of a building or pole or other support.
7. Signs painted or otherwise affixed on the inside or outside of automobile windows, show or display windows except permanent signs conforming to the provisions of this Chapter.
8. Portable signs.
9. Off-site signs or signs advertising an article or product not manufactured, assembled, processed, repaired, serviced or sold upon the premises upon which the sign is located.
10. Revolving signs of any type, including searchlights.
11. Signs on parking lot standards not relating to traffic control.
12. Awning signs.
13. Roof signs.
14. Signs on public street right-of-way (other than public notices and unless otherwise allowed in this Chapter).
15. Signs attached to a standpipe, fire escape, utility pole or traffic control device.
16. Signs that are in disrepair or hazardous or which obstruct any fire escape, window, door or means of egress.
17. Signs that relate to discontinued businesses or uses no longer in existence.
18. Non-vehicular signage.
19. Neon or other material used as an illumination source to call attention to a use or occupancy by outlining property lines, sales areas, roof lines, doors, windows, wall edges or other architectural features of a building site.
20. Signs containing any obscene or indecent matter.
21. Signs containing indecent, profane or insulting language, pictures or symbols; or language, symbols or pictures directed at a non-public figure intended to cause that person ridicule or harm; or language, symbols or pictures having a direct tendency to cause violence. (R.O. 2008 §225.270; Ord. No. 2257, 10-12-04)

**SECTION 415.270: HIGHWAY, TRAFFIC AND DIRECTIONAL SIGNS**

- A. This Section applies to any sign erected by a governmental entity or any other sign designed to aid the flow or parking of traffic including, but not limited to, signs stating "Entrance", "Exit", "One Way", "Loading Zone Only", "Disabled Parking", etc.
- B. No such signs shall be erected in the public right-of-way except by the appropriate governmental entity having jurisdiction within such right-of-way.
- C. Such signs may be installed on private property which is open to public parking and travel and shall be installed in accordance with an approved site plan for the development of said property and any other requirements of the State or City pertaining to such traffic flow and parking signs.
- D. Such signs may be permitted in accordance with this Chapter or through the site plan review and approval process.
- E. Unless otherwise provided by State law, City ordinance or the conditions on a site plan, each such sign shall conform to the following general requirements:
1. Such signs shall not exceed three (3) square feet per space.
  2. The height for such signs shall be three and one-half (3½) feet for ground mount and six (6) feet for wall mount.
  3. Such signs are limited to one (1) sign per entrance.
  4. No more than two (2) colors may be used.
  5. Illumination of such signs is subject to approval by the Planning and Community Design Commission. (R.O. 2008 §225.280; Ord. No. 2305, 2-28-06)

**SECTION 415.280: RESERVED****ARTICLE IV. PERMITTED SIGNS IN RESIDENTIAL ("SR", "AR" AND "PASF") ZONING DISTRICTS**

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**SECTION 415.290: SIGNS PERMITTED**

- A. Only non-flashing, non-fading, non-moving signs of types enumerated in this Article shall be permitted in all residential zoning districts, subject to permit and fees, provided that no such signs are located closer than ten (10) feet from the roadway or pavement edge (curb) unless otherwise provided for in this Section. No sign within a residential zoning district shall be illuminated in any manner except those signs required by law to be illuminated.

B. Subject to limitations hereinafter set forth, only the following types of signs shall be permitted in residential zoning districts in accordance with the regulations hereinafter prescribed. Regulations pertaining to size, height and number represent maximums allowed, unless specifically set forth in a given Section. All signs requiring a permit from the Building Official are so noted.

1. *Flags.*

- a. *Size.* Five (5) feet by eight (8) feet (each).
- b. *Number.* Three (3) flags per pole.
- c. *Location.* Pole must be offset from any property line by, at a minimum, a distance equal to the height of the pole above mean grade.
- d. *Special.* One (1) pole per lot.
- e. *Permit.* No sign permit required.

2. *Real estate signs.*

- a. *Information allowed.*
  - (1) For sale, rent or lease;
  - (2) Seller's name and phone number.
- b. *Size.* Four (4) square feet for a single lot.
- c. *Height.* Three (3) feet for a single lot.
- d. *Number.* One (1) per lot or unit (dwelling/commercial).
- e. *Location.* Not less than ten (10) feet away from the roadway or pavement edge (curb).
- f. *Special.* Removed within ten (10) days of closing, lease or completion.
- g. *Permit.* Not required.

3. *Construction and subdivision real estate signs.*

- a. *Information.* Owner/developer, general contractor, architect, engineer or financier's name, address and telephone number.
- b. *Size.* Thirty-two (32) square feet per face.
- c. *Height.* Eight (8) feet for ground mount; twelve (12) feet for trailer (trailer to be for construction only).
- d. *Number.* One (1) per development entry.
- e. *Location.* Ground mount, wall mount, trailer mount (construction only). Not less than ten (10) feet away from the roadway or pavement edge (curb).
- f. *Special.* Removed within ten (10) days of closing, leasing or completion of the entire development.

- g. *Permit.* Sign permit required.
4. *Site specific construction or renovation announcement.*
- a. *Information.* Name and contacting information for mechanics, painters, architects, engineers and similar artisans.
  - b. *Size.* Four (4) square feet per face.
  - c. *Height.* Three (3) feet.
  - d. *Number.* One (1) per lot.
  - e. *Location.* Ground, not less than ten (10) feet away from the roadway or pavement edge (curb).
  - f. *Special.* Shall be located only at the location at which work is being performed and must be removed upon completion of said work.
  - g. *Permit.* Not required.
5. *Campaign signs.*
- a. *Information.* Political or campaign information on behalf of candidates for public office or measures on particular election ballots.
  - b. *Size.* Four (4) square feet per face.
  - c. *Height.* Three (3) feet.
  - d. *Number.* Four (4) per lot or unit (dwelling/commercial).
  - e. *Location.* Not less than ten (10) feet from the roadway or pavement edge (curb).
  - f. *Special.* Only two (2) sign faces which are back-to-back, no sandwich boards or V-shaped signs.
  - g. *Permit.* Not required.
6. *Non-commercial/cause signs.*
- a. *Information.* A personal, non-commercial message as long as such does not contain obscene or indecent matter; indecent, profane or insulting language, pictures or symbols; language, symbols or pictures directed at a non-public figure intended to cause that person ridicule or harm; or language, symbols or pictures having a direct tendency to cause violence.
  - b. *Size.* Four (4) square feet per face.
  - c. *Height.* Three (3) feet.
  - d. *Number.* Four (4) per lot or unit (dwelling/commercial).
  - e. *Location.* Not less than ten (10) feet from the roadway or pavement edge (curb).
  - f. *Special.* Only two (2) sign faces which are back-to-back--no sandwich boards or V-shaped signs.

g. *Permit.* Not required.

7. *Advisory.*

- a. *Information.* No Trespassing, Alarm System, Private, Keep Out, Beware of Dog, etc.
- b. *Size.* Two (2) square feet per face.
- c. *Height.* Three (3) feet for ground mount or four (4) feet for fence mount.
- d. *Number.* Two (2) per lot, but not more than one (1) per lot side; and one (1) per unit (dwelling/commercial).
- e. *Location.* Not less than ten (10) feet from the roadway or pavement edge (curb).
- f. *Permit.* Not required.

8. *Special display.*

- a. *Information.* Special event for church, school, government or institution.
- b. *Size.* Thirty-two (32) square feet per face.
- c. *Height.* Six (6) feet above mean grade.
- d. *Number.* Two (2).
- e. *Location.* Ground mount not less than ten (10) feet away from the roadway or pavement edge (curb).

f. *Special.*

(1) Maximum display time is fifteen (15) days;

(2) No more than one (1) display every forty-five (45) days;

(3) All signage shall require the permission of the property owner or Governing Body if a public property or thoroughfare. Such permission shall be produced by the organization upon reasonable demand by the Building Official.

g. *Permit.* Sign permit required.

9. *Garage sale.*

- a. *Information.* Garage sale.
- b. *Size.* Three (3) square feet per face.
- c. *Height.* Three (3) feet.
- d. *Number.* One (1) per lot.
- e. *Location.* Ground mount (See "[Special](#)").
- f. *Special.* If erected on an off-site premises, must have permission of owner of said

premises. Must be erected so as to not constitute a traffic, pedestrian, safety or health hazard. Not to be posted more than twenty-four (24) hours prior to the sale and must be removed within twenty-four (24) hours after the sale.

g. *Permit.* Not required. (R.O. 2008 §225.300; Ord. No. 2257, 10-12-04; Ord. No. 2305, 2-28-06; Ord. No. 2396 §1, 1-29-09)

## ARTICLE V. PERMITTED SIGNS IN THE PLANNED ACTIVITY "PA" ZONING DISTRICT

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### SECTION 415.300: SIGNS PERMITTED

- A. Subject to limitations hereinafter set forth, permit and fees, only the following types of signs shall be permitted in "PA" Public Activity Zoning District in accordance with the regulations hereinafter prescribed.
- B. Regulations pertaining to size, height and number represent maximums allowed, unless specifically set forth in a given Section. No wall sign shall project above the roof line of building to which it is attached and shall be illuminated with only a steady light. Light rays shall shine only upon the sign and shall not extend over the property lines of the parcel on which the sign is located.
- C. All signs enumerated in this Article shall require a permit from the Building Official.
1. *Permitted signs.*
    - a. All signs permitted in the residential zoning districts.
    - b. *Wall signs.* One (1) wall sign shall be permitted which shall not exceed twenty-five (25) square feet in area. One (1) additional wall sign not exceeding twenty-five (25) square feet in area shall be permitted for each building. Each such additional wall sign shall be located on the wall which provides the exterior egress unless an alternative location is approved by the Planning and Community Design Commission.
    - c. *Monument signs.* Each lot having continuous frontage of at least two hundred (200) feet measured along one (1) street line only shall be permitted, one (1) double-faced ground sign which shall not exceed thirty (30) square feet per sign face. A permitted ground sign shall be set back at least five (5) feet from the property line along the street which provides the required frontage. Where a property zoned or used for institutional purposes faces property zoned or used for single-family residential purposes, a permitted ground sign shall be situated to minimize visibility of the sign faces from such residential property.
      - (1) *Content.* A sign shall be limited to the identification of the name of the building, campus and/or a changeable reader board which provides a public service messages or messages directly related to the services of the institution or public activity use.
      - (2) *Illumination.* Illumination, if used, shall be limited to a steady light and shall not be blinking, fluctuating or moving. Light rays shall shine only upon the sign and shall not spill over the property lines of the parcel on which the sign is located. (R.O. 2008 §225.305; Ord. No. 2257, 10-12-04; Ord. No. 2305, 2-28-06)



## ARTICLE VI. PERMITTED SIGNS IN RESIDENTIAL/OFFICE "PRO" ZONING DISTRICTS

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### SECTION 415.310: SIGNS PERMITTED

A. Only non-flashing, non-fading, non-illuminating, non-moving signs of types enumerated in this Article shall be permitted in "PRO" Zoning Districts, subject to permit and fees, provided that no such signs are located closer than twenty (20) feet to any roadway unless otherwise provided for in this Section.

B. Subject to limitations hereinafter set forth, only the following types of signs shall be permitted in "PRO" Zoning Districts in accordance with the regulations hereinafter prescribed. Regulations pertaining to size, height and number represent maximums allowed, unless specifically set forth in a given Section. All signs requiring a sign permit from the Building Official are so noted.

1. All signs allowed in residential zoning districts.
2. *Trademark flags.*
  - a. *Size.* Five (5) feet by eight (8) feet (each).
  - b. *Number.* One (1).
  - c. *Location.* Pole must be offset from any property line by, at a minimum, a distance equal to the height of the pole above mean grade.
  - d. *Colors.* No limit.
  - e. *Special.* One (1) pole per lot.
  - f. *Permit.* Not required.
3. *Wall signs.* Each building shall be permitted one (1) wall sign mounted on the building wall with a size limitation of twenty-five (25) square feet, facing the street frontage, not projecting more than eighteen (18) inches from the wall surface.

Each additional commercial or office tenant having direct exterior egress shall be permitted one (1) additional wall sign not exceeding twenty-five (25) square feet not projecting more than eighteen (18) inches from the wall surface. Such additional wall sign shall be located on the building wall which provides the exterior egress of the tenant unless an alternative location is approved by the Planning and Community Design Commission.

- a. *Permit.* Sign permit required.

4. Each lot having continuous frontage of at least two hundred (200) feet measured along one (1) street line only shall be permitted one (1) double-faced ground sign which shall not exceed thirty (30) square feet per sign face. A permitted ground sign shall be set back at least five (5) feet from the right-of-way providing the required frontage. Where a property zoned or used for office purposes faces property zoned or used for single-family residential purposes, a permitted ground sign shall be situated to

minimize visibility of the sign faces from such residential property. (R.O. 2008 §225.310; Ord. No. 2257, 10-12-04)

## ARTICLE VII. PERMITTED SIGNS IN COMMERCIAL "COR" ZONING DISTRICTS

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### SECTION 415.320: SIGNS PERMITTED

- A. Subject to limitations hereinafter set forth, permit and fees, only the following types of signs shall be permitted in commercial zoning districts in accordance with the regulations hereinafter prescribed.
- B. Regulations pertaining to size, height and number represent maximums allowed, unless specifically set forth in a given Section. No wall sign shall project above the roof line of building to which it is attached and shall be illuminated with only a steady light. Light rays shall shine only upon the sign and shall not extend over the property lines of the parcel on which the sign is located.
- C. All signs enumerated in this Article shall require a permit from the Building Official.
1. *Permitted signs.*
    - a. All signs permitted in the residential zoning districts or "PRO" Zoning Districts.
    - b. *Wall signs.* One (1) sign for each exterior building wall directly enclosing each business establishment mounted on the building wall with a size limitation of twenty-five (25) square feet; signs may not project more than eighteen (18) inches from the wall surface and must maintain a minimum clearance of ten (10) feet between the lowest point of the sign and the walkway, paving or ground level beneath the sign. Where the wall face on which sign is to be located exceeds three hundred fifty (350) square feet in area, the gross area of such sign may be equal to seven percent (7%) of such wall area, however, not to exceed three hundred (300) square feet.
    - c. *Reserved.*
    - d. *Monument signs.*
      - (1) Each business lot with a continuous frontage of at least one hundred (100) feet measured along one (1) street line only and a lot area of twenty thousand (20,000) square feet or more is entitled to one (1) monument sign with a size limitation of sixteen (16) square feet and an overall base and sign height not to exceed five (5) feet.
        - (a) One-sided signs are subject to a maximum area of one-half (½) of the total allowable sign area.
        - (b) One (1) monument sign per lot is allowed, regardless of the number of tenants occupying said lot or property.
        - (c) The sign design and location are subject to the approval of the Planning and Community Design Commission.

(d) No part of the monument sign may project beyond a five (5) foot setback line from the right-of-way, nor shall any part of said sign obstruct vision at any intersection or vehicular access point.

(2) Each business lot with a continuous frontage of at least two hundred (200) feet measured along one (1) street line only or a lot area of three (3) acres or more is entitled to one (1) monument sign with a size limitation of twenty-five (25) square feet and a height no greater than six (6) feet.

(a) One-sided signs are subject to a maximum area of one-half ( $\frac{1}{2}$ ) of the total allowable sign area.

(b) One (1) monument sign per lot is allowed, regardless of the number of tenants occupying said lot or property.

(c) The sign design and location are subject to the approval of the Planning and Community Design Commission.

(d) No part of the monument sign may project beyond a five (5) foot setback line from the right-of-way, nor shall any part of said sign obstruct vision at any intersection or vehicular access point.

e. Shopping centers having common parking areas or common roof structures and consisting of six (6) or more tenants may, in addition to the aforementioned monument sign area, have a directory sign identifying businesses located within that center provided that:

(1) Said directory signage must be an integral part of the monument sign authorized in this Code, provided that the total height does not exceed eight (8) feet; and

(2) Total square footage of directory signage to be dedicated to tenant information will not exceed fifty percent (50%) of the total sign face; and

(3) Total square footage for any individual tenant may not exceed ten (10) square feet per sign face; and

(4) The sign design and location are subject to the approval of the Planning and Community Design Commission.

f. Office buildings having common parking areas or common roof structures and consisting of six (6) or more individual general offices, not to include retail, may have directory signage identifying each office located within that building provided that:

(1) Said directory signage must be an integral part of the monument sign authorized in this Code and the total height must not exceed eight (8) feet.

(2) Total square footage of directory signage to be dedicated to tenant information will not exceed fifty percent (50%) of the total sign face as authorized in this Code.

(3) Total square footage for any individual tenant may not exceed ten (10) square

feet per sign face.

(4) The sign design and location are subject to the approval of the Planning and Community Design Commission.

g. Directional information signs serving to direct traffic or indicate areas of specific service functions and which contain no name or advertisement of any kind may be placed on walls or posts subject to the following:

(1) No sign shall be more than three (3) square feet in area or any part closer than three (3) feet to sidewalk edge or fifteen (15) feet from roadway, right-of-way and roadway easement.

(2) Post signs may not be higher than three and one-half (3½) feet nor lower to the ground than twelve (12) inches.

(3) The location and verbiage of such signs is subject to the approval and interpretation of the Building Official.

h. Gasoline and oil service stations may have, in addition to the wall signage allowed in this Article:

(1) One (1) pole sign in lieu of a monument sign not exceeding eight (80) square feet, consisting of not more than forty (40) square feet per sign face.

(2) One (1) sign which shall contain the actual unit price being charged (including all applicable taxes) for each type of gasoline being sold, in block letters and numerals at least ten (10) inches in height, not exceeding twenty (20) square feet in area per sign face; provided that the areas of a pricing information sign attached to a column sign or monument sign and of the column sign or monument sign to which the pricing information sign is attached shall be considered separately for purposes of this Subsection.

(3) The sign design and location are subject to the approval of the Planning and Community Design Commission.

i. Temporary signs as described below will be allowed subject to the regulations listed:

(1) Banners, in accordance with Section 415.130, announcing a special event with a maximum size of fifteen (15) square feet attached to the building wall. (R.O. 2008 §225.320; Ord. No. 2257, 10-12-04; Ord. No. 2438 §1, 9-28-10)

## **ARTICLE VIII. PERMITTED SIGNS IN INDUSTRIAL "LID" ZONING DISTRICT**

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### **SECTION 415.330: SIGNS PERMITTED**

A. Subject to limitations hereinafter set forth, permit and fees, only the following types of signs shall be

permitted in industrial zoning districts in accordance with the regulations hereinafter prescribed.

B. Regulations pertaining to size, height and number represent maximums allowed, unless specifically set forth in a given Section. No sign shall project above the roof line of a building located on the same property and shall be illuminated with only a steady light. Light rays shall shine only upon the sign and shall extend spill over the property lines of the parcel on which the sign is located.

C. All signs enumerated in this Article shall require a permit from the Building Official.

D. *Permitted Signs.*

1. All signs permitted in the residential district.

2. *Wall signs.* One (1) sign on each exterior building wall directly enclosing each business establishment mounted on the building wall with a size limitation of twenty-five (25) square feet; signs may not project more than eighteen (18) inches from the wall surface and must maintain a minimum clearance of ten (10) feet between the lowest point of the sign and any walkway, paving or ground level beneath the sign. Where the wall face on which sign is to be located exceeds three hundred fifty (350) square feet in area, the gross area of such sign may be equal to five percent (5%) of such wall area, however, not to exceed three hundred (300) square feet.

3. *Monument signs.* Each business lot with a continuous frontage of at least two hundred (200) feet measured along one (1) street line only or a lot area of three (3) acres or more is entitled to one (1) monument sign with a sign limitation of twenty-five (25) square feet and a height no greater than six (6) feet.

a. One-sided signs are subject to a maximum area of one-half ( $\frac{1}{2}$ ) of the total allowable sign area.

b. Only one (1) monument sign per lot is allowed, regardless of the number of tenants occupying said lot or property.

c. No part of the monument sign may project beyond a five (5) foot setback line from roadway, right-of-way and roadway easement, nor shall any part of said sign obstruct vision at any intersection or vehicular access point.

4. Any multi-tenant building having common parking areas or common roof structures and consisting of six (6) or more tenants may, in addition to the aforementioned monument sign area, have a directory sign identifying each business located within that center provided that:

a. Said directory signage must be an integral part of the monument sign authorized in this Code, provided that the total height does not exceed eight (8) feet; and

b. Total square footage of directory signage to be dedicated to tenant information will not exceed fifty percent (50%) of the total sign face; and

c. Total square footage for any individual tenant may not exceed ten (10) square feet per sign face.

5. *Directional information signs.* Directional information signs serving to direct traffic or indicate areas of specific service functions and which contain no name or advertisement of any kind may be

placed on walls or posts subject to the following:

- a. No sign shall be more than three (3) square feet in area or any part closer than three (3) feet to any sidewalk edge or any part closer than fifteen (15) feet from road roadway, right-of-way and roadway easement.
- b. Post signs shall not be higher than three and one-half (3½) feet nor closer to the mean grade under said sign than twelve (12) inches.
- c. The location and verbiage of such signs shall be subject to approval and interpretation of the Building Official.

6. *Industrial subdivision identification sign.* A double-faced ground sign, not exceeding forty (40) square feet per sign face, shall be permitted for an industrial subdivision, which sign shall be limited to the name of the subdivision and the occupants of such subdivision. The sign design and location are subject to approval by the Planning and Community Design Commission. (R.O. 2008 §225.330; Ord. No. 2257, 10-12-04)

## **SECTIONS 415.340--415.390: RESERVED**

# **ARTICLE IX. BILLBOARDS**

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## **SECTION 415.400: PURPOSE AND INTENT**

The purpose of these regulations is to encourage the effective use of billboards as a means of communication, to maintain and enhance the aesthetic appearance of the City and to facilitate and improve pedestrian and vehicular traffic safety. These regulations are intended to promote the public health, safety and general welfare through a minimum amount of reasonable rules, regulations and standards. This Article is further intended to allow for the identification of places of commerce, the communication of public and commercial information necessary for efficient and safe traffic movement; to allow for the freedom of speech in a manner consistent with the substantial interests of the City and its government; to protect the public from the dangers of unsafe signs; to lessen hazardous situations, confusion and visual clutter caused by a proliferation of signs competing for the attention of pedestrian and vehicle traffic; and to enhance the attractiveness and economic well-being of the City of Olivette. (R.O. 2008 §225.400; Ord. No. 2257, 10-12-04)

## **SECTION 415.410: WHEN PERMITTED**

Billboards that meet all requirement of the Missouri Billboard Act and all the requirements of this Article shall be permitted in industrially and commercially zoned areas in the City; however, all billboards must be located within six hundred sixty (660) feet of the nearest edge of the right-of-way of an interstate or primary highway (as defined by the Missouri Department of Transportation) and visible from the main traveled way of the highway. (R.O. 2008 §225.410; Ord. No. 2257, 10-12-04)

**SECTION 415.420: BILLBOARD PERMITS**

- A. No permit to allow a billboard to be newly erected shall be issued by the City unless and until the applicant has obtained a permit issued by the Missouri Department of Transportation.
- B. An application for a sign permit for any billboard shall be submitted to the Building Official and shall include and be accompanied by plans that show the size and shape of the sign, the location of the proposed sign, the setbacks from surrounding properties, the type of illumination and proposed lighting, the colors to be used in the sign, the materials used to construct and the method used to support the sign.
- C. Permits to allow a billboard to be erected shall require construction to begin within six (6) months from date of issue and shall require construction to be completed within twelve (12) months from date of issue. (R.O. 2008 §225.420; Ord. No. 2257, 10-12-04)

**SECTION 415.430: BILLBOARD REGULATIONS**

- A. *Size, Height And Mounting Of Billboards.* In order to provide a safety zone to prevent injury and minimize property damage from collapse of billboards, the size, height, placement and mounting of billboards shall be regulated as follows:
1. The maximum area for any one (1) sign shall be eight hundred (800) square feet with a maximum vertical dimension of thirty (30) feet and a maximum horizontal dimension of seventy-two (72) feet, inclusive of border and trim, but excluding the base or apron, supports and other structural members.
  2. The maximum size limitations shall apply to each side of a sign structure and signs may be placed back to back, double faced or in V-type construction with not more than two (2) displays to each facing, but such sign structure shall be considered as one (1) sign.
  3. No sign shall be located on the roof of a building or on a non-sign structure.
- B. *Spacing.* No billboard structure shall be erected within one thousand (1,000) feet of an existing billboard on the same side of a highway designated as an interstate highway or freeway on the Federal-aid primary system. No billboard shall be erected within one hundred (100) feet of an existing sign or billboard. The measurements in this Section shall be the minimum distances between billboard structures measured along the nearest edge of the pavement between points directly opposite the signs along each side of the highway and shall apply only to billboard structures located on the same side of the highway involved.
- C. *Obstruction Prohibited.* No billboard shall be located in such manner as to obstruct or otherwise physically or visually interfere with the effectiveness of an official traffic sign including directional signs, signals or device or obstruct or physically interfere with a motor vehicle operator's view of approaching, merging or intersecting traffic.
- D. *Lighting And Landscaping Of Billboards.* To ensure that the structure promotes convenience and enjoyment of highway travel, preserves the natural scenic beauty of highways and adjacent areas and is safe

and secure from trespassers or vandals, the lighting and landscaping of billboards shall comply with the following rules:

1. Prior to issuance of a City permit for erection of a billboard, the applicant shall submit and receive from the Planning and Community Design Commission approval of a lighting and landscape plan depicting the landscaping, billboard lighting and fencing around the proposed billboard to ensure that the structure will be aesthetically compatible with its surroundings and the aesthetic standards of the community and neighboring property and safety concerns.
2. No revolving or rotating beam or beacon of light that simulates any emergency light or device shall be permitted as part of the billboard. No flashing, intermittent or moving light or lights will be permitted except scoreboards and other illuminated signs designating public service information, such as time, date or temperature or similar information, will be allowed.
3. External lighting, such as floodlights, thin line or gooseneck reflectors, are permitted, provided the light source is directed upon the face of the sign and is effectively shielded so as to prevent beams or rays of light from being directed into any portion of the main traveled way of the highway and the lights are not of such intensity so as to cause glare, impair the vision of the driver of a motor vehicle or otherwise interfere with a driver's operation of a motor vehicle and such lights shall be effectively shielded so as to prevent beams or rays of light from being direct onto adjacent property.
4. No billboard shall be so illuminated that it interferes with the effectiveness of, or obscures, an official traffic sign, device or signal.
5. The maximum average lighting intensity level for such sign shall be twenty (20) foot-candles.

E. *Setback Requirements.* In order to provide a safety zone to prevent injury and minimize property damage from collapse of a billboard, no billboard structure shall be erected:

1. Within three hundred (300) feet of a residential property line;
2. Within one hundred (100) feet of the road right-of-way or the property line of the lot on which the billboard structure is located;
3. Within one hundred (100) feet of any existing building;
4. Within five hundred (500) feet of any park, playground, school, library, hospital or place of worship;
5. Within ninety (90) feet of an overhead power line. (R.O. 2008 §225.430; Ord. No. 2257, 10-12-04)

#### **SECTION 415.440: NUISANCE**

Any billboard which, because of lack of maintenance, upkeep, vandalism, accumulation of litter, refuse or debris or the deterioration of landscaping, lighting or fencing, becomes unsightly or unsafe is hereby declared to be a



nuisance and shall be subject to abatement by the City in the same manner all other nuisances on private property. (R.O. 2008 §225.450; Ord. No. 2257, 10-12-04)

## **SECTIONS 415.450--415.490: RESERVED**

# **ARTICLE X. ENFORCEMENT**

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## **SECTION 415.500: PENALTY FOR VIOLATION**

Any person, firm, association or corporation violating any of the provisions of this Chapter or failing to comply with any order of the Building Official issued pursuant to the terms of this Chapter within the time therein specified shall be deemed guilty of an ordinance violation and, upon conviction thereof, shall be punishable by a fine of not more than one thousand dollars (\$1,000.00) or by imprisonment for a period not exceeding ninety (90) days, or by both such fine and imprisonment. Each day that a violation continues shall be deemed a separate offense. (R.O. 2008 §225.500; Ord. No. 2257, 10-12-04)

## **SECTION 415.510: ADMINISTRATIVE REMEDIES OR OTHER LEGAL REMEDIES**

- A. The City may also order the owner of an illegal sign to remove said sign and upon non-compliance, the City may remove such sign and assess the costs for removal as a lien against the property upon which the sign was located.
- B. The City may also pursue an injunction or other administrative or legal remedies to remove such sign. (R.O. 2008 §225.510; Ord. No. 2257, 10-12-04)

## **SECTION 415.520: AMENDMENTS AND VARIANCE PROCEDURES**

All text amendments, conditional use permits, variances, interpretations or appeals sought from the provisions of this Chapter shall follow the procedures outlined in the Zoning Code. Undue hardship is not considered to be the loss of possible advantage, economic loss or gain or mere inconvenience to the applicant. (R.O. 2008 §225.550; Ord. No. 2257, 10-12-04)