

ARTICLE XVI. SIGN REQUIREMENTS

Section 1. PURPOSE. The purposes of these sign regulations are: to encourage the effective use of signs as a means of communication in the County; to maintain and enhance the aesthetic environment and the County's ability to attract sources of economic development and growth; to improve pedestrian and traffic safety; to minimize the adverse effect of signs on nearby public and private property; and to enable the fair and consistent enforcement of these sign restrictions.

Section 2. APPLICABILITY. A sign may be erected, placed, established, painted, created, or maintained in the County only in conformance with the standards, procedures, exemptions, and other requirements of this Ordinance.

1. The effect of this section as more specifically set forth herein, is:
 - a. 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;
 - b. To prohibit signs not expressly permitted by this Ordinance;
 - c. To provide for the enforcement of the provisions of this Ordinance.

Section 3. DEFINITIONS AND INTERPRETATION. Words and phrases used in this Ordinance shall have the meanings set forth in this Section. Words and phrases not defined in this section but defined in other parts of the Ordinance shall be given the same meanings. All words and phrases shall be given their common, ordinary meaning, unless the context clearly requires otherwise. Section headings or captions are for reference purposes only and shall not be used in the interpretation of this Ordinance.

1. ABANDONED SIGN. A sign which advertises or identifies a product, place, activity, person, profession, service, institution or business which is no longer conducted or available on the premises or elsewhere. Signs, which have been in a state of disrepair for at least 90 days, are also considered abandoned signs.
2. ACCESSORY SIGN. A sign which directs attention to a product, place, activity, person, profession, service, institution or business which is located, produced, conducted, sold or offered on the same premises where the sign is located.
3. ADVERTISING SIGN. A sign which directs attention to a product, place, activity, person, profession, service, institution or business which is located, produced, conducted, sold or offered elsewhere than on the premises where the sign is located.
4. AWNING SIGN. A sign incorporated into or attached to an awning.
5. BANNERS, PENNANTS, STRING LIGHTS. Temporary signs hung with or without frames, possessing characters letters, illustrations, or ornamentation applied to paper, plastic, fabric, or other similar material.
6. BILLBOARD. A form of advertising sign designed for both painted bulletins and paper posters which advertises a product, place, activity, person, profession, service, institution or business located upon property other than the premises on which the sign is located.
7. BULLETIN BOARD. A sign containing a surface upon which individual letters are temporarily attached for the announcement of services, activities, or special events related to and located on the same premises as schools, churches and institutions.
8. CANOPY/MARQUEE SIGN. A sign attached to, or constructed in or under, a canopy or marquee.

9. CHANGEABLE COPY SIGN. A sign that is designed so that characters, letters, or illustrations can be periodically changed or rearranged, manually or automatically, without altering the face or the surface of the sign.
10. COMMERCIAL MESSAGE SIGN. Any sign wording, logo, or other representation that directly or indirectly, names, advertises, or calls attention to a business, product, or service, or other commercial activity.
11. CONSTRUCTION SIGN. A temporary sign giving the name or names of principal contractors, architects, and lending institutions responsible for construction on the site where the sign is placed, and information about the enterprises or project being developed.
12. DIRECTIONAL/INFORMATION SIGN. Any sign giving directions, instructions, or information principally to pedestrian or vehicular traffic.
13. ELECTRONIC MESSAGE CENTER. A sign where different copy changes are shown such as an electrically or electronically controlled time and temperature sign, message center, or readerboard.
14. FASCIA SIGN. A single faced sign which is attached parallel to its supporting wall and not extending more than 18 inches from a wall or building.
15. FLASHING SIGN. A sign which contains an intermittent or flashing light source, or which includes the illusion of intermittent or flashing light by means of animation or an externally mounted intermittent light source. Automatic changing signs conveying public service messages such as time and temperature or electronic message centers and readerboards are not classified as flashing signs.
16. FREESTANDING SIGN. A sign which is supported by one or more columns, ropes or lines, uprights, poles or braces in or upon the ground and not attached to any building, structure or wall. This term shall include signs placed directly upon the ground.
17. HOME OCCUPATION SIGN. A non-illuminated sign or nameplate that identifies only the name and/or occupation of a practitioner or one conducting a permitted home occupation in a dwelling.
18. ILLUMINATED SIGN. Any sign illuminated in any manner by an artificial light source.
19. INCIDENTAL SIGN. A sign pertaining to specific products, services, or facilities available on the premises.
20. MENU BOARD. A permanently mounted sign displaying the bill of fare of a drive-in or drive-thru restaurant.
21. NONCONFORMING SIGN. Any sign which does not conform to the regulations of this Article.
22. POLITICAL SIGN. A temporary sign relating to candidates or issues associated with a local, state or national election or referendum.
23. PORTABLE SIGN. A sign which by its construction or nature is designed to be moved from one location to another. When on a trailer, the removal of wheels or undercarriage, or the anchoring of the sign by means of chains, wires, concrete blocks, sandbags, or other types of temporary anchors, does not change the classification of the sign.
24. PROJECTING SIGN. A sign attached to and projecting more than 18 inches from the building face or wall.

25. REAL ESTATE SIGN. A temporary sign advertising the sale, rental or lease of the premises on which the sign is located.
26. ROOF SIGN. A sign erected upon or above a roof or parapet wall of a building, and which is wholly or partially supported by said building.
27. SIGN. Any object, device, display or structure, or part thereof, which is affixed to or represented directly or indirectly upon a building, structure or parcel of land and which advertises, displays, identifies or directs attention to a product, place, activity, person, profession, service, institution or business.
28. SIGN AREA. The area within a single continuous perimeter enclosing the extreme limits of writing, representation, emblem or figure of similar character, together with any frame or other material or color forming an integral part of the display or used to differentiate such sign from the background against which it is placed, excluding the necessary exposed supports or uprights on which the sign is placed. If the sign consists of more than one section or module, all areas will be totaled. The area of signs composed of words or characters attached directly to a building or wall shall mean and shall be computed as the area within a regular geometric shape, which encloses the words or characters. The area of signs composed of spherical, three dimensional, free form, sculpture, and other nonplanar shapes shall be the sum of the areas of the four vertical sides of the smallest polyhedron (cube-like volume) that will enclose the sign structure. The area of back to back signs shall be taken as the area of one sign face if the two sign faces are of equal area, or as the area of the larger face if the two faces are of unequal area.
29. SIGN HEIGHT. The vertical distance from the uppermost point on a sign to the surrounding grade level immediately below and upon which the sign is located.
30. SIGN STRUCTURE. Any supports, uprights, braces, mounting device, hardware or framework of a sign.
31. TEMPORARY SIGN. A sign not permanently attached to a building, structure, or the ground and designed or intended to be displayed for a limited period of time such as political signs, real estate signs, portable signs, and special event signs.
32. WALL SIGN. A sign painted on or attached to a wall or building with the face in a parallel plane to the plane of the building or wall.

Section 4. PERMITS REQUIRED. If a sign requiring a permit under the provision of this Ordinance is to be placed, constructed, or modified on a zoning lot, the owner of said lot shall secure a sign permit prior to the construction, placement, erection, or modification of such sign. No signs shall be erected in the public right-of-way except in accordance with this Ordinance. No sign permit of any kind shall be issued for an existing or proposed sign unless such sign is consistent with the requirements of this Ordinance.

1. An application for construction, creation, or installation of a new sign or for modification of an existing sign shall be accompanied by detailed drawings to show the dimensions, design, structure, and location of each particular sign. One application and permit may include multiple signs on the same zoning lot.

Section 5. TEMPORARY SIGN PERMITS. Temporary signs on private property shall be allowed only upon issuance of a Temporary Sign Permit, which shall be subject to the requirements listed below.

1. A temporary sign permit shall allow the use of a temporary sign for a specified 30-day period.
2. Only 1 temporary sign permit shall be issued to the same business license holder on the same zone lot in any calendar year.

Section 6. VIOLATIONS. Any of the following shall be a violation of this Ordinance and shall be subject to the enforcement remedies and penalties provided by this Ordinance, by the Zoning Ordinance, and by state law.

1. To install, create, erect, or maintain any sign in a way that is inconsistent with any permit governing such sign or the zone lot on which sign is located;
2. To install, create, erect, or maintain any sign requiring a permit without such permit;
3. To install, create, erect, or maintain any sign in a way that is inconsistent with any permit governing such sign or the zone lot on which it is located;
4. To continue any such violation. Each such day of a continued violation shall be considered a separate violation when applying the penalties of this Ordinance.

Section 7. FEES. The cost per each permanent sign permit shall be \$25. The cost for a temporary sign permit shall be \$15.

Section 8. EXEMPTIONS. The following signs are exempted from the permit requirements of this Ordinance, unless specified elsewhere herein, but must be in compliance with all other applicable codes and Ordinances:

1. Miscellaneous traffic or other signs of a public agency, such as railroad crossing signs, and signs warning of danger, hazards or unsafe conditions.
2. Display of any official flag or emblem of a nation, state, or county, or a religious, charitable, educational, or non-profit institution or organization.
3. Any sign which is located within a structure.
4. Grave markers, statues, or remembrances of persons or events that are non-commercial in nature.
5. Works of fine art, if not displayed in conjunction with a commercial enterprise for the principal purpose of commercial advertisement.
6. Signs applied directly onto the body of a car, truck, bus, trailer, or other vehicle if such vehicle is operated in the normal course of a business and such vehicle is not used primarily to display such sign.
7. Nameplates posted in conjunction with doorbells or mailboxes, and not exceeding one square foot in surface area.
8. Signs and notices required to be displayed, maintained, or posted by law or by any court or governmental order, rule, or regulation.
9. Directional/information signs displayed strictly for the direction, safety or convenience of the public, including signs which identify restrooms, telephones, danger areas, parking area entrances or exits, freight entrances, or the like. Such signs shall not exceed 6 square feet in area and shall not exceed 4 feet in height.
10. Address signs, not exceeding one square foot in surface area, containing only the address of the premises upon which it is located.
11. Plaques, tablets, or names of buildings and date of erection when cut into any surface of when such sign is attached flush to the building.

12. Commemorative plaques or monuments placed by historical organizations.
13. Public Notices.
14. Safety and warning signs, such as warnings of high voltage, explosives, hazardous materials, and other dangerous situations.
15. Signs advertising any sales popularly referred to as "Garage" and "Yard" sales shall not exceed 4 square feet in area and shall be removed within 24 hours after a sale has ended.
16. Signs for Home Occupations that do not exceed 16 square feet in area, are not illuminated, are building mounted, and are limited to one sign per home.
17. No Trespassing signs.
18. Signs consisting of sculptures and murals.
19. Incidental signs.
20. Signs or bulletin boards associated with medical, educational, civic, philanthropic, or religious organizations or institutions, not exceeding 24 square feet in area and not exceeding 6 feet in height, which shall be located on the premises of such institution or organization.
21. Temporary signs, including:
 - a. Signs advertising the sale, rental or lease of the premises or part of the premises on which the sign is displayed. One such non-illuminated sign, not to exceed 9 square feet in area and not to exceed 6 feet in height, shall be permitted on each premise.
 - b. Signs advertising the architects, engineers, contractors, occupants, or other individuals involved in the construction, re-construction or remodeling of a building and/or development project and such signs announcing the character and/or purpose of the site. One such non-illuminated sign, not to exceed 120 square feet in area and not to exceed 8 feet in height, with a minimum setback of 15 feet, shall be permitted on each premise. Such signs shall not be erected until building permits have been issued, and shall be removed no longer than 30 days following project completion.
 - c. One non-illuminated sign in any residential real estate development indicating real property for sale or rent, not larger than 120 square feet in area. In no case is any such sign to be located closer than 30 feet to any street line. In no case will a temporary sign be permitted after residences have been erected on 60 percent of the lots in the subdivision or after more than 60 percent of the lots have been sold.
 - d. Signs announcing candidates seeking public political office or pertinent political issues. Such signs shall be confined to private property, except as hereinafter provided, shall not exceed 16 square feet in area, and shall not exceed 4 feet in height. Signs may be erected not more than 45 days prior to the date of an election and shall be removed within 7 days after the date of said election.
 - e. Temporary signs pertaining to drives or events of civic, philanthropic, educational, or religious organizations. Also, any special event sign, banner, pennant, flag, streamer, or advertising device displayed on the premises of an establishment having a grand opening, anniversary, or similar special event. Such sign shall also include signs erected for the purpose of notifying the public of non-commercial community events including but not limited to fairs, festivals and celebrations open to the general public, and sponsored or approved by the county or school district. Signs shall not exceed 50 square feet in area and shall not exceed the height of the principal structure. Signs shall not be posted more than 30 days before said event and shall be removed within 24 hours after the event.

- f. CERTAIN TEMPORARY SIGNS PERMITTED. Notwithstanding any provision of this Ordinance to the contrary, the temporary posting of Political Signs, Real Estate Signs or signs referred to in Article XVI, Section 8 may be placed on public property under the jurisdiction and control of Hardin County, Iowa, terrace or parking areas if said posting is approved by the owner of the adjacent real estate who maintains the public property, terrace or parking area, and said posting does not interfere with vehicular traffic visibility or pedestrian movement.

22. Agricultural seed corn, farmstead, and other similar signs.

Section 9. PROHIBITED SIGNS. The following signs are prohibited in all zoning districts within Hardin County:

1. Abandoned signs.
2. Flashing signs, including those illuminated by or containing flashing, intermittent, rotating, or moving light or lights. This requirement shall not apply to electronic message centers.
3. Snipe signs or signs attached to trees, telephone poles, public benches, streetlights, or placed on any public property or public right-of-way.
4. Signs placed on vehicles or trailers, which are parked or located for the primary purpose of displaying said sign.
5. Signs which revolve or swing with normal wind currents or mechanical devices.
6. Any sign, except menu boards, emitting sound other than that normal for their internal operation.
7. Any sign which contains statements, words or pictures of an obscene, pornographic or immoral character.
8. Temporary signs, except for those expressly permitted by this Ordinance.
9. In no event shall an illuminated sign or lighting device be placed or directed or beamed upon a public street, highway, sidewalk, or adjacent premises so as to cause glare or reflection that may constitute a traffic hazard or nuisance. All signs shall be screened from beaming on residential windows.
10. No sign shall be erected so as to prevent free ingress to, or egress from, any door, window or any other exitway.
11. No sign or part thereof shall contain or consist of banners, posters, pennants, ribbons, streamers, spinners or other similar moving devices, except as specified herein.
12. No advertisement, advertising structure, billboard or other object shall be erected, used or maintained which in any way simulates official, directional or warning signs erected or maintained by the County or by the State of Iowa.
13. No sign or advertising device shall be erected or maintained at the intersection of streets in such a manner as to obstruct free and clear vision of the intersection.
14. No neon sign or other illuminated advertisement shall be of such color or located in such a manner as to diminish or detract in any way from the effectiveness of any traffic signal or similar safety or warning device.
15. No building wall shall be used for display of advertising except that pertaining to the use carried on within such building.

16. No sign or sign structure shall be placed on private or public property without the consent of the owner or authorized agent thereof.
17. No sign shall be placed on the roof of any building.
18. No sign shall be located in or over any public right-of-way, except as specified herein.

Section 10. SUPPLEMENTAL PROVISIONS.

1. All signs and sign structures shall be erected and maintained in a safe condition. It shall be the responsibility of the sign owner or property owner to keep all signs thereon properly maintained.
2. Non conforming signs. Legally established signs, other than portable signs as herein defined, existing on the effective date of this Ordinance which do not conform to the provisions of this Ordinance shall be classified as legal nonconforming signs and be allowed to continue as such. No nonconforming sign shall be altered, reconstructed, enlarged, extended or relocated except in compliance with the provisions of this Ordinance. For purposes of this Section only, the terms "altered" and "reconstructed" shall not include minor maintenance, minor repair, landscaping around the sign, or the replacement of bulbs, changeable letters or figures, or other embellishments if such changes do not increase the size of the sign or the degree of its non-conformance.
3. Projecting signs may be erected in commercial and industrial zones provided that such signs shall project no more than 8 feet from the building to which attached, and provided that the minimum clearance from grade shall be 9 feet above any pedestrian way and 17 feet above any vehicular way. Said signs may project into or over any public right-of-way provided that the sign projects not more than 6 feet into said right-of-way and is located not closer than 2 feet to the back of the curb.
4. Illuminated Signs. All illuminated signs shall be turned off within one hour after the close of business.
5. Changeable copy sign attached and supported by a commercial message freestanding sign structure. The commercial message sign shall be the same size or larger than the changeable copy sign. The commercial message sign shall be placed above the changeable copy sign. Both signs shall be facing the same direction, and at the same angle. The total sign area of the changeable copy and the commercial message signs shall not exceed the allowable sign area, height, setback, and all other requirements for the given zone. The changeable sign shall have at least one color in the background that is the same or complementary to that which is in the commercial message sign. The changeable copy sign and the commercial message sign shall be made of the same type of materials.
6. Violation. The Administrative Officer shall, upon determination of any violation of this Ordinance, including the existence of any abandoned, dangerous or defective sign and/or sign structure, notify in writing the owner of the sign or the owner of the property upon which the sign is located. Such written notification of violation shall identify the sign and/or sign structure, state the nature of the violation, and order the action necessary to correct the violation.
7. If the Administrative Officer has issued written notification of violation of this Ordinance and the violation has not been corrected within 45 days after receipt of written notice, and no appeal has been filed within 30 days of receipt of written notice with the Zoning Board of Adjustment, the Administrative Officer is authorized to cause removal of such sign. Any expense incident to such removal shall be paid by the owner of the sign and/or sign structure or the owner of the property upon which the sign is located. Failure to pay said costs may result in the assessment of such costs against the property.

Section 11. ZONING DISTRICT REGULATIONS. The following provisions shall apply to the regulation of signs in the respective zoning districts within Hardin County:

SECTION 12. "W" AND "G" DISTRICTS

Only exempted signs shall be permitted.

SECTION 13. "A", AGRICULTURAL DISTRICT.

1. Signs permitted per this Ordinance.
2. One identification sign for principal permitted uses other than single-family dwellings, not to exceed 48 square feet and not to exceed 6 feet in height. Freestanding signs shall be setback a minimum of 10 feet from all property lines.

SECTION 14. "R-1", SINGLE-FAMILY DISTRICT.

1. Signs permitted per this Ordinance.
2. One identification sign for principal permitted uses other than single-family dwellings, not to exceed 48 square feet and not to exceed 6 feet in height. Freestanding signs shall be setback a minimum of 10 feet from all property lines.

SECTION 15. "R-2", MULTI-FAMILY DISTRICT.

1. Any sign permitted in the R-1 District.

SECTION 16. "R-3", MOBILE HOME PARK DISTRICT.

1. Any sign permitted in the R-1 District.

SECTION 17. "C", COMMERCIAL DISTRICT.

1. Signs permitted per this Ordinance.
2. Wall signs. The sum of all wall signs, including incidental signage, shall not exceed 1.5 square foot for each one linear foot (1-1/2:1) of the frontage wall. If the lot is a corner lot, the above percentages shall be determined by linear frontage of the building in the front yard. Where the lot adjoins an "R" district, the exterior sign shall be attached flat against the building and shall not face the side of the adjacent lot located in the residential district; however, this requirement does not apply to the side of the building which is opposite that side adjoining the "R" district. In no event shall any wall sign extend beyond the width of the building or more than 6 feet above the top of the building wall or parapet.
3. Signs affixed to an approved canopy, marquee or awning, and shall maintain a vertical clearance above ground surface and a distance from the curb line of not less than the distances established by Hardin County for said canopy, marquee or awning.
4. Freestanding Signs. Commercial message freestanding signs not to exceed 120 square feet and not to exceed 25 feet in height. Where a front yard is required, such signs shall be set back a minimum of 20 feet or the distance from the property line to the principal structure, whichever is less. This 20-foot setback requirement shall not apply where the lot fronts on an established four-lane street or highway. No sign shall be located closer than 25 feet to an adjoining "R" District.
5. Advertising signs provided that they are not erected or placed within 300 feet of the right-of-way of any intersecting streets, roads or highways; or within 300 feet of a railroad intersecting a street, road or highway; or within 300 feet of any existing residence or residence district; provided that no sign, regardless of size, shall be closer to another billboard or sign than 300 feet on any one side of the

street, road or highway; nor shall any billboard or sign, at any point, obstruct proper and necessary sight distance from any street, road or highway.

- a. Structures shall be limited to 2 faces per sign, with 1 face in each direction, shall not exceed 30 feet in height, and shall have a total sign face area visible in any one direction of traffic not exceeding 300 square feet;
- b. Advertising signs shall be subject to the setback requirements established for principal permitted uses for the zoning district in which they are located.

Section 18. "M" MANUFACTURING DISTRICT.

1. Signs permitted per this Ordinance.
2. Wall signs. The sum of all wall signs, including incidental signage, shall not exceed 1.5 square foot for each one linear foot (1-1/2:1) of the frontage wall. If the lot is a corner lot, the above percentages shall be determined by linear frontage of the building in the front yard. Where the lot adjoins an "R" district, the exterior sign shall be attached flat against the building and shall not face the side of the adjacent lot located in the residential district; however, this requirement does not apply to the side of the building which is opposite that side adjoining the "R" district. In no event shall any wall sign extend beyond the width of the building or more than 6 feet above the top of the building wall or parapet.
3. Signs affixed to an approved canopy, marquee or awning, and shall maintain a vertical clearance above ground surface and a distance from the curb line of not less than the distances established by Hardin County for said canopy, marquee or awning.
4. Freestanding Signs. Commercial message freestanding signs not to exceed 120 square feet and not to exceed 25 feet in height. Where a front yard is required, such signs shall be set back a minimum of 20 feet or the distance from the property line to the principal structure, whichever is less. This 20-foot setback requirement shall not apply where the lot fronts on an established four-lane street or highway. No sign shall be located closer than 25 feet to an adjoining "R" District.
5. Advertising signs provided that they are not erected or placed within 300 feet of the right-of-way of any intersecting streets, roads or highways; or within 300 feet of a railroad intersecting a street, road or highway; or within 300 feet of any existing residence or residence district; provided that no sign, regardless of size, shall be closer to another billboard or sign than 300 feet on any one side of the street, road or highway; nor shall any billboard or sign, at any point, obstruct proper and necessary sight distance from any street, road or highway.
 - a. Structures shall be limited to 2 faces per sign, with 1 face in each direction, shall not exceed 30 feet in height, and shall have a total sign face area visible in any one direction of traffic not exceeding 300 square feet;
 - b. Advertising signs shall be subject to the setback requirements established for principal permitted uses for the zoning district in which they are located.