

## **17.22 REGULATION OF SIGNS**

**17.22(1) PURPOSE** The purpose of this section is to promote and protect the public safety, morals, comfort, convenience and general welfare by regulating the placement, erection and maintenance of all signs in the Village of Howard.

**17.22(2) SCOPE** This ordinance shall pertain to and regulate all signs in the Village of Howard with the exception of those signs located in or on a public right-of-way or public domain.

**17.22(3) COMPLIANCE** No sign in the Village of Howard shall hereafter be erected, constructed, altered, rebuilt, enlarged, extended or relocated, except in conformity with the provisions of this ordinance. The changing of movable parts of signs that are designed to be changed, or the repainting of display matter in conformity herewith shall not be deemed to be alterations within the meaning of this ordinance.

**17.22(4) DEFINITIONS** For the purposes of this section the following definitions shall apply.

**(a) Animated Sign** A sign with action, motion, flashing lights, or color changes requiring electrical energy or manufactured sources of supply. This definition does not include wind actuated elements, such as flags, banners or specialty items, or public service signs, such as time and temperature, revolving or changeable message signs.

**(b) Area (of Sign)** The area of the largest single face of a sign within the perimeter which forms its outside shape, but excluding the supports or uprights upon which the sign is mounted. If the sign consists of more than one (1) section or module, all areas shall be totaled. The area of an irregular-shaped sign shall be computed using the actual surface area of the sign face. When computing sign area, only those faces which can be seen from any one direction at any one time shall be counted.

**(c) Billboard** (See "Off-Premise Sign").

**(d) Changeable Message Sign** A sign, such as a time and temperature sign, message center or reader board, where copy changes electrically, electronically or manually.

**(e) Copy** The advertising message, announcement or decoration of a sign.

**(f) Directional Sign** An on-premise, incidental sign designed to guide or direct pedestrians or vehicular traffic.

**(g) Double-Faced Sign** A sign with copy on two (2) back-to-back parallel sides, facing in opposite directions.

**(h) Free-Standing Sign** A sign which is supported by one or more columns, uprights or braces, in or upon the ground.

**(i) Grade** The elevation or level of the street closest to a sign, measured at the street's centerline.

**(j) Height (of Sign)** The vertical distance, measured from the grade at the street right-of-way line where the sign is located, to the highest point of such sign.

**(k) Illuminated Sign** A sign in which a source of light is used to make the message readable. This definition shall include internally and externally lighted signs.

**(l) Legal Nonconforming Sign** A nonconforming sign which complied with applicable code regulations at the time it was originally erected.

**(m) Marquee** A permanent, roof-like structure projecting from a wall of a building over an entrance, erected primarily to provide shelter from the

weather, which may be supported in whole or in part by vertical supports to the ground, .

**(n) Marquee Sign** A sign attached to or constructed in, on or under a canopy or marquee.

**(o) Maximum Area (of Signs)** The total area of all signs located on a lot.

**(p) Nonconforming Sign** A sign which does not comply with the regulations set forth in this ordinance.

**(q) Off-Premise Sign** A sign which advertises goods, products, facilities or services not necessarily on the premises where the sign is located, or directs persons to a different location from where the sign is located.

**(r) On-Premise Sign** A sign identifying or advertising a business, person, activity, goods, products or services located on the premises where the sign is installed and maintained.

**(s) Projecting Sign** A single or double faced sign which is attached to and projects from a structure or building facia more than twelve (12) inches.

**(t) Revolving Sign** A sign which revolves three hundred sixty (360) degrees but does not exceed eight (8) revolutions per minute.

**(u) Roof Sign** A sign erected upon or above a roof or parapet wall of a building and which is wholly or partially supported by such building.

**(v) Sign** Any illuminated or non-illuminated emblem, painting, banner, pennant, placard, design, identification, description, illustration or device intended to advertise, identify, convey information or direct attention to a product, service, place, activity, person, institution or business, including any permanently installed or situated merchandise. For the purpose of removal, a sign shall include its supporting structure.

**(w) Wall Sign** A sign which is affixed to or painted on an exterior wall of a building or structure and which projects not more than twelve (12) inches from the building or structure wall and which does not extend more than six (6) feet above the parapet, eaves or building facade of the building on which it is located.

**(x) Sign Structure** Any structure which supports or is capable of supporting a sign. A sign structure may consist of a single pole or may be an integral part of a building.

**(y) Monument Sign** A sign mounted on a base or platform. The base shall be constructed out of a solid material such as stone, brick or poured concrete and its dimensions shall be proportionate to those of the sign. The bottom of the sign shall be located within six (6) inches vertically of the base and the height of the sign [(as defined in Section 17.22(4)(j) of this Ordinance] shall not exceed eight (8) feet.

**17.22 (5) GENERAL REQUIREMENTS** The following general requirements shall apply to signs in the Village of Howard.

**(a) Animated Signs in Residential Zoning Districts** No animated signs shall be erected or maintained on any land in or within two hundred (200) feet of a residential zoning district where dwellings exist.

**(b) (Repealed by Ordinance #03-17)**

**(c) Height of Free-Standing Signs** Any free-standing sign located closer than fifteen (15) feet to a front or corner side lot line shall have a minimum underclearance of twelve (12) feet, measured from the bottom of the sign to grade level at the right-of-way line, or shall not be more than three (3) feet in height.

**(d) Height of Projecting Signs and Marquee Signs** Any projecting sign or marquee sign located closer than fifteen (15) feet to a front or corner side lot line shall have a minimum underclearance of twelve (12) feet, measured from the bottom of the sign to grade level at the right-of-way line.

**(e) Illumination of Signs** All electrical signs shall conform to the requirements specified in Chapter 16 of the Howard Municipal Code (Electrical Code). External illumination shall be directed entirely on the sign.

**(f) Location of Free-Standing Signs** Free standing signs shall be located within the property lines and shall be set back from the street curb line or road surface a distance at least equal to or greater than the height of the sign.

**(g) Maintenance of Signs** All signs and sign structures shall be properly maintained and kept in a appropriate state of repair and appearance.

**(h) Mounting of Signs** All signs shall be mounted so that the back of the sign blends with the surrounding environment or is screened from public view. This shall be accomplished by mounting against a building or wall, back-to-back in pairs or clusters, or by painting and maintaining the sign back a neutral color.

**(i) Neighborhood Identification Signs** Signs identifying a neighborhood, subdivision or housing complex are permitted in any residential zoning district. Such signs shall identify only the name of the neighborhood, subdivision or housing complex and may consist of a masonry wall, landscaping or other materials combined to form a display. "Neighborhood Identification Signs" shall not exceed a height of eight (8) feet, shall be limited in area to thirty two (32) square feet, and shall not be illuminated unless specifically approved by the Plan Commission.

**(j) Off-Premise (Billboard) Signs** All off-premise (billboard) signs are prohibited in the Village of Howard.

**(k) Temporary Promotional Signs** Business establishments shall be permitted to display one (1) temporary promotional sign, banner, placard, flag, emblem, pennant or similar device not exceeding fifty (50) square feet in area, for a total of eight (8) weeks per calendar year per business, to advertise, identify, promote or direct attention to goods, products, services or activities available or offered on the premises where the sign is installed or displayed. Promotional signs shall be subject to the sign permit regulations set forth in Section 17.22(5)(p) below but in no case shall a permit for a promotional sign be issued for a time period less than one week in length. Promotional signs shall be located entirely on the property to which they pertain and shall comply with all other applicable regulations set forth in this Ordinance. For the purposes of this section, promotional signs may be permitted in addition to the permanent signs allowed in Section 17.22(8).

**(l) Removal of Signs** All prohibited nonconforming signs [as defined in Section 17.22(6)(b)]; and all deteriorated, dilapidated or abandoned signs; and all signs which no longer serve the purpose for which they were originally intended; and all other signs which do not comply with the provisions of this ordinance; shall be removed by the business or property owner upon receipt of a removal notice from the Department of Code Administration. Upon failure of the business or property owner to remove the sign within sixty (60) days of such notice, the sign shall be removed by the Village at the owner's expense.

**(m) Roof-Mounted Signs** Roof-mounted signs are permitted only in business, commercial and industrial zoning districts. The highest point of a roof-mounted sign shall not exceed the highest point of the building upon which such sign is located.

**(n) Safety Standards** No sign, in direct line of vision of any traffic signal from any point in a traffic lane, shall have red, green or amber illumination, nor shall such sign be distracting or illustrated in a manner which interferes with clear vision of such signal. The Director of Code Administration may declare any sign to be a traffic hazard upon recommendation from the Village Engineer and/or Police Department. Any such sign shall be removed, relocated or rearranged in accordance with accepted safety standards and the standards specified in this section.

**(o) Signs Adjacent to Residential Zoning Districts** No sign facing a residential zoning district shall be erected or installed closer than twenty five (25) feet to such zoning district boundary line.

**(p) Sign Permits** Except as specifically exempted in Section 17.22(7) of this ordinance, no person shall erect, construct, enlarge or structurally alter a free-standing sign [as defined in Section 17.22(4)(h) above] in the Village of Howard, or cause the same to be done, without first obtaining a permit for such sign from the Department of Code Administration. Permits shall not be required for a change of copy on any sign, or for routine painting, cleaning, maintenance or repair of a sign or sign structure. Fees for sign permits shall be one dollar (\$1.00) per square foot of sign area [as defined in Section 17.22(4)(b) above].

**(q) Size of Marquee Signs** Marquee signs may be placed on, attached to or constructed in a marquee. Marquee signs shall be limited to the size of the marquee.

**(r) Size of Wall Signs** No wall sign shall exceed forty (40) percent of the area of the wall upon which such sign is affixed or four (4) square feet per lineal foot of wall, whichever is greater.

**(s) Stability of Signs** Signs shall be designed and constructed to safely withstand a wind pressure of at least thirty (30) pounds per square foot of sign surface and shall be securely anchored or otherwise fastened, suspended or supported so as not to be a menace to persons or property. No sign shall be suspended by chains or other devices which allow the sign to swing due to wind action.

**17.22(6) NONCONFORMING SIGNS** The following regulations shall apply to all nonconforming signs in the Village of Howard.

**(a) Permitted Nonconforming Signs** All nonconforming signs existing on the effective date of this ordinance are permitted, provided such signs complied with all applicable ordinances and regulations at the time of initial erection or subsequent alteration, and such signs were covered by sign permits, if required. Such nonconforming signs shall be permitted as long as the following conditions are met.

1. The sign is not structurally modified or altered, except where such work results in, or has the effect of, bringing such sign more in compliance with the provisions of this ordinance. For the purposes of this section, normal maintenance or changing of copy shall not be considered a modification or alteration.

2. The sign is not relocated or replaced.

**(b) Prohibited Nonconforming Signs** All nonconforming signs which do not satisfy the requirements specified in Section 17.22(6)(a) above (Permitted Nonconforming Signs) are prohibited.

**17.22(7) EXEMPT SIGNS** The following signs are permitted in any zoning district and are exempt from the permit requirements specified in Section 17.22(5)(p) above. Such signs, however, shall comply with all other applicable regulations as set forth in this ordinance.

**(a) Awning Signs** Signs consisting of one (1) line of copy upon the border of the awning.

**(b) Building Numbers and Name Plates** Signs identifying building street numbers and/or names of property owners. Such signs shall not exceed two (2) square feet in area per building. Buildings located on corner lots shall be permitted two (2) such signs, one (1) facing each street.

**(c) Construction Signs** Signs identifying a construction project and/or contractor. A maximum of two (2) construction signs, no greater than one hundred (100) square feet each, shall be permitted per construction project. Such signs shall be confined to the construction site and shall be removed within thirty (30) days of completion of construction or prior to occupancy, whichever occurs first. Construction signs located in residential zoning districts shall not be illuminated.

**(d) Directional and Instructional Signs** Signs which provide instruction or direction including, but not limited to, those identifying restrooms, telephones, parking areas, entrances and exits. Such signs shall be located

entirely on the property to which they pertain, shall in no way advertise a business, and shall not exceed an area of eight (8) square feet each. Directional and instructional signs located in residential zoning districts shall not be illuminated.

**(e) Symbols, Plaques, Insignias and Emblems** Symbols, commemorative plaques, insignias and identification emblems of any nation, political organization, association, religious order or recognized historic agency. Such signs shall be located entirely on the property to which they pertain and shall not be illuminated.

**(f) Government Signs** Signs erected by or on the order of a public official in the performance of his or her public duties including, but not limited to, traffic control signs, regulatory signs, danger signs, railroad crossing signs, public utility signs, and signs which aid in public service or safety.

**(g) Interior Signs** Signs located within the interior of any building or structure and which are not visible from a public right-of-way. Such signs, however, shall comply with the structural, electrical and material specifications set forth elsewhere in this ordinance.

**(h) Memorial Signs and Plaques** Signs which identify the name of a building and date of erection. Such signs shall be limited to four (4) square feet in area unless they are cut into a masonry surface or inlaid so as to be part of the building. Such signs located in residential zoning districts shall not be illuminated.

**(i) No Trespassing and No Dumping Signs** Such signs shall not exceed an area of one and one half (1 1/2) square feet per sign.

**(j) Public Notices** Signs which display public notices and which are posted by a public official in the performance of his or her duties.

**(k) Public Signs** Signs specifically authorized or required for a public purpose by any law, statute, or ordinance.

**(l) Political and Campaign Signs** Signs erected on behalf of candidates for public office or measures on election ballots. Such signs may be erected no sooner than thirty (30) days prior to the primary election and shall be removed within fifteen (15) days following the general election. Such signs shall not exceed an area of sixteen (16) square feet in non-residential zoning districts and eight (8) square feet in residential zoning districts, except when placed on billboards permitted by this ordinance. No political or campaign sign shall be located in or over a public right-of-way or within fifteen (15) feet of a public right-of-way at a street intersection. Such signs located in residential zoning districts shall not be illuminated.

**(m) Real Estate Signs** Signs which advertise buildings, property or real estate for sale, rental or lease. Such signs shall be located entirely on the premises to which they directly pertain and shall not be illuminated. No more than one (1) real estate sign shall be permitted per lot or parcel of land, except on corner lots where two signs are permitted, one (1) facing each street. Such signs shall not exceed an area of thirty two (32) square feet in non-residential zoning districts and eight (8) square feet in residential zoning districts. Real estate signs shall be removed within thirty (30) days after the sale, rental or lease has been accomplished.

**(n) Temporary Signs** Signs pertaining to civic, philanthropic, educational or religious drives or events. Such signs shall not exceed four (4) square feet in area, shall be posted no more than thirty (30) days prior to said event, and shall be removed within fifteen (15) days after the event. Temporary signs shall be located entirely on the property to which they pertain and shall not be illuminated.

**(o) Vehicular Signs** Signs mounted on trucks, busses, trailers or other vehicles operating during the normal course of business, excluding businesses primarily engaged in the display of signs.

**(p) Window Signs** Signs placed on the inside surface of a window or other exterior glazed opening of a building for purposes of viewing from outside the premises. Window signs shall be permitted only in non-residential zoning districts and only on ground floor or first floor windows. The total area of

such signs shall not exceed fifty (50) percent of the total window area. Window signs shall not be placed on glass doors or windows where clear vision is required for pedestrian safety.

**17.22(8) SPECIFIC ZONING DISTRICT REGULATIONS** The following specific zoning district regulations shall apply to signs in the Village of Howard.

**(a) R-1, R-2, R-3 and R-4 Zoning Districts** Unless specifically permitted elsewhere in this ordinance, all signs are prohibited in the R-1, R-2, R-3 and R-4 zoning districts except the following.

1. Portable signs used by churches, schools and similar nonprofit organizations to advertise community events, fund-raisers and other civic activities. Such signs, however, shall comply with the regulations set forth in Section 17.22(5)(k) of this ordinance (Portable Signs).

2. Identification signs and changeable message signs for churches, schools and similar nonprofit organizations. Such signs shall be located on the church or school premises and shall not exceed a total area of one hundred (100) square feet per lot or site. When free-standing, such signs shall not exceed an area of thirty two (32) square feet or a height of eight (8) feet.

**(b) R-5 and A-1 Zoning Districts** Unless specifically permitted elsewhere in this ordinance, all signs are prohibited in the R-5 and A-1 zoning districts except the following.

1. Farm Operation Identification Signs. Such signs shall identify only the name of the farm operation, shall be limited to one sign per road frontage, and shall not exceed an area of thirty two (32) square feet per sign. Permit applications for farm operation identification signs shall be reviewed and approved by the Plan Commission prior to issuance. Such signs shall not be illuminated unless specifically approved by the Plan Commission.

2. Portable signs used by churches, schools and similar nonprofit organizations to advertise community events, fund-raisers and other civic activities. Such signs, however, shall comply with the regulations set forth in Section 17.22(5)(k) of this ordinance (Portable Signs).

3. Identification signs and changeable message signs for churches, schools and similar nonprofit organizations. Such signs shall be located on the church or school premises and shall not exceed a total area of one hundred (100) square feet per lot or site. When free-standing, such signs shall not exceed an area of thirty two (32) square feet or a height of eight (8) feet.

**(c) B-1 Zoning District** All signs in the B-1 Zoning District shall comply with the requirements set forth in Section 17.10(10) of this ordinance.

**(d) B-2 Zoning District** On-premise signs are permitted in the B-2 Zoning District subject to the following regulations.

1. The total area of all signs on a lot shall not exceed four hundred (400) square feet except as specifically permitted for shopping centers or except as specifically allowed as a conditional use in accordance with Section 17.20(10) of this ordinance.

2. No free-standing sign shall exceed a height of thirty (30) feet.

3. No more than one (1) free-standing sign shall be permitted per lot frontage except as specifically permitted for shopping centers.

4. Shopping centers shall be permitted one additional on-premise, free-standing sign per lot frontage. The area of each such additional sign shall not exceed three hundred (300) square feet.

**(e) I-1, I-2, I-3, I-4 and I-6 Zoning Districts** On-premise signs are permitted in the I-1, I-2, I-3, I-4 and I-6 Zoning Districts subject to the following regulations.

1. The total area of all signs on a lot shall not exceed four hundred (400) square feet or except as specifically allowed as a conditional use in accordance with Section 17.20(10) of this ordinance.

2. No free-standing sign shall exceed a height of thirty five (35) feet.

3. No more than one (1) free-standing sign shall be permitted per lot frontage.

**(f) I-5 Zoning District** Unless specifically permitted elsewhere in this ordinance, all signs are prohibited in the I-5 zoning district.

**(g) B-3 Zoning District** All signs in the B-3 Zoning District shall comply with requirements set forth in Section 17.25(9) of this ordinance.

**17.22 (9) ELECTRONIC SIGNS** The following regulations shall apply to electronic signs in the Village of Howard.

**(a) Definitions**

**1. Electronic Sign** A sign, or portion of a sign, that displays an electronic image or video, which may or may not include text wherein the sequence of messages or images and the rate of change is electronically programmed and can be modified by electronic processes. This definition includes television screens, plasma screens, digital screens, flat screens, LED screens, video boards, and holo-graphic displays.

**(b) General Regulations**

**1. Scrolling Messages** No scrolling messages shall be allowed adjacent to the Highway 29/32 or the Highway 41/141 Rights-of-Way.

**2. Time Duration** Any image or message or portion thereof displayed on a sign shall have a minimum display time duration of eight (8) seconds and shall be static display. Transition time shall be no longer than two seconds and black space is not permitted between message changes. Gas price signs, time and temperature signs and similar electronic signs are exempt these regulations.

**3. Brightness** The maximum brightness of electronic signs shall not exceed 5,000 nits (candelas per square meter) during daylight hours and shall not exceed 500 nits (candelas per square meter) between dusk and dawn. All electronic signs shall be equipped with an automatic dimmer control which produces a distinct illumination change from the higher allowed illumination level during daytime hours to the lower allowed level for the time period between one half hour before sunset and one half hour after sunrise.

**4. Amber Alerts** All approved electronic signs shall be made available for Amber Alerts and other emergency community notifications as deemed necessary by the Police Department.

**5. Public Decency** All graphics and lettering displayed on electronic signs shall meet public decency standards.

**6. Railroad Crossings** No electronic sign shall be permitted within two hundred (200) feet of any railroad crossing.

**7. Government Signs** The provisions of this section [17.22(9)] do not apply to government signs as defined in Section 17.22(7)(f) of this Ordinance.

**8. Portable Signs** Portable electronic signs are prohibited.

**9. Projection** Electronic signs mounted on a building or building appurtenance shall not project from the face of a building or appurtenance more than eighteen (18) inches.

**10. Malfunction** Electronic signs shall contain a default design

that will freeze the display or design in one position in the event of a malfunction.

**11. Audio and Pyrotechnics** Electronic signs shall not contain or utilize audio speakers or any form of pyrotechnics.