

Section 1230 - Signs**1230.01 Purpose.**

It is the intent of this Section to permit signs that are moderate in size and design and consistent with the public safety and welfare of the surrounding areas. It is the further intent to discourage signs which distract the attention of motorists or are otherwise hazardous, or creates an atmosphere inconsistent with the character, aesthetics and business climate of the City of Beaver Bay, Minnesota, or materially interferes with the view and enjoyment of other property owners in close proximity.

1230.02 Definitions..

Subd. 1 Sign. A name, identification, description, display or illustration which is affixed to, or painted, or represented directly or indirectly upon a building, structure or piece of land and which directs attention to an object, product, place, activity, institution, organization., idea or business.

Subd. 2 Sign, Advertising, Billboard, Signboard: A sign which directs attention to a business, commodity, service, or entertainment, not necessarily conducted, sold, or offered upon the premises where such sign is located or to which it is affixed.

Subd. 3. Sign, Business: A sign which directs attention to a business or profession or to the primary commodity, service, or entertainment sold or offered upon the premises where such sign is located or to which it is attached.

Subd. 4. Sign, Flashing: Any illuminated sign including any sign illuminated by reflected or refracted light on which the artificial light is not maintained stationary and/or constant in intensity and color at all times which such sign is in use. For the purpose of this ordinance, any revolving illuminated sign shall be considered a "flashing sign".

Subd. 5. Sign, Surface Area: The surface area of a sign shall be computed as including the entire area within a regular geometric form comprising all of the elements of the matter displayed. Frames and structural members not bearing advertising matter shall not be included in computation of the surface area.

Subd. 6. Sign, Identification: A sign identifying a resident, school, church, or other non-business use.

Subd. 7. Sign, Illuminated: Any sign which has characters, letters, figures, design or outline illuminated by electric lights or luminous tubes as part of the sign proper.

Subd. 8. Sign, Pedestal: A sign erected upon a single post or shaft.

Subd. 9. Sign, Ground. A billboard or similar type of sign which is supported by one or more uprights, poles or braces in or upon the ground other than a fin, sign or a pole sign.

Subd. 10. Sign, Pole: A sign wholly supported by a sign structure in the ground. A sign structure is any structure which supports or is capable of supporting any sign as defined in this code. A sign structure may be a single pole and may or may not be an integral part of the building.

Subd. 11. Marquee. A permanent canopy projecting over an entrance.

Subd. 12. Sign, Temporary: A sign that is not solidly affixed to the ground or to a building and used only for a limited period of time and not to exceed seven (7) days.

Sujbd. 13. Sign, Movable. Mounted to a trailer, wheels or other movable platform identifying or describing a business or product placed on the business property shall be considered a "sign" as defined herein.

Subd. 14. On Site Sign. A sign relating in its subject matter only to the premises on which it is located or to products, services, accommodations, or activities on the premises.

Subd. 15. Off Site Sign. A sign relating to products, services, accommodations or activities off the premises on which it is located.

Subd. 16. Structure. Anything erected, the use of which requires more or less permanent location on the ground; or attached to something having a permanent location on the ground, including signs and buildings. A principal structure is one which determines the predominant use of the lot on which it is located.

1230.03 . Permit Application: Any person desiring to erect or place a sign within the City of Beaver Bay shall make an application for a permit therefore to the City Clerk. Each application shall:

Subd. 1. Identify work Identify and describe the work to be covered by the permit for which application is made.

Subd. 2 Location. . Describe the land on which the proposed sign is to be placed by lot, block tract and house and street address or similar description that will readily identify and definitely locate the proposed sign.

Subd. 3 Sign Use. .Indicate the use for which the proposed sign is intended.

Subd. 4 Plans or Drawings and Specifications4. Detailed plans and specifications.

Subd. 5 Applicant's Signature. .Be signed by the applicant or his authorized agent.authority.

Subd. 6 Other Information. Give such other information as reasonably may be required by the Zoning Administrator.

1230.04. Permit Required: No person shall erect, construct, reconstruct, alter, move or place any sign within the City without first having secured a permit therefore.

1230.05 Variance. To provide reasonable flexibility in these regulations the Zoning Authority may approve an application for a sign that exceeds the number, size or height, where such exceptions would not be inconsistent with the intent of this ordinance.

1230.06 Standards.

Subd. 1 Location. No sign shall be placed in, or extent over any required yard in any district, or be placed in or extent over any street right-of-way, or be erected or project more than 36" above the roof or parapet wall line of any building; or if integral with or attached flat against the face of the other building, extend more than eighteen inches from the surface of such building, or exceed a height of twenty-five (25) feet if free standing except as hereinafter provided.

(a) Setback. Where no setback is required, a free-standing sign may be erected with the leading edge of the sign not to extend beyond the property line or right of way, provided that not more than one sign shall be located within twenty (20) feet of any intersection.

(b). Width. The supporting pylon of any free-standing sign within twenty (20) feet of any intersection shall not exceed two (2) feet in total width or diameter.

(c). Temporary Sign Placement. No temporary sign shall be attached to a light standard or the supporting pylon of a free-standing sign.

Subd. 2 Traffic Hazard: No sign shall be erected near or at any intersection of any streets in such manner as to obstruct free and clear vision; or any location where by reason of position, shape, color, it may interfere with, obstruct the view of, or be confused with any authorized traffic sign, signal or device; or which makes use of the words "Stop", "Look", "Danger", or other word, phrase, or symbol in such manner as to interfere with, mislead or confuse traffic.

Subd. 3. Marquee and Awning. Signs attached to the marquee shall not extend beyond the lower vertical surface except one small under-canopy sign shall be allowed per principle interest to such business. Signs placed on the roof of the marquee shall not exceed a height of 48" and shall have a 12" setback from the edge of the canopy. Marquees and canopies shall have a clearance of 8 feet from the sidewalk grade line.

Subd. 4 Ground, Pedestal or Pole Signs Height. Signs shall not exceed the height of twenty-five (25) feet above the ground they rest on provided that such sign does not interfere with the free enjoyment of the air space of adjoining property owners. It is the intent of this Section that advertising signs be kept at a minimum height so as not to impair aesthetic values.

Subd. 5 Roof Signs. Roof signs shall not exceed the surface area allowed nor project more than 36" above the roof line.

Sub. 6. Wall Signs: Wall signs placed against, painted on, or attached to the exterior walls of a building shall not extend beyond the wall surface. Projecting signs may project the maximum of eighteen (18) inches from the building surface and shall be limited in surface area to 1.25 square feet for each linear foot of street frontage and shall have at least eight (8) foot clearance from the walking service.

(a) Obstruction prohibited. No wall sign shall obstruct wholly or partially any wall opening.

Subd. 7 Banners. Banners and stringers may be used on a temporary basis and/or for special occasions. All banners and stringers shall be kept in good condition and shall be removed when in the opinion of the City Council, they are not adequately and properly maintained. No permits are required.

Subd. 8 .Sign Condition: All signs shall be maintained in good condition.

(a). **Painted signs.** Painted signs shall be repainted as required, to be kept in good condition and shall be repainted, removed or painted out when in the opinion of the City Council they are not maintained.

(b). **Signs shall be clear of debris.** Areas around the base of the signs shall be kept clean and clear of debris. Leftover materials and cleared brush, etc., shall be removed.

(c) **Signs in Wooded Areas..** When sign installations are made in wooded area, the placement work shall be done with the least disturbance to the environment.

Subd. 9.Outdoor Advertising

(a). **Official Signs.** Only official identification, directional or traffic control signs, as defined in Minnesota Statutes §. 173.02, Subd. 6(a), (b) and (d), shall be allowed within the public right-of-way.

(b). **Setbacks.** All signs shall be set back a minimum distance of ten feet from any front, side, or rear lot line, except that normal shoreline setbacks shall prevail where applicable.

(c) **Lighting.** Signs shall not be erected or maintained which contain, include or are illuminated by any flashing lights or moving lights so designed or lighted as to be a traffic hazard, except those giving public service information such as time, date, temperature, weather, or news. No sign shall emit beams of light of such intensity or brilliance as to cause a glare or nuisance to area residences.

Subd. 10. Sign Provisions.

(a) Residential Districts

(1) Type. Identification or home occupation sign must be attached to dwelling or accessory structure.

(2) Number. One only on any lot unless corner lot, in which case two signs will be permitted.

(3) Size. Maximum of three square feet per dwelling; maximum of twenty-four square feet for nonresidential identification.

(4) Projection into front setback area: Any sign over one and one-half (1-1/2) square feet shall be set back at least ten feet from any property line.

(5) Illumination: Lighting for illuminated signs must be indirect or diffused.

(6) Advertising Signs: Recognizing the need for an area in which the business community of the City can advertise their products and services. Signs and billboards may be permitted as conditional uses in the Residential Districts which border on U.S. Highway 61. Each sign shall be considered separately for its effect on environmental and aesthetic values.

(b) Commercial Districts including business highway, business and industrial.

(1) Type: All types permitted.

(2) Number. One on building, one pedestal sign, three temporary signs.

(3) Size. On site business signs facing each bordering street shall be limited in surface area to 1.25 square foot for each linear foot of street frontage of the lot, providing that such signs shall not exceed an aggregate surface area of three hundred square feet.

No signs shall be permitted to extend onto or over or across, public sidewalks or thoroughfares. No sign in these districts may be located within fifty feet of a residential district.

(4)Height. No more than twenty-five feet above ground.

(5)Projection into front setback area. To within three feet of street right-of-way.

(c). Exemptions: Sign permits for both on-site and off-site signs shall be required and shall be subject to performance standards herein, except the following shall not be included in the application of the regulations herein:

(1).Signs not exceeding four square feet in area and bearing only property numbers, post box numbers, names of occupants, or other identification of premises, not having commercial connotations;

(2) Flags and insignias of any government except when displayed in connection with commercial promotion;

(3).Legal notices, identification, information, or directional signs erected or required by governmental bodies;

(4) Integral, decorative, or architectural features of buildings except letters, trademarks, moving parts, or moving lights;

(5).Signs directing and guiding traffic and parking on private property, but bearing no advertising matter;

(6). A temporary sign indicating real estate for rent or for sale, related to the premises only on which it is located, and not exceeding eight square feet in area;

(7) Political posters or signs erected or placed in accordance with all applicable state laws, may be allowed without obtaining a Permit.

Signs shall not exceed thirty-two square feet in area. Political signs shall be removed by the name bearer within ten days following the election for which they were intended. In the event that the posters are not removed within the specified period of time, the City may remove them at the name bearer's expense.

(d) .Prohibited Devices: No advertising device shall be erected or maintained:

(1). Which purports to be or resembles an official traffic control device, sign, or signal, or railroad sign or signal, or which hides from view or interferes to any material degree with the effectiveness of any traffic control device, sign or signal, or a driver's view of approaching, merging or intersecting traffic for a distance not to exceed five-hundred feet.

(2) .Which prominently displays the words "stop" or "danger".

(3). Which contains statements, words, or pictures of an obscene, indecent, or immoral character, or such as offend public morals or decency;

(4). On trees or shrubs, or which are painted or drawn upon rocks, other natural features, public utility poles, or abandoned buildings.

(7) Within the right-of-way of any public roadway, except permitted by Minnesota Statutes, Chapter 173 .

1230.07 Off Site Signs:

Subd.1 Limited to Area The sign's advertising message will relate only to services and accommodations available from specific establishments within the same general neighborhood as the sign.

Subd. 2 Maximum Area. The maximum area of a sign face, whether a single sign face or each face of two back-to-back or V-type signs, shall not exceed two hundred-fifty square feet including border and trim, but excluding base and apron supports and other structural members.

Subd. 3 Size Limitations on Each Side. The maximum size limitation stated herein shall apply to each side of a sign structure, and signs may be placed back to back, or in a V-type arrangement, provided that there shall be not more than two displays to each facing and such structure shall be considered as one sign.

Subd. 4. May not Obstruct View. Off-site signs shall not be erected or maintained in such a place or manner as to obscure or otherwise physically interfere with an official traffic control device or approved signal or sign, or to obstruct or physically interfere with a driver's view of approaching, merging or intersecting traffic for a distance of five hundred feet.

Subd. 5 Spacing. No off-site sign shall be erected closer to any other off-site sign on the same side of the same roadway facing traffic proceeding in the same direction than five hundred feet on any highway or roadway.

Subd 6. Nuisance. No off-site sign shall be so erected or maintained that it obscures or interferes with the air space of adjoining property owner's or the illumination constitutes a nuisance to residences in the area.

Subd. 7 Prohibition. Off-Site Signs; Shall not be allowed in residential areas or within one hundred feet of any residence.

1230.08 Non-conforming Signs..

Every sign or other advertising structure in existence on the adoption of this ordinance which violates or does not conform to the provisions thereof, shall be removed or altered or replaced so as to conform with the provisions of this Section within three years from the effective date of this Code or any previous ordinance regulating signs.

1230.09 Penalties..

Subd. 1 Violation and Penalty: Any person who violates, neglects or refuses to comply with the provisions of this ordinance shall upon conviction be guilty of a misdemeanor. Each day a violation exists shall constitute a separate offense. In the alternative, the violator may be charged with a Civil Penalty as provided in Section 130.

Subd. 2 Sign Removal; Any person who violates or fails to comply with the provisions of this Section may be ordered to remove the sign not in compliance or to alter the sign so that it is in compliance. If the owner fails or refuses to comply the City may remove said sign and charge the cost thereof to the owner.