



City Council

Agenda Item

Subject: Second Reading of Ordinance No. 24-17, Zoning Text Amendments to Chapter 21.80 Signs and Outdoor Advertising of the Revised Ordinances of the City of Watertown.

Meeting: City Council - Jan 21 2025

From: Kristen Bobzien, Interim City Manager/Chief Financial Officer

BACKGROUND INFORMATION:

Ordinance amendments related to the Sign Code to create clarity for regulations that have caused issues for staff administration.

- Have sign permits be consistent with building permits to expire after one year from the date of permit issuance. If sign is not erected, a six-month extension may be allowed after paying the full sign permit fee
- Signs are a significant investment that can take time to order and install and have the same seasonal constraints as building construction
- Include a max square footage for incidental signs
- Allow signs for subdivisions that have lots for sale
- Move Area Identification Signs from §21.8026 Signs Located in the Public Right-of-Way to Exempt Signs located on private property
- Allow off-premise signs to be 300 SF as on-premise signs are allowed- currently only allowed 288 SF
- Remove Off-Premise Signs from Tables in §21.8027 as they are regulated separately under §21.8024
- Slight modifications to Chart
- Allow Roof Signs if Engineered Stamped Drawings are submitted
- Allow feather flags– one per 100 linear feet of frontage not to exceed six per property (consistent with temporary max amount of signs)
 - We have inquiries often on putting up a feather flag for signage. The main discussion in 2017 when these were prohibited was the excessive amount that property owners would put up due to their affordability and their non-permanent material makes for wear and tear and displeasing appearance
 - Businesses are able to advertise various sales and promotions by ordering feather flags at a more affordable cost. By restricting the amount of feather flags allowed will reduce unsightly or gaudy views

At the first reading, staff suggested not striking the existing sections stating "No on-premise sign may be converted to an off-premise sign without approval of the Sign Code Board of Appeals" which was proposed to allow a conversion by a sign permit application. This language is suggested to be added back to §21.8017 13. This is to avoid loopholes and to have conversions be public knowledge in case there are vested interest in properties and sign placement for other parties. The Sign Code Board of

Appeals will be referenced as the Board of Adjustment in the amended ordinance. Council approved that item remain which has been reflected in the ordinance for action.

The Planning Commission recommended approval (5-0) at the December 19, 2024, meeting.

FINANCIAL CONSIDERATIONS:

N/A

OVERSIGHT / PROJECT RESPONSIBILITY:

Brandi Hanten, Community Development Manager

Carla Heuer, Planner

STAFF RECOMMENDATION / SUGGESTED MOTION:

Staff recommends approval of Ordinance No. 24-17 through the following motion:

I move to approve Ordinance No. 24-17, Zoning Text Amendments to Chapter 21.80 Signs and Outdoor Advertising of the Revised Ordinances of the City of Watertown.

ATTACHMENT(S):

[Illustration](#)

[Ordinance No. 24-17](#)

ILLUSTRATION PURPOSES ONLY FOR ORDINANCE NO. 24-17

Chapter 21.80

SIGNS AND OUTDOOR ADVERTISING

Section

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21.8029	Table 3 – Number and Dimensions of Certain Signs by Type

21.8001: PURPOSE

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The purpose of this chapter is to promote the general safety and welfare of the City by facilitating communication between people through establishment of a comprehensive system regulating signs in the City. The objectives of this code are:

1. To regulate signs which aid orientation; identify activities; advertise or promote the interests of any person, product, or services; express local history and character; or serve educational purposes;
2. To encourage signs that are readable;
3. To control the number, size, location, and condition of signs;
4. To regulate signs to prevent the obstruction of vision or interference with pedestrian or vehicular traffic.
5. To minimize adverse effects of signs on public and private property;
6. To maintain and enhance the overall aesthetics of the community and ensure fair and consistent enforcement of this chapter.

21.8002: APPLICABILITY

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No sign regulated hereunder may be erected, placed, established, painted, created or maintained in the City unless it is in conformity with the standards, procedures, exceptions and other requirements of this chapter. These regulations

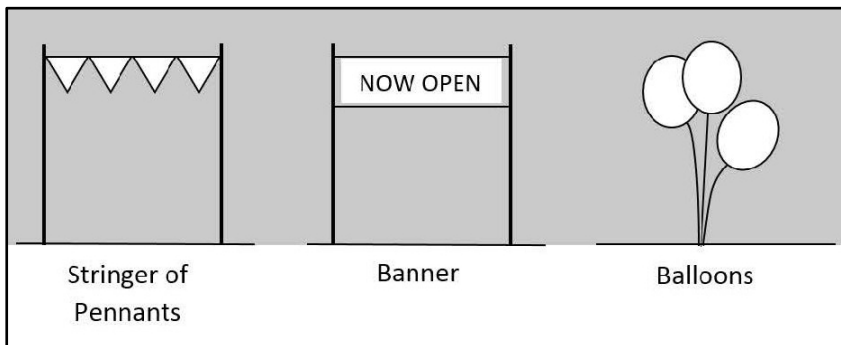
REVISED ORDINANCES – CITY OF WATERTOWN, SOUTH DAKOTA
are applicable to all districts.

21.8003: RESERVED

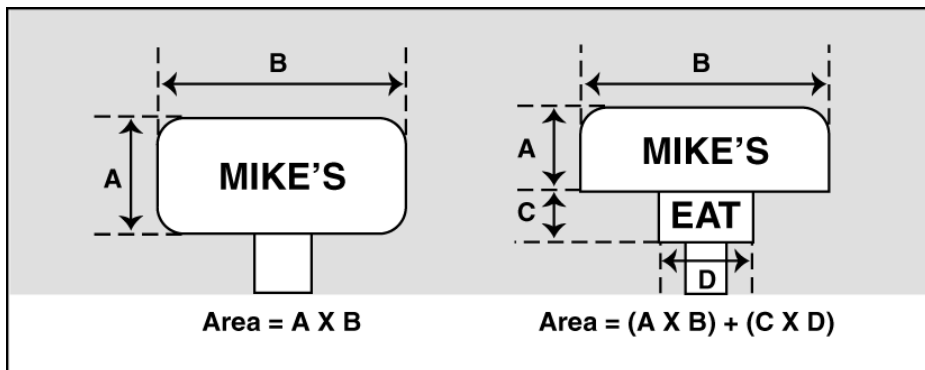
21.8004: GRAPHIC ILLUSTRATIONS

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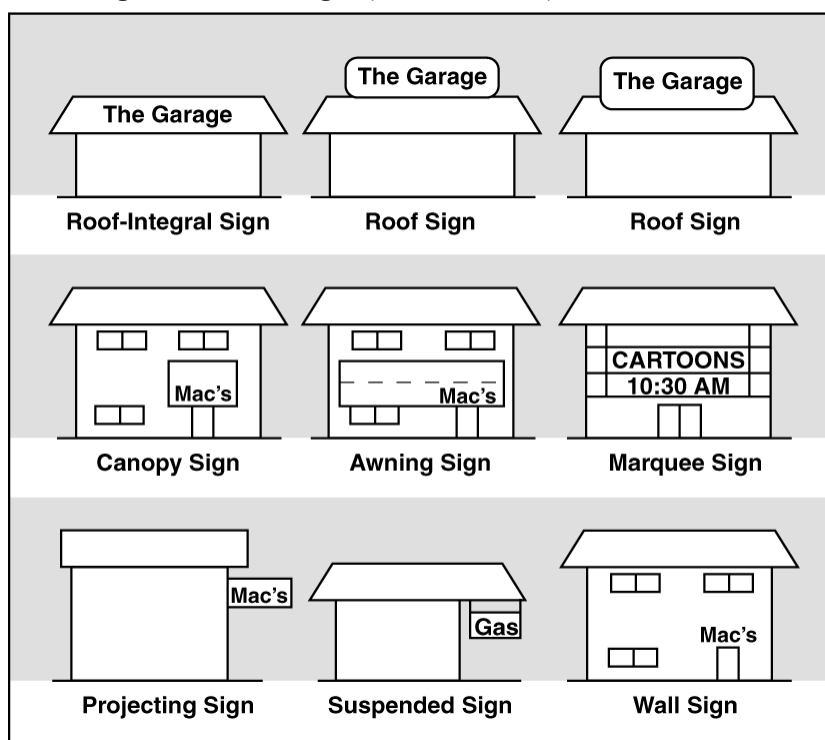
1. Examples of ~~Temporary~~ Signs (not all inclusive)



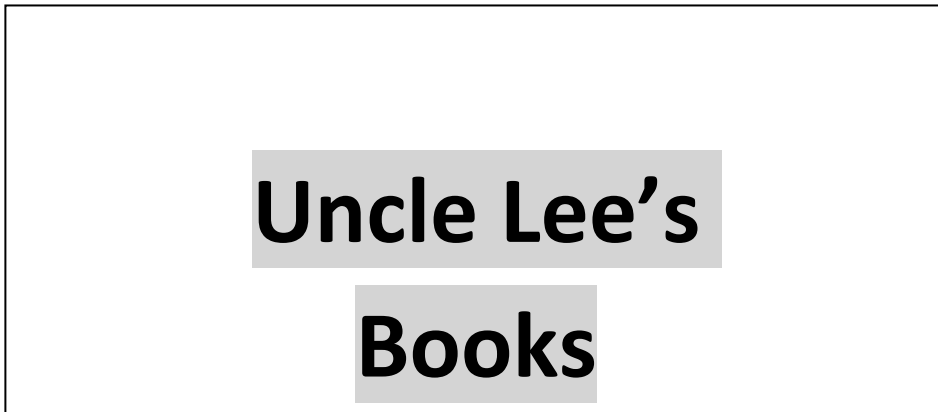
2. Computation of Sign Area



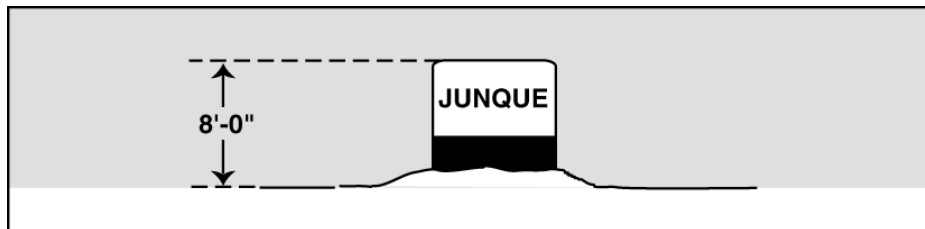
3. Building Identification Signs (not all inclusive)



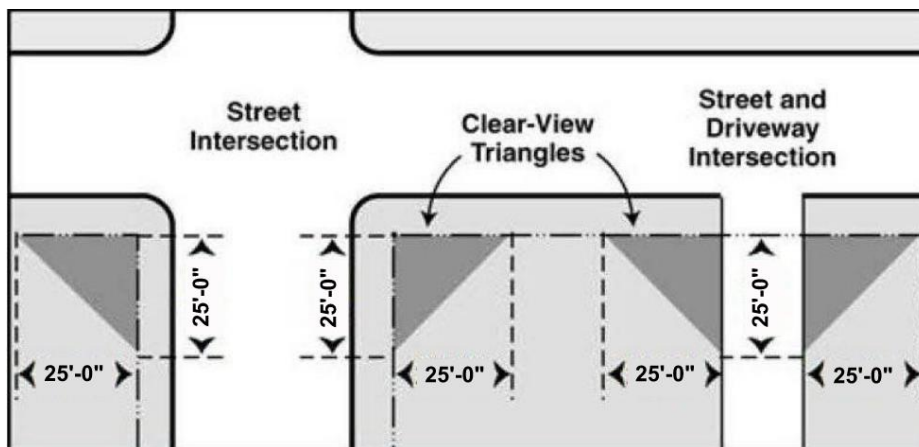
4. **Computation of Sign Area of Individual Signs of Individually Mounted Letters or Symbols and Awning and Canopy Signs**



5. **Height of Sign with Grade Mounting (See definition of Grade)**



6. **Clear View Triangle Area Intersection of Streets Intersection of Street and Driveway**



21.8005: ADMINISTRATIVE OFFICIAL

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1. The Administrative Official shall have the power to render interpretations of this code and to adopt and enforce rules and supplemental regulations in order to clarify the application of its provisions. Such interpretations, rules and regulations shall be in conformance with the intent and purpose of this chapter. (Ord 17-33; Rev 09-29-17)
2. When necessary to make an inspection to enforce the provisions of this code, or when the Administrative Official has reasonable cause to believe a sign or a condition exists which is contrary to, or in violation of this code, the Administrative Official may enter the premises at a reasonable time to inspect or to perform duties imposed by this code, provided credentials be presented to the occupant and entry requested, if premises are occupied. If premises are unoccupied, the Administrative Official shall make a reasonable effort to locate the owner or other person having charge or control of the premises and request entry. If entry is refused, the Administrative Official shall resort to the remedies provided by law to secure entry.
3. This code shall not be construed to relieve or reduce the responsibility to any person owning, operating or controlling any sign or sign structure liability for any damages to persons or property caused by defects, nor shall the City be deemed to have assumed any liability by reason of any act or omission, including, but not limited to conducting any inspection authorized by this code or any permits issued under this code.

21.8007: SIGN PERMITS

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1. Except as otherwise provided in this code, it shall be unlawful for any person to erect, construct, enlarge, reduce, move or convert any sign in the City, or cause the same to be done, without first obtaining a sign permit for each sign from the Administrative Official.
2. ~~Permit Issued. Every~~ A sign permit shall be issued upon payment of the established fee, if ~~by the Administrative Official is satisfied that the title has been complied with. Permit shall expire one year from the date of permit issuance. Incomplete construction without final inspection approval of a sign permit that has expired shall render the sign unlawful. shall expire by limitation and become null and void if construction does not commence within sixty (60) days from date of permit issuance, and shall expire by limitation in one hundred twenty (120) days from the date of permit issuance. For good cause, the~~ Administrative Official may review and consider extending the time of permit validity for an additional one hundred ~~twenty-eighty (1820)~~ days. Any extension granted shall be accompanied by a fee equal to one-half (1/2) of the original permit fee paid to the City.
- 3.2. **Number of Signs.** Any permit issued may authorize one or more signs.
- 4.3. **Assignment of Sign Permits.** A current and valid permanent sign permit shall be freely assignable to a successor in interest to the property upon which such permanent sign was originally constructed.
- 5.4. **Permit Prohibited.** No permit shall be issued to any lot upon which there exists any illegal sign at the time of making permit application; however, a permit may be issued for both the removal of any illegal sign as well as for the erection of a legally conforming sign.
- 6.5. **Fees.** Each application for a sign permit shall be accompanied by the applicable fees, which shall be established by the governing body ~~from time to time by~~ resolution.
- 7.6. **Sign Permit Process.** The following procedure shall govern the application for, and issuance of, all sign permits under this chapter:
 - a. Permanent Signs

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- (1) All applications for the construction, creation, placement or installation of permanent signs or the modification, excluding the changing of the advertising message or copy of an existing permanent sign, must be accompanied by the following to enable permit issuance:
 - (a) Name and address of owner of the property upon which the sign is to be erected; name and address of the sign owner, and the name of the licensed sign contractor who will erect the permitted sign;
 - (b) A detailed site plan showing the exact location and orientation of the sign(s) relative to all lot lines, building lines, parking lots, drive-ways, size and type of existing signs on the property and other pertinent land and architectural features.
 - (c) An elevation drawing showing the total sign height above the adjacent grade.
 - (d) The total dimensions of the sign facing.
 - (e) The design features of the sign.
 - (f) The type of illumination or other characteristics of the sign (see 21.8027). (Ord 17-33; Rev 09-

29-17)

(g) Completed Sign Permit Application.

(2) A permitted sign shall be deemed perpetual, and shall not terminate unless:

- (a) The sign has been abandoned as defined hereunder or;
- (b) The business activity or identified entity which existed at the time the sign permit was issued is discontinued for a period of three hundred sixty-five (365) days or more or; (Ord 17-33; Rev 09-29-17)
- (c) The type, size, height, location, or illumination is changed, altered or modified. (Ord 18-15; Rev 11-09-18)

8.7. Application Review

The Administrative Official shall review all sign permit applications and render a decision ~~on permit issuance as quickly as possible within ten (10) business days of a complete application being submitted.~~

9.8. Removal of Signs

- a. Subject to the following exceptions, upon determining any sign is unlawful, the Administrative Official shall prepare a written notice and order which shall describe the sign and specify the violation involved. The notice and order shall advise that if the sign is not removed or any violation not corrected within thirty (30) calendar days, the sign shall be removed in accordance with the provisions of this chapter with all costs for such removal to be assessed against the real property upon which such unlawful sign exists. Temporary, non-portable signs that are unlawful are not subject to the above process and may be summarily removed and deposited at City Hall by the Administrative Official or his/her designee in order to allow the owner of the sign to reclaim the same. (Ord 17-33; Rev 09-29-17)
- b. Service of the notice and order shall be made upon the owner of the property as well as the owner of the sign by mailing such notice and order by certified mail, postage prepaid, return receipt requested, to each such person at their last known address. If no address is known, then a copy of the notice and order shall be sent via certified mail, to the premises where the unlawful sign exists. The failure of any such person to receive such notice and order shall not affect the validity of any proceedings taken under this section.
- c. Any person having an interest in the sign or the premises may appeal any determination or decision of the Administrative Official, by filing a written notice of appeal to the Administrative Official within thirty (30) days of receipt of the notice. In order for such notice of appeal to be valid, it shall be accompanied by all information required under this chapter to initiate an appeal with the ~~Sign Code Board of Appeals~~ **Board of Adjustment**. Failure to appeal the notice and order within the time provided shall constitute a knowing and voluntary waiver of the right to appeal.

21.8008: SIGN APPEALS

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- 1. The Board of Adjustment shall hear and decide appeals and decisions made by the administrative official under this chapter. (Ord 17-33; Add 09-29-17)
- 2. The appellant shall notify, by ~~certified first-class~~ mail, adjacent premises (excluding public and/or private right-of- ways) that an appeal is being made. For the purposes of this section, any property located within ~~one hundredtwo hundred fifty~~ **(250)409** feet of the property line from the location upon which such appeal is being taken shall be deemed adjacent. Such letter shall be provided by the Administrative Official. (Ord 17-33; Rev 09-29-17)

21.9009: RESERVED

21.8010: BOND AND LICENSE REQUIRED

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- 1. **Bonding Requirement.** No person shall engage in the business of sign or outdoor advertising in this City by erecting or maintaining or leasing to others ground signs, wall signs, marquee signs or projecting signs until such person shall have filed with the Finance Officer a bond in the sum of ten thousand dollars (\$10,000) with sureties to be approved by the City Council, conditioned for the faithful observance of this chapter and to save and keep harmless this City from all damages, liabilities, losses or judgments that may be recovered against this City by reason of the negligent erection or maintenance of any such ground sign, projecting sign or marquee sign.
- 2. **License Required.**
 - a. No person shall engage in the business of sign or outdoor advertising by erecting or maintaining or

leasing to others ground signs, wall signs, projecting signs or marquee signs in this City without first having procured a license from the City Council to conduct such business. Application for a license shall be made on forms furnished by the Finance Officer and applicant shall file with the Finance Officer the application together with a certificate of standard form contractors public liability insurance, covering bodily injuries, including death, with limits of not less than two hundred fifty thousand dollars (\$250,000) for each person and five hundred thousand dollars (\$500,000) for each accident and covering property damage with limit of two hundred fifty thousand dollars (\$250,000) for each accident. Such license shall not be transferable.

- b. **Sign Installer's License:** The license fee for engaging in the commercial billboard or advertising board business by erecting or maintaining ground, wall or other signs on space suitable for billboard display or advertising and the letting of such space to others for a consideration, or the hanging of signs for others, shall be established by resolution of the City Council. Any license issued pursuant to this section shall expire on December 31 of the year of issuance. Signs that meet all of the following criteria do not require the services of a licensed sign installer; (1) a wall sign, (2) that is not self-illuminated, (3) that has a sign area of 32 square feet or less, and (4) that has a flat face. (Ord 12-23; Rev 09-14-12) (Ord 17-33; Rev 09-29-17)
- c. This section with reference to first year license fee shall not be applicable to any person who is regularly engaged in the business of sign installing or sign wiring in this City at the time of the effective date of this chapter.

21.8011: DESIGN AND CONSTRUCTION

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All permanent signs shall be designed, constructed and maintained in accordance with the following standards:

1. All signs shall comply with the applicable provisions governing construction within and for the City, including but not limited to the International Building Code, National Electric Code, and South Dakota Administrative Rules (ARSD) 20:44:22. (Ord 17-33; Rev 09-29-17)
2. All permanent signs shall be permanently attached to the ground, a building or another structure by direct attachment to a rigid wall, frame, or structure.
3. Any sign installed with dimensions exceeding fifty (50) square feet and which requires weldments must be welded by a certified structural welder with minimum welder certification AWS: D1.1 structural steel vertical flat and horizontal up to three-quarters (¾) inch thick mild steel.

Electrical signs may be illuminated internally or externally as long as the lighting is directed away from the public right-of-way and adjacent residential areas and shall comply with regulations of brightness levels for electronic message centers.

21.8012: MAINTENANCE OF SIGNS

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1. **Maintenance Required.** All signs and sign support structures, together with all of their supports, braces, guys and anchors shall be kept in good repair and in a proper state of maintenance.
2. **Activities Considered Maintenance.** Maintenance shall include activities such as replacing of defective or damaged parts such as lamps, replacing ballast in freestanding signs, or replacing transformers in building identification signs; painting and/or repainting of the pole of freestanding signs or the cabinet of freestanding or building identification signs; replacing or repairing the sign face, including H-bars and retainers behind the face, replacing trim, and replacement of sign fasteners, nuts, and washers. A maintained sign structure shall have a sign face. Temporary removal of the sign cabinet for the installation of a new sign face is permitted and will not require that the sign be brought into conformance with this chapter.
3. **Items Not Considered Maintenance.** The following items are not considered maintenance and shall require any sign undergoing the following activities to conform with this chapter.
 - a. Maintenance shall not include any changes made to the size, height, light intensity or bulk of the sign or the temporary or permanent removal of the sign for the repair or replacement of the cabinet or any part thereof, not including the face.
 - b. Maintenance shall not include changes in poles, structural supports, bases or shrouds, footings or anchor bolts, moving the sign for any reason, change or replacement of the interior and/or exterior cabinet frame (excluding trim) and removal of any part of the signs for maintenance except the sign face. For building signs, maintenance shall not include change in the size of channel letters or any change or replacement of returns or housing except for the sign face and trim. For single face cabinet signs, maintenance shall not include changes or replacement of the interior and/or exterior cabinets nor the cabinet support structures.

4. Legally Established Nonconforming Permanent Signs.

- a. Maintenance as defined herein and alterations, including change of the sign face and color, may be performed upon legally established nonconforming permanent signs.
- b. A legally established nonconforming permanent sign may be restored, reconstructed, altered, or repaired only in conformance with the provisions of this chapter. A sign shall be brought into conformance with this chapter when it :
 - (1) Is changed structurally as stated in Section 21.8012 above; or
 - (2) Is damaged in excess of fifty percent (50%) of the replacement cost, established by a qualified appraiser; or
 - (3) Is temporarily or permanently removed by any means, including an act of God, excluding the temporary removal for new face. If a sign is damaged by Act of God or other means, in the event of repair, the damaged sign shall be brought into compliance with the provisions of this ordinance. All other signs which remain on the property that was the site of such damage will be allowed to remain until such time as they are required to be replaced.
5. On and off-premise signs shall be removed from the building and property after the business or activity is terminated. However, the existing sign structures may be used to advertise the sale, lease, or rent of the property, provided that all advertising material related to the previous occupant is removed. (Ord 17-33; Rev 09-29-17)

21.8013: AREA AND HEIGHT REGULATIONS

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Computations. The following principles shall control the computation of sign area and sign height.

1. **Computation of Area of Individual Signs.** The area of a sign face (which is also the sign area of a wall sign or other sign with only one face shall be computed by means of the smallest square, circle, rectangle, triangle, or combination thereof that will encompass the extreme limits of the writing, representation, emblem, or other display, together with any material or color forming an integral part of the background of the display or used to differentiate the sign from the backdrop or structure against which it is placed, but not including any supporting framework, bracing, or decorative fence or wall when such fence or wall otherwise meets zoning ordinance regulations and is clearly incidental to the display itself.
2. **Computation of Area of Multi-faced Signs.** The sign area for a sign with more than one face shall be computed by adding together the area of all sign faces visible from any one point. When two identical sign faces are placed back to back, so that both faces cannot be viewed from any point at the same time, and when such sign faces are part of the same sign structure and are not more than forty two (42) inches apart, the sign area shall be computed by the measurement of one of the faces.
3. **Computation of Height.** The height of a sign shall be computed as the distance from the base of the sign at normal grade to the top of the highest attached component of the sign. Normal grade shall be construed to be the lower of:
 - a. The existing grade prior to construction
 - b. The newly established grade after construction

21.8014: EXEMPT SIGNS

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The following signs are required to conform with this chapter, but are not required to obtain a sign permit.

1. Any public notice or warning required by any federal, state or local law, regulation or ordinance.
2. Traffic control signs on private property, such as Stop, Yield, and similar signs, the face of which meet Department of Transportation standards and which contain no commercial message.
3. Incidental signs not to exceed four square feet. (Ord 17-33; Rev 09-29-17)
4. Changing of advertising copy or message, painting, maintenance and/or repair of an existing lawful sign, provided no structural changes are made. (Ord 17-33; Rev 09-29-17)
5. Building Markers. (Ord 17-33; Rev 09-29-17)
6. Banners as defined herein. (Ord 17-33; Rev 09-29-17)
7. Window signs covering up to seventy five percent (75%) of the area per window;

- ~~8. Identifying logos which do not advertise a product or service on municipally owned water storage reservoirs, when directed by the City Council.~~
- ~~8. Balloons with a diameter of less than twenty four (24) inches.~~
9. Feather flags are allowed one per one hundred (100) squarelinear footfeet of frontage not to exceed six (6) per property
10. Temporary signs unless placed in the boulevard. (See Section 21.8019(2))
~~Any traditional flag. (Ord 18-15; Rev 11-09-18)~~
11. “Neighborhood Identification Signs” which are used to identify residential subdivision neighborhood shall shall be limited to a maximum area of one hundred twenty (120) square feet and maintained by a Homeowners Association.
12. Signs, up to thirty-two (32) square feet, used to identify subdivisions involving three (3) acres or more are allowed to be displayed on the property for five (5) years from the date the plat was recorded. One sign per three acres shall be allowed (Ex. “Development Coming Soon”, “Lots for Sale”, et’
13. Outdoor menu boards
- ~~14. One-dimensional murals or art on a wall that do not convey a commercial message or company logo.~~

21.8015: PROHIBITED SIGNS

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The following types of signs are expressly prohibited, except as otherwise provided by this code:

1. Signs with lighting that flashes or blinks; (Ord 17-33; Rev 09-29-17)
2. Any sign or portion of a sign which moves or assumes any motion constituting a nonstationary position, except barber poles and signs attached to or placed upon a motor vehicle;
3. Abandoned signs or unlawful signs;
4. Any vehicle or trailer parking on public right-of-way, public property or private property so as to be visible from the public right-of-way and which displays an advertising message, unless said vehicle is actually and actively used in the regular course of a business; (Ord 17-33; Rev 09-29-17)
5. Search lights, streamer, twirling signs, sandwich board signs (except as provided for in Section 21.8014(16), sidewalk or curb signs, and balloons exceeding twenty four (24) inches in diameter, ~~and inflated figures~~ shall not be used except when permitted for the opening of a new business, not to exceed fifteen (15) days; (Ord 17-33; Rev 09-29-17)
6. ~~Flags, both feather-type and traditional, that display an advertising message, except one traditional flag-bearing a single corporate logo or emblem;~~ (Ord 17-33; Rev 09-29-17)
7. Roof signs unless Engineer-stamped plans are submitted that verify the roof sign will be installed to structurally withstand environmental loads; Roof signs shall be regulated as wall signs if allowed. (Ord 17-33; Rev 09-29-17)
8. Signs depicting words or pictures of obscene or pornographic material, or any other matter not in keeping with the contemporary community standards; (Ord 17-33; Rev 09-29-17)
9. Signs that emit sound, odor, or visible matter;
10. Signs which are similar to traffic control signs or signals and which advertise words such as “Stop,” “Go,” “Danger,” “Warning”;
11. Signs that obstruct the vision of traffic control signs or signals or lights in the public right-of-way;
12. Signs attached to trees, telephone poles, public benches, street lights, street signs or placed on any public property or public right-of-way.
13. Signs, with the exception of signs declared except per Section 21.8014(1) & (4) which are placed within or encroach upon the clear view triangle defined in this chapter; (Ord 17-33; Rev 09-29-17)
 - a. On a corner lot, the clear view triangle area is formed by the street right-of-way lines and the line connecting points twenty (250) feet from the intersection of such street right-of-way lines extended. See [Section 21.8004 \(6\)](#) for graphic illustration; (Ord 17-33; Rev 09-29-17)
 - b. On a lot which has a driveway or is next to a lot which has a driveway, the two clear view triangle areas are formed by the street right-of-way line, both sides of the surface edge of the driveway, and the line

connecting points twenty (25~~0~~) feet from the intersection of the street right-of-way line and driveway. See [Section 21.8004 \(6\)](#) for graphic illustration; (Ord 17-33; Rev09-29-17)

14. Off-premises wall signs, with the exception of historic signs in the C-1 Community Commercial zoning district.
15. Stringer of pennants; (Ord 17-33; Rev 09-29-17)
16. Flags containing a commercial advertising message; (Ord 17-33; Add09-29-17)
17. Parasitic signs; and (Ord 17-33; Add 09-29-17)
18. Any sign that is located on a lot that at any time fails to meet the minimum lot area and width for its zoning district, as provided in Sections 21.1001 and 21.1003, regardless if there is a structure located on the lot; (Ord 17-33; Add09-29-17)

21.8016: LEGALLY NONCONFORMING SIGNS

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Any sign existing upon the date of adoption of this chapter which does not conform to the provisions of this chapter shall be deemed a legal nonconforming sign and may remain except for:

1. Any abandoned sign;
2. Any sign declared unlawful by the Administrative Official; or any sign that does not comply with the provisions of this code or International Building Code (IBC) as well as all acts amendatory thereto. (Ord 04-16; Rev 05-16-14)
3. Any sign in which the type, size, height, or location is changed; (Ord 17-33; Rev09-29-17)
4. Any sign which has been moved, removed, relocated or damaged by more than fifty percent (50%) of the value of the sign at the time of such damage;

21.8017: FREESTANDING SIGNS

Freestanding signs are regulated by 21.8028 Table 2.

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1. Lots which are allowed more than one freestanding sign shall space each sign not less than fifty (50) feet apart. Minimum spacing is to be determined by measuring the closest distance between the two outermost points of each individual sign.
2. No freestanding sign shall be located within a clear view triangle.
3. Freestanding signs shall not employ any moving parts.

21.8018: PROJECTION OF BUILDING SIGNS PERMITTED

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Projecting, awning, canopy, marquee and wall signs may project over public property where the building was constructed at/on the front property line except for State highway rights-of-way.

21.8019: LIMITATIONS ON USE OF TEMPORARY SIGNS

1. Temporary signs, excluding portable signs which are regulated in accordance with Section 21.8023, may be displayed on any lot under the following conditions:
 - a. Temporary signs shall be readily movable and attached to the ground or another permanent structure;
 - b. Temporary signs shall be constructed with a material capable of withstanding impacts, winds or blown snow;
 - c. Temporary signs shall include print in which the print or font is clearly outlined with a clean border;
 - d. Temporary signs shall consist of a flat construction with a maximum of two display sides;
 - e. Temporary signs shall not be placed within a required clear view triangle or a required parking area;
 - f. Additional Locations and Area Regulations are regulated by Table 21.8019.1.f.
 - g. Table 21.8019 1.g describes the types of temporary signs allowed in certain zoning districts

TABLE 21.8019.1.f LOCATION AND AREA REGULATIONS

	All Zoning Districts
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REVISED ORDINANCES – CITY OF WATERTOWN, SOUTH DAKOTA

Minimum Distance from Edge of Right-of-Way (Front Yard Setback)		1'
Rear yard		Same as setback for accessory structures in underlying zoning district
Side yard		Same as setback for principal structures in underlying zoning district
Number of Signs on a Lot	(A) Maximum throughout year except as in (B)	One (1) plus one (1) per frontage
	(B) Maximum during the period sixty (60) days before and five (5) days after an election	6
Maximum Height		3'
Maximum Area per sign (a)		6 sq. ft.

(a) Banners, inflatable signs, and portable signs shall meet the maximum sign area of table 21.8019 1.g.

Table 21.8019.1.g REQUIREMENTS FOR CERTAIN TEMPORARY SIGNS

SIGN TYPE	NUMBER ALLOWED	MAXIMUM SIGN AREA (SF)	VERTICAL CLEARANCE FROM SIDEWALK (Ft)	HORIZONTAL CLEARANCE FROM CURB (Ft)
Banner (a)	2	24 SF/banner		2
Flag			8	2
Inflatable (b)	1	100		
Portable (c)	1	32		
All other types of Temporary signs	As in Table 21.8019.1.f			

(a) Permitted only in accordance with Section 21.802~~10~~

(b) Permitted only in accordance with Section 21.802~~01~~

(c) Permitted only in accordance with Section 21.8023

2. Temporary signs, excluding portable signs, banners, and inflatable signs may be displayed on the boulevard adjacent to or abutting any lot under the following conditions:
 - a. Temporary signs may be placed in the boulevard in the C-1 Community Commercial District provided:
 - (1) The location of the temporary sign is approved by the Building Official.
 - (2) The sign remains on display to the public only during the hours of business operation
 - (3) The sign shall not exceed ten (10) square feet in area.
 - b. Temporary signs may only be placed in the boulevard in any other district provided:
 - (1) The location of the temporary sign is approved by the Building Official.
 - (2) The ~~Building Official~~ Administrative Official determines the temporary sign may not practicably be placed on the lot.
 - (3) The sign remains on display to the public only during the hours of business operation
 - (4) The sign shall not exceed ten (10) square feet in area.
 - (5) Temporary signs shall be readily movable but mounted in a manner and constructed with metal or poly metal material to be capable of withstanding impacts, winds or blown snow;
 - (6) Temporary signs shall include print in which the print or font is clearly outlined with a clean border;
 - (7) Temporary signs shall consist of a flat construction with a maximum of two display sides;
 - c. Temporary signs shall not be placed within a required clear view triangle or a required parking area;
 - d. Additional Location and Area Regulations are regulated by Table 21.8019.2.d. (Ord 18-15; Add 11-09-

18)

TABLE 21.8019.2.d LOCATION AND AREA REGULATIONS

	All Zoning Districts except C-1 (See 21.8019(2)(a))
Maximum Distance from adjacent property line	As determined by Building Official
Number of Signs abutting or adjacent to any lot	1
Maximum Height	3'
Maximum Area per sign	6 sq ft

21.8020: LIMITATIONS ON USE OF INFLATABLE SIGNS[\(back to Chapter contents\)](#)

Inflatable signs, excluding balloons smaller than twenty four (24) inches in diameter, may be displayed under the following conditions:

1. They do not interfere with utility lines, antennas or towers.
2. No cabling, tie-downs or tether lines are located on or across public property.
3. They are not located in any airport approach zone.
4. Inflatable signs may be displayed on a lot for forty five (45) days per calendar year. A permit may be issued for fifteen (15) consecutive days with not less than thirty (30) calendar days between permit expiration and issuance of a new permit.

21.8021: LIMITATIONS ON USE OF BANNERS[\(back to Chapter contents\)](#)

1. Banners are allowed in commercial and industrial zoning districts, and only for institutional uses in residential zoning districts;
2. Banners are not permitted to be placed on any property that does not have a principle structure;
3. Banners may not be used for off-premise advertising
4. In the event a property has only one side which abuts a street or public way, one banner will be allowed provided said banner does not exceed twenty four (24) square feet.
5. In the event a property abuts two or more streets or public ways, no more than two (2) banners will be allowed and not more than one (1) banner will be allowed to face any such street or public way provided no banner exceeds twenty four (24) square feet.
6. In the event a property contains more than one building, only one banner will be allowed to face each street or public way.
7. In the event a property does not abut any street or public way, no banner will be allowed.
8. Any banner must be securely fastened to a building or secured to a permanent foundation minimally consisting of a four (4) inch nominal diameter post concreted in the ground to a depth of thirty (30) inches.

~~9. A banner may contain one greeting message and/or one commercial message. (Ord 08-09; Rev 06-12-08)~~

~~10.9.~~ Shopping mall or strip malls shall be allowed one (1) banner per business.

21.8022: REGULATION OF ELECTRONIC MESSAGE CENTERS

1. Electronic message sign displays shall be limited to displays, which are gradual movements, including, but not limited to, dissolve, fade scrolling, or traveling. However, sudden movement is prohibited, including but not limited to, blinking and flashing.
2. Where permitted, signs may be, or may include as an individual component of the total sign area, electronic message signs.
3. Electronic messages or graphic displays may be changed at periodic intervals by gradual entry and exit display modes provided that messages and animation shall be displayed by various modes, such as fade,

dissolve, scrolling, and traveling.

4. All electronic message centers shall come equipped with automatic dimming controls that automatically adjust the signs brightness in direct correlation with ambient light conditions.
5. No electronic message sign shall exceed a brightness level of 0.3 foot candles above ambient light as measured using a foot candle (LUX meter at a preset distance depending on sign area). Measuring distance shall be determined using the square root of the product of the sign area and one hundred. (E.g., using a twelve (12) square foot sign: Square root of (12x100) = 34.6 feet measuring distance.) (Ord 17-33; Add 9-29-17). The applicant, owner, or appropriate professional shall perform this test upon request of the city Administrative Official and submit the findings within twenty (20) days of notice.

21.8023: REGULATION OF PORTABLE SIGNS

[\(back to Chapter contents\)](#)

1. A property owner may display one (1) portable sign for a maximum of sixty (60) days per calendar year. Permits shall be issued for a maximum of fifteen (15) consecutive days; upon expiration of any permit period, the sign structure shall be removed from public view, and not less than forty five (45) days shall pass before a new permit may be issued at the same ~~location~~address. (Ord 15-16; Rev 07-10-15)
2. Portable signs are prohibited from being located within the right of way and within ten (10) feet of a curb. (Ord 17-33; Rev 09-29-17)
3. Portable signs shall be secured against overturning.
4. Prior to January 1, 2018, portable signs shall not exceed sixty (60) square feet. After January 1, 2018, portable sign structures shall not exceed thirty two (32) square feet. The transport structure (wheels and frame) is excluded from the allowed thirty two (32) square feet. (Ord 15-16; Add 07-10-15)
5. Portable signs must be set back twenty (20) feet from any abutting property line unless the owner of any such abutting properties consent in writing. (Ord 17-33; Rev 09-29-17)
6. Electric signs shall comply with all applicable sign code regulations, including any regulations of electronic message centers. (Ord 17-33; Rev 09-29-17)
7. Portable signs shall be separated by not less than two hundred (200) feet from any other portable sign. (Ord 17-33; Add 09-29-17)
8. Failure to obtain a portable sign permit before it is installed shall result in a doubling of the permit fee. (Ord 17-33; Add 09-29-17)

21.8024: ~~REGULATION OF OFF-PREMISES SIGNS (BILLBOARDS)~~ (move to 21.8017 and shift everything down so it is before Freestanding Signs)

Off-premise signs (billboards) are not regulated by Chapter 21.8028 Table 2. The and applicable regulations for off-premise signs are exclusively described below:

[\(back to Chapter contents\)](#)

1. Off-premise signs are only allowed to be placed on property contiguous with the right-of-ways of: US Highway 212, US Highway 81, SD Highway 20, and Interstate 29 (I-29).
2. Signs will be allowed a maximum size of 300 square feet and shall not conflict with state or federal law. The provisions of this subsection shall not be deemed to apply to any federally designated right-of-way. (Ord 17-33; Rev 09-29-17)
3. Signs will be allowed a maximum height of 30 feet and a minimum height of 12 feet.
- ~~4.4.~~ Off-premises ground signs shall have no more than one visible structural support or pole.
- ~~2.5.~~ Off-premises sign support structure shall be of neutral, nonmetallic tone.
- ~~3.~~ Off-premises signs shall be limited to two hundred eighty eight (288) square feet in size and shall not conflict with state or federal law. The provisions of this subsection shall not be deemed to apply to any federally designated right-of-way. (Ord 17-33; Rev 09-29-17)
- ~~4.6.~~ Off-premise signs shall be located not nearer than five hundred (500) feet from any other off-premise sign. The distance between off-premise signs shall be measured from the two nearest points of each sign in all directions.
- ~~5.7.~~ Off-premise signs shall have no more than two faces.

~~6.8.~~ The faces of off-premises signs shall be mounted parallel or up to a maximum of thirty (30) degrees between one another: ~~and are not more than forty two (42) inches apart~~

~~7.9.~~ Off-premises signs shall not be located within ~~the any~~ clear view triangle.

~~8.10.~~ Off-premise signs shall be separated by not less than fifty (50) linear feet from any on-premises sign.

~~9.11.~~ Off-premise sign permits shall not be issued for any property without the Administrative Official having first been provided written consent of the property owner or their agent.

~~10.12.~~ The light from any light source intended to illuminate an off-premises sign shall be so shaded, shielded or directed so that the light intensity or brightness shall not emit lighting directly on any adjoining property, nor shall the source of illumination produce a glare clearly visible beyond a property line, nor adversely affect safe vision of pedestrians or operators of vehicles moving on public or private streets, driveways or parking areas. Electrical service to all off-premises signs shall be provided an underground service lateral.

~~11.13.~~ No on-premise sign may be converted to an off-premise sign without approval ~~of by~~ the ~~Sign Code Board of Appeals~~ Board of Adjustment.

21.8025: RESERVED

[\(back to Chapter contents\)](#)

21.8026: RESTRICTIONS ON SIGNS LOCATED IN THE PUBLIC RIGHT-OF-WAY

No sign shall be erected in the public right-of-way except:

- Public signs erected by or on behalf of a governmental body to identify public property, convey public information and direct or regulate pedestrian or vehicular traffic.
- Informational signs by a public utility regarding poles, lines, pipes or facilities.
- Awning, canopy, marquee, projecting and suspended signs in conformity with all other applicable sections of this ordinance.
- ~~“Area Identification Signs” which are used to identify residential subdivisions or homeowners associations. Such signs shall be limited to a maximum area of one hundred (100) square feet. The Building Official shall refer all such applications to the City Council, which may impose conditions. Any decision by the City Council shall be final. (Ord 12-12; Add 05-11-12).~~

21.8027: TABLE 1 - SIGNS BY TYPE AND ZONING DISTRICT

[\(back to Chapter contents\)](#)

Permitted Signs shall be allowed on private property in accordance with Table 1. If the letter "Y" appears for a sign type in a column, such sign is allowed without prior permit approval in the zoning districts represented by that column. If the letter "P" appears for a sign type in a column, such sign is allowed only with prior permit approval in the zoning districts represented by that column. Special conditions may apply in some cases. If the letter "N" appears for a sign type in a column, such a sign is not allowed in the zoning districts represented by that column under any circumstances. A sign designated by a "P" shall be allowed only if it conforms to all other applicable requirements of this ordinance.

SIGN TYPE	ZONING DISTRICTS								
	R1(h) R2 R2A	R3 R4 RG	C1	C2	C3	BP	All I's	AG	INS (a)
FREE STANDING									
Ground (Monument)	P	P	P	P	P	P	P	P	P
Pole	NP	NP	P	P	P	P	P	P	P
<u>Off-Premises Sign</u>	<u>N</u>	<u>N</u>	<u>P</u>	<u>PN</u>	<u>P</u>	<u>N</u>	<u>P</u>	<u>P</u>	<u>N</u>
BUILDING									
Canopy/Awning/Awning - Electric	N	P	P	P	P	P	P	N	P
Building Marker (b)	Y	Y	Y	Y	Y	Y	Y	Y	Y
Identification (d)	Y	Y	Y	Y	Y	Y	Y	Y	Y
Marquee	N	N	P	P	P	N	N	N	N
Projecting	N	N	P	P	P	P	P	N	N
Roof	N	N	N	N	N	N	N	N	N
Suspended	N	N	P	P	P	N	N	N	N
Wall	P	P	P	P	P	P	P	P	P

REVISED ORDINANCES – CITY OF WATERTOWN, SOUTH DAKOTA

Window <u>(i)</u>	P	P	Y	Y	Y	P	P	P	N
Off-Premises Sign	N	N	P	N	P	N	P	P	N
MISCELLANEOUS									
Banner (d)	N	N	Y	Y	Y	Y	Y	N	Y
Flag	Y	Y	Y	Y	Y	Y	Y	Y	Y
Inflatable (c)	N	N	P	P	P	N	N	N	Y
Pennant	N	N	N	N	N	N	N	N	N
Portable (e)	N	N	P	P	P	P	P	N	Y
Temporary	Y	Y	Y	Y	Y	Y	Y	Y	Y
CHARACTERISTICS									
Changeable Copy	P	P	P	P	P	P	P	N	P
Electronic Message Center	P	P	P	P	P	P	P	P	P
Illuminated – External (f)(g)	P	P	P	P	P	P	P	P	P
Illuminated-Internal(f)(g)	P	P	P	P	P	P	P	P	P
Indexing	N	N	P	P	P	P	P	P	P
Neon	N	N	P	P	P	P	P	P	N
Non-Illuminated	Y	Y	Y	Y	Y	Y	Y	Y	Y
Reflective	N	N	Y	Y	Y	Y	Y	Y	N

Y=Allowed w/o sign permit

P=Allowed only with sign permit

N=Not allowed

- (a) This column does not represent a zoning district. It applies to institutional, commercial and certain residential uses permitted in residential districts. Such uses include but are not limited to, hospitals, clinics, churches, schools, government buildings, libraries, museums, apartment complexes, and retirement homes. Uses within the C-L Lake Commercial District shall be regulated as institutional.
- (b) May include only building name, date of construction or historical data on historic site.
- (c) Permitted only in accordance with Section 21.8011.20

- (d) Permitted only in accordance with [Section 21.8011.21](#)
- (e) Permitted only in accordance with [Section 21.8011.23](#)
- (f) Any surface lighting involving motion shall be prohibited.
- (g) Signs shall be illuminated so as not to emit lighting directly on any adjoining property. No sign shall include a source of illumination that produces glare clearly visible beyond a propertyline.
- (h) Signage in a PUD will follow R-1 Single Family Residential District Regulations for residential uses and C-3 Highway Commercial District regulations for commercial uses, unless otherwise specified in the approved PUD Narrative.
- (g)(i) Window signs covering more than 75% of the area per window shall be considered a wall sign and will be counted toward the maximum total sign area

TABLE	ZONING								
SIGN TYPE	R1 (nm)R 2 R2A	R 3 R4	C1	C2	C3 (nm)	BP	All I's (k)	AG	INS (a)
FREE									
Number Permitted	NA	NA		NA	NA	NA	NA		
		NA	NA	Business with up to 150' of Frontage; over 200' of frontage is allowed	1 for each Business with up to 200' of Frontage; over 200' of frontage is allowed	1 for each 500' of Frontage; over 500' of frontage is allowed one additional sign	1 for each 500'-150' of Frontage; over 500' of frontage is allowed one additional sign	1 for each 500'-450' of frontage; over 500' of frontage is allowed one additional sign	1 for each 200' of Frontage; over 500' of frontage is allowed one additional sign
Setback From Right-of-Way	NA	NA	0	0	0	10	10	10	0
Maximum Area (Sq. Ft) (l)	NA	NA	1 SF for each 2 LF of Frontage Or 75 SF whichever is Less	1 SF for each 2 LF of frontage or 150 SF whichever is Less	2 SF for each 1 LF of Frontage Or 300 SF whichever is Less	1.33 SF for each 2 LF of Frontage Or 200 SF whichever is Less	1.33 SF for each 2 LF of Frontage Or 200 SF whichever is Less	1 SF for each 2 LF of Frontage Or 200 SF whichever is Less	1 SF for each 2 LF of frontage or 150 SF whichever is Less
Maximum Height (Feet)	NA	NA	20 *b	20'6" (*b)	Street (SF) of 1-50' = 20' SF of 51-150' = 25' SF of 151' = 30' (f)	Street Frontage (SF) of 1-50' = 20' SF of 51-150' = 25' SF Over 151' = 30' (f)	Street Frontage (SF) of 1-50' = 20' SF of 51-150' = 25' SF Over 151' = 30' (b)(f)	20	20
Minimum Clearance	NA	NA	10	6	6	10	10	10	6
BUILDING									
Area (Sq. Ft)	3	3	NA	NA	NA	NA	NA	NA	NA
Wall Area (%) (e)	NA	NA	15	10	20	7.5 10	7.5 10	10	107.5
MAXIMUM TOTAL SIGN AREA									
Maximum Total SF -	16	16	400	200 400	800 (o)	800	600 800	750	200 (o)
Maximum Total SF For Lots With 2 or More Signs	NA	NA	600	300 600	1000 (o)	1000	1,000 NA	1,000	800 (o)

**21.8028: TABLE 2 (ABOVE) - NUMBER, DIMENSIONS AND LOCATION OF INDIVIDUAL SIGNS AND
MAXIMUM TOTAL SIGN AREA BY ZONING DISTRICT** [\(back to Chapter contents\)](#)

Individual signs shall not exceed the maximum number or square footage nor encroach into the minimum setback shown on this table.

- (a) This column does not represent a zoning district. It applies to institutional and certain residential uses permitted in residential districts. Such uses include hospitals, clinics, churches, schools, government buildings, libraries, museums, apartment complexes, and retirement homes. In no case shall the sign height exceed the setback distance from an adjacent residential district boundary line, except for *f.
- (b) No part of any sign shall protrude into the horizontal or vertical setback line.
- (c) Lots with two or more frontages shall be regulated according to Table 2. However, signage cannot be accumulated and used on one frontage in excess of that allowed for lots with only one street frontage.
- (d) The percentage figure here shall mean the percentage of the area of the wall which such sign is a part of, attached to or most nearly parallel to.
- (e) An on-premises sign may have a maximum height of one hundred (100) feet if the sign is located within one thousand (1,000) feet of the center median of Interstate 29.
- (f) Lots with buildings that function as malls or shopping centers and contain more than five (5) businesses shall be allowed fifty (50) square feet of additional signage for each additional business, over five (5) businesses, located within said building.
- (g) Window signs shall not count toward ~~MAXIMUM TOTAL SIGN AREA~~ maximum total sign area, except for when more than 75% of the window is covered with signage the additional square footage in excess of 75% will be counted toward the maximum total sign area.
- (h) A ground sign requires no minimum clearance but is prohibited within the clear view triangle.
- (i) Buildings in excess of 5 stories or 50' in height may use 5% of identification signage on each wall and not count against maximum total sign area.
- (j) Warehousing, packaging, and sales of fireworks uses may use allowable C-3 signage requirements. (Ord 20-05; Rev 2-28-20)
- (k) City Identification/Welcome Signs that do not convey a commercial message and are located on municipally owned property are allowed one sign per frontage with no minimum frontage requirement, a maximum area of two thousand (2,000) square feet, and a maximum height of thirty (30) feet in any zoning district. (Ord 21-12; Rev 5-28-21)
- ~~(l) Off-premise signs, as described in section 21.801724, do not count toward the maximum total sign area.~~
- ~~(m) Signage in a PUD will follow R-1 Single Family Residential District regulations for residential uses and C-3 Highway Commercial District regulations for commercial uses, unless otherwise specified in the approved PUD Narrative.~~
- ~~(n) Lots that do not meet the minimum frontage requirements and are legal non-conforming shall be allowed one sign per frontage as long as the rest of the provisions of Table 2 are complied with.~~
- ~~(k)(o) If a structure is over 40,000 SF in size, the maximum total sign area may be increased by 200 SF for each additional 20,000 SF. Ex. If a structure is 80,000 SF in the C-3 District, the maximum total sign area would be 1,400 SF.~~

1. In the case where two or more buildings reside on a lot with an identical legal description, the buildings will share in an apportioned amount of signage contingent upon the amount of building frontage.
2. Refer to [Section 21.8024](#) for regulation of off-premise signs.
3. The existence of a legally nonconforming free-standing sign will not prohibit a sign permit being issued at the same location for a legally conforming wall (building) sign, however, if the square footage allotted to any property or applicant is exceeded for any reason, then the property or applicant is not eligible to make application for variance or conditional use for any additional signage. (Ord 07-17, Rev 06-15-07)
- ~~4. Religious Institutions will be allowed two (2) off premise, directional, non-illuminated signs, which are not to exceed four (4) square feet and not placed in the right-of-way.~~

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21.8029: TABLE 3 - NUMBER AND DIMENSIONS OF CERTAIN SIGNS BY SIGN TYPE

REVISED ORDINANCES – CITY OF WATERTOWN, SOUTH DAKOTA

SIGN TYPE	NUMBER ALLOWED	MAXIMUM SIGN AREA (SF)	VERTICAL CLEARANCE FROM SIDEWALK	HORIZONTAL CLEARANCE FROM CURB (Ft)
BUILDING				
Awning (a)			8	2
Awning, Electric (a)			8	2
Building Marker	1 per building	4		
Canopy (a)			8	2
Identification	1 per building			
Marquee (a)			8	2
Projecting (b)	1 per bldg face	48	10	2
Roof				
Suspended	1 per entrance		8	
Wall (a)				

(a) Sign area for this sign shall be applied to the maximum allowable wall area from Table 2.

(b) One sign shall be permitted for each building face fronting a public street.

(Ord 08-09; Rev 06-12-08) (Ord 09-07; Rev 06-12-09) (Ord 18-15; Rev 11-09-18)

ORDINANCE NO. 24-17

AN ORDINANCE AMENDING CHAPTER 21.80 SIGNS AND OUTDOOR ADVERTISING OF THE REVISED ORDINANCES OF THE CITY OF WATERTOWN

WHEREAS, The City of Watertown amends the provisions related to the Signs and Outdoor Advertising of Title 21 Zoning Ordinance.

BE IT ORDAINED by the City of Watertown, South Dakota, that Chapter 21.80 Administration and Enforcement of the Revised Ordinances of the City of Watertown be amended as follows:

Chapter 21.80

SIGNS AND OUTDOOR ADVERTISING

Section

[\(back to Title contents\)](#)

21.8001	Purpose
21.8002	Applicability
21.8003	Reserved
21.8004	Graphic Illustrations
21.8005	Administrative Official
21.8006	Reserved
21.8007	Sign Permits
21.8008	Sign Appeals
21.9009	Reserved
21.8010	Bond and License Required
21.8011	Design and Construction
21.8012	Maintenance of Signs
21.8013	Area and Height Regulations
21.8014	Exempt Signs
21.8015	Prohibited Signs
21.8016	Legally Nonconforming Signs
21.8017	Regulation of Electronic Message Centers
21.8018	Freestanding Signs
21.8019	Projection of Building Signs Permitted
21.8020	Limitations on Use of Temporary Signs
21.8021	Limitations on Use of Inflatable Signs
21.8022	Limitations on Use of Banners
21.8023	Regulation of Electronic Message Centers
21.8024	Regulation of Portable Signs
21.8025	Reserved
21.8026	Restrictions on Signs Located in the Public Right-of-Way
21.8027	Table 1 – Signs by Type and Zoning District
21.8028	Table 2 – Number, Dimensions and Location of Individual Signs and Maximum Total Sign Area by Zoning District
21.8029	Table 3 – Number and Dimensions of Certain Signs by Type

21.8001: PURPOSE

[\(back to Chapter contents\)](#)

The purpose of this chapter is to promote the general safety and welfare of the City by facilitating communication between people through establishment of a comprehensive system regulating signs in the City. The objectives of this code are:

1. To regulate signs which aid orientation; identify activities; advertise or promote the interests of any person, product, or services; express local history and character; or serve educational purposes;

2. To encourage signs that are readable;
3. To control the number, size, location, and condition of signs;
4. To regulate signs to prevent the obstruction of vision or interference with pedestrian or vehicular traffic.
5. To minimize adverse effects of signs on public and private property;
6. To maintain and enhance the overall aesthetics of the community and ensure fair and consistent enforcement of this chapter.

21.8002: APPLICABILITY

[\(back to Chapter contents\)](#)

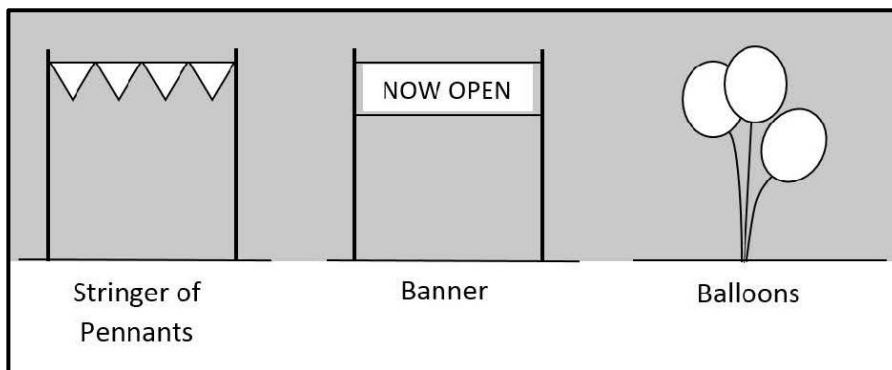
No sign regulated hereunder may be erected, placed, established, painted, created or maintained in the City unless it is in conformity with the standards, procedures, exceptions and other requirements of this chapter. These regulations are applicable to all districts.

21.8003: RESERVED

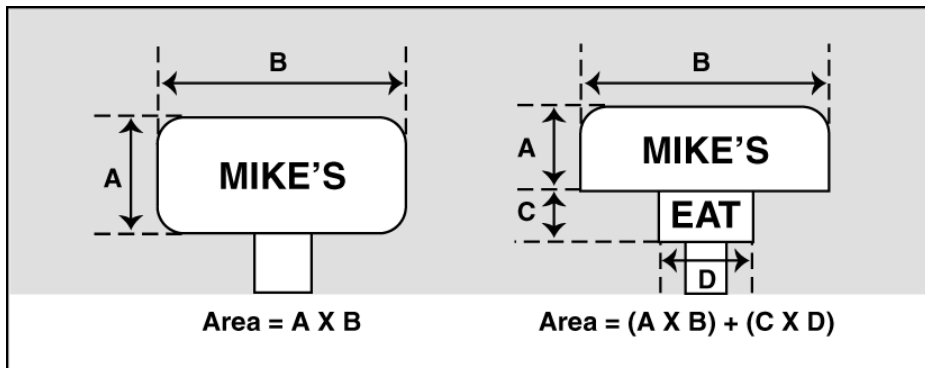
21.8004: GRAPHIC ILLUSTRATIONS

[\(back to Chapter contents\)](#)

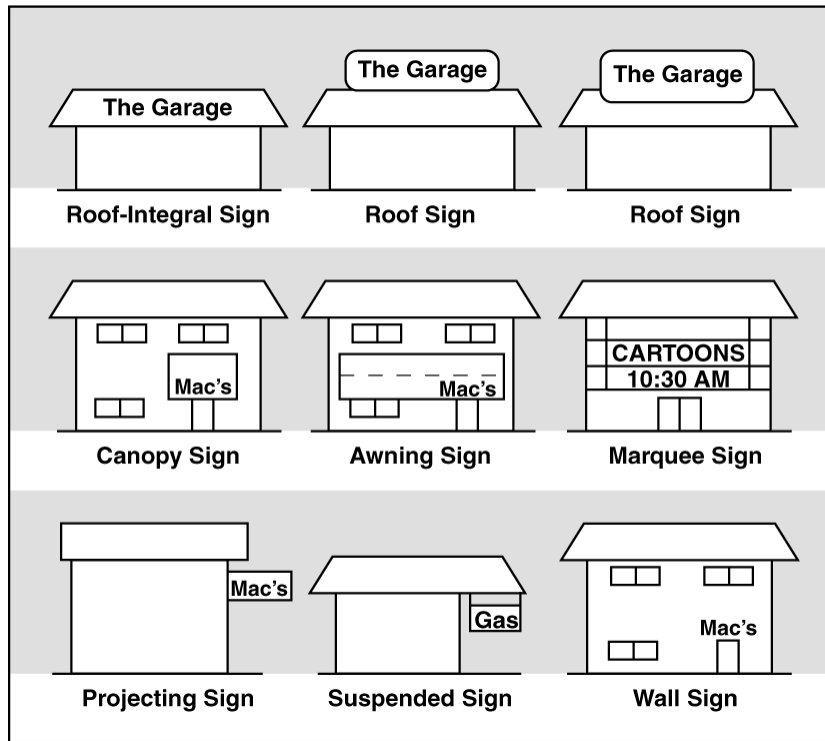
1. Examples of Signs (not all inclusive)



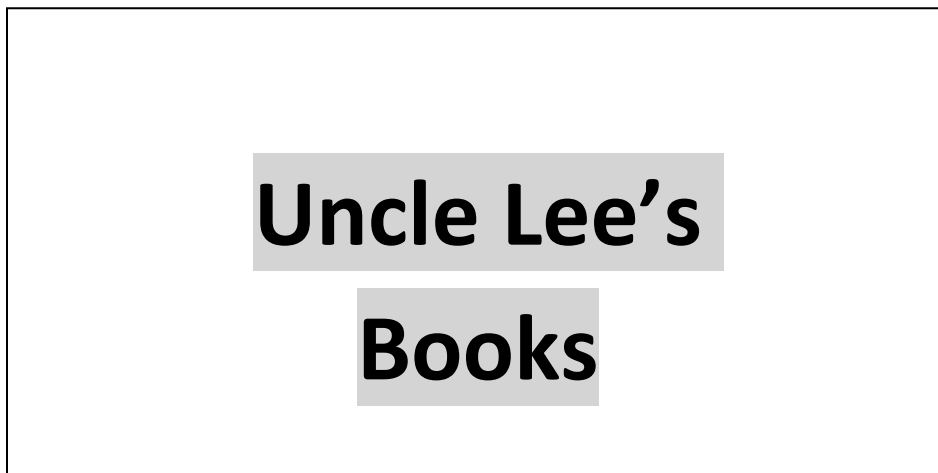
2. Computation of Sign Area



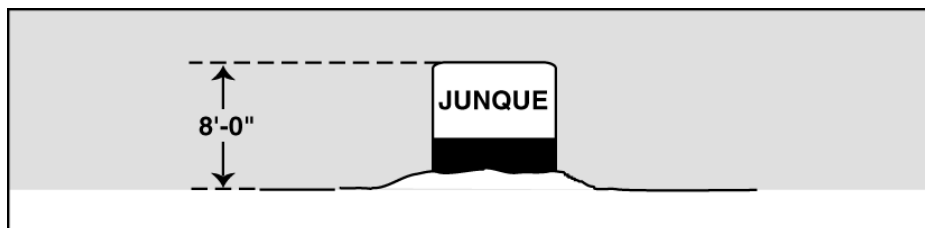
3. Building Identification Signs (not all inclusive)



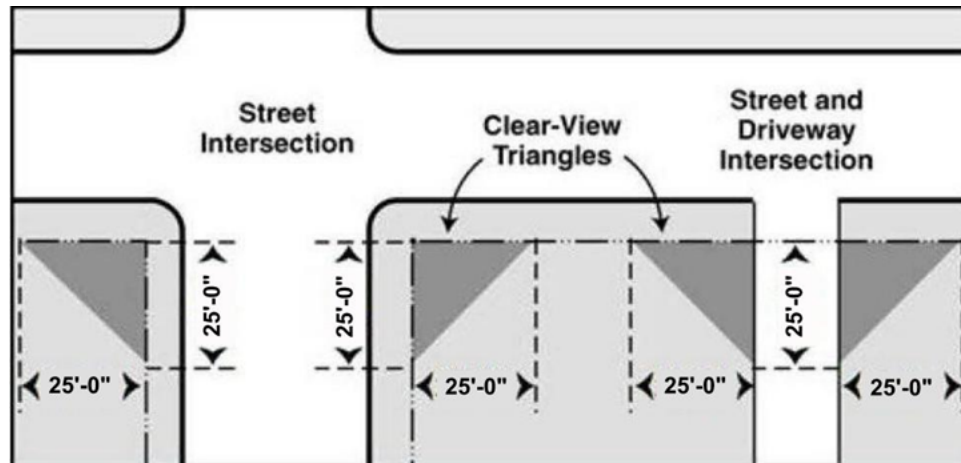
4. Computation of Sign Area of Individual Signs of Individually Mounted Letters or Symbols and Awning and Canopy Signs



5. Height of Sign with Grade Mounting (See definition of Grade)



6. Clear View Triangle Area Intersection of Streets Intersection of Street and Driveway



21.8005: ADMINISTRATIVE OFFICIAL

[\(back to Chapter contents\)](#)

1. The Administrative Official shall have the power to render interpretations of this code and to adopt and enforce rules and supplemental regulations in order to clarify the application of its provisions. Such interpretations, rules and regulations shall be in conformance with the intent and purpose of this chapter. (Ord 17-33; Rev 09-29-17)
2. When necessary to make an inspection to enforce the provisions of this code, or when the Administrative Official has reasonable cause to believe a sign or a condition exists which is contrary to, or in violation of this code, the Administrative Official may enter the premises at a reasonable time to inspect or to perform duties imposed by this code, provided credentials be presented to the occupant and entry requested, if premises are occupied. If premises are unoccupied, the Administrative Official shall make a reasonable effort to locate the owner or other person having charge or control of the premises and request entry. If entry is refused, the Administrative Official shall resort to the remedies provided by law to secure entry.
3. This code shall not be construed to relieve or reduce the responsibility to any person owning, operating or controlling any sign or sign structure liability for any damages to persons or property caused by defects, nor shall the City be deemed to have assumed any liability by reason of any act or omission, including, but not limited to conducting any inspection authorized by this code or any permits issued under this code.

21.8007: SIGN PERMITS

[\(back to Chapter contents\)](#)

1. Except as otherwise provided in this code, it shall be unlawful for any person to erect, construct, enlarge, reduce, move or convert any sign in the City, or cause the same to be done, without first obtaining a sign permit for each sign from the Administrative Official.
2. **Permit Issued.** A sign permit shall be issued upon payment of the established fee, if the Administrative Official is satisfied that the title has been complied with. Permit shall expire one year from the date of permit issuance. Incomplete construction without final inspection approval of a sign permit that has expired shall render the sign unlawful. The Administrative Official may review and consider extending the time of permit validity for an additional one hundred eighty (180) days Any extension granted shall be accompanied by a fee equal to one-half (1/2) of the original permit fee paid to the City. **Number of Signs.** Any permit issued may authorize one or more signs.
3. **Assignment of Sign Permits.** A current and valid permanent sign permit shall be freely assignable to a successor in interest to the property upon which such permanent sign was originally constructed.
4. **Permit Prohibited.** No permit shall be issued to any lot upon which there exists any illegal sign at the time of making permit application; however, a permit may be issued for both the removal of any illegal sign as well as for the erection of a legally conforming sign.
5. **Fees.** Each application for a sign permit shall be accompanied by the applicable fees, which shall be established by the governing body by resolution.

6. **Sign Permit Process.** The following procedure shall govern the application for, and issuance of, all sign permits under this chapter:

a. **Permanent Signs**

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- (1) All applications for the construction, creation, placement or installation of permanent signs or the modification, excluding the changing of the advertising message or copy of an existing permanent sign, must be accompanied by the following to enable permit issuance:
 - (a) Name and address of owner of the property upon which the sign is to be erected; name and address of the sign owner, and the name of the licensed sign contractor who will erect the permitted sign;
 - (b) A detailed site plan showing the exact location and orientation of the sign(s) relative to all lot lines, building lines, parking lots, drive-ways, size and type of existing signs on the property and other pertinent land and architectural features.
 - (c) An elevation drawing showing the total sign height above the adjacent grade.
 - (d) The total dimensions of the sign facing.
 - (e) The design features of the sign.
 - (f) The type of illumination or other characteristics of the sign (see 21.8027). (Ord 17-33; Rev 09-29-17)
 - (g) Completed Sign Permit Application.
- (2) A permitted sign shall be deemed perpetual, and shall not terminate unless:
 - (a) The sign has been abandoned as defined hereunder or;
 - (b) The business activity or identified entity which existed at the time the sign permit was issued is discontinued for a period of three hundred sixty-five (365) days or more or; (Ord 17-33; Rev 09-29-17)
 - (c) The type, size, height, location, or illumination is changed, altered or modified. (Ord 18-15; Rev 11-09-18)

7. **Application Review**

The Administrative Official shall review all sign permit applications and render a decision within ten (10) business days of a complete application being submitted.

8. **Removal of Signs**

- a. Subject to the following exceptions, upon determining any sign is unlawful, the Administrative Official shall prepare a written notice and order which shall describe the sign and specify the violation involved. The notice and order shall advise that if the sign is not removed or any violation not corrected within thirty (30) calendar days, the sign shall be removed in accordance with the provisions of this chapter with all costs for such removal to be assessed against the real property upon which such unlawful sign exists. Temporary, non-portable signs that are unlawful are not subject to the above process and may be summarily removed and deposited at City Hall by the Administrative Official or his/her designee in order to allow the owner of the sign to reclaim the same. (Ord 17-33; Rev 09-29-17)
- b. Service of the notice and order shall be made upon the owner of the property as well as the owner of the sign by mailing such notice and order by certified mail, postage prepaid, return receipt requested, to each such person at their last known address. If no address is known, then a copy of the notice and order shall be sent via certified mail, to the premises where the unlawful sign exists. The failure of any such person to receive such notice and order shall not affect the validity of any proceedings taken under this section.
- c. Any person having an interest in the sign or the premises may appeal any determination or decision of the Administrative Official, by filing a written notice of appeal to the Administrative Official within thirty (30) days of receipt of the notice. In order for such notice of appeal to be valid, it shall be accompanied by all information required under this chapter to initiate an appeal with the Board of Adjustment. Failure to appeal the notice and order within the time provided shall constitute a knowing and voluntary waiver of the right to appeal.

21.8008: SIGN APPEALS

[\(back to Chapter contents\)](#)

1. The Board of Adjustment shall hear and decide appeals and decisions made by the administrative official under this chapter. (Ord 17-33; Add 09-29-17)
2. The appellant shall notify, by first-class mail, adjacent premises (excluding public and/or private right-of-ways) that an appeal is being made. For the purposes of this section, any property located within two hundred fifty

(250) feet of the property line from the location upon which such appeal is being taken shall be deemed adjacent. Such letter shall be provided by the Administrative Official. (Ord 17-33; Rev 09-29-17)

21.9009: RESERVED

21.8010: BOND AND LICENSE REQUIRED

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1. **Bonding Requirement.** No person shall engage in the business of sign or outdoor advertising in this City by erecting or maintaining or leasing to others ground signs, wall signs, marquee signs or projecting signs until such person shall have filed with the Finance Officer a bond in the sum of ten thousand dollars (\$10,000) with sureties to be approved by the City Council, conditioned for the faithful observance of this chapter and to save and keep harmless this City from all damages, liabilities, losses or judgments that may be recovered against this City by reason of the negligent erection or maintenance of any such ground sign, projecting sign or marquee sign.
2. **License Required.**
 - a. No person shall engage in the business of sign or outdoor advertising by erecting or maintaining or leasing to others ground signs, wall signs, projecting signs or marquee signs in this City without first having procured a license from the City Council to conduct such business. Application for a license shall be made on forms furnished by the Finance Officer and applicant shall file with the Finance Officer the application together with a certificate of standard form contractors public liability insurance, covering bodily injuries, including death, with limits of not less than two hundred fifty thousand dollars (\$250,000) for each person and five hundred thousand dollars (\$500,000) for each accident and covering property damage with limit of two hundred fifty thousand dollars (\$250,000) for each accident. Such license shall not be transferable.
 - b. **Sign Installer's License:** The license fee for engaging in the commercial billboard or advertising board business by erecting or maintaining ground, wall or other signs on space suitable for billboard display or advertising and the letting of such space to others for a consideration, or the hanging of signs for others, shall be established by resolution of the City Council. Any license issued pursuant to this section shall expire on December 31 of the year of issuance. Signs that meet all of the following criteria do not require the services of a licensed sign installer; (1) a wall sign, (2) that is not self-illuminated, (3) that has a sign area of 32 square feet or less, and (4) that has a flat face. (Ord 12-23; Rev 09-14-12) (Ord 17-33; Rev 09-29-17)
 - c. This section with reference to first year license fee shall not be applicable to any person who is regularly engaged in the business of sign installing or sign wiring in this City at the time of the effective date of this chapter.

21.8011: DESIGN AND CONSTRUCTION

[\(back to Chapter contents\)](#)

All permanent signs shall be designed, constructed and maintained in accordance with the following standards:

1. All signs shall comply with the applicable provisions governing construction within and for the City, including but not limited to the International Building Code, National Electric Code, and South Dakota Administrative Rules (ARSD) 20:44:22. (Ord 17-33; Rev 09-29-17)
2. All permanent signs shall be permanently attached to the ground, a building or another structure by direct attachment to a rigid wall, frame, or structure.
3. Any sign installed with dimensions exceeding fifty (50) square feet and which requires weldments must be welded by a certified structural welder with minimum welder certification AWS: D1.1 structural steel vertical flat and horizontal up to three-quarters (¾) inch thick mild steel.

Electrical signs may be illuminated internally or externally as long as the lighting is directed away from the public right-of-way and adjacent residential areas and shall comply with regulations of brightness levels for electronic message centers.

21.8012: MAINTENANCE OF SIGNS

[\(back to Chapter contents\)](#)

1. **Maintenance Required.** All signs and sign support structures, together with all of their supports, braces, guys and anchors shall be kept in good repair and in a proper state of maintenance.
2. **Activities Considered Maintenance.** Maintenance shall include activities such as replacing of defective or damaged parts such as lamps, replacing ballast in freestanding signs, or replacing transformers in building identification signs; painting and/or repainting of the pole of freestanding signs or the cabinet of freestanding or building identification signs; replacing or repairing the sign face, including H-bars and retainers behind

the face, replacing trim, and replacement of sign fasteners, nuts, and washers. A maintained sign structure shall have a sign face. Temporary removal of the sign cabinet for the installation of a new sign face is permitted and will not require that the sign be brought into conformance with this chapter.

3. **Items Not Considered Maintenance.** The following items are not considered maintenance and shall require any sign undergoing the following activities to conform with this chapter.
 - a. Maintenance shall not include any changes made to the size, height, light intensity or bulk of the sign or the temporary or permanent removal of the sign for the repair or replacement of the cabinet or any part thereof, not including the face.
 - b. Maintenance shall not include changes in poles, structural supports, bases or shrouds, footings or anchor bolts, moving the sign for any reason, change or replacement of the interior and/or exterior cabinet frame (excluding trim) and removal of any part of the signs for maintenance except the sign face. For building signs, maintenance shall not include change in the size of channel letters or any change or replacement of returns or housing except for the sign face and trim. For single face cabinet signs, maintenance shall not include changes or replacement of the interior and/or exterior cabinets nor the cabinet support structures.
4. **Legally Established Nonconforming Permanent Signs.**
 - a. Maintenance as defined herein and alterations, including change of the sign face and color, may be performed upon legally established nonconforming permanent signs.
 - b. A legally established nonconforming permanent sign may be restored, reconstructed, altered, or repaired only in conformance with the provisions of this chapter. A sign shall be brought into conformance with this chapter when it :
 - (1) Is changed structurally as stated in Section 21.8012 above; or
 - (2) Is damaged in excess of fifty percent (50%) of the replacement cost, established by a qualified appraiser; or
 - (3) Is temporarily or permanently removed by any means, including an act of God, excluding the temporary removal for new face. If a sign is damaged by Act of God or other means, in the event of repair, the damaged sign shall be brought into compliance with the provisions of this ordinance. All other signs which remain on the property that was the site of such damage will be allowed to remain until such time as they are required to be replaced.
5. On and off-premise signs shall be removed from the building and property after the business or activity is terminated. However, the existing sign structures may be used to advertise the sale, lease, or rent of the property, provided that all advertising material related to the previous occupant is removed. (Ord 17-33; Rev 09-29-17)

21.8013: AREA AND HEIGHT REGULATIONS

[\(back to Chapter contents\)](#)

Computations. The following principles shall control the computation of sign area and sign height.

1. **Computation of Area of Individual Signs.** The area of a sign face (which is also the sign area of a wall sign or other sign with only one face shall be computed by means of the smallest square, circle, rectangle, triangle, or combination thereof that will encompass the extreme limits of the writing, representation, emblem, or other display, together with any material or color forming an integral part of the background of the display or used to differentiate the sign from the backdrop or structure against which it is placed, but not including any supporting framework, bracing, or decorative fence or wall when such fence or wall otherwise meets zoning ordinance regulations and is clearly incidental to the display itself.
2. **Computation of Area of Multi-faced Signs.** The sign area for a sign with more than one face shall be computed by adding together the area of all sign faces visible from any one point. When two identical sign faces are placed back to back, so that both faces cannot be viewed from any point at the same time, and when such sign faces are part of the same sign structure and are not more than forty two (42) inches apart, the sign area shall be computed by the measurement of one of the faces.
3. **Computation of Height.** The height of a sign shall be computed as the distance from the base of the sign at normal grade to the top of the highest attached component of the sign. Normal grade shall be construed to be the lower of:
 - a. The existing grade prior to construction
 - b. The newly established grade after construction

21.8014: EXEMPT SIGNS

[\(back to Chapter contents\)](#)

The following signs are required to conform with this chapter, but are not required to obtain a sign permit.

1. Any public notice or warning required by any federal, state or local law, regulation or ordinance.
2. Traffic control signs on private property, such as Stop, Yield, and similar signs, the face of which meet Department of Transportation standards and which contain no commercial message.
3. Incidental signs not to exceed four square feet. (Ord 17-33; Rev 09-29-17)
4. Changing of advertising copy or message, painting, maintenance and/or repair of an existing lawful sign, provided no structural changes are made. (Ord 17-33; Rev 09-29-17)
5. Building Markers. (Ord 17-33; Rev 09-29-17)
6. Banners as defined herein. (Ord 17-33; Rev 09-29-17)
7. Window signs covering up to seventy five percent (75%) of the area per window;
8. Identifying logos which do not advertise a product or service on municipally owned water storage reservoirs, when directed by the City Council. Balloons with a diameter of less than twenty four (24) inches.
9. Feather flags are allowed one per one hundred (100) linear feet of frontage not to exceed six (6) per property
10. Temporary signs unless placed in the boulevard. (See Section 21.8019(2))
11. "Neighborhood Identification Signs" which are used to identify residential subdivision neighborhood shall shall be limited to a maximum area of one hundred twenty (120) square feet and maintained by a Homeowners Association.
12. Signs, up to thirty-two (32) square feet, used to identify subdivisions involving three (3) acres or more are allowed to be displayed on the property for five (5) years from the date the plat was recorded. One sign per three acres shall be allowed (Ex. "Development Coming Soon", "Lots for Sale", et'
13. Outdoor menu boards
14. One-dimensional murals or art on a wall that do not convey a commercial message or company logo.

21.8015: PROHIBITED SIGNS

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The following types of signs are expressly prohibited, except as otherwise provided by this code:

1. Signs with lighting that flashes or blinks; (Ord 17-33; Rev 09-29-17)
2. Any sign or portion of a sign which moves or assumes any motion constituting a nonstationary position, except barber poles and signs attached to or placed upon a motor vehicle;
3. Abandoned signs or unlawful signs;
4. Any vehicle or trailer parking on public right-of-way, public property or private property so as to be visible from the public right-of-way and which displays an advertising message, unless said vehicle is actually and actively used in the regular course of a business; (Ord 17-33; Rev 09-29-17)
5. Search lights, streamer, twirling signs, sandwich board signs (except as provided for in Section 21.8014(16), sidewalk or curb signs, and balloons exceeding twenty four (24) inches in diameter shall not be used except when permitted for the opening of a new business, not to exceed fifteen (15) days; (Ord 17- 33; Rev 09-29-17)
6. (Ord 17-33; Rev 09-29-17)
7. Roof signs unless Engineer-stamped plans are submitted that verify the roof sign will be installed to structurally withstand environmental loads Roof signs shall be regulated as wall signs if allowed. (Ord 17-33; Rev 09-29-17)
8. Signs depicting words or pictures of obscene or pornographic material, or any other matter not in keeping with the contemporary community standards; (Ord 17-33; Rev 09-29-17)
9. Signs that emit sound, odor, or visible matter;
10. Signs which are similar to traffic control signs or signals and which advertise words such as "Stop," "Go," "Danger," "Warning";
11. Signs that obstruct the vision of traffic control signs or signals or lights in the public right-of-way;
12. Signs attached to trees, telephone poles, public benches, street lights, street signs or placed on any public property or public right-of-way.

13. Signs, with the exception of signs declared except per Section 21.8014(1) & (4) which are placed within or encroach upon the clear view triangle defined in this chapter; (Ord 17-33; Rev 09-29-17)
 - a. On a corner lot, the clear view triangle area is formed by the street right-of-way lines and the line connecting points twenty (25) feet from the intersection of such street right-of-way lines extended. See [Section 21.8004 \(6\)](#) for graphic illustration; (Ord 17-33; Rev 09-29-17)
 - b. On a lot which has a driveway or is next to a lot which has a driveway, the two clear view triangle areas are formed by the street right-of-way line, both sides of the surface edge of the driveway, and the line connecting points twenty (25) feet from the intersection of the street right-of-way line and driveway. See [Section 21.8004 \(6\)](#) for graphic illustration; (Ord 17-33; Rev 09-29-17)
14. Off-premises wall signs, with the exception of historic signs in the C-1 Community Commercial zoning district.
15. Stringer of pennants; (Ord 17-33; Rev 09-29-17)
16. Flags containing a commercial advertising message; (Ord 17-33; Add 09-29-17)
17. Parasitic signs; and (Ord 17-33; Add 09-29-17)
18. Any sign that is located on a lot that at any time fails to meet the minimum lot area and width for its zoning district, as provided in Sections 21.1001 and 21.1003, regardless if there is a structure located on the lot (Ord 17-33; Add 09-29-17)

21.8016: LEGALLY NONCONFORMING SIGNS

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Any sign existing upon the date of adoption of this chapter which does not conform to the provisions of this chapter shall be deemed a legal nonconforming sign and may remain except for:

1. Any abandoned sign;
2. Any sign declared unlawful by the Administrative Official; or any sign that does not comply with the provisions of this code or International Building Code (IBC) as well as all acts amendatory thereto. (Ord 04-16; Rev 05-16-14)
3. Any sign in which the type, size, height, or location is changed; (Ord 17-33; Rev 09-29-17)
4. Any sign which has been moved, removed, relocated or damaged by more than fifty percent (50%) of the value of the sign at the time of such damage;

21.8017: OFF-PREMISE SIGNS (BILLBOARDS)

Off-premise signs (billboards) are not regulated by Chapter 21.8028 Table 2. The applicable regulations for off-premise signs are described below:

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1. Off-premise signs are only allowed to be placed on property contiguous with the right-of-ways of: US Highway 212, US Highway 81, SD Highway 20, and Interstate 29 (I-29).
2. Signs will be allowed a maximum size of 300 square feet and shall not conflict with state or federal law. The provisions of this subsection shall not be deemed to apply to any federally designated right-of-way. (Ord 17-33; Rev 09-29-17)
3. Signs will be allowed a maximum height of 30 feet and a minimum height of 12 feet.
4. Off-premises ground signs shall have no more than one visible structural support or pole.
5. Off-premises sign support structure shall be of neutral, nonmetallic tone.
6. Off-premise signs shall be located not nearer than five hundred (500) feet from any other off-premise sign. The distance between off-premise signs shall be measured from the two nearest points of each sign in all directions.
7. Off-premise signs shall have no more than two faces.
8. The faces of off-premises signs shall be mounted parallel or up to a maximum of thirty (30) degrees between one another and are not more than forty two (42) inches apart
9. Off-premises signs shall not be located within the clear view triangle.
10. Off-premise signs shall be separated by not less than fifty (50) linear feet from any on-premises sign.
11. Off-premise sign permits shall not be issued for any property without the Administrative Official having

first been provided written consent of the property owner or their agent.

12. The light from any light source intended to illuminate an off-premises sign shall be so shaded, shielded or directed so that the light intensity or brightness shall not emit lighting directly on any adjoining property, nor shall the source of illumination produce a glare clearly visible beyond a property line, nor adversely affect safe vision of pedestrians or operators of vehicles moving on public or private streets, driveways or parking areas. Electrical service to all off-premises signs shall be provided an underground service lateral.
13. No on-premise sign may be converted to an off-premise sign without approval by the Board of Adjustment.

21.8018: FREESTANDING SIGNS

Freestanding signs are regulated by 21.8028 Table 2.

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1. Lots which are allowed more than one freestanding sign shall space each sign not less than fifty (50) feet apart. Minimum spacing is to be determined by measuring the closest distance between the two outermost points of each individual sign.
2. No freestanding sign shall be located within a clear view triangle.
3. Freestanding signs shall not employ any moving parts.

21.8019: PROJECTION OF BUILDING SIGNS PERMITTED

[\(back to Chapter contents\)](#)

Projecting, awning, canopy, marquee and wall signs may project over public property where the building was constructed at/on the front property line except for State highway rights-of-way.

21.8020: LIMITATIONS ON USE OF TEMPORARY SIGNS

1. Temporary signs, excluding portable signs which are regulated in accordance with Section 21.8023, may be displayed on any lot under the following conditions:
 - a. Temporary signs shall be readily movable and attached to the ground or another permanent structure;
 - b. Temporary signs shall be constructed with a material capable of withstanding impacts, winds or blown snow;
 - c. Temporary signs shall include print in which the print or font is clearly outlined with a clean border;
 - d. Temporary signs shall consist of a flat construction with a maximum of two display sides;
 - e. Temporary signs shall not be placed within a required clear view triangle or a required parking area;
 - f. Additional Locations and Area Regulations are regulated by Table 21.8019.1.f.
 - g. Table 21.8019 1.g describes the types of temporary signs allowed in certain zoning districts

TABLE 21.8019.1.f LOCATION AND AREA REGULATIONS

		All Zoning Districts
Minimum Distance from Edge of Right-of-Way (Front Yard Setback)		1'
Rear yard		Same as setback for accessory structures in underlying zoning district
Side yard		Same as setback for principal structures in underlying zoning district
Number of Signs on a Lot	(A) Maximum throughout year except as in (B)	One (1) plus one (1) per frontage
	(B) Maximum during the period sixty (60) days before and five (5) days after an election	6
Maximum Height		3'
Maximum Area per sign (a)		6 sq. ft.

- (a) Banners, inflatable signs, and portable signs shall meet the maximum sign area of table 21.8019 1.g.

Table 21.8019.1.g REQUIREMENTS FOR CERTAIN TEMPORARY SIGNS

SIGN TYPE	NUMBER ALLOWED	MAXIMUM SIGN AREA (SF)	VERTICAL CLEARANCE FROM SIDEWALK (Ft)	HORIZONTAL CLEARANCE FROM CURB (Ft)
Banner (a)	2	24 SF/banner		2
Flag			8	2
Inflatable (b)	1	100		
Portable (c)	1	32		
All other types of Temporary signs	As in Table 21.8019.1.f			

(a) Permitted only in accordance with Section 21.8021

(b) Permitted only in accordance with Section 21.8020

(c) Permitted only in accordance with Section 21.8023

2. Temporary signs, excluding portable signs, banners, and inflatable signs may be displayed on the boulevard adjacent to or abutting any lot under the following conditions:
 - a. Temporary signs may be placed in the boulevard in the C-1 Community Commercial District provided:
 - (1) The location of the temporary sign is approved by the Building Official.
 - (2) The sign remains on display to the public only during the hours of business operation
 - (3) The sign shall not exceed ten (10) square feet in area.
 - b. Temporary signs may only be placed in the boulevard in any other district provided:
 - (1) The location of the temporary sign is approved by the Building Official.
 - (2) The Administrative Official determines the temporary sign may not practicably be placed on the lot.
 - (3) The sign remains on display to the public only during the hours of business operation
 - (4) The sign shall not exceed ten (10) square feet in area.
 - (5) Temporary signs shall be readily movable but mounted in a manner and constructed with metal or poly metal material to be capable of withstanding impacts, winds or blown snow;
 - (6) Temporary signs shall include print in which the print or font is clearly outlined with a clean border;
 - (7) Temporary signs shall consist of a flat construction with a maximum of two display sides;
 - c. Temporary signs shall not be placed within a required clear view triangle or a required parking area;
 - d. Additional Location and Area Regulations are regulated by Table 21.8019.2.d. (Ord 18-15; Add 11-09-18)

TABLE 21.8019.2.d LOCATION AND AREA REGULATIONS

	All Zoning Districts except C-1 (See 21.8019(2)(a))
Maximum Distance from adjacent property line	As determined by Building Official
Number of Signs abutting or adjacent to any lot	1
Maximum Height	3'
Maximum Area per sign	6 sq ft

21.8021: LIMITATIONS ON USE OF INFLATABLE SIGNS

[\(back to Chapter contents\)](#)

Inflatable signs, excluding balloons smaller than twenty four (24) inches in diameter, may be displayed under the following conditions:

1. They do not interfere with utility lines, antennas or towers.

2. No cabling, tie-downs or tether lines are located on or across public property.
3. They are not located in any airport approach zone.
4. Inflatable signs may be displayed on a lot for forty five (45) days per calendar year. A permit may be issued for fifteen (15) consecutive days with not less than thirty (30) calendar days between permit expiration and issuance of a new permit.

21.8022: LIMITATIONS ON USE OF BANNERS

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1. Banners are allowed in commercial and industrial zoning districts, and only for institutional uses in residential zoning districts;
2. Banners are not permitted to be placed on any property that does not have a principle structure;
3. Banners may not be used for off-premise advertising
4. In the event a property has only one side which abuts a street or public way, one banner will be allowed provided said banner does not exceed twenty four (24) square feet.
5. In the event a property abuts two or more streets or public ways, no more than two (2) banners will be allowed and not more than one (1) banner will be allowed to face any such street or public way provided no banner exceeds twenty four (24) square feet.
6. In the event a property contains more than one building, only one banner will be allowed to face each street or public way.
7. In the event a property does not abut any street or public way, no banner will be allowed.
8. Any banner must be securely fastened to a building or secured to a permanent foundation minimally consisting of a four (4) inch nominal diameter post concreted in the ground to a depth of thirty (30) inches.
9. Shopping mall or strip malls shall be allowed one (1) banner per business.

21.8023: REGULATION OF ELECTRONIC MESSAGE CENTERS

1. Electronic message sign displays shall be limited to displays, which are gradual movements, including, but not limited to, dissolve, fade scrolling, or traveling. However, sudden movement is prohibited, including but not limited to, blinking and flashing.
2. Where permitted, signs may be, or may include as an individual component of the total sign area, electronic message signs.
3. Electronic messages or graphic displays may be changed at periodic intervals by gradual entry and exit display modes provided that messages and animation shall be displayed by various modes, such as fade, dissolve, scrolling, and traveling.
4. All electronic message centers shall come equipped with automatic dimming controls that automatically adjust the signs brightness in direct correlation with ambient light conditions.
5. No electronic message sign shall exceed a brightness level of 0.3 foot candles above ambient light as measured using a foot candle (LUX meter at a preset distance depending on sign area). Measuring distance shall be determined using the square root of the product of the sign area and one hundred. (E.g., using a twelve (12) square foot sign: Square root of $(12 \times 100) = 34.6$ feet measuring distance.) (Ord 17-33; Add 9-29-17). The applicant, owner, or appropriate professional shall perform this test upon request of the Administrative Official and submit the findings within twenty (20) days of notice.

21.8024: REGULATION OF PORTABLE SIGNS

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1. A property owner may display one (1) portable sign for a maximum of sixty (60) days per calendar year. Permits shall be issued for a maximum of fifteen (15) consecutive days; upon expiration of any permit period, the sign structure shall be removed from public view, and not less than forty five (45) days shall pass before a new permit may be issued at the same address. (Ord 15-16; Rev 07-10-15)
2. Portable signs are prohibited from being located within the right of way and within ten (10) feet of a curb. (Ord 17-33; Rev 09-29-17)
3. Portable signs shall be secured against overturning.
4. Prior to January 1, 2018, portable signs shall not exceed sixty (60) square feet. After January 1, 2018,

5. Portable signs must be set back twenty (20) feet from any abutting property line unless the owner of any such abutting properties consent in writing. (Ord 17-33; Rev 09-29-17)
6. Electric signs shall comply with all applicable sign code regulations, including any regulations of electronic message centers. (Ord 17-33; Rev 09-29-17)
7. Portable signs shall be separated by not less than two hundred (200) feet from any other portable sign. (Ord 17-33; Add 09-29-17)
8. Failure to obtain a portable sign permit before it is installed shall result in a doubling of the permit fee. (Ord 17-33; Add 09-29-17)

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No sign shall be erected in the public right-of-way except:

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[illegible]

Changeable Copy	P	P	P	P	P	P	P	N	P
Electronic Message Center	P	P	P	P	P	P	P	P	P
Illuminated – External (f)(g)	P	P	P	P	P	P	P	P	P
Illuminated-Internal(f)(g)	P	P	P	P	P	P	P	P	P
Indexing	N	N	P	P	P	P	P	P	P
Neon	N	N	P	P	P	P	P	P	N
Non-Illuminated	Y	Y	Y	Y	Y	Y	Y	Y	Y
Reflective	N	N	Y	Y	Y	Y	Y	Y	N

Y=Allowed w/o sign permit

P=Allowed only with sign permit

N=Not allowed

- (a) This column does not represent a zoning district. It applies to institutional, commercial and certain residential uses permitted in residential districts. Such uses include but are not limited to, hospitals, clinics, churches, schools, government buildings, libraries, museums, apartment complexes, and retirement homes.
- (b) May include only building name, date of construction or historical data on historic site.
- (c) Permitted only in accordance with [Section 21.8011.20](#)
- (d) Permitted only in accordance with [Section 21.8011.21](#)
- (e) Permitted only in accordance with [Section 21.8011.23](#)
- (f) Any surface lighting involving motion shall be prohibited.
- (g) Signs shall be illuminated so as not to emit lighting directly on any adjoining property. No sign shall include a source of illumination that produces glare clearly visible beyond a property line.
- (h) Signage in a PUD will follow R-1 Single Family Residential District Regulations for residential uses and C-3 Highway Commercial District regulations for commercial uses, unless otherwise specified in the approved PUD Narrative.
- (i) Window signs covering more than 75% of the area per window shall be considered a wall sign and will be counted toward the maximum total sign area

21.8028: TABLE 2 (ABOVE) - NUMBER, DIMENSIONS AND LOCATION OF INDIVIDUAL SIGNS AND MAXIMUM TOTAL SIGN AREA BY ZONING DISTRICT

Individual signs shall not exceed the maximum number or square footage nor encroach into the minimum setback shown on this table.

TABLE 2		ZONING DISTRICTS							
SIGN TYPE	R1 R2 R2A (n)	R3 R4 RG	C1	C2	C3 (n)	BP	All I's (k)	AG	INS (a)
FREESTANDING									
Number Permitted Per Lot	NA	NA	NA	1 for each 150' of Frontage	1 for each 150' of Frontage	1 for each	1 for each 150' of Frontage	1 for each 450' of frontage	1 for each 200' Frontage; over 500' of frontage is
Setback From Right- of-	NA	NA	0	0	0	10	10	10	0
Maximum Area (Sq. Ft) (l)	NA	NA	1 SF for each 2 LF of Frontage Or 75 SF whichever is Less	1 SF for each 2 LF of frontage or 150 SF whichever is Less	2 SF for each 1 LF of Frontage Or 300 SF whichever is Less	1.33 SF for each 2 LF of Frontage Or 200 SF whichever is Less	1.33 SF for each 2 LF of Frontage Or 200 SF whichever is Less	1 SF for each 2 LF of Frontage Or 200 SF whichever is Less	1 SF for each 2 LF of frontage or 150 SF whichever is Less
Maximum Height (Feet) (l)	NA	NA	20 *b	20 (b)	(SF) of 1-50' = 20' SF of 51-150' = 25' SF Over 151' = 30'	(SF) of 1-50' = 20' SF of 51-150' = 25' SF Over 151' = 30'	20' SF of 51-150' = 25'	20	20
Minimum Clearance	NA	NA	10	6	6	10	10	10	6
BUILDING									
Area (Sq. Ft)	3	3	NA	NA	NA	NA	NA	NA	NA
Wall Area (%) (e)	NA	NA	15	10	20	10	10	10	10
MAXIMUM TOTAL SIGN AREA (g)(h)(j)(m)									
Maximum Total SF - Single	16	16	400	400	800 (p)	800	800	750	200 (p)
Maximum Total SF For Lots With 2 Or More Frontage	NA	NA	600	600	1000 (p)	1000	1,000	1,000	800 (p)

- (a) This column does not represent a zoning district. It applies to institutional and certain residential uses permitted in residential districts. Such uses include hospitals, clinics, churches, schools, government buildings, libraries, museums, apartment complexes, and retirement homes. In no case shall the sign height exceed the setback distance from an adjacent residential district boundary line, except for *f.
- (b) No part of any sign shall protrude into the horizontal or vertical setback line.
- (c) Lots with two or more frontages shall be regulated according to Table 2. However, signage cannot be accumulated and used on one frontage in excess of that allowed for lots with only one street frontage.
- (d) The percentage figure here shall mean the percentage of the area of the wall which such sign is a part of, attached to or most nearly parallel to.

- (e) An on-premises sign may have a maximum height of one hundred (100) feet if the sign is located within one thousand (1,000) feet of the center median of Interstate 29.
- (f) Lots with buildings that function as malls or shopping centers and contain more than five (5) businesses shall be allowed fifty (50) square feet of additional signage for each additional business, over five (5) businesses, located within said building.
- (g) Window signs shall not count toward maximum total sign area, except for when more than 75% of the window is covered with signage the additional square footage in excess of 75% will be counted toward the maximum total sign area.
- (h) A ground sign requires no minimum clearance but is prohibited within the clear view triangle.
- (i) Buildings in excess of 5 stories or 50' in height may use 5% of identification signage on each wall and not count against maximum total sign area.
- (j) Warehousing, packaging, and sales of fireworks uses may use allowable C-3 signage requirements. (Ord 20-05; Rev 2-28-20)
- (k) City Identification/Welcome Signs that do not convey a commercial message and are located on municipally owned property are allowed one sign per frontage with no minimum frontage requirement, a maximum area of two thousand (2,000) square feet, and a maximum height of thirty (30) feet in any zoning district. (Ord 21-12; Rev 5-28-21)
- (l) Off-premise signs, as described in section 21.8017, do not count toward the maximum total sign area.
- (m) Signage in a PUD will follow R-1 Single Family Residential District regulations for residential uses and C-3 Highway Commercial District regulations for commercial uses, unless otherwise specified in the approved PUD Narrative.
- (n) Lots that do not meet the minimum frontage requirements and are legal non-conforming shall be allowed one sign per frontage as long as the rest of the provisions of Table 2 are complied with.
- (o) If a structure is over 40,000 SF in size, the maximum total sign area may be increased by 200 SF for each additional 20,000 SF. Ex. If a structure is 80,000 SF in the C-3 District, the maximum total sign area would be 1,400 SF.

1. In the case where two or more buildings reside on a lot with an identical legal description, the buildings will share in an apportioned amount of signage contingent upon the amount of building frontage.
2. Refer to [Section 21.8024](#) for regulation of off-premise signs.
3. The existence of a legally nonconforming free-standing sign will not prohibit a sign permit being issued at the same location for a legally conforming wall (building) sign, however, if the square footage allotted to any property or applicant is exceeded for any reason, then the property or applicant is not eligible to make application for variance or conditional use for any additional signage. (Ord 07-17, Rev06-15-07)

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21.8029: TABLE 3 - NUMBER AND DIMENSIONS OF CERTAIN SIGNS BY SIGN TYPE

SIGN TYPE	NUMBER ALLOWED	MAXIMUM SIGN AREA (SF)	VERTICAL CLEARANCE FROM SIDEWALK	HORIZONTAL CLEARANCE FROM CURB (Ft)
BUILDING				
Awning (a)			8	2
Awning, Electric (a)			8	2
Building Marker	1 per building	4		
Canopy (a)			8	2
Identification	1 per building			
Marquee (a)			8	2
Projecting (b)	1 per bldg face	48	10	2
Roof				
Suspended	1 per entrance		8	
Wall (a)				

- (a) Sign area for this sign shall be applied to the maximum allowable wall area from Table 2.
 - (b) One sign shall be permitted for each building face fronting a public street.
- (Ord 08-09; Rev 06-12-08) (Ord 09-07; Rev 06-12-09) (Ord 18-15; Rev 11-09-18)

The above and foregoing Ordinance was moved for adoption by Alderperson _____, seconded by Alderperson _____, and upon voice vote motion carried, whereupon the Mayor declared the Ordinance duly passed and adopted.

I certify that Ordinance No. 24-17 was published in the Watertown Public Opinion, the official newspaper of said City, on the ____ day of _____, 2025.

Kristen Bobzien, Chief Financial Officer

First Reading: January 6, 2025
Second Reading: January 21, 2025
Published: January 25, 2025
Effective: February 14, 2025

City of Watertown

Attest:

Kristen Bobzien
Chief Financial Officer

Ried Holien
Mayor