
Sec. 110-3. Definitions.

The following words, terms and phrases, when used in this chapter, shall have the meanings ascribed to them in this section, except where the context clearly indicates a different meaning:

Abandoned sign means any sign face which advertises a bona fide business no longer conducted or product no longer sold, or any previously permitted portable or temporary sign for which the permitted time has expired. In making the determination that a sign advertises a bona fide business no longer being conducted, the building official shall consider the existence or absence of a current business tax certificate or utility service deposit or account, use of the premises, and relocation of the business; or any sign structure which has not been used for bona fide business purposes for over six months, that is nonconforming as to existing codes regarding area of sign, height, setback or maintenance.

Animated sign means an on-site sign depicting or involving action, motion, light, or color changes through electrical or mechanical means. This type of signage is not only recognized by type but also may be recognized by its display, which may be regulated by city code, zoning regulations, or other agreements. Animated signs may contain lists of specific products and auxiliary services. Animated signs are not identified as illuminated signs. An animated sign's display shall be limited to four differing levels of regulation which are defined as such:

- (1) Level 1 static display only, i.e., the messages are changed with no transitions.
- (2) Level 2 static display with "fade" or "dissolve" transitions, or similar subtle transitions and frame effects that do not have the appearance of moving text.
- (3) Level 3 static display with "fade," "dissolve," "travel," or "scrolling" transitions, or similar transitions and frame effects that have text or animated images that appear to move or change in size, or be revealed sequentially rather than all at once.
- (4) Level 4 full animation, flashing and video.

Area of sign means the total surface of a sign, including the background and frame but not structural supporting elements outside of its frame. Where a sign is of skeleton letters, characters or symbols applied to a frame or to a background which is not a structural part of the sign, the area of the sign shall be the smallest rectangle, triangle or circle which will include the display. Where a sign is built with two faces back to back, the area of the sign shall be the larger of the areas of the two faces computed as specified in this subsection.

Balloon means an airtight bag filled with hot air, helium, hydrogen or any other gas lighter than air which is tethered to the ground or any other stationary object for the primary purpose of attracting attention to its site, whether or not the bag displays characters, ornamentation or letters.

Banner means any sign with characters, letters, illustrations or other ornamentation applied to or integrated in any cloth, paper, fabric, plastic or similar material that is not permanently attached to a solid backing wood, metal or masonry.

Blank panel means a sign or portion of a sign having no identifiable copy, letters, numbers, symbols, graphics, pictures or figures, or combination thereof; the blank panel of the sign must be constructed of or consist of the same, similar or like materials as being removed or replaced.

Building, front foot means each foot, or major portion thereof, measured along the main entry of a building. Where buildings form an "L" or "U," all main entry sides are measured.

Business identity flag means a flag that advertises only the name or logo of a business located on the premises where the flag is flown.

Change in occupancy means, for the purpose of this chapter only, a site where the use changes (e.g., professional office to retail use) or where a site plan is required, will result in the loss of the permitted status of a

nonconforming sign or sign structure per subsection 110-82(3). A site where there is a change in the name, owner or proprietor of the same use (e.g. professional office to professional office) will not result in the loss of the permitted status of a nonconforming sign or sign structure per subsection 110-82(3).

Changeable copy means a sign or portion thereof on which the copy or symbols change either manually, or through mechanical means, changing the placement of letters or symbols on a panel mounted in or on a track system. Changeable copy signs may contain lists of specific products and auxiliary services.

Commercial flag means any flag that advertises grand openings, special sales or other events (both profit and nonprofit events) on the premises where the flag is flown or on other premises.

Construction sign means a sign announcing and identifying the construction project scheduled or underway on the site where the sign is located.

Digital sign means a sign that displays electronic, static or animated images, static or animated graphics or static or animated pictures, with or without information, defined by a small number of matrix elements using different combinations of light emitting diodes, fiber optics, light bulbs or other illumination devices within the display area where the message change sequence is accomplished immediately or by means of fade, repixelization or dissolve modes. These include computer programmable, microprocessor controlled electronic or digital displays. This also includes any rotating, revolving, moving, flashing, blinking, or animated display and any display that incorporates rotating panels, LED lights manipulated through digital input, or any other method or technology that allows the sign face to present a series of images or displays.

Directional sign means any sign used to indicate the direction to entrances, exits, parking areas, restrooms or other non-business-related facilities on the site.

Directory sign means a sign which gives the names of the businesses or individuals located in the building or complex where the sign is located. A directory sign shall be of a unified design and common material, and shall allow for a uniform size sign for each business or unit of space in the development. Directory signs shall be limited to the name and type of business and its location within the building or complex.

Double-faced sign means a sign with two faces which are no more than three feet apart at their closest point, and which describe an internal angle between the face planes extended of no more than 60 degrees.

Embellishments means extensions of the major graphic area of an off-site sign face to include integral copy or design, the area of which extension does not exceed ten percent of the area of the sign face. Additional panels for supplementary copy are not embellishments.

Fascia sign means a sign located on the fascia of a roof or canopy, including signs that extend the plane of the structural fascia such that the vertical dimension of the sign is no more than one-third the distance from the ground to the bottom of the fascia, and where no lateral supports are used.

Flag means any cloth, paper, fabric, plastic or similar material, usually rectangular in shape, whether or not the material displays characters, ornamentation or letters, attached to any staff, cord, building or other structure, that hangs loosely or blows in the wind.

Freestanding sign means any sign with vertical supports placed upon or in the ground and architecturally and aesthetically integrated with the overall development. A freestanding sign shall include a ground or pole sign as defined in this section.

Ground sign means the total square footage of a sign where the bottom of the sign face either: 1) rests upon the ground; 2) extends above the ground with vertical supports a maximum of four feet; or 3) rests upon a base that is embellished to conceal all structural vertical supports. A monument sign is considered a ground sign.

Height of sign means, for on-site signs, the distance between the top of a sign and the average grade elevation below it. For off-site signs, height of sign means the distance between the top of the sign, excluding

embellishments, and the roadway centerline grade perpendicular to that point of the sign closest to the road right-of-way.

Identification sign means a sign that indicates the name and business type or service or the name of the development located on the site where the sign is located. Identification signs shall be limited to the name of the business or service, street address, phone number, and graphic of business logo.

Illuminated sign means a sign that uses artificial light, either internal or external to the sign faces, to draw attention to the sign or otherwise increase its visibility.

Instructional sign means a sign conveying nonadvertising information relating to the use of the premises, including such signs as no parking, no trespassing, and warning signs.

Internally illuminated sign means a sign that uses artificial light from behind the sign face to increase its visibility.

Logo means a distinctive trademark or symbol of a company, publication, etc.

Membership sign means a sign identifying affiliation with a travel club, business association, credit card company or professional association.

Multiple-frontage property means a plot or parcel that is contiguous to more than one public right-of-way, being either a corner plot or parcel or a through plot or parcel.

Multiuse complex means any development of two or more business or industrial uses that are under common land ownership or that share common property frontage.

Noncommercial flag means any flag other than a business identity flag or commercial flag including, without limitation, a flag of any governmental, religious, charitable, fraternal or political organization or cause.

Nonconforming sign means any sign or sign structure that does not conform to the requirements of this chapter.

Off-site advertising sign means any sign which directs attention to a business, commodity, service, product or activity not conducted, sold, offered or available on the premises where such sign is located or to which it is affixed.

On-site sign means a sign that identifies or advertises only goods, services, facilities, events or attractions available on the premises where the sign is located.

Parasite sign means any sign not exempted by this chapter, for which no permit has been issued, and which is attached to another sign.

Pennant means any long, narrow, usually triangular, flag-like piece of cloth, plastic, paper or other similar material, whether or not the material displays characters, ornamentation or letters, attached to any staff, cord, building or other structure, that hangs loosely for the primary purpose of attracting attention to its site.

Permitted signs. All signs permitted under this chapter, except those specifically designated as off-site signs, shall be located on the lot or parcel of the business, service or facility identified or advertised on the permitted sign.

Pole sign means a sign that is supported by a pole (sometimes more than one).

Premises means the lot or lots, plots, portions or parcels of land considered as a unit for a single development or activity.

Projecting sign means a sign supported by a wall of a building, projecting away from that wall 12 inches or more, designed with a face reading at an angle to that wall.

Property front foot means each foot, or major portion thereof, measured along the public right-of-way where the subject property abuts the right-of-way.

Real estate sign means a sign erected by the owner or his agent advertising the real property where the sign is located for sale, lease or rent.

Roof sign means a sign located on the roof of a building and primarily supported by that roof structure, which extends above the top of the parapet or ridge line in the area where the sign is located, except fascia signs.

Sequential interval message means a message that is not complete in one interval of a changing sign face, such as questions, riddles or story boards. A business advertising on more than one interval of a changing sign face is not considered to have sequential interval messages unless any one message is reliant on another in the rotation to complete the message.

Setback. The setbacks for signs specified in this chapter shall be measured horizontally from the vertical plane of the property line to the closest point of the sign.

Sign means any letters, numbers, symbols, graphics, pictures or figures, or combination thereof, which are erected, constructed, placed, attached or painted on a structure or the ground, which identify, advertise or direct attention to a product, business, institution, place, person or event, which can be seen from the public right-of-way. When not modified by the term "structure" or "face," the term "sign" shall include all parts of the sign and its supporting structure. Unless context requires a different interpretation, sign refers to a digital, static or tri-vision sign.

Sign face means the plane area which is defined as sign area, except that, for off-site advertising signs, sign face shall not include trim, embellishments or the owner's nameplate.

Sign structure means any structure, which is designed specifically for the purpose of supporting a sign, has supported or is capable of supporting a sign. This definition shall include any decorative covers, braces, wires, supports, or components attached to or placed around the sign structure.

Sponsor sign means a business, organization or person that uses its logo on a freestanding sign located at a park, public or private school, college or university. The logo shall be limited to a percentage of the total sign face of a freestanding sign.

Static sign means a sign that displays a message without electronic or mechanical means; i.e., a static sign is a sign other than a digital or tri-vision sign.

Streamer means any strip of cloth, paper, fabric, plastic or similar material hanging loose at one or more ends, whether or not the material displays characters, ornamentation or letters, which is attached to any staff, cord, building or other structure for the primary purpose of attracting attention to its site.

Target removal area means the city's community redevelopment areas in existence as of January 1, 2011, together with an area encompassed by a 1,000 foot radius around the external boundaries of such community redevelopment areas.

Temporary sign means a sign used to advertise or identify transitory events of two weeks' or less duration, unless specifically permitted for a longer period by this chapter.

Tri-vision sign means a sign composed of mechanically operated triangular louvers or slats containing three separate advertising messages, each of which becomes visible when the louvers are synchronically rotated to one of three positions.

Wall sign means a sign painted on or affixed to the structural wall of a building, with a sign face approximately parallel to the wall, perpendicular to the ground, and projecting no more than 12 inches from the wall. The term "wall sign" shall also include window signs and fascia signs.

Wayfinding signage means noncommercial signs, landmarks or other visual graphic communication that are part of a city-sponsored and coordinated program for the purpose of directing pedestrian and vehicular traffic to local destinations open to the public. Typical wayfinding signs include: gateways, vehicular directional, destinations (parks, downtown and neighborhoods), murals, parking lot identification, parking trailblazer, pedestrian directional, vehicular directional and pedestrian kiosk.

Window sign means a permanent sign affixed to, suspended behind or painted on either face of a window or glass door that reads to the exterior of the building.

(Code 1961, § 16B-3; Code 1985, § 7-413; Ord. No. 1828, § 1, 3-4-86; Ord. No. 2207, §§ 1, 2, 3-5-91; Ord. No. 2270, §§ 1, 2, 4-21-92; Ord. No. 2422, § 1, 11-2-93; Ord. No. 2751, § 1, 8-19-97; Ord. No. 5745, §§ 1, 2, 11-6-07; Ord. No. 5746, §§ 1, 2, 11-6-07; Ord. No. 5823, § 1, 2-19-08; Ord. No. 2012-13, §§ 1, 2, 11-17-11; Ord. No. 2012-58, §§ 1, 2, 9-18-12; Ord. No. 2013-16, § 1, 1-22-13; Ord. No. 2014-30, § 1, 4-1-14; Ord. No. 2015-3, §§ 1, 2, 11-4-14; Ord. No. 2017-25, § 1, 1-17-17)

Cross reference(s)—Definitions generally, § 1-2.

DIVISION 3. OFF-SITE ADVERTISING¹

Sec. 110-181. Permitted locations.

Off-site advertising signs shall be permitted on the following named streets only if the property is zoned B-2, B-4, B-5, M-1 or M-2:

- (1) U.S. Highways 441, 301 and 27 (Pine Avenue).
- (2) State Road 40 from the easterly to the westerly city limits.
- (3) State Road 200 (S.W. College Road) from Pine Avenue to the westerly city limits.
- (4) U.S. Highway 27/NW 10th Street from Magnolia Avenue to the westerly city limits.
- (5) Interstate 75 within the city limits.
- (6) NW 37th Avenue/SW 37th Avenue from U.S. Highway 27 to State Road 200.
- (7) NW 38th Avenue/SW 38th Avenue from U.S. Highway 27 to State Road 200.
- (8) NE 14th Street from NE 25th Avenue to NE Silver Springs Boulevard;
- (9) SW 17th Street from Pine Avenue to State Road 200;
- (10) SW 60th Avenue from State Road 40 to the southern city limits;
- (11) SW 42nd Street/SW [and] NW 44th Avenue from I-75 west then north to the city limits;
- (12) SE Maricamp Road from SE 30th Avenue to the southeastern city limits;
- (13) NE 36th Avenue from State Road 40 to the northern city limits;
- (14) NE 25th Avenue from NE 14th Street to the northern city limits.
- (15) NW 27th Avenue from NW Blitchton Road (US27) to State Road 40;
- (16) SW Martin L King Avenue from State Road 200 (SW College Road) to SW 17th Street.

¹Cross reference(s)—Businesses, ch. 22.

(Code 1961, § 16B-14; Ord. No. 1721, § 1, 12-20-84; Code 1985, § 7-428(a); Ord. No. 1897, § 1, 12-16-86; Ord. No. 1929, § 3, 6-2-87; Ord. No. 2167, §§ 8—10, 7-17-90; Ord. No. 5795, § 1, 1-22-08; Ord. No. 2012-13, § 5, 11-17-11; Ord. No. 2012-57, § 3, 10-16-12)

Sec. 110-182. Removal of signs in A-1 districts.

Off-site advertising signs in A-1 districts constructed on or after August 5, 1969, are temporary uses. Any such sign shall be removed within one year of the time of the rezoning of the property upon which such sign is located to any zoning district in which such sign is not permitted, and shall be removed or relocated within one year of the time of the rezoning of any adjacent property when, by reason of such rezoning, the sign is in nonconformance with the requirements of section 110-185 or 110-186.

(Code 1961, § 16B-14; Ord. No. 1721, § 1, 12-20-84; Code 1985, § 7-428(b); Ord. No. 1897, § 1, 12-16-86; Ord. No. 1929, § 3, 6-2-87; Ord. No. 2167, §§ 8—10, 7-17-90)

Sec. 110-183. Maximum height.

The lowest horizontal component of an off-site advertising sign shall not be higher than six feet above the building closest to that sign, provided that the highest horizontal component of that sign does not exceed 50 feet measured from the roadway centerline grade perpendicular to that point of the sign closest to the right-of-way. Off-site advertising signs located a distance 100 feet or greater from a building fronting the same roadway as the off-site advertising sign shall not exceed 35 feet in height measured from the roadway centerline grade perpendicular to that point of the sign closest to the right-of-way.

(Code 1961, § 16B-14; Ord. No. 1721, § 1, 12-20-84; Code 1985, § 7-428(c); Ord. No. 1897, § 1, 12-16-86; Ord. No. 1929, § 3, 6-2-87; Ord. No. 2167, §§ 8—10, 7-17-90)

Sec. 110-184. Maximum area.

The area of a sign face of an off-site advertising sign shall not exceed 378 square feet, including border, with ten percent embellishments. The cabinet for a digital sign shall not be included in the sign face area calculation. An apron not exceeding two and one-half feet in height may be attached to the bottom of the sign.

(Code 1961, § 16B-14; Ord. No. 1721, § 1, 12-20-84; Code 1985, § 7-428(d); Ord. No. 1897, § 1, 12-16-86; Ord. No. 1929, § 3, 6-2-87; Ord. No. 2167, §§ 8—10, 7-17-90; Ord. No. 2012-13, § 6, 11-17-11; Ord. No. 2012-57, § 4, 10-16-12)

Sec. 110-185. Setbacks.

No off-site advertising sign shall be permitted to be constructed, erected or altered so that any part thereof would extend toward any street a distance less than 30 feet or the building setback line, whichever is greater, or a distance less than 15 feet from rear and side lot lines.

(Code 1961, § 16B-14; Ord. No. 1721, § 1, 12-20-84; Code 1985, § 7-428(e); Ord. No. 1897, § 1, 12-16-86; Ord. No. 1929, § 3, 6-2-87; Ord. No. 2167, §§ 8—10, 7-17-90)

Sec. 110-186. Spacing.

- (a) Any portion of a static or tri-vision off-site advertising sign which is exposed above the ground shall not be placed closer than 1,000 feet to another off-site advertising sign on the same side of the right-of-way.

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- (b) Any portion of a digital off-site advertising sign which is exposed above the ground shall not be placed closer than 1,000 feet to a static or tri-vision off-site advertising sign on the same side of the right-of-way, and 2,500 feet to a digital off-site advertising sign with a digital face oriented towards same direction traffic.

(Code 1961, § 16B-14; Ord. No. 1721, § 1, 12-20-84; Code 1985, § 7-428(f); Ord. No. 1897, § 1, 12-16-86; Ord. No. 1929, § 3, 6-2-87; Ord. No. 2167, §§ 8—10, 7-17-90; Ord. No. 2012-13, § 7, 11-17-11)

Sec. 110-187. Minimum distance from certain uses.

- (a) No static off-site advertising sign shall be located within 200 feet of any residentially zoned land measured along the common right-of-way, or within a 100-foot radius of any residentially zoned land measured from the residential lot line to the nearest point of the sign.
- (b) No tri-vision or digital off-site advertising sign shall be located within a 200-foot radius of any residentially zoned land measured from the residential lot line to the nearest point of the sign.
- (c) No off-site advertising sign shall be located within 150 feet of a church, public school, public park, civic area or cemetery where the sign orients toward such facility or the street upon which such facility is located measured from the property line to the nearest point of the sign.
- (d) No digital off-site advertising sign shall be located within 150 feet of the Ocala International Airport measured from the property line to the nearest point of the sign.

(Code 1961, § 16B-14; Ord. No. 1721, § 1, 12-20-84; Code 1985, § 7-428(g); Ord. No. 1897, § 1, 12-16-86; Ord. No. 1929, § 3, 6-2-87; Ord. No. 2167, §§ 8—10, 7-17-90; Ord. No. 2012-13, § 8, 11-17-11)

Sec. 110-188. Construction and maintenance standards.

Off-site advertising signs shall be governed by the following construction and maintenance standards:

- (1) All off-site advertising signs shall be constructed and maintained in accordance with the applicable building code.
- (2) Construction and materials for off-site advertising signs shall be as follows:
- a. Sign structures, excluding faces, shall be constructed with a maximum of two supports.
 - b. Wood framing and trim shall be of treated material, and any wood material under the surface of the ground shall be pressure-treated material.
- (3) All off-site advertising signs shall have a minimum clearance of 12 feet below the bottom of the sign structure and average grade below the sign, including the apron when present, but excluding supports.
- (4) The backs of all signs, where visible, shall be painted or treated with a material suitable for the preservation of the appearance of such signs.
- (5) All signs shall be maintained front and back in a constant state of good repair. Standards for good repair shall include the following:
- a. Neither paper nor paint shall be peeling or flaked.
 - b. The sign shall be legible at a distance of 100 feet.
 - c. Signs shall be maintained in a vertical position.
 - d. All signs shall identify the city zoning permit number under which such sign is maintained in such a manner that such identification shall be legible from the right-of-way.

(Code 1961, § 16B-14; Ord. No. 1721, § 1, 12-20-84; Code 1985, § 7-428(h); Ord. No. 1897, § 1, 12-16-86; Ord. No. 1929, § 3, 6-2-87; Ord. No. 2167, §§ 8—10, 7-17-90; Ord. No. 5023, § 50, 2-19-02)

Sec. 110-189. Signs permitted only on legal lots.

Off-site advertising signs may only be constructed on legal lots as set forth in section 122-249.

(Code 1961, § 16B-14; Ord. No. 1721, § 1, 12-20-84; Code 1985, § 7-428(i); Ord. No. 1897, § 1, 12-16-86; Ord. No. 1929, § 3, 6-2-87; Ord. No. 2167, §§ 8—10, 7-17-90)

Sec. 110-190. Construction in easement, buffer or water retention area.

No off-site advertising sign may be erected in a utility easement, a water retention area or a buffer.

(Code 1961, § 16B-14; Ord. No. 1721, § 1, 12-20-84; Code 1985, § 7-428(j); Ord. No. 1897, § 1, 12-16-86; Ord. No. 1929, § 3, 6-2-87; Ord. No. 2167, §§ 8—10, 7-17-90)

Sec. 110-191. Tri-vision and digital off-site advertising signs.

- (a) *Prohibition.* No tri-vision or digital off-site advertising signs shall be allowed in the city except as provided in this chapter.
- (b) *Tri-vision and digital off-site advertising signs.* The city will issue permits for new tri-vision and digital off-site advertising signs subject to the removal of existing off-site advertising signs, as follows:
 - (1) An owner of off-site advertising signs shall be eligible to receive a building permit for one tri-vision or digital off-site advertising sign outside of the target removal area as provided in this chapter after the removal of existing off-site advertising signs with an amount of square footage equal to or greater than a 4:1 ratio of the proposed new sign.
 - (2) An owner of off-site advertising signs shall be eligible to receive a building permit for one tri-vision or digital off-site advertising sign within the target removal area as provided in this chapter after the removal of existing off-site advertising signs with an amount of square footage equal to or greater than an 8:1 ratio of the proposed new sign.
 - (3) For the purposes of satisfying the requirements of this section, square footage of removed signage shall be calculated as follows:
 - a. Square footage of existing off-site advertising signs removed within the target removal area shall be credited at a 2:1 ratio.
 - b. Square footage of existing off-site advertising signs removed outside of the target removal area shall be credited at a 1:1 ratio.
 - (4) A permit for a tri-vision or digital off-site advertising sign may be issued only in conjunction with demolition permits for the removal of signs, together with all supporting structures, or a building permit for the installation of reduced size sign face on an existing structure as required by this chapter. City shall confirm by site inspection the removal of an existing off-site advertising sign and structure, or the installation of a reduced size sign face. The square footage of the sign removed shall be on file in the building department prior to final inspections for the tri-vision or digital sign. Upon confirmation of the removal of an off-site advertising sign with all supporting structures, or the installation of a reduced size sign face, a certificate shall be issued by the building official for each off-site advertising sign and shall identify the square footage of the sign removed. The owner of the certificate may hold

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- the certificate, redeem it for a permit in accordance with this chapter or transfer the certificate to a third party. If there is a credit balance remaining after a certificate is redeemed, a certificate for the credit balance shall be issued. No transfer shall be effective until written notification signed by both parties has been provided to the building department confirming the transfer to the transferee.
- (c) *Relocation of existing tri-vision or digital signs.* An existing tri-vision or digital off-site advertising sign may be relocated and reconstructed on another site as a like kind of sign without the requirement to remove other existing off-site advertising signs as required by subparagraph (b) above, subject to meeting all other criteria of this chapter.
- (d) *Eligible existing signs.* For purposes of subsection (b), an "existing off-site advertising sign" eligible for credit of square footage removed must be a conforming or lawful non-conforming sign.
- (e) *Payment in lieu of removal.*
- (1) If an owner (or any person substantially related to owner by ownership control) has insufficient off-site advertising sign square footage to satisfy the provisions of subsection (b), the city will permit tri-vision or digital off-site advertising signs pursuant to the following:
 - (2) Upon the applicant paying city the amount of \$150,000.00, an applicant shall be entitled to place a tri-vision or digital off-site advertising sign in a location where off-site advertising signs are permitted as set forth in this chapter, as follows:
 - a) The amount to be paid by the applicant is the city's estimated costs of requiring a sign owner to remove a typical non-conforming off-site advertising sign, including all compensation required by law.
 - b) The amount paid by the applicant shall be held by the city in a fund, and used only by the city to compensate sign owners for the removal of non-conforming off-site advertising signs pursuant to law, including condemnation thereof, if necessary.
- (f) The building official shall delete any off-site advertising signs removed under this section from the city's inventory of off-site advertising signs.
- (g) In addition to the requirements provided in this chapter for off-site advertising signs, any tri-vision off-site advertising sign erected shall meet the following criteria:
- (1) The static display time for each message is a minimum of six seconds;
 - (2) The time to completely change from one message to the next is a maximum of two seconds;
 - (3) The change of message shall occur simultaneously for the entire sign face;
 - (4) Messages must be fully displayed on a single rotation and not continued as sequential interval messages;
 - (5) No emission of sound or odor intended to attract attention shall be permitted;
 - (6) The sign shall contain a default design that will hold the face of the sign in one position if a malfunction occurs; and
 - (7) The sign shall meet all other requirements of this chapter.
- (h) In addition to the requirements provided in this chapter for off-site advertising signs, any digital off-site advertising sign erected shall meet the following criteria:
- (1) No message may be displayed for less than six seconds;
 - (2) No flashing lights, traveling messages, animation, or other movement are permitted;
 - (3) The time to completely change from one message to the next is a maximum of two seconds;

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- (4) The change of message shall occur simultaneously for the entire sign face;
 - (5) Messages must be fully displayed on a single rotation and not continued as sequential interval messages;
 - (6) Interactive displays, including recognition based on electronic key codes, phone calls or texting, facial recognition or automated license plate recognition shall not be permitted;
 - (7) No emission of sound or odor intended to attract attention shall be permitted;
 - (8) Digital off-site advertising signs shall not operate at brightness levels of more than 0.3 foot candles above ambient light, as measured using a foot candle meter at a pre-set distance. Pre-set distances to measure the foot candles impact vary with the expected viewing distances of each size sign as follows:

Face Size	Measurement distance
Up to 300 sq. ft.	150 feet
Over 300 sq. ft.	200 feet

Automatic sensors shall be incorporated to ensure that illumination of a digital off-site advertising sign shall be adjusted as ambient light conditions change. Upon request of city, sign owner shall provide city with acceptable evidence that the sign complies with these illumination standards. Such evidence shall consist of testing by an independent third party by using a foot candle meter or similar testing device.

- (9) The sign shall contain a default design that will hold the face of the sign in one position if a malfunction occurs; and
 - (10) The sign shall meet all requirements of this chapter, except as may be otherwise approved by city council pursuant to section 110-87(b).
- (i) In the event of a conflict between the requirements of subsection (g) or (h) of this section, and other requirements of this chapter, the more restrictive provision shall apply.
- (Ord. No. 2012-13, § 9, 11-17-11; Ord. No. 2012-57, § 5, 10-16-12)

Sec. 110-192. Static off-site advertising signs.

- (a) The city will issue permits for static off-site advertising signs subject to the removal of existing off-site advertising signs as follows:
- (1) An owner of off-site advertising signs shall be eligible to receive a building permit for one static off-site advertising sign outside of the target removal area as provided in this chapter after the removal of existing off-site advertising signs, with an amount of square footage equal to or greater than a 1:1 ratio of the proposed new sign.
 - (2) An owner of off-site advertising signs shall be eligible to receive a building permit for one static off-site advertising sign within the target removal area as provided in this chapter after the removal of existing off-site advertising signs with an amount of square footage equal to or greater than a 2:1 ratio of the proposed new sign.
 - (3) For the purposes of satisfying the requirements of this section, square footage of removed signage shall be calculated as follows:
 - a. Square footage of existing off-site advertising signs removed within the target removal area shall be credited at a 2:1 ratio.

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- b. Square footage of existing off-site advertising signs removed outside of the target removal area shall be credited at a 1:1 ratio.
- (4) A permit for a static off-site advertising sign may be issued only in conjunction with demolition permits for the removal of signs, together with all supporting structures, or a building permit for the installation of reduced size sign face on an existing structure as required by this chapter. City shall confirm by site inspection the removal of an existing off-site advertising sign and structure or the installation of a reduced size sign face. The square footage of the sign removed shall be on file in the building department prior to final inspection for the static sign. Upon confirmation of the removal of an off-site advertising sign with its supporting structure, or the installation of a reduced size sign face, a certificate shall be issued by the building official for each off-site advertising sign, which shall identify the square footage of the sign removed. The owner of the certificate may hold the certificate, redeem it for a permit in accordance with this chapter or transfer the certificate to a third party. If there is a credit balance remaining after a certificate is redeemed, a certificate for the credit balance shall be issued. No transfer shall be effective until written notification signed by both parties has been provided to the building department confirming the transfer to the transferee.
- (b) City council may approve an agreement to allow conversion or reconstruction of a lawful nonconforming off-site advertising sign, or sign structure, that existed on January 1, 2011, to a static monopole off-site advertising sign, or construction of a new static monopole off-site advertising sign: (1) without the sign or sign structure being in compliance with street corridor, setback, height and spacing restrictions or legal lot requirements of this chapter; or (2) on a parcel with a zoning designation that does not comply with the requirements of this chapter, provided that the parcel shall not have a residential zoning designation or be zoned FBC or B-3C.
- (1) Such approval shall be based on a consideration of the following factors:
- a. Whether the conversion or reconstruction will reduce the square footage or number of existing signs, together with all supporting structures, in gateways to the city or in the downtown area.
 - b. Whether the converted or reconstructed sign will comply with the requirements of section 110-188.
 - c. Whether the degree of nonconformity of the existing signs will be reduced.
 - d. Whether, the aesthetics of the city or of the existing signs will be improved.
- (2) Each approval shall be based upon factors appropriate to the particular conversion or reconstruction and shall not constitute precedent concerning, or require city to approve other conversions or reconstructions.

(Ord. No. 2012-13, § 10, 11-17-11; Ord. No. 2012-57, § 6, 10-16-12; Ord. No. 2015-14, § 1, 2-17-15; Ord. No. 2018-42, § 13, 9-25-18)

Sec. 110-193. Licenses.

- (a) A license shall be required for each sign face. Applications for such license shall be submitted to the building department on the forms provided and shall be issued prior to final inspection of any new off-site advertising sign. For any off-site advertising sign existing as of October 1, 2012, the building director shall assign a license number to each sign face and provide a list of such license numbers to the owner(s) of the signs. Application and license renewal fees shall be established by resolution approved by city council.
- (b) Licenses shall expire annually on January 15. All license renewal fees are required to be submitted to the city building department by no later than January 15. On or before November 1 of each year, the building department shall send to each licensee a list of licenses and a notice of fees due for all licenses which were

issued to him prior to September 30. The licensee shall, no later than January 1 of each year, advise the building department of any additions, deletions or errors contained in the notice.

- (c) If a licensee has not submitted his fee payment and list of licenses by January 15, the code inspector shall, no later than February 1, send a notice of violation to the licensee by certified mail, requiring the payment of the license fee within 30 days after the date of the notice and payment of a delinquency fee equal to ten percent of the original amount due. If the licensee submits payment as required by the violation notice, his license will automatically be reinstated, and such reinstatement will be retroactive to January 15. If the licensee does not respond to the notice of violation within the 30-day period, the code inspector shall notify the enforcement board for appropriate action as specified in chapter 2, article V of this Code.

(Ord. No. 2012-57, § 7, 10-16-12)