

# Chapter 20.76

## SIGNS

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### **20.76.010 Purpose and scope.**

The purpose of this chapter is to provide minimum standards to safeguard health, life, property and public welfare by regulating and controlling the design, quality of materials, construction, locations, electrification and maintenance of all signs and sign structures, including awnings, located within the corporate limits of the city of Fairfield, Iowa. Further, this chapter is adopted to preserve the value of private property by assuring the compatibility of signs with surrounding land uses, to enhance the physical appearance of the city, to enhance Fairfield's economy, business and industry by promoting the reasonable, orderly and effective display of signs, and encouraging better communication between an activity or entity and the public it seeks with its message and to encourage sound practices and lessen the objectionable effects of inappropriateness or of excess competition with respect to size and placement of street signs. (Ord. 1034 ' 2(part), 2008).

### **20.76.020 General regulations.**

Regulations of this chapter are not intended to permit any violation of the provision of any other lawful ordinance, the regulations of the Iowa Department of Transportation, or the United States Department of Transportation, or of the U.S. Code or the Code of Iowa.

For purpose of this chapter, and unless otherwise specifically stated herein, the following definitions apply:

- (1) Sign. "Sign" means and includes every sign, billboard, ground sign, wall signs, roof sign, illuminated sign, projecting sign, temporary sign, pylon or pole sign, window sign, marquee, awning or canopy sign, and shall include any announcement, decoration, demonstration, display, illustration, pamphlet, flyer, poster, signboard, or insignia used to advertise or promote the interests of any person when the same is placed in a manner outside of the building and visible to the general public, or inside building windows or displays devices attached thereto;
- (2) Display Surface. "Display surface" means the entire area within a single continuous perimeter enclosing the extreme limits of a sign and in no case passing through as between any adjacent elements of same. However, such perimeter shall not include any structural elements lying outside the limits of such sign and not forming an integral part of the display.

Any sign constructed or displayed in such a manner as to display two surfaces will be considered as one sign when the backs of such signs are parallel and when the distance between the signs is eighteen inches or less. Any sign constructed or displayed in such a manner as to deviate from the above standards shall be considered to be a multiple sign, and each sign face shall be measured separately.

Except as otherwise expressly provided herein, the following shall apply to all signs within Fairfield City limits:

- (1) The content of signs shall be limited to the business, service, and activity available or conducted on the zoning lot;
- (2) No sign shall be designed, constructed or maintained in a manner which presents a danger to the public health, safety or welfare as determined by the city of Fairfield;
- (3) Unless otherwise specified in this article, signs shall be located within the zoning lot in accordance with the applicable setback and yard provisions of the zoning district in which such lot is located;
- (4) When a business or service does not have direct access to a public street, signs directing traffic to such business or service may be located off-premises at the point of access. Such signs shall be calculated as part of the total allowable sign area and shall be subject to sign requirements for the zoning district;
- (5) No sign or sign structure shall be erected in such a manner as to:
  - (A) Confuse or obstruct the view or interpretation of any official traffic sign, signal or device,
  - (B) Obstruct the sight distance at any intersecting street or alleys for a distance of two hundred feet in all directions,
  - (C) In any way conflict with the free use of any fire escape, exit, stand pipe, window, light or ventilation;
- (6) All signs together with their supports, braces, guys and anchors, shall be kept in good repair

and in a proper state of preservation;

- (7) The display surface of all signs shall be kept neatly painted or posted at all times;
- (8) No sign shall be lighted in a manner which impairs the vision of the driver of any vehicle;
- (9) Signs and sign structures shall be designed, constructed and erected to resist wind forces. All bracing systems shall be designed and erected so as to transfer all lateral forces to the foundations or to an anchor sunk in the ground. For signs on buildings, the dead and lateral loads shall be transmitted to the structural frame of the building to the ground in such a manner as to not overstress any of the elements thereof (i.e., do not hang sign having weight of lighting equipment or frame apparatus from window frame or trim). Design issues shall be resolved by reference to recognized resource literature concerning engineering or architectural graphic standards.
  - (A) The supports for all signs and sign structures shall be placed in or upon private property and shall be securely constructed and erected.
  - (B) Anchors and supports for signs and sign structures shall penetrate to a depth below the ground greater than that of the accessible frost line.
  - (C) Signs and sign structures attached to masonry, concrete or steel shall be safely and securely fastened thereto by means of metal anchors, bolts or expansion screws of sufficient size and anchorage to support safely the loads applied. No wooden block or plugs or anchors with wood used in connection with the screws or nails shall be considered proper anchorage except in the case of signs attached to wood framing.
  - (D) No anchor or support of any sign shall be connected to or supported by an unbraced parapet wall.
  - (E) No sign or sign support shall be constructed to less than six feet horizontally or twelve feet vertically from overhead electrical or telephone wires.
  - (F) No sign in excess of eighty square feet shall be located within fifty lineal feet of any lot line of any residential zoning district.
  - (G) No sign or similar advertising device shall be constructed or located in such a manner as to reasonably interfere with the use and enjoyment of adjoining property.
  - (H) No sign (top of sign) of a first floor occupant of a multi-story building may be placed higher than sixteen feet, six inches from the sidewalk or ground, unless excepted by Section 20.76.070(11) herein.
  - (I) Total allowable sign surface shall not exceed an area equal to one and one-half square feet per one linear foot of tenant frontage with a maximum of eighty square feet, except menu boards, window and temporary signs.
  - (J) Second story signs are allowed as explained in Section 20.76.100 (Projecting signs) and Section 20.76.130 (Window signs).

(K) All signs shall be installed on private property, unless expressly authorized elsewhere herein.

(10) Monument or Ground Sign. A monument sign or ground sign is an on premises free-standing sign with the appearance of a solid base. It is ordinarily directly and permanently supported from within; and is physically separated from any other structure, and is installed directly on the ground and not attached to any other structure or building. Monument or Ground Signs are subject to other limitations of the Municipal Sign Ordinance contained at Chapter 20.76 and shall be limited to no greater than fifteen (15) feet in height.

(11) Pole Sign. A pole sign is a sign erected on a free-standing frame, mast, or pole, on premises, with a clearance greater than three (3) feet. The same may be attached to a structure. Ordinarily the same would be part of a completely self-supporting structure. Such self-supporting structure shall be firmly installed in or below ground surface and not attached to any other structure, whether portable, or stationary. Pole Signs are subject to other limitations of the Municipal Sign Ordinance contained at Chapter 20.76 and shall be limited to no greater than thirty-five (35) feet in height. (Ord. 1149 1(part), 2017; Ord. 1115 1, 2014; Ord. 1034 ' 2(part), 2008).

#### **20.76.030 Illuminated and Electronic Signs.**

Internally or externally illuminated signs and electronic signs, and combinations of illuminated and electronic signs, which are visible from any adjacent street, shall be permitted, per the regulations of this chapter, provided they meet the following requirements:

- (1) Illuminated signs. Signs that are not electronic signs, as defined below, shall be illuminated only by steady, stationary light sources directed solely at the sign or internal to it so that the light intensity or brightness does not create a nuisance to adjacent property owners or tenants, and/or a traffic hazard to motorists or pedestrians, and/or disturb the peaceful enjoyment of adjacent property owners or tenants. Display surfaces of illuminated signs shall not contain exposed reflective-type bulbs.
- (2) Electronic signs. An electronic sign is defined as any sign activated or illuminated by means of electrical energy with a changeable image. This shall include signs with variable message capability and/or motion and/or the illusion of motion by means of electronic, electrical or electro-mechanical input. The operation of electronic signs is limited as follows:
  - (A) An electronic sign with illumination characterized by a repetitive cycle of illumination and non-illumination shall have equal periods of illumination and non-illumination and each period of illumination and non-illumination shall not be less than two seconds.
  - (B) An electronic sign with illumination characterized by a repetitive cycle of changing stationary images (whether a message or other image) shall have each image illuminated not less than two seconds before changing to the next image.
  - (C) No electronic sign shall employ motion, or the illusion of motion, except to the extent allowed above (e.g., scrolling or animated images of any length of time are prohibited).
  - (D) No electronic sign shall employ light intensity/brightness or any other characteristic which

shall create a nuisance to adjacent property owners or tenants, and/or a traffic hazard to motorists or pedestrians, and/or disturb the peaceful enjoyment of adjacent property owners or tenants.

- (E) The following downtown area is exempt from this Section. No electronic sign shall be located within the following downtown area, except electronic signs at vehicle service stations which project a constant and continuous image of the price of fuel. The following are the boundaries of the exempt downtown area:

**East – West Avenues**

East along Hempstead Avenue from 2<sup>nd</sup> Street to B Street on both sides.

East along Briggs Avenue from 2<sup>nd</sup> Street to B Street on both sides.

East along Broadway Avenue from 2<sup>nd</sup> Street to B Street on both sides.

East along Burlington Avenue from 2<sup>nd</sup> Street to B Street on both sides.

East along Washington Avenue from 2<sup>nd</sup> Street to B Street along the north side only.

**South – North Streets**

North along 2<sup>nd</sup> Street from Washington Avenue to Hempstead Avenue along the east side only.

North along Main Street from Washington Avenue to Hempstead Avenue on both sides.

North along Court Street from Washington Avenue to Hempstead Avenue on both sides.

North along B Street from Washington Avenue to Hempstead Avenue along the west side only.

- (3) Plan submittal. A copy of plans and specifications shall be submitted to the zoning administrator for each sign regulated by this section. Such plans shall show sufficient details about size of the sign, location and materials to be used and such other data as may be required for the zoning administrator to determine compliance with this section.
- (4) Electrical requirements. All illuminated and electronic signs shall have a disconnecting switch located in accordance with the State of Iowa Electrical Code. All illuminated and electronic elements of any sign shall always be maintained in satisfactory working condition, and shall be immediately repaired or replaced as needed. Signs that are only partially illuminated shall meet all electrical requirements for that portion directly illuminated. When a sign is illuminated or electronic either from an external source or by an internal source of light, direct rays of light shall not beam to or reflect upon any part of an existing residential building, nor into a residence zoned district, nor into a public street. A sign that is in the direct line of vision of any motorist with a traffic signal light shall not have red, green, yellow, or amber illumination when such illumination is likely to be confused with such signal. All gas discharge tubing systems (neon) shall be Underwriters' Laboratory (UL) listed or an approved equal. Systems shall be designed and installed per the State of Iowa Electrical Code. Complete system drawing are to include but are not limited to the following: complete tubing design layout and wiring circuits, transformer size(s) and secondary voltage(s). Maximum open circuit voltage shall be 7,500 volts to ground. Transformers above 7,500 volts shall be of balanced design and mid-point wired and enclosed in metallic raceways. All secondary components shall be rated for the circuit voltage and listed on the submitted data. All wiring and electrical terminations shall be protected from physical contact if less than eight (8) feet above finished floor. (Ord. 1149 2(part), 2017; Ord. 1061 2, 2011; Ord. 1034 ' 2(part), 2008).

### **20.76.040 Landscaping requirements.**

All freestanding and monument signs shall be landscaped. Every permit application for a freestanding or monument sign shall be accompanied by a landscape plan meeting the standards hereinafter specified:

- (1) Signs shall be surrounded by a landscaped area of no less than three feet as measured from the sign face;
- (2) Landscaping shall be comprised of any combination of shrubs, evergreens, perennial and annual flowers, ornamental grasses, and vegetative ground cover. It shall be the duty of each person owning any lot or parcel improved or to be improved with the landscaping required herein to maintain said landscaping.

### **Electrical Signs.**

- (1) Electrical signs shall be constructed of noncombustible material.
- (2) The enclosing shall be watertight, except that service holes fitted with watertight covers or seals shall be provided into each compartment.
- (3) Electrical equipment used in connection with electrical signs shall be installed in accordance with federal and state and local regulations. (Ord. 1034 ' 2(part), 2008).

### **20.76.050 Prohibited signs.**

The following signs shall not be displayed within the city of Fairfield:

- (1) Any sign or structure which constitutes a hazard to public health or safety;
- (2) Any signs attached to utility, traffic signal poles, light poles, or standards except for governmental signs;
- (3) Signs, which by color, location, or design resemble or conflict with traffic control signs or signals;
- (4) Except for governmental signs erected by, or on behalf of, the unit of government having jurisdiction, no sign shall be located on the public right-of-way, or affixed to or upon public property. This prohibition includes, but is not limited to, any sidewalk, parkway, crosswalk, curb, curbstone, street lamppost, hydrant, tree, shrub, tree stake or guard, electric light or power, CATV, telephone or other communication system, fire alarm, lighting system, public bridge, drinking fountain, trash receptacle, street sign or traffic sign;
- (5) Portable signs defined as those with wheels and pulled by a vehicle, in the downtown area as defined in 20.76.030 (2)(E) only, except those used by churches, synagogues, temples or other religious or qualified nonprofit charitable organizations for temporary use for special events, not to exceed seven days;
- (6) Vehicle signs when the vehicle is not licensed, insured or operational;
- (7) Advertising off-premises signs;

- (8) Moving signs;
- (9) Signs with bare bulb illumination, except marquees in the downtown area as defined in 20.76.030, (2)(E);
- (10) Attention getting devices, except balloons;
- (11) Signs containing exposed gas tubing, exterior to the building, including, but not limited to, Argon and Neon;
- (12) Roof signs;
- (13) Any sign that advertises, identifies, or pertains to a business no longer conducted, or a product no longer sold, on the premises where such sign is located, within the last thirty days;
- (14) Any sign painted directly on a wall, roof, or fence, unless otherwise excepted;
- (15) Any sign placed or attached to a telecommunications tower, pole or antenna;
- (16) Signs containing manual changeable copy can consist of no more than six lines; governmental agencies, schools and churches, and automobile service station reader boards are exempt; (Ord. 1149 3(part) & 4(part), 2017; Ord. 1034 ' 2(part), 2008).

**20.76.060 Signs not requiring permit (exempt).**

The following signs shall be exempt from the requirements for a permit, but these exemptions shall not be construed as relieving the owner of a sign from his responsibility for its proper erection and maintenance in compliance with this title, or any other law or ordinance regulating the same:

- (1) Governmental Signs. Public signs and other signs incidental thereto for identification, information or directional purposes erected or required by governmental bodies, or authorized for a public purpose by any law, statute or ordinance;
- (2) Railroad crossing and signs of public utility companies indicating danger or which serve as an aid to public safety or which show the location of underground facilities;
- (3) Street address signs not exceeding four square feet in area;
- (4) Decorations temporarily displayed in connection with a city-sponsored or approved event or a generally-recognized or national holiday;
- (5) Temporary signs at a residence commemorating a personal event including, but not limited to, the birth of a baby or birthday;
- (6) No trespassing signs or other such signs regulating the use of property, such as no hunting, no fishing, etc., of no more than two square feet in area;
- (7) Noncommercial flags of any country, state, or unit of local government;
- (8) Real Estate Signs. In residential zoning districts, real estate signs shall not exceed eight

square feet in sign surface, including all tags attached thereto. In business and manufacturing zoning districts, real estate signs shall not exceed thirty-six square feet in sign surface area. Content of a real estate sign shall be restricted to advertising for the sale, rental or lease of the property where such sign is located. Real estate signs shall not exceed ten feet in height. There shall be no more than one such sign allowed per zoning lot where such lot contains a single use except on a corner lot which may have one such real estate sign per street front. Where a zoning lot contains multiple uses there shall be no more than one such sign per use. Real estate signs shall not be placed in the public right-of-way. Such sale signs shall be posted subject to the following restrictions:

- (A) The open house sign shall not exceed four square feet of sign surface area,
  - (B) The open house sign shall be freestanding, not attached to any utility pole or structure nor any traffic control sign and placed at least three feet from the property line,
  - (C) Only one open house sign be permitted within one hundred fifty feet of another sign which relates to the same address. There shall be only one open house sign relating to the same address placed in front of a single lot,
  - (D) A fine in the amount of fifty dollars per Section 9.88.010 of this code, shall be charged to the agency whose name is on the sign, if the sign does not comply with the above restrictions. If no agency names are found on the sign, the owner(s) of the property identified on the sign shall be assessed the fine;
- (9) Garage/Rummage/Yard/Estate Sale Signs. Garage/rummage/yard/estate sale signs may not be placed in the public right-of-way; signs may be placed no earlier than one day before the day of the sale and must be removed no later than the following day of the last day of the sale provided that:
- (A) The sale sign shall not exceed four square feet of sign surface area,
  - (B) The sale sign shall be freestanding, not attached to any utility pole, street light, street sign or structure nor any traffic-control sign or traffic sign of any kind,
  - (C) Only three such sale signs are permitted for one address. There shall be only one sale sign relating to the same address placed in front of a single lot,
  - (D) No attention or attracting devices shall be attached to any sale sign,
  - (E) Each sale sign must have attached to it an adhesive label or other means to identify the name, address and telephone number of the person responsible for the placement and removal of such sign,
  - (F) A fine in the amount of fifty dollars per Section 9.88.010 of this code, shall be charged to the person whose name is on the sign, if the sign does not comply with the above restrictions. If no names are found on the sign the owner(s) of the property identified on the sign shall be assessed the fine;
- (10) Memorial signs and tablets, names of buildings and date of erection when cut into masonry

surface or inlaid so as to be part of the building or when constructed of bronze or other noncombustible material;

- (11) Help wanted signs not to exceed two square feet;
- (12) Public Hearing Notice Signs. Public hearing notice signs shall be permitted and erected by the city or county on property which is the subject of a public meeting or hearing. Such sign shall be three feet by three feet and shall not exceed six feet in height. The content of such sign shall include, but not be limited to, the time, place, date and nature of the hearing or meeting, and a telephone number to call for further information. A setback of at least five feet shall be provided for each sign and at least one sign per street frontage shall be posted;
- (13) Vehicle Signs. When the vehicle to which the sign is attached is licensed, insured, and operational. The vehicle must be used for the operation of the business and may not remain stationary for an extended period of time for the purpose of attracting attention to a business;
- (14) Political Signs. Except as provided herein: in any district, it is unlawful to place political signs on public property at any time; and it is unlawful to place signs on private property without the permission of the owner, or person in charge of the property. Said signs must be removed within seven days following the election. This section shall not be construed to authorize placement of any political sign at any location violative of Iowa Election Law or where it may, because of its size or location, content or coloring, constitute a traffic hazard or a detriment to traffic safety by obstructing the vision of drivers, by detracting from the visibility of any traffic-control device or by being confused with an authorized traffic-control device. The candidate to whom the political advertising refers, the manager for said campaign or persons placing such signs shall be responsible for the proper placement and removal of such advertising. In the case of elections concerning public measures, the persons in charge of any campaigns in regard thereto, and the persons placing such signs shall be responsible for the proper placement and removal of such advertising. (Ord. 1149 4(part), 2017; Ord. 1034 ' 2(part), 2008).

#### **20.76.070 Temporary signs.**

Certain temporary signs as defined in this chapter may be allowed for promoting special community activities, special events, grand openings and special promotions for businesses, or nonprofit organizations, may be subject to the issuance of a permit and shall adhere to the following provisions:

- (1) A temporary sign may be placed for no more than eight, one week (seven-day) periods during any calendar year;
- (2) A temporary sign placed for more than this period shall require a permit;
- (3) A temporary sign displayed for less than seven days constitutes a one-week period;
- (4) All temporary signs must be properly maintained while displayed and be able to withstand all-weather elements;
- (5) Temporary signs shall not contain changeable copy, exterior LED or flashing lights;
- (6) Temporary signs are restricted to thirty-two square feet;

- (7) One temporary sign shall be permitted for each street frontage per zoning lot;
- (8) All temporary signs shall be removed by the person or organization that erected or caused the erection of the sign not less than three days after the date of the event to which they relate, or at the end of the maximum period for which such sign is allowed, whichever comes first;
- (9) Temporary window signs are exempt from permit. However, unless they are promoting an upcoming event of a nonprofit agency, such temporary window signs are subject to the restrictions regarding allowable area for window signs;
- (10) Development Signs. The following regulations shall apply to all development signs.
  - (A) Permits. A sign permit shall be required prior to the erection of any development sign. A sign permit may be issued in connection with the following types of developments after the city of Fairfield has issued a final approval of the development:
    - (i) Residential developments of three or more dwelling units,
    - (ii) Commercial, industrial or institutional developments consisting of at least fifteen thousand square feet of land area,
  - (B) Number of Signs. Only one sign per public street frontage shall be permitted on the development site,
  - (C) Gross Surface Area. Each individual sign shall not exceed thirty-two square feet in area,
  - (D) Duration. The development signs shall be removed at such time a final certificate of occupancy is issued. If more than one final certificate of occupancy will be issued for the development, the development signs shall be removed at such time that seventy-five percent of the final certificates of occupancy have been issued,
  - (E) Display. The development signs shall display only information pertinent to the entity or entities participating in the development project;
- (11) Temporary signs made of light fabric may extend over public property providing they maintain a ground clearance of at least twenty feet, providing the permission of the city council; city of Fairfield is first obtained;
- (12) Temporary signs constructed of light fabric shall be perforated over at least ten percent of their display surface area to reduce wind resistance. (Ord. 1034 ' 2(part), 2008).

**20.76.080 Wall signs.**

- (a) Each business or property owner is allowed to display one wall sign per tenant frontage along a public roadway or drivable right-of-way.
- (b) No wall sign shall cover wholly or partially any wall opening, nor extend beyond the perimeter of the wall to which it is affixed nor extend more than twelve inches from the vertical plane of the facade to which it is affixed.
- (c) Buildings shall be allowed one wall sign per side, not to exceed three sides and such signs shall not exceed eighty square feet per sign. (Ord. 1034 ' 2(part), 2008).

### **20.76.090 Menu boards.**

Menu boards for restaurants are permitted to be displayed on an exterior wall of the business. Such signs may not exceed four square feet in area. The menu board area shall not be calculated toward the total maximum allowable signage. The sign may include menus or notice of special events including community events. All such signs must be enclosed in a tempered glass or plexiglass frame. (Ord. 1034 ' 2(part), 2008).

### **20.76.100 Projecting signs.**

(a) First Floor. Each first floor establishment may have one projecting sign, either a non-internally illuminated "Blade Sign" or an internally illuminated projecting sign, which may not exceed more than sixty inches from the vertical plane of the façade to which it is affixed. Such sign shall not exceed twelve square feet in size and shall be erected so that the lowest portion of the sign shall not be less than seven feet above ground. Such signs may contain the name of the establishment, logo, or other representation of the product or service provided by the establishment, but may not contain advertising of another organization.

(b) Second Floor. Second floor establishments may have one projecting sign, either a non-internally illuminated "Blade Sign" or an internally illuminated projecting sign, which shall be located immediately over or within three feet of the first floor pedestrian access to the business. Such sign may not extend more than thirty-six inches from the vertical plane of the facade to which it is affixed. Such sign shall not exceed six square feet in area and shall be erected so that the lowest portion of the sign shall be not less than eight feet above the ground. (Ord. 1149 6(part), 2017; Ord. 1138 2(part) 2016; Ord. 1034 ' 2(part), 2008).

### **20.76.110 Awning signs.**

Awnings or canopies containing a sign shall be permitted provided the awning or canopy complies with the following requirements:

- (1) All awnings or canopies shall not extend above the first floor of the structure to which it is attached and shall be constructed and erected so that the lowest portion shall be not less than eight feet above the ground;
- (2) Except for the name, address, and logo of the business conducted within the premises no advertising shall be placed on any awning or canopy sign. Lettering shall be painted or permanently placed on the awning or canopy. (Ord. 1034 ' 2(part), 2008).

### **20.76.120 Under canopy signs.**

Under canopy signs shall be attached to the underside of the soffit or ceiling of any canopy. The face of any such sign shall not exceed twelve inches in height or four feet in length. Such signs shall be erected so that the lowest portion of the sign shall be not less than eight feet above the ground. (Ord. 1034 ' 2(part), 2008).

### **20.76.130 Window signs.**

First floor businesses are allowed permanent and temporary window signs with a square footage of up to twenty-five percent of each window. The window sign area is in addition to the total maximum allowable signage.

Businesses located above the first floor are allowed permanent window signs of individual letters or etching, up to twenty-five percent of one window per floor per tenant. Such signs shall not be

illuminated by means of exposed gas tubing including, but not limited to, argon, neon or neon-like substances. (Ord. 1034 ' 2(part), 2008).

**20.76.140 Sandwich board signs.**

Businesses may have one sandwich board sign which shall be no larger than six square feet which is not calculated against the total square feet allowed and which may be placed on the public way provided the following requirements are met:

- (1) A license agreement is entered into a form and amount approved by the city indemnifying and holding the city harmless from liability and naming the city, its officers and employees as an additional insured on a general liability insurance policy. Such license agreements shall be approved and signed by the city administrator;
- (2) Sign may be displayed during business hours only and must be removed each day;
- (3) Sandwich board signs shall be constructed of wood, metal or durable plastic;
- (4) The minimum fine for a violation of this section shall be fifty dollars, as provided per Section 9.88.010. Each day that such violation shall continue shall constitute a separate offense. (Ord. 1034 ' 2(part), 2008).

**20.76.150 Home occupation signs.**

Permitted home occupations shall be allowed one sign per zoning lot which shall meet the following criteria:

- (1) The sign shall be flat mounted against the principal building;
- (2) The sign face area shall be no more than two square feet;
- (3) The sign content shall be limited to the name(s), address, phone number(s), occupation, or any combination thereof;
- (3) The sign shall not be directly or indirectly illuminated, other than by those lights incidental to the residential use of the premises. (Ord. 1034 ' 2(part), 2008).

**20.76.160 Signs for businesses (other than home occupation permit) within residential district.**

Permitted business shall be allowed one sign per zoning lot, which shall meet the following criteria:

- (1) The sign surface shall not exceed sixteen square feet;
- (2) The sign content shall be limited to the name, address, phone number(s), occupation or any combination thereof;
- (3) Any illumination of the sign shall adhere to Section 20.76.030 (Illumination) of this chapter;
- (4) The sign shall adhere to landscaping requirements as defined in Section 20.76.040 (Landscaping) of this chapter. (Ord. 1034 ' 2(part), 2008).

**20.76.170 Signs accessory to parking areas.**

Signs directing and guiding vehicular ingress and egress to public or private off-street parking areas shall not exceed twelve square feet in sign surface area. No more than two such signs shall be allowed at each point of ingress/egress from the parking area. One sign having no more than four square feet of surface area may be maintained on each street side of such parking areas for the purpose of designating the conditions of use or identity of the parking area. Signs

accessory to parking areas are not included in computing the total sign surface area of a lot in business and manufacturing districts. Signs accessory to parking areas shall be set back at least three feet from the public right-of-way and shall be located so as not to obstruct the view of either drivers or pedestrians. (Ord. 1034 ' 2(part), 2008).

**20.76.180 Institutional signs.**

Exterior identification signs not over twenty square feet in area with a maximum height of six feet shall be permitted for public, charitable or religious institutions where such signs are located on the premises of the institution. No more than one such sign shall be permitted for each zoning lot. Changeable copy consisting of six lines is allowed. The changeable copy surface area shall be included in the total surface area allowed. (Ord. 1034 ' 2(part), 2008).

**20.76.190 Protected signs.**

Signs located in the city of Fairfield erected prior to 1965 may be deemed heritage signs and may be allowed to continue and be maintained and parts replaced in any manner to allow for continued use. In order to be deemed a protected sign, the owner of such sign shall provide conclusive evidence to the administrative officer, his designee, and/or the architectural review committee concerning the existence of such sign prior to 1965. Any sign in question shall be reviewed also by the Jefferson County historic preservation commission with regard to its age or heritage. (Ord. 1034 ' 2(part), 2008).

**20.76.200 Maintenance.**

All signs shall be properly maintained which includes, but is not limited to; no broken or missing parts, no rust or oxidation, no faded or chipped paint, and no similar conditions of disrepair. If a sign is illuminated, the source of such illumination shall be kept in a state of safe working order at all times. Failure to properly maintain any sign in the city of Fairfield shall constitute a violation of this chapter. (Ord. 1034 ' 2(part), 2008).

**20.76.210 Enforcement.**

The city of Fairfield is authorized and directed to enforce all of the provisions of this chapter. Upon presentation of proper credentials, the city administrator or his or her designee may enter, at reasonable times, any building, structure or premises in the city to perform any duty imposed upon him or her by this chapter, concerning notice or enforcement.

- (1) Notice of Violation. If the city of Fairfield finds that any sign has been erected in violation of the provisions of this chapter, or is unsafe or insecure, the city administrator or his or her designee shall cause a citation to be issued pursuant to authority granted under Municipal Code Chapters 20.10.060 and 20.10.070 as well as this code and/or cause the sign to be removed by the city upon ten days written notice. However, the city of Fairfield may cause any sign, which poses an immediate threat of harm to persons or property to be removed summarily and without notice. The cost of such removal shall be collected from the owner and/or occupant of the property by an action at law or assessed as a lien against the property where such sign is located after notice to the property owner.
- (2) Temporary Signs. If the city administrator or his or her designee finds that any temporary sign has been erected in violation of the provisions of this chapter, or is unsafe or insecure, he shall give written notice to the owner and/or occupant of the property on which the sign is located or to the person or organization whose message is on the sign. If the sign is not removed or altered to comply with the provisions of this chapter within twenty-four hours of such notice, the city administrator or his or her designee shall cause such sign to be removed by the city of Fairfield without further notice. The owner and occupant of the property shall be jointly responsible for the

cost of such removal which may be recovered by the city of Fairfield in an action at law or by filing a lien against the property after notice to the property owner.

- (3) Interpretation. Where there is any ambiguity or dispute concerning the interpretation of this chapter, the decision of the city administrator or his or her designee, or his or her designee, shall prevail, subject to appeal as provided herein. (Ord. 1034 ' 2(part), 2008).

**20.76.220 Permit process.**

Unless exempt pursuant to Section 20.76.200, no person shall erect or display any sign unless issued a permit.

- (1) Sign permit fee is twenty-five dollars and payable to the city of Fairfield.
- (2) The permit shall be:
- (A) Obtained from the office of planning and zoning;
  - (B) Made in writing upon forms furnished by the city of Fairfield, Iowa;
  - (C) Such application shall contain the location by street and number of the proposed sign structure, as well as the name and address of the owner and the sign contractor or erector;
  - (D) The administrative officer or his or her designee will require the filing of plans or the furnishing of additional pertinent information where, in his opinion, based on reasonable grounds, such information is necessary to ensure compliance with this title;
  - (E) The sign plans will be reviewed and approved by the city administrative officer, or that officer's designee. The designee may be an appointed architectural review committee.
- (3) A separate permit shall be required for each business entity or other applicant and for each sign.
- (4) Insurance and Bond Requirements. Every applicant for a permit for a sign which will extend over a public right-of-way or which is so located that it may fall upon the same, shall file with the city of Fairfield before the permit is granted, an encroachment license agreement indemnifying the city of Fairfield and holding the city of Fairfield harmless from any liability as well as a liability insurance policy covering all damage or injury that might be caused by each of said signs, or certificate of insurance therefore, issued by an insurance company authorized to do business in the state of Iowa and satisfactory to the city of Fairfield, with limits of liability of not less than one million dollars for property damage and one million dollars for personal injuries. The city of Fairfield, its officers, agents and employees shall be named as additional parties insured. Such liability insurance policy shall be maintained in force throughout the life of the permit, and if at any time it shall not be in full force, the city of Fairfield shall revoke the permit.
- (5) Completion of Authorized Work. If the work authorized under the permit has not been completed within six months after the date of issuance, the permit shall become null and void.
- (6) All signs for which a permit is required shall be subject to inspection by the administrative officer or his or her designee.

- (7) Footing inspections may be required by the administrative officer or his or her designee for signs having footings.
- (8) All signs containing electrical wiring shall be subject to inspections and the specifications of acceptable electrical codes.
- (9) The administrative officer or his or her designee may order the removal of any sign that is not erected or maintained in accordance with the provisions of this title.
- (10) All signs may be reinspected at the reasonable discretion of the administrative officer or his or her designee. (Ord. 1034 ' 2(part), 2008).

**20.76.230 Nonconforming signs/amortization period.**

Any sign which existed lawfully on the effective date of this chapter which remains or becomes nonconforming by reason of adoption of this chapter or because of subsequent amendments thereto, or which shall become nonconforming by reason of the annexation to the city of Fairfield of the lot or parcel on which such sign is located, shall be considered a nonconforming sign and the continuance of such sign shall be only as hereinafter permitted:

- (1) Ordinary repairs and maintenance, including the removing and replacing of the outer panels shall be permitted, provided, the panels are replaced with identical panels and that no structural alterations or other work which extends the normal life of the nonconforming sign shall be permitted;
- (2) Single panels on multi-panel monument signs for multi-tenant shopping centers may be changed to reflect tenant changes;
- (3) No repair or alteration which increases the size of the nonconforming sign shall be permitted;
- (4) No nonconforming sign shall be moved in whole or in part to any other location on the same or any other premises unless every portion of such sign is made to conform to all of the regulations of this chapter;
- (5) If a nonconforming sign is located on property which is sold, with the full ownership of the property being transferred, the nonconforming sign shall be brought into conformance with this code at the time of the transfer unless the business will continue to operate under the same name;
- (6) If a nonconforming sign is abandoned or the described business discontinued for a continuous period of thirty days, it shall be discontinued and any subsequent sign shall conform to all of the requirements of this chapter;
- (7) On or prior to (five years from passage date) all nonconforming signs shall be brought into conformance with this chapter. Said period shall for all purposes be deemed an appropriate amortization period for each and every nonconforming sign presently located within the corporate limits of the city of Fairfield or hereinafter located within the city of Fairfield by reason of annexation into the city of Fairfield of the lot or parcel on which the sign is located. Such amortization period shall be noncompensated;

(8) Subsection (6) shall not apply to signs previously granted sign variances. Such signs shall be deemed nonconforming signs to which all other provisions of this section shall apply. (Ord. 1034 ' 2(part), 2008).

**20.76.240 Sign variances.**

- (a) Variance from a requirement of this chapter may be considered by the administrative officer or his designee, (i.e., an architectural review committee), if submitted in writing, with explanation of how the variance will, if granted, be consistent with the purposes of this chapter. A fee of fifty dollars is required.
- (b) No variance is allowed concerning permitting or concerning standards set in this chapter where established to safeguard health, life, property and public welfare.
- (c) Variance requests not approved by the administrative officer, or designee, or architectural review committee may be appealed to the property committee and then to the full city of Fairfield council.
- (d) Appeals to the property committee and to the full city council shall be undertaken in the manner and timeline provided for appeals stated at Section 7.04.360 of this code. (Ord. 1034 ' 2(part), 2008).