

**TOWN OF VERDIGRIS  
SIGN CODE**

**SECTIONS**

- 3.14.01 Purpose
- 3.14.02 Calculating the Area of a Sign
- 3.14.03 Definitions
- 3.14.04 Signs Not Requiring Permits
- 3.14.05 Prohibited Signs
- 3.14.06 Signs Permitted by Zoning District
- 3.14.07 Unified Sign Plan
- 3.14.08 Administrative Provisions
- 3.14.09 Construction, Inspection and Maintenance Standards
- 3.14.10 Permit Fees and Penalties
- 3.14.11 Non-Conforming Signs
- 3.14.12 Sign Variances
- 3.14.13 Validity

**3.14.01 PURPOSE**

This Code, together with future amendments thereof, shall be known and may be cited as the “Town of Verdigris Sign Code”. This Sign Code shall apply to all signs of whatever nature and wherever located within the Town. No sign shall be allowed except as permitted by this Sign Code. The purpose and general intent of the Town of Verdigris Sign Code is as follows:

- (1) To provide for the appropriate use and location of signs in a manner that will not adversely affect or impact property values, compatibility of land use, community appearance and identity, and to otherwise promote the general welfare, public safety, convenience and order to the Town of Verdigris.
- (2) To establish standards and guidelines for the design, erection and installation of signs and other visual communication devices so that the Town of Verdigris may appear orderly and to prevent the needless clutter in appearance within the Town by signs unreasonable in number, location, area and illumination.
- (3) To provide for the issuance, revocation, inspection and identification of signs within the Town.
- (4) To preserve the unique character and aesthetic appearance of the Town.
- (5) To provide for the removal of any sign that is in violation of or non-conforming with the intent and purpose of this code.
- (6) This Sign Code shall apply to all signs of whatever nature and wherever located within the Town. No sign shall be allowed except as permitted by this Sign Code.

**3.14.02 CALCULATING THE AREA OF A SIGN**

The area of a sign shall be computed to include the entire area within a sign, whether such sign is a parallelogram, triangle, circle or semi-circle, including all of the display area of one side and any part of the surface of any cornice, hood, awning, wall or similar ornamental or structural feature that blends with the sign in such a manner as to appear to be the background of the sign, and including all of the elements of the matter displayed, regardless of the angle at which such sign is placed in relationship to the building frontage; provided, however, that the area of a wall sign shall be computed to include only the area in which characters, letters, illustrations, insignia or logos are depicted.

### 3.14.03 DEFINITIONS

Definitions of terms as used in this Code, unless the context otherwise requires, shall be as follows:

**Abandoned sign** – a sign which depicts or refers to a product, business, service, activity, condition or person which has changed in such a fashion that the sign is no longer a correct identification or description, which no longer exists at the location, referred to in the sign, or which no longer exists in any way or at any place. Signs in good repair of licensed seasonal businesses shall not be classified as abandoned signs.

**Accessory** – subordinate or incidental to, and on the same lot or on a contiguous lot in the same ownership, as the building or use being identified or advertised.

**Advertising Face** – Each side of a sign that is designed, constructed, located and positioned for the purpose of displaying advertising material.

**Area Marker** – A Sign that designates or identifies a subdivision or development.

**Attached sign** – any sign painted, incorporated in or fixed to the building and any sign consisting of cutout letters or devices affixed to the building with no background design on the building and extending no more than fifteen (15) inches.

**Average elevation of ground** – is based on the average elevation between two (2) points, twenty (20) feet either side of the centerline of the sign parallel to the sign face.

**Awning** – a movable shelter or shading device supported entirely from the exterior wall of a building and composed of cloth or metal, with a metal frame.

**Awning/canopy sign** – a sign displayed on the surface of an awning or canopy.

**Banner** – A rectangular sign made of fabric or any non-rigid material with no enclosing framework, attached on both ends identifying a community, business event product or activity.

**Billboard sign (a/k/a, Outdoor Advertising)** – any off-premises sign on a permanent structure on which the copy may be periodically changed and which is not located on the premises to which such advertising copy pertains.

**Building frontage** – the horizontal, linear dimension of that side of a building that abuts a street, parking area, mall or other circulation area open to the general public and that has either a main window display of the business or a public entrance to the building.

**Bulletin board** – a sign used for the purpose of notification to the public of an event or occurrence of public interest, including without limitation, church services, political rallies, civic meetings or other similar events.

**Business sign** – a sign that identifies or directs attention to the business, profession, commodities, services, entertainment or activities conducted, sold, displayed, offered or stored on the premises where the sign is located.

**Canopy** – a permanently roofed shelter covering a sidewalk, driveway or other similar area, that may be wholly supported by a building or may be wholly or partially supported by columns, poles or braces extended from the ground.

**Commercial sign** – a sign whose principal purpose is to identify a business or induce a purchase of a good or service, including without limitation any sign naming a brand of good or service.

**Commission** – the Town of Verdigris, Planning and Zoning Commission.

**Construction sign** – a temporary sign announcing a subdivision, development, construction or other improvement of a property by a building contractor or other person furnishing services, materials or labor to the premises, but does not include a real estate sign.

**Contractor Sign** – Signs that denote the architect, engineer, contractor, lending institution or other related business, when placed upon a site where work is under construction.

**Copy** – any words, letters, figures, designs, symbols, fixtures or colors, or motion, illumination or projected images.

**Detached sign** – any sign which is structurally separate from the building housing the business or use to which the sign pertains.

**Directional sign** – any on-site sign that directs the necessary movement of pedestrians or vehicular traffic. Directional signs also include signs locating public facilities such as telephones and rest rooms, but shall not include real estate open house directional signs. Such sign may display a logo and business name if same are less than fifty percent (50%) of the sign area.

**Directory sign** – any sign which lists the names, locations or uses of the tenants within a multi-tenant or multi-use building or development.

**Electric sign** – any sign containing electrical wiring, but not including signs illuminated by an exterior light source, such as floodlights.

**Establishment** – A place of a business that has a separate identity, separate entrances, and/or separate records and books of its business transactions.

**External uses** – goods or services normally provided outside of the principal premises. Examples include individual gas pump islands, exterior displays of commercial goods or other similar uses as determined by the Commission.

**Face of sign/display surface** – the surface of a sign upon, against or through which the copy is displayed or illuminated.

**Flag** – any national, state, county or municipal flag.

**Flashing** – Any sign that incorporates in any manner apparent movement achieved by electrical pulsation, contains intermittent lighting, or by other means such as sequential light phasing.

**Front Footage** – The lot frontage on which the sign is located.

**Ghost sign** – an old sign which may or may not be applicable to the building or use where it is located that appears faded and is not maintained. Ghost signs must be designated as historical signs. Ghost signs usually appear on masonry structures and the image appears when wet.

**Grade/ground level** – the finished level of the ground at a point directly below the sign.

**Ground sign / pole mounted (a/k/a pole sign)** – a detached sign erected on a freestanding frame, mast or pole, which is affixed to the ground and not attached to any building.

**Ground sign / surface mounted** – A sign that is mounted flush with the ground or is supported by one or more poles, uprights, or braces in the ground and that is not a part of a building.

**Height of sign** – the vertical distance between the average elevation of the ground adjoining the sign and the level of the highest point of the sign.

**Historical sign** – a sign, designated by the Town Council, as having historical significance to the Town. Historical signs must have been in existence for a minimum of twenty (20) years.

**Identification sign** – 1) A nameplate that establishes the identity of an occupant by listing the name and business or professional title; 2) A sign that establishes the identity of a building or a building complex by name or symbol only; 3) A sign that indicates a street address or combines a nameplate and street address; 4) A sign that identifies an area in the Town that, by reason of development, natural features, historical occurrences or common reference, has or will become a landmark in the Town, or 5) A commemorative sign, such as cornerstone, memorial or plaque, cut into a masonry surface or constructed of bronze or other incombustible material and made an integral part of the structure.

**Ideological sign** – any sign which expresses the political, religious or philosophical view of its owner and which in no way identifies a product or business and is not displayed for promotion of commercial or for-profit enterprise.

**Illuminated** – Any sign designed to give forth any artificial light, or designed to reflect such light deriving from any source that is intended to cause such light or reflection.

**Illumination, direct** – lighting by means of an unshielded light source, including neon tubing, that is effectively visible as part of the sign, where light travels directly from the source to the viewers eyes.

**Illumination, indirect** – lighting by the surface of a light source that is directed at the reflecting surface in such a way as to illuminate the sign from the front or a light source that is primarily designed to illuminate the entire building façade upon which a sign is displayed, but does not include lighting that is primarily used for purposes other than sign illumination, including without limitation, parking lot lights or lights inside a building that may silhouette a window sign that are not primarily installed to serve as inside illumination of a sign.

**Illumination, internal** – lighting by means of a light source that is within a sign having a translucent background and silhouettes opaque letters or designs, or that is within letters or designs that are themselves made of translucent material.

**Inflatable sign** – any sign of non-rigid material which utilizes air or other gases, either under pressure or heated, to maintain its shape.

**Joint identification sign** – a sign that serves as a common or collective identification for two (2) or more businesses or industrial uses on the same lot and that may contain a directory to the uses as an integral part thereof or may serve as a general identification only for such developments as shopping centers, industrial parks and similar uses.

**Marquee** – A permanent sign structure that stands alone or is attached to a building; may overhang a public way or be illuminated or non-illuminated. Changeable lettering may be a part thereof.

**Monument sign** – a detached sign not exceeding eight (8) feet in height from the average elevation of ground to the top of the sign. Typically, a monument sign may contain design elements such as a base, columns, borders, topper or cap, and a sign cabinet or sign area background.

**Moving** – Any sign, or part of a sign, in which the sign functionality does not remain stationary at all times, regardless of the power source; May be illuminated or non-illuminated.

**Multi-use (tenant) building** – any non-residential building with more than one (1) tenant or use. The issuance of multiple sales tax licenses by the Town is not necessarily a criteria to determine multi-use building status.

**New business** – a business which has just opened at the current location, changed ownership or changed business name.

**Non-commercial sign** – a sign whose principal purpose is the display of a political or ideological message and that is not a commercial sign.

**Non-conforming sign** – any sign which was lawfully erected and maintained under prior codes but does not meet the provisions of this Sign Code.

**Non-combustible Material** – Any material that will not ignite at or below a temperature of one thousand two hundred (1200) degrees Fahrenheit and will not continue to burn or glow at that temperature.

**Non-structural trim** – the molding, battens, caps, nailing strips, latticing, cut-outs, letters and other non-essential structures which are attached to the sign structure.

**Off-premises sign** – any off-premises sign, including without limitation, a billboard or general outdoor advertising device, that advertises or directs attention to a business, commodity, service or activity conducted, sold or offered elsewhere than on the same lot or within the same building upon which such sign is located but shall not include real estate open house directional signs.

**Permanent sign** – any sign which is permanently affixed or attached to the ground or to any structure.

**Plaque** – A small thin sign that identifies a business.

**Political** – Any sign that makes known the name or information about a person running for an office or any other information concerning a political campaign or election issue of any nature.

**Portable sign** – any sign not permanently attached to the ground or a building, not including signs attached to vehicles, except vehicles parked specifically for the purpose of advertising.

**Premises** – an accessory sign cabinet contained within a distinct border which allows for changeable copy.

**Professional Nameplate** – A sign that states the name and occupation or profession of the person occupying the premises where the sign is located.

**Projecting sign** – a sign attached to a building or extending in whole or in part fifteen (15) inches or more horizontally beyond the surface of a building to which the sign is attached, but does not include a marquee sign.

**Real estate sign** – a sign indicating the availability for sale, rent or lease of the specific lot, building or portion of a building upon which the sign is erected or displayed.

**Real estate open house sign** – a temporary sign used to advertise an open house, as defined in this Sign Code, contained on-site and displays the words “open house”, the property address of the open house and/or the property owner’s name and/or the realtor’s corporate name and logo.

**Real estate open house sign, directional** – a temporary real estate open house sign, as defined in this Sign Code, placed at locations other than the real property where the open house is held, which provides the address of the open house and which may also include the graphics to direct the public to the property, and the property owner’s name and/or the realtor’s corporate name and logo.

**Real estate open house** – an event during which a specific for sale or for rent property is open for viewing by potential buyers or renters with the realtor, broker, owner, or other similar agent present on the property where the event is held.

**Roof line** – the top edge of the roof of a building or the top of the parapet, whichever forms the top line of the building or canopy.

**Roof sign** – a sign painted on the roof of a building, supported by poles, uprights or braces, extending from the roof of a building, or projecting or extending above the roof of a building, but does not include a sign projecting from or attached to a wall.

**Sandwich board/A-frame sign** – a portable self-supporting sign with one (1) or more faces. Generally, this is a temporary sign used to advertise merchandise, service, price specials or events.

**Setback** – the required minimum distance measured horizontally between a property boundary or edge of pavement/back of curb and any part of a sign or sign structure.

**Sign** – A sign includes any device that displays or includes any letter, work, model, banner, flag, pennant, insignia, propeller balloon, device or representation used as, or that is in the nature of an advertisement or

announcement or that directs attention to an object, product, place, activity, person, institution, organization, or business; but the term shall not include display of official notice.

**Sign area** – the entire area contained within the face of a sign, including all ornamentation or decoration used to attract attention. In the case of pole signs, that area above the supporting column, provided that such supporting column is not decorated or displayed with advertising.

**Sign on a parked vehicle** – a sign placed on or affixed to vehicles and/or trailers which are parked on a public right-of-way, public property or private property so as to be visible from a public right-of-way.

**Sign structure** – any supports, uprights, braces or framework of a sign.

**Single-use building** – a building occupied by one (1) tenant or use.

**Snipe** – A temporary sign that is located offsite and made of any material, attached to a utility pole, tree, fence post, stake, stick, mailbox or any similar object, whether in the public right-of-way or not.

**Special community event sign** – a temporary, off-premises sign used to advertise a special community event, as defined in this Sign Code.

**Statuary sign** – a three-dimensional form or likeness constructed of any rigid material which includes copy, or represents copyrighted material or a trademark.

**Structural alteration** – any physical change to the structure of a sign.

**Suspended sign** – a sign suspended from the ceiling of a marquee or canopy.

**Temporary sign** – a sign, banner or similar device or display that is intended for a temporary period of display.

**Time-temperature-date sign** – a sign that displays the current time, outdoor temperature, date of the month or any combination of that information.

**Unified Sign Plan (“USP”)** – a comprehensive sign program for a multi-use building, subdivision, PUD, or multi-building development.

**Wall sign** – a sign displayed upon or against the wall of an enclosed building, where the exposed face of the sign is in a plane parallel to the plane of the wall and extends no more than fifteen (15) inches horizontally from the face of the wall, including a sign erected upon or against the side of a roof having an angle of forty-five (45) degrees or less from vertical.

**Wind sign** – a sign consisting of one (1) or more flags, pennants, ribbons, spinners, streamers, captive balloons or other objects or material fastened in such a manner as to move upon being subjected to pressure by wind.

**Window sign** – a sign that is painted on, applied to, or attached to, a window and that can be seen through the window from the exterior of the structure, but excludes merchandise included in a window display.

**Work of Art** – The term “work of art” shall apply to all mural paintings or decorations, inscriptions, mosaic, painted glass and similar art forms of a permanent character intended for permanent or commemoration that are applied to, constructed or placed upon the exterior walls of any building. For the purpose of this ordinance, “work(s) of art”, whether singular or in aggregate, shall be deemed to exist when its size exceeds sixteen (16) square feet. For the purpose of this ordinance, a “work of art” which in any way relates to the business conducted therein shall be considered as a wall sign.



### 3.14.04 Signs Not Requiring Permits

Permits not required. The following signs or sign activities shall be exempt from obtaining a sign permit:

(A) Sign activities:

1. Preventative maintenance. The ordinary preventative maintenance of a lawfully existing sign which does not involve a change of placement, size, lighting or height.
2. Repainting. The repainting of a lawfully existing sign.
3. Changes of copy. The changing of copy on marquees, reader boards and similar signs on permitted or existing non-conforming signs.

(B) Types of signs:

1. Art. Works of art which in no way advertise for commercial purposes, a specific person, product, service or business.
2. Banners, Balloons, streamers and wind signs. The use of banners, streamers, balloons and other similar wind signs, sixteen (16) square feet or less.
3. Construction signs, for a site under construction, subject to the following:
  - a. Number Allowed. One (1) sign along each lot line frontage on a street, not to exceed a total of two (2) signs per site.
  - b. Location. Construction signs may be placed no nearer than ten (10) feet from any lot line.
  - c. Attributes. Construction signs may not exceed sixteen (16) square feet in area per sign, may not be illuminated and may only identify individuals or companies involved in designing, constructing, financing or developing a site under construction. A graphic design painted on a construction barricade shall be permitted in addition to such signs, provided that it does not identify or advertise a person, product, service or business.
  - d. Duration. Construction signs may be erected and maintained for a period not to exceed thirty (30) days prior to commencement of construction and shall be removed within fourteen (14) days of termination of construction.
4. Directional signs, not including real estate open house directional signs, subject to the following:
  - a. Number Allowed. Four (4) signs per property, plus one (1) sign per entryway from a public right-of-way.
  - b. Location. A directional sign may be placed anywhere on a lot.
  - c. Attributes. Directional signs may not exceed four (4) square feet of sign area per face, may not exceed forty-two (42) inches in height above average ground level and may not carry any commercial message. A logo and business name less than fifty percent (50%) of sign area may be displayed
5. External use signs – Signs that are necessary for the exterior use of land for gas pumps or display of commercial goods. Signs on gas pump islands up to sixteen (16) square feet of sign face. Such sign area in excess of this amount shall be debited against allowed sign area for detached or attached signs.
6. Flags – Flags, emblems and insignia of national, non-commercial memorial flags, state, county or municipal governments, provided that such flags, emblems and insignia are displayed for non-commercial purposes. The height of all flagpoles shall not exceed the greater of:
  - a. The allowed building height of the zone district; or twenty (20) feet above the highest roof line of any building on the property.
  - b. The maximum allowed flag size is forty (40) square feet with no dimension exceeding eight (8) feet. The display of national flags shall be governed by the standard rules of international

protocol, including displaying flags with equal prominence. The United States flag is exempt from all of the above restrictions, except for flagpole regulations.

7. Government signs. Signs placed or erected by governmental agencies for a public purpose in the public interest, for control of traffic and other regulatory purposes, street signs, warning signs, railroad crossing signs, signs of public service companies indicating danger and aids to service and safety which are erected by or for the order of government.
8. Historic designation. Signs placed on an historic building identifying the structure as a local, state or federal historic landmark. Such signs shall be a wall sign not to exceed six (6) square feet in area nor exceed six (6) feet in height and shall not be directly or indirectly illuminated.
9. Historic signs. Any sign designated as an historic landmark by the State or Town shall be exempt from the provisions of this Sign Code.
10. Holiday decorations. Non-commercial signs or other materials temporarily displayed on traditionally accepted civic, patriotic and/or religious holidays, provided that such decorations are maintained in safe condition and do not constitute a fire hazard.
11. Ideological signs, subject to the following:
  - a. Sign area. A maximum of six (6) square feet of sign area per lot or series of contiguous lots under common ownership shall be allowed for ideological signs.
  - b. Setback. When erected as a detached sign, an ideological sign may be placed no closer than ten (10) feet from a property line.
  - c. Height. When erected as a detached sign, an ideological sign may be no greater six (6) feet in height.
12. Incidental signs on vehicles. Signs placed on or affixed to vehicles or trailers where the sign is incidental to the primary use of the vehicle or trailer. This is in no way intended to permit signs placed on or affixed to vehicles or property so as to be visible from a public right-of-way where the apparent purpose is to advertise a product, service or activity, or direct people to a business or activity located on the same or other property.
13. Informational. Informational signs guiding persons to facilities intended to serve the public or as a courtesy to the public, including signs which identify rest rooms, public telephones, public walkways, public entrances, freight entrances, affiliation with motor clubs, hours of business, acceptance of designated credit cards, "open" or "closed" for business, "vacancy" or "no vacancy" and other similar signs which provide instruction to persons using a facility but not including those signs accessory to parking areas. Commercial messages of any kind are prohibited on informational signs.
  - a. Location. Informational signs may be attached to the building as projecting or wall signs, suspended from a canopy or included as an integral part of a pole sign. Signs as an integral part of a pole sign will be debited against total allowable sign area.
  - b. Attributes. Informational signs may not exceed four (4) square feet per face.
14. Interior signs. Signs which are fully located within the interior of any building and not attached to an exterior window.
15. Mail boxes, including street address.
16. Memorial signs. Memorial plaques, tablets, grave markers or statuary declaring names of buildings and dates of erection when cut into any masonry or other permanent surface or when constructed of bronze or other incombustible materials, or other remembrances of persons or events that are non-commercial in nature. Such signs shall not exceed six (6) square feet in area nor exceed six (6) feet in height and shall not be directly or indirectly illuminated.
17. Menu signs. One (1) sign per use, posted within a frame adjacent to the public right-of-way, with an area not to exceed four (4) square feet, with a height not to exceed the eave lines or parapet wall of that portion of the principal building in which the use to which the sign applies is located, and which

- advertises and/or identifies a restaurant menu, drinks or foods offered or special activities incidental to food and drink service.
18. Menu boards. On-site menu boards appurtenant to drive-in and drive-through restaurants or other drive-through personal service establishments, clearly oriented to cars in the drive-through lane and not oriented for the purpose of advertising the business to persons off the site of the business, and not exceeding fifty (50) square feet in sign area per face and eight (8) feet in height.
  19. Public/private parking area signs. Signs located on public or private property posting the property for warnings or prohibitions on parking activity, subject to the following:
    - a. Location and number. One (1) such sign may be placed at each entry to any off-street parking area. In addition to signs at entries, signs may be placed within a parking area at a rate of one (1) sign per twenty (20) parking spaces.
    - b. Sign area. Such signs shall not exceed six (6) square feet of sign area per face.
  20. Political campaign signs.
  21. Prohibited activity signs. Signs located on private property, posting the property for warning or prohibitions on trespassing, hunting, fishing, swimming or other prohibited activity.
  22. Public notices. Official government notices and legal notices.
  23. Residential name and address signs. Signs identifying the occupant, not to exceed two (2) square feet, and/or address, not to exceed two (2) square feet, of a detached dwelling unit or duplex unit. Such signs shall not be illuminated from the interior or back and shall not exceed six (6) feet in height if detached from the dwelling or above the first story if attached to the dwelling.
  24. Special community event. Four (4) temporary off-premises sign for special community events shall be allowed per parcel, or series of contiguous parcels under the same ownership, and subject to the following:
    - a. Attributes: Maximum size shall be limited to thirty-two (32) square feet; Maximum height is restricted to six (6) feet; Signs shall not be illuminated; Signs must be comprised of a permanent or semi-permanent non-reflective material such as plastic, metal or wood;
    - b. Location: Signs shall be displayed on private property and with the approval of the property owner; Signs may not obstruct any street, sidewalk, recreation path or public snow removal operations, or impede the safe movement of pedestrians or vehicular traffic;
    - c. Number. Signs shall be limited to not more than twenty (20) signs per event;
    - d. Duration. Signs may be displayed up to one (1) day prior to the event and must be removed immediately upon conclusion of the event.
    - e. Illegal special community event signs. Special community event signs in violation of these requirements may be removed and the Town may recover Twenty Dollars (\$20) for each such sign removed. Signs not recovered by owner within ten (10) days from the date of confiscation shall be disposed of at the discretion of the Town of Verdigris.
  25. Transit shelter signs. Signs on or incorporated within Town-approved transit shelters erected and constructed in accordance with Town specifications for the comfort and convenience of the users of public transit.
  26. Vending machine signs. Permanent, non-flashing signs on vending machines, gasoline pumps, ice containers or other similar machines indicating information required by federal or state laws, the contents of such devices, the pricing of the contents contained within and/or directional or instructional information.
  27. Wind signs and inflatable devices for civic events. Temporary banners, wind signs and inflatable devices advertising and special campaign, drive, activity or event of a civic, philanthropic, educational or religious organization for non-commercial purposes, subject to the following:

- a. Location. Any such temporary sign which extends over or onto a public right-of-way shall be erected and maintained in such a manner as to not interfere with or obstruct access, activity or vision along any such public right-of-way, and shall be subject to the written approval of the Town Council.
  - b. Attributes. Temporary signs shall not exceed ninety (90) square feet in area if displayed within a public right-of-way; or sixty (60) square feet if displayed on private property.
  - c. Duration. Temporary banners may be erected and maintained for a period not to exceed fourteen (14) days prior to the date of which the campaign, drive, activity or event is scheduled to occur and shall be removed within three (3) days of the termination. Inflatable devices and wind signs, other than banners, for civic events may be erected and maintained for a period not to exceed seven (7) days.
28. Yard sale signs. Signs directing the public to yard and garage sales no larger than (4) square feet and displayed for no more than one (1) day prior to the sale and removed no later than one (1) day after the event. All signs must have the dates of sales posted

( C) Temporary Signs for new businesses.

1. General. One (1) temporary detached banner larger than those generally allowed, a wall, or sandwich/A-frame sign shall be allowed upon permit approval on the premises of a new business.
2. Attributes. The area per sign face shall be no greater than thirty-two (32) square feet, and any detached sign shall be set back no less than ten (10) feet from the property line and shall not exceed six (6) feet in height.
3. Duration. A temporary sign associated with a new business may be erected and maintained for a period not to exceed seven (7) days prior to the opening of the business, and shall be removed no later than sixty (60) days after such opening.

### 3.14.05 Prohibited Signs

The following signs are expressly prohibited within all districts:

1. No sign shall be permitted to extend into, above or be placed in or on any portion of a public street, easement, avenue or alley, nor shall any sign be painted, pasted, posted, printed or nailed to or on any curb, sidewalk, tree, light standard, utility pole, hydrant or bridge, or in any manner displayed within the public property or public right-of-way lines of any street, avenue or alley except legal notices, identification, informational or directional signs erected by a government agency and in compliance with their regulations and except for marquees approved by the Planning and Zoning Commission.
2. Abandoned signs or sign structures. Any sign or sign structure which pertains to a business, profession, commodity or service which is vacant, unoccupied or discontinued for a period of three (3) months or more, or any sign or sign structure which pertains to an event or purpose which no longer applies, shall be deemed abandoned. An abandoned sign or sign structure is prohibited and shall be removed by the owner of the sign or the owner or tenant of the premises. A sign structure meeting current sign code attributes shall not be classified as an abandoned sign.
3. Signs of a miscellaneous character visible from a public right-of-way. The tacking, posting or otherwise affixing of signs or bills of a miscellaneous character visible from a public way located on trees, poles, fences or other structures if not specifically permitted by this Sign Code.
4. Off-premises signs, unless specifically provided for in this Sign Code.
5. Beacons and search lights, other than for emergency purposes or by permission of the Commission.
6. Billboards.
7. Flashing signs. Signs with lights or illuminations which flash, move, rotate, scintillate, blink, flicker, vary in intensity, vary in color or use intermittent electrical pulsations, unless specifically provided for in this Sign Code.
8. Illegal non-conforming signs.
9. Obscene signs. Signs containing statements, words or pictures of an obscene, indecent or immoral character, such as will offend public morals or decency in accordance with Constitutional standards.
10. Gooseneck Reflectors. Gooseneck reflectors and lights shall be permitted only on ground signs, roof signs, wall signs, and works of art, provided the reflectors shall be equipped with proper glass lenses concentrating the illumination upon the area of the sign or work of art so as to prevent glare upon the street or adjacent property.
11. Spotlight and Floodlights.
12. No portable or snipe signs shall be permitted within the Town.
13. It shall be unlawful for any person to maintain any sign or work of art that extends over public property that is wholly or partially illuminated by floodlights or spotlights.
14. No sign shall be permitted that emits audible sound, vapor, smoke, odor particles or gaseous matter.
15. Roof Signs. It shall be unlawful for any person to construct or maintain any roof sign in any zoning district in the Town, unless the roof sign is incorporated into the roof structure or painted upon the surface of the roof.
16. Signs causing direct glare. A sign or illumination that causes any direct glare into or upon any public right-of-way, adjacent lot or building other than the building to which the sign may be accessory.
17. Signs creating optical illusion. Signs with optical illusion of movement by means of a design which presents a pattern capable of reversible perspective, giving the illusion of motion or changing of copy.
18. Signs on parked vehicles are prohibited if it is apparent the primary purpose is to advertise a product, service or activity or direct people to a business or activity located on the same or another property. However, this is not in any way intended to prohibit signs placed on or affixed to vehicles or trailers, such as lettering on motor vehicles, where the sign is incidental to the primary use of the vehicle or

trailer. Commercial vehicles may be identified under all circumstances by business name, telephone number, address, logo, insignia, pictorial, phrase or any pertinent information identifying the business.

19. Signs which advertise illegal activities under local, state or federal laws, rules or regulations.
20. Signs with auditory messages for the purpose of advertising to persons off the site of the business.
21. Unlawful signs. Any sign unlawfully erected or maintained.
22. Unsafe signs. Any sign which:
  - a. Is structurally unsafe;
  - b. Constitutes a hazard to safety or health by reason of inadequate maintenance or dilapidation;
  - c. Is not kept in good repair;
  - d. Is capable of causing electrical shock to persons likely to come into contact with it;
  - e. In any way obstructs the view of, may be confused with, or purports to be an official traffic sign, signal or device or any other official government regulatory or informational sign;
  - f. Uses any words, phrases, symbols or characters implying the existence of danger or the need for stopping or maneuvering of a motor vehicle or creates, in any other way, an unsafe distraction for vehicle operators, bicyclists or pedestrians.
  - g. Obstructs the view of vehicle operators, bicyclists or pedestrians entering a public roadway from any parking area, service drive, public driveway, alley or other thoroughfare;
  - h. Is located on trees, rocks, light poles or utility poles, except where required by law;
  - i. Is located so as to conflict with the clear and open view of devices placed by a public agency for controlling traffic or which obstructs a motorist's or bicyclist's clear view of an intersecting road, alley or major driveway.
  - j. Obstructs any window or door opening used as a means of egress, prevents free passage from one (1) part of a roof to any other part, interferes with an opening required for legal ventilation or is attached to or obstructs any standpipe, stairway, ladder, fire escape or fire hydrant.
  - k. No sign shall be constructed in a manner that interferes with any surface or underground utility structure. Furthermore, sign placement shall not interfere with natural or artificial drainage or surface or underground water.
  - l. No sign shall be constructed or displayed that is deemed to be hazardous, a danger, a traffic hazard, causes the potential impediment to rescue personnel in the event of an emergency or which constitutes a public nuisance.
23. Maintenance. No person shall fail to maintain a sign on such person's premises, including signs exempt from the permit requirements by this Sign Code. All signs, including all metal parts and supports thereof that are not galvanized or of rust-resistant metals, shall be kept neatly painted. The Town Building Inspector shall inspect and may order the painting, repair, alteration or removal of a sign that constitutes a hazard to safety, health or public welfare because of inadequate maintenance, dilapidation or obsolescence.
24. Notice to repair or remove. If the Town Inspector finds that any sign is maintained in violation of the provision of this Sign Code:
  - a. The Town Inspector may require that the owner or possessor of the sign or the owner of the property where the sign is located alter the sign to bring it into conformity with the requirements of this Sign Code or remove the sign. In cases of immediate danger to the public due to the defective nature of a sign, the Town Inspector may have the sign removed and assess the costs of the removal against the property.
  - b. In all cases other than the failure to obtain a sign permit, the Town Inspector shall notify the sign owner or possessor or property owner of the duty to alter or remove and such person has thirty (30) days from the date of the notice, or such longer period as the Town Inspector finds is reasonably necessary, to complete such alteration or removal. Notice under this Sign Code is

sufficient if it is mailed by certified mail with return receipt requested to the address on the application for the sign permit under this Sign Code or, if no permit is required, or if no permit is on file, to the last known owner of the real property on which the sign is located as indicated in the records of the County Assessor.

### **3.14.06 SIGNS PERMITTED BY ZONING DISTRICT**

Permits Required. A permit shall be required, except for signs or sign activities described above, to erect, construct, enlarge, alter, move, improve, remove, convert, demolish, equip or use any sign or sign structure in the Town.

Any sign not specifically permitted within a zoning district, shall be prohibited within such zoning district. Signs permitted under the provisions of this Code are itemized on matrixes according to zoning districts. The matrixes indicate whether the sign is “permitted conditionally”, or “not permitted” in each zoning district. Each matrix also includes significant characteristics or attributes of each sign by type and is further cross-referenced by a series of conditions following the Matrix. Signs not listed in a particular matrix are expressly prohibited unless a permit is not required for the particular sign by this Sign Code.

#### **Matrixes**

The following matrixes with qualifying conditions are included below:

- A. Matrix #1 – Signs permitted in Agricultural (A).
- B. Matrix #2 – Signs permitted in Residential (RS).
- C. Matrix #3 – Signs permitted in Residential Multi-Family (RM) and Residential Trailers (RT).
- D. Matrix #4 – Signs permitted in Parking (P) and Office (O).
- E. Matrix #5 – Signs permitted in Commercial (C1, C2, C3, C4) and in Industrial (I1, I2, I3).
- F. Matrix #6 – Signs permitted in Industrial (I4).
- G. Matrix #7 – Signs permitted in Commercial (C-5).

**SIGN MATRIX #1  
AG, AI, AR, AO**

Type	Sign Matrix Conditions	Not Perm	Max Sq Ft of Sign	Setback from Front Property Line	Max # Signs	Max # of Days	Maximum Height	Setback from Side or Rear Property Line	Setback from R.O.W.
Area Marker	A, D, J		100		1				25
Awnings	S, T								
Banner	HH, II				1				
Bulletin	B, C, D		12	10	1		4	8	
Plaque	F, G		2		1				
Canopy	S, Z								
Contractor	D, I, FF		16		1				
Flashing	D, CC								
Ground / Pole	C, D, G, N, P, DD, EE								
Ground / Surface	C, D, G, O P, W, DD, EE								
Marquee		X							
Moving	D, BB				1	2			
Political	D, K		16						
Projecting		X							
Real Estate	D, H, FF, GG		8		1		4		
Wall	B, C, E		12		1				



**SIGN MATRIX #2**  
**RS60, RS40, RS30, RS25, RS20, RS10, RS6**

Type	Sign Matrix Conditions	Not Perm	Max Area	Setback from Front Property Line	Max # Signs	Max # of Days	Maximum Height	Setback from Side or Rear Property Line	Setback from R.O.W.
Area Marker	A, D, J		100		1				25
Awnings		X							
Banner		X							
Bulletin	B, C, D		12	10	1		4	8	
Plaque		X							
Canopy		X							
Contractor	D, I, FF		16		1				
Flashing		X							
Ground / Pole		X							
Ground / Surface		X							
Marquee		X							
Moving		X							
Political	D, K		16						
Projecting		X							
Real Estate	D, H, FF, GG		8		1		4		
Wall		X							

**SIGN MATRIX #3  
RM6, RM4, RM2.5, RM1.5, RT**

Type	Sign Matrix Conditions	Not Perm	Max Sq Ft of Sign	Setback from Front Property Line	Max # Signs	Max # of Days	Maximum Height	Setback from Side or Rear Property Line	Setback from R.O.W.
Area Marker	A, D, J		100		1				25
Awnings		X							
Banner	HH, II				1				
Bulletin	B, C, D		12	10	1		4	8	
Plaque	F, G		2		1				
Canopy		X							
Contractor	D, I, FF		16		1				
Flashing		X							
Ground / Pole		X			1		30		
Ground / Surface		X			1		4		
Marquee		X			1				
Moving	D, BB				1	2			
Political	D, K		16						
Projecting		X							
Real Estate	D, H, FF, GG		8		1		4		
Wall		X							

**SIGN MATRIX #4  
P, O**

Type	Sign Matrix Conditions	Not Perm	Max Sq Ft of Sign	Setback from Front Property Line	Max # Signs	Max # of Days	Maximum Height	Setback from Side or Rear Property Line	Setback from R.O.W.
Area Marker	A, D, J		100		1				25
Awnings	S, T								
Banner	HH, II				1				
Bulletin	B, C, D		12	10	1		4	8	
Plaque	F, G		2		1				
Canopy	S, Z								
Contractor	D, I, FF		16		1				
Flashing		X							
Ground / Pole	C, D, G N, O, P, S, EE, FF				1		30		
Ground / Surface	C, D, G, O, P, W, DD, EE				1		4		
Marquee	S, T, Z, C, AA				1				
Moving	D, BB				1	2			
Political	D, K		16						
Projecting	D, X, Y		3						
Real Estate	C, D, GG, FF		32		1		8		
Wall	C, G, M, Q, R, U				1				

**SIGN MATRIX #5  
C1, C2, C3, C4, I1, I2, I3**

Type	Sign Matrix Conditions	Not Perm	Max Sq Ft of Sign	Setback from Front Property Line	Max # Signs	Max # of Days	Maximum Height	Setback from Side or Rear Property Line	Setback from R.O.W.
Area Marker	A, D, J		100		1				25
Awnings	S, T								
Banner	HH, II				1				
Bulletin	B, C, D		12	10	1		4	8	
Plaque	F, G		2		1				
Canopy	S, Z								
Contractor	D, I, FF		16		1				
Flashing	D, CC								
Ground / Pole	C, D, G N, O, P, S, V, EE, FF				1		30		
Ground / Surface	C, D, G, O, P, V, W, DD, EE				1		4		
Marquee	S, T, Z, C, AA				1				
Moving	D, BB				1	2			
Political	D, K		16						
Projecting	D, X, Y		3						
Real Estate	C, D, GG, FF		32		1		8		
Wall	C, G, M, Q, R, U				1				

**SIGN MATRIX #6**

I-4

Type	Sign Matrix Conditions	Not Perm	Max Sq Ft of Sign	Setback from Front Property Line	Max # Signs	Max # of Days	Maximum Height	Setback from Side or Rear Property Line	Setback from R.O.W.
Area Marker	A, D, J		100		1				25
Awnings	S, T								
Banner	HH, II				1				
Bulletin	C, D		12	10	1		4	8	
Plaque	F, G		2		1				
Canopy	S, Z								
Contractor	D, I, FF		16		1				
Flashing	D, CC								
Ground / Pole	C, D, G N, O, P, S, V, DD, EE, FF				1		30		
Ground / Surface	C, D, G, O, P, V, W, DD, EE				1		4		
Marquee	C, S, T, Z, AA				1				
Moving	D, BB				1	2			
Political	D, K		16						
Projecting	D, X, Y		3						
Real Estate	C, D, GG, FF		32		1		8		
Wall	C, G, M, Q, R, U				1				

**SIGN MATRIX #7  
C-5**

Type	Sign Matrix Conditions	Not Perm	Max Sq Ft of Sign	Setback from Front Property Line	Max # Signs	Max # of Days	Maximum Height	Setback from Side or Rear Property Line	Setback from R.O.W.
Area Marker	A, D, J		100		1				25
Awnings	S, T								
Banner		X							
Bulletin		X							
Plaque	F, G		2		1				
Canopy	S, Z								
Contractor	D, I, FF		16		1				
Flashing		X							
Ground / Pole	C, D, G N, O, S, V, DD, EE, FF				1		30		
Ground / Surface	D, G, O, V, W, DD, EE				1		4		
Marquee	S, T, Z, AA				1				
Moving		X			1	2			
Political	D, K		16						
Projecting	D, X, Y		3						
Real Estate	C, D, GG, FF		32		1		8		
Wall	G, M, Q, R, U				1				

**(1) Sign Matrixes Conditions – All Zoning Districts.**

- A. Such signs are subject to approval by the Planning Commission.
- B. Such signs shall be permitted only in connection with a non-profit organization, community or neighborhood center, public building, church or educational institution.
- C. If illuminated, indirect lighting directed away from any adjoining residential use. May be scrolling, have video clips, pictures and/or graphics, etc.
- D. Such signs shall not be constructed or located that it will obstruct the view of traffic or within the public right-of-way.
- E. Such signs shall not project higher than ten (10) feet above ground level when affixed to a building.
- F. Such signs shall be non-illuminated.
- G. Such signs shall include the business(s) name, address, and/or occupation of the occupant.
- H. Such signs shall be double-faced, advertising only “for sale”, “for rent” or “for lease” of the premises upon which the sign is located.
- I. Such signs shall be removed from the site within thirty (30) days after construction is complete.
- J. Such signs shall be removed within ninety (90) days after the sale of the last lot in the subdivision or three (3) years from the date of initial construction, whichever comes first, unless the Planning and Zoning Commission approves existing sign for a longer duration.
- K. Such signs shall not be erected or placed sooner than four (4) weeks before the applicable election or campaign and shall be removed no later than one (1) day after the general election.
- L. Such signs shall not exceed ten (10) percent of the wall to which it is attached or ninety (90) square feet, whichever is less.
- M. Such signs shall be attached to a wall that fronts or faces upon a street right-of-way.
- N. Such signs shall be limited to thirty (30) feet in height and one hundred (100) square feet in area. If the lot or tract has a front footage in excess of one hundred (100) feet, additional area may be allowed on each side of the sign equal to thirty (30) percent of the front footage in excess of the first one hundred (100) feet of said tract or lot up to a maximum of one hundred fifty (150) square feet.
- O. Shopping centers that are located on a tract or lot bound by two (2) or more public streets are allowed one (1) additional ground sign, per entrance, with a maximum of one hundred (100) square feet.
- P. If illuminated, such signs in direct view of traffic signals shall not be red, green or amber in color, and shall be illuminated only during business hours or until eleven o'clock (11:00 pm) whichever is later.
- Q. Such signs are permitted on any wall that faces or fronts onto a public right-of-way, except that no wall sign shall be permitted upon any wall other than the front wall which faces or fronts onto a public right-of-way when such public right-of-way is bounded on the opposite side by properly zoned single-family dwellings.
- R. Such signs shall be limited to ten (10) percent of the wall to which it is attached or one hundred fifty (150) square feet, whichever is less. For each one hundred (100) foot increment the structure is set back from the public right-of-way, the maximum area may be increased by fifty (50) percent, provided that no sign shall exceed four hundred fifty (450) square feet.
- S. All such structures shall be constructed and erected so that the lowest portion thereof shall not be less than eight (8) feet above the level of the public sidewalk and fifteen (15) feet above a drive or alley.
- T. Such structures shall not be permitted to extend to a point within two (2) feet of the curb line.
- U. All establishments may construct one (1) wall sign as permitted in their respective zoning districts on building walls which do not face or front an adjoining and abutting public right-of-way, when there exists under the linear feet between the wall and the nearest building, but in no case shall a sign be constructed on more than two (2) walls of a building.

- V. If more than one (1) establishment is located on a tract or lot, one (1) ground sign, pole or surface mounted, may be installed to display names or stores, occupations or businesses located on the tract or lot. The size of the sign shall not exceed one hundred (100) square feet in area.
- W. Such signs shall be limited to sixty (60) square feet in area. If the lot or tract has a front footage in excess of one hundred (100) feet, additional area may be allowed on each side of the sign equal to thirty (30) percent of the front footage in excess of the first ninety (90) feet of said tract or lot up to a maximum of one hundred fifty (150) square feet.
- X. Projecting signs shall be permitted beneath a canopy or marquee and erected over a public sidewalk and shall be hung at a right angle from the building.
- Y. A sign erected beneath a canopy or marquee shall not extend beyond a point within two (2) feet of the front edge of the canopy or marquee and shall maintain a minimum clearance of eight (8) feet between the bottom of the sign and the public sidewalk.
- Z. All such structures must comply with the following:
  - 1. Such structures must be suspended from the building and not resting upon the sidewalk.
  - 2. Such structures, when erected must be so drained as not to discharge water upon the sidewalk or upon streets except by a closed drain.
- AA. No marquee shall display any advertising matter, except those goods and services offered for sale upon the premises or public service messages of a community wide interest.
- BB. Such signs shall be illuminated or non-illuminated and permitted for a period of forty-eight (48) hours in connection with a real estate "open house".
- CC. Such signs are permitted only when displaying flashing or intermittent lights or lights of changing degrees of intensity of color and when such signs do not constitute a traffic hazard.
- DD. No such sign shall be located on the triangle formed by two (2) curb lines at the intersection of two (2) streets and extending for a distance of fifty (50) feet each way from the intersection of the curb lines on any corner lot or shall be permitted to exceed a height of more than thirty-six (36) inches above the road level of any street, avenue or alley.
- EE. No portion of such signs shall extend beyond the property line.
- FF. Structural components of such signs, including the pole(s) or structure(s) to which said sign is attached, may not exceed twenty-five (25) percent of the width of the sign cabinet.
- GG. Such signs are limited to eight (8) square feet in districts zoned residential and thirty-two (32) square feet in all other zoning districts.
- HH. If said banner is in connection with a non-profit organization, community or neighborhood center, church, public building or educational institution: Said banner shall adhere to the following restriction, Said banners shall be limited to a period not exceeding thirty (30) days.
- II. If said banner is in connection with a commercial or for profit institution, and the banner is to be displayed for more than thirty (30) consecutive days of a sixty (60) day period: Said banners shall adhere to the following restrictions:
  - 1. Said banners must be permitted by the Planning and Zoning Commission and must obtain a site plan indicating the location of said banner.
  - 2. Said banners must accompany a permanent ground, pole or wall sign or as permitted by the Planning and Zoning Commission.
  - 3. The requested time period for the banner must be listed on the application and may be modified by the Planning and Zoning Commission.
  - 4. Said banners shall be limited to one (1) banner per location.
  - 5. Said banners must be attached to the primary building and not free standing, when applicable.



### **3.14.07 UNIFIED SIGN PLAN**

A unified sign plan (USP) is an application requesting approval of a comprehensive sign permit establishing the size, location and design of signage on property being developed as a unit. The purpose of a USP is to provide for the establishment of signage criteria that is tailored to a specific development or location and which may vary from the provisions of this Code. The intent of the USP section is to provide for some flexibility in the sign criteria of this Code that promotes superior design through architectural integration of the site, buildings and signs. A USP may be incorporated into a PUD.

National or international franchises shall be given reasonable consideration with respect to company standard logos and lettering styles that are an integral part of the franchise image and identity. The consideration shall not be without restriction and shall be within the boundaries of sound planning and zoning practice, and in harmony with the general purpose and intent of the unified signage plan.

All unified sign plans are subject to the following restrictions:

1. All Unified Sign Plans must include the location, size, height, construction material, color, type of illumination and orientation of all proposed signs.
2. All Unified Sign Plans must be reviewed by the Planning and Zoning Commission and shall conform to all conditions imposed by said Commission prior to the issuance of a sign permit.
3. Unified Sign Plans shall include all signage to be located within the perimeters of the subject site whether in excess of the provisions of the current sign code or not.
4. Unified Sign Plans may not propose a total sign square footage exceeding three (3) square feet of signage per every one (1) linear foot of street frontage of the subject property.
5. Unified Sign Plans cannot include any sign that is prohibited by this Sign Code.

### **3.14.08 ADMINISTRATIVE PROVISIONS**

Except where otherwise provided in Section 3.14.05, but including all other provisions, the administrative provisions herein described shall govern all signs located within the Town of Verdigris.

1. Permits Required
  - A. No person shall construct, structurally alter, rebuild, enlarge, extend, relocate, attach to or support by a building or structure any sign unless a permit for such sign has been issued by the Town of Verdigris, or unless such sign is specifically exempted from permit requirements by this Sign Code.
  - B. It shall be unlawful to change, modify, alter, or otherwise deviate from the terms or conditions of a sign permit without an approved amendment in writing by the Planning and Zoning Commission.
  - C. If the work authorized under a sign permit has not been completed within six (6) days after the date of issuance said permit shall become null and void and there shall be no refund of any fee required by this Code.
  - D. After a sign has been constructed, the applicant shall notify the Planning and Zoning Commission, who shall inspect such sign and approve the same if it is in compliance with the plans submitted to the Town and the provisions of this Code. The Planning and Zoning Commission may, from time to time as necessary, inspect all signs or other advertising structures regulated by this Code, for the purpose of ascertaining whether it is secure or whether it is in need of removal or repair.
2. Permit Revocable

- A. All rights and privileges acquired under the provisions of this section, or any amendment there to, are mere licenses revocable by the Planning and Zoning Commission for violation of the provisions of this Sign Code.
  - B. All canopies, ropes, networks, banners, holiday decorations, posts, radio aerials, placed in or projecting over or across any street, avenue, alley or sidewalk shall be deemed nuisances unless constructed and maintained under the conditions of this Code.
  - C. When any such condition exists as is referred to in B. above, the Town Board may declare such a nuisance and order its removal and abatement. Pursuant to the Nuisance Ordinances adopted by the Town as they may be amended from time-to-time.
3. License Required
- A. No person, firm or corporation shall engage in the business of sign hanging or the erection of signs within the corporate limits of the Town without complying with the provisions of this Code.
  - B. There shall be an initial license fee of fifty dollars (\$50) for each such person, firm or corporation engaged in the business of sign hanging and the erection of signs. There shall also be a yearly license renewal fee of fifty dollars (\$50). All persons engaged in the business of sign hanging and the erection of signs must obtain such a license, except those who are employed by contractors carrying a license. There shall be a separate license for each place of business in the Town conducted by any person, firm or corporation.
  - C. Nothing in this Code shall prevent any person, firm or corporation from hanging or erecting any sign or signs to be used in advertising the business or merchandise offered for sale of such a person, firm or corporation, but strict compliance with the provisions of this Code must be made at all times in the hanging and maintenance of such signs.

### **3.14.09 CONSTRUCTION, INSPECTION AND MAINTENANCE STANDARDS**

Provisions related to construction requirements shall be as follows:

- 1. Materials
  - A. Awnings – Awnings may be constructed of cloth or metal. All frames and supports shall be constructed of metal.
  - B. Canopy – Canopies must be constructed of fireproof material.
  - C. Ground Sign/Pole Mounted – All ground signs mounted by the use of poles, shall have a surface or facing of non-combustible materials, or material approved by the Planning and Zoning Commission. Provided that combustible structural trim may be used thereon.
  - D. Ground Sign/Surface Mounted – All ground signs/surface mounted, shall be constructed of materials approved by the Planning and Zoning Commission.
  - E. Marquees – All marquees, including the anchors, bolts, supports, rods and braces thereof, shall be constructed of non-combustible materials and approved by the Building Inspector.
  - F. Wall Signs – All wall signs shall have a surface or facing of non-combustible materials.
- 2. Letters, Bracing, Anchorage and Supports
  - A. Awnings – Every awning shall be securely attached to and supported by the building.
  - B. Ground Sign/Pole Mounted signs – All letters, figures, character, or representation in cut out or irregular form, maintained in conjunction with, attached to or superimposed upon any ground sign/pole mounted shall be safely and securely built or attached to the sign structure. This does not exclude the use of standardized, changeable lettering securely mounted on sign forms. All ground

signs/pole mounted shall be securely built, constructed and erected upon foundations, posts, standards or supports designed to adequately support the sign.

- C. Ground Sign/Surface Mounted – All letters, figures, characters or representation in cut out or irregular form, maintained in conjunction with, attached to or superimposed, upon any ground sign/surface mounted shall be safely and securely built or attached to the sign structure. All ground signs/surface mounted shall be securely built, constructed and erected upon foundations, posts, standards, or supports designed to adequately support the sign.
- D. Wall Signs – All wall signs shall be safely and securely attached to the building wall.

3. Maintenance

All signs affixed or attached to the ground or surface and the premises surrounding the same shall be maintained by the owner or occupant thereof in a clean, sanitary and inoffensive condition, free and clear of all obnoxious substances, rubbish, trash, weeds or tall grass.

The Planning and Zoning Commission may inspect any signs or other advertising structures governed by this Code. Upon finding the sign is damaged or in need of repair, the Planning and Zoning Commission may order the repair or removal of said sign.

4. Other Requirements

All signs governed under this Code shall be designed and constructed according to the newest version of the International Building Code.

**3.14.10 PERMIT FEES AND PENALTIES**

- 1. Permit Fees – Every applicant, before being granted a permit hereunder, shall pay to the Town of Verdigris fees according to the Schedule of Fees in the Town of Verdigris Zoning Ordinance for each sign regulated under this Sign Code:

<b>TYPE</b>	<b>COST</b>
Awning	\$15.00
Banner	\$15.00
Canopy	\$15.00
Permanent Signs (Wall Sign, Ground Sign, etc.)	\$20.00
Unified Sign Plan	\$750.00

Furthermore, a permit shall not be issued until a certificate of public liability insurance in the amount of one hundred thousand dollars (\$100,000) and a certificate of employer's liability and worker's compensation insurance in an amount that is in conformity with the statutory requirements of the laws of the State of Oklahoma has been filed with and approved by the Town Clerk. A double permit fee shall be charged for failure to make application for a sign permit as required in this Sign Code. Further:

- A. For example, the fees set forth above are exclusive of required electrical, building or any other permit fees. Any application requesting a permit to install a sign with internal or external lighting will

be required to purchase an electrical permit in addition to the costs set forth in the above fee schedule.

B. If a permit is requested for signs in different categories as outlined above, whether for one or more businesses, the full cost for the permit in each category shall be charged unless a unified sign plan is submitted.

2. Penalty – Any person, firm or corporation violating any of the provisions of this Code shall upon conviction thereof, be fined a sum, not to exceed, five hundred dollars (\$500).

Each day such violation is committed or permitted to continue shall constitute a separate offense. It shall be the responsibility of the Planning and Zoning Commission, and its designees, to enforce the provisions of this Sign Code.

### **3.14.11 NON-CONFORMING SIGNS**

A sign lawfully existing at the effective date of the adoption or amendment of this Sign Code but which would be prohibited under the terms of this Code or amendment thereto shall be deemed non-conforming (a/k/a/ legal non-conforming). Said signs shall remain non-conforming and may continue subject to the following provisions:

1. Temporary signs not allowed by this Sign Code shall be removed within ninety (90) days of the passage of this Sign Code.
2. Permanent, non-conforming signs may not be moved, altered or enlarged in any way without conforming to the provisions of this Code.
3. Permanent, non-conforming signs that are damaged or partially destroyed by any means to the extent of more than fifty (50) percent of its current replacement costs at the time of damage shall not be replaced or reconstructed.

### **3.14.12 SIGN VARIANCES**

The Town of Verdigris Board of Adjustment may grant a variance to the requirements of this Sign Code only if the applicant demonstrates compliance with the following criteria:

1. That the variance is necessary due to extraordinary or peculiar circumstances related to the size, shape, topography or location of the subject property.
2. That the extraordinary or exceptional conditions of the subject property are not a direct result of the actions of the applicant, or his/her or its predecessor in title.
3. That the variance as granted represents the least deviation from the prescribed regulations necessary to accomplish the purpose for which the variance is sought and which is consistent with stated intent and purpose of this Sign Code.
4. That the granting of the variance shall result in greater convenience to the public in identifying the business location for which a Sign Code variance is sought.
5. That the granting of the variance will not be detrimental to the public welfare will not constitute a public nuisance, or adversely affect public safety.
6. That the granting of the variance will not interfere with the location and identification of adjacent businesses, buildings or activities.

### **3.14.13 VALIDITY**

If any section, subsection, sentence, clause, phrase or portion of this Code is for any reason held invalid or unconstitutional by any court of competent jurisdiction, such portion shall be deemed a separate, distinct and independent provision and such holding shall not affect the validity of the remaining portions thereof.