

## CHAPTER 31 - SIGNS

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### **31.01: FINDINGS.**

The Osakis City Council hereby finds as follows:

- A. Exterior signs have a substantial impact on the character and quality of the environment.
- B. Signs provide an important medium through which individuals may convey a variety of messages.
- C. Signs can create traffic hazards, aesthetic concerns and detriments to property values, thereby threatening the public health, safety and welfare.
- D. The City's zoning regulations include the regulation of signs in an effort to provide adequate means of expression and to promote the economic viability of the business community, while protecting the City and its citizens from a proliferation of signs of a type, size, location and character that would adversely impact upon the aesthetics of the community and threaten the health, safety and welfare of the community.
- E. The regulation of the physical characteristics of signs within the City has had a positive impact on traffic safety and the appearance of the community.
- F. The City recognizes the interdependence of land values and aesthetics and can provide through this Ordinance a method by which the City may implement this interdependence to the benefit of its constituents

### **31.02: PURPOSE AND INTENT.**

It is not the purpose or intent of this Ordinance to regulate the message displayed on any sign; nor is it the purpose or intent of this Ordinance to regulate any building design or any display not defined as a sign, or any sign which cannot be viewed from outside a building. The purpose and intent of this Ordinance is to:

- A. Regulate the number, location, size, type, illumination and other physical characteristics of signs within the City in order to promote the public health, safety and welfare.

- B. Establish standards which permit property owners the opportunity to identify and advertise themselves, goods, or services; to preserve and protect the value of land, buildings and landscapes and promote the attractiveness of the community; to ensure that signs in the City are not a safety hazard to lives and/or property; to eliminate confusion in locating goods, services and facilities, and to preserve order and to encourage business to erect permanent signs and discourage temporary and/or portable signs.
- C. Improve the visual appearance of the City while providing for effective means of communication, consistent with constitutional guarantees and the City's goals of public safety and aesthetics.
- D. Provide for fair and consistent enforcement of the sign regulations set forth herein under the zoning authority of the City.

**31.03: EFFECT.**

A sign may be erected, mounted, displayed or maintained in the City if it is in conformance with the provisions of this Ordinance. The effect of this Ordinance, as more specifically set forth herein, is to:

- A. Allow a variety of sign types in commercial zones, and a more limited variety of signs in other zones, subject to the standards set forth in this Ordinance.
- B. Allow certain small, unobtrusive signs incidental to the principal use of a site in all zones when in compliance with the requirements of this Ordinance.
- C. Prohibit signs whose location, size, type, illumination or other physical characteristics negatively affect the environment and where the communication can be accomplished by means having a lesser impact on the environment and the public health, safety and welfare.
- D. Provide for the enforcement of the provisions of this Ordinance.

**31.04: APPLICABILITY.**

- A. Sign Permit Required: To ensure compliance with the regulations of this Ordinance, a sign permit shall be required in order to apply, erect, move, alter, reconstruct, or repair any permanent or temporary sign, except signs that are exempt from permits enumerated in Section 28.10 of this Chapter for sign permit application and processing requirements.
- B. Sign Standards: The sign standards provided in this Section are intended to apply to signs in each zoning district in the City. Only signs authorized by this Ordinance shall be allowed.

**31.05: SEVERABILITY.**

If any section, subsection, sentence, clause, or phrase of this Ordinance is for any reason held to be invalid, such invalidity shall not affect the validity or enforceability of the remaining portions of this Ordinance. The City Council hereby declares that it would have adopted the Sign Ordinance in each section, subsection, sentence, or phrase thereof, irrespective of the fact that any one or more sections, subsections, sentences, clauses, or phrases be declared invalid.

**31.06: SUBSTITUTION CLAUSE.**

The owner of any sign which is otherwise allowed by this Ordinance may substitute non-commercial speech in lieu of any other commercial speech or non-commercial speech. This substitution of copy may be made without any additional approval or permitting. The purpose of this provision is to prevent any inadvertent favoring of commercial speech over non-commercial speech.

**31.07: DEFINITIONS.**

The following words and phrases, when used in this Ordinance, shall have the following meanings, unless the context clearly indicates otherwise:

**Abandoned Sign:** Any sign and/or its supporting sign structure which remains without a message or whose display surface remains blank for a period of one (1) year or more, or any sign which pertains to a time, event or purpose which no longer applies, shall be deemed to have been abandoned. Signs applicable to a business temporarily suspended because of a change in ownership or management of such business shall not be deemed abandoned unless the property remains vacant for a period of one (1) year or more. Any sign remaining after demolition of the principal structure shall be deemed to be abandoned. Signs which are present because of being legally established nonconforming signs or signs which have required a special use permit or a variance shall also be subject to the definition of abandoned sign.

**Awning:** A shelter projecting from and supported by the exterior wall of a building constructed of nonrigid materials on a supporting framework (compare "marquee").

**Awning Sign:** A building sign or graphic printed on or in some fashion attached directly to the awning material.

**Balloon Sign:** A temporary sign consisting of a bag made of lightweight material supported by helium, hot, or pressurized air which is greater than twenty-four (24) inches in diameter. A simple helium balloon is not considered as balloon sign.

**Bench Sign:** A sign located on any part of the surface of a bench or seat.

**Billboard Sign:** A sign which advertises an establishment, service, merchandise, use, entertainment, activity, produce or message which is not conducted, sold, produced, manufactured or furnished upon the parcel or lot where the sign is located.

**Building Sign:** Any sign attached to or supported primarily by any Building.

**Canopy:** A roof-like cover, often of fabric, plastic, metal, or glass on a support, which provides shelter over a doorway, unlike an awning which extends generally the length of a wall.



**Canopy Sign:** A building sign that is part of or attached to a canopy, made of fabric, plastic, or structural protective cover over a door or entrance. A canopy sign is not a marquee.

**Changeable Copy Sign:** A sign or portion thereof with characters, letters, or illustrations that can be changed or rearranged without altering the face or the surface of the sign. This excludes electronic variable message signs and are distinguished by the fact that they must be changed manually.

**City Identification Sign:** A sign placed at a point of entry to the City of Osakis for the purpose of informing a person that they are entering the City.

**Commercial Speech:** Speech on a sign that advertises a product or service for profit or for a business purpose.

**Community Organization:** Means a group of persons organized for the advancement of activities of a civic cultural or recreational nature and which activities are not conducted for monetary profit.

**Community Promotion Sign:** A sign which solicits support for or advertises a civic event, community use, social institutions, or public use. Such signs may include, but shall not be limited to, seasonal holidays, school activities, community programs and activities or location of places or events of community or tourist interest and may include business advertising provided that the same shall constitute not more than 15% of the sign.

**Construction Sign:** A sign temporarily placed on a construction site identifying the project, and/or owner, developer, prime contractor, subcontractor, lender, architect, and may include other information regarding the project.

**Development Sign:** Any sign located at the entrance to a residential development or subdivision, for the purpose of identifying the subdivision.

**Elevation:** The view of the side, front, or rear of a given structure(s).

**Elevation Area:** The area of all walls that face any lot line.

**Erect, Erected:** Activity of constructing, building, raising, assembling, placing, affixing, attaching, creating, painting, drawing or any other way of bringing into being or establishing.

**Flag:** Any fabric or similar lightweight material attached at one end of the material, usually to a staff or pole, so as to allow movement of the material by atmospheric changes and which contains distinctive colors, patterns, symbols, emblems, insignia, or other symbolic devices.

**Flashing Sign:** A directly or indirectly illuminated sign which exhibits changing light or color effect by any means, so as to provide intermittent illumination which includes the illusion of intermittent flashing light by means of animation. Also any mode of lighting which resembles zooming, twinkling, or sparkling.

**Freestanding Sign:** A permanent or temporary sign which has supporting framework that is placed on, or anchored in, the ground and which is independent from any building or other structure.

**Grade:** Grade shall be construed to be the average final ground elevation after construction within 50 feet of the sign. Earth mounding criteria for landscaping and screening shall be excluded when calculating the final grade for sign height computation.

**Height of Sign:** The height of the sign shall be computed as the vertical distance measured from the highest attached component of the sign to either the average grade or the top of the nearest curb of the street on which the sign fronts, whichever is greatest.

**Illuminated Sign:** Any sign which contains an element designed to emanate artificial light internally or externally.

**Informational Sign:** A sign with a purpose secondary to the use on the lot on which it is located that provides directives and/or identifying messages strictly for the convenience of the public, including signs which identify rest rooms, waste receptacles, addresses, doorbells, public interest signs or signs indicating the private nature of a road, driveway or premises, signs prohibiting or otherwise controlling hunting or fishing upon particular premises, and signs indicating ownership of a property mailboxes or building entrances.

**Interior Sign:** A sign which is located within the interior of any building, or within an enclosed lobby or court of any building, and a sign for and located within the inner or outer body, court or entrance of any theater. These signs are not meant to be seen from the exterior of a building.

**Kiosk:** A freestanding structure with two or more sides used to display community and visitor information, business directories and maps.

**Marquee:** Any permanent roof-like structure projecting beyond a theater building or extending along and projecting beyond the wall of that building, generally designed and constructed to provide protection from the weather.

**Marquee Sign:** Any building sign painted, mounted, constructed or attached in any manner, on a marquee.

**Memorial Sign:** A sign, tablet, or plaque memorializing a person, event, structure or event.

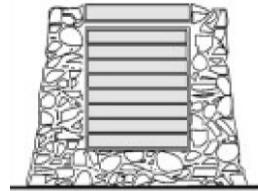
**Monument Sign:** Any freestanding sign with its sign face mounted on the ground or mounted on a base at least ¾ as wide as the sign.



Monument

**Multiple Tenant Site:** Any commercial site which has more than one (1) tenant, either with separate ground level exterior public entrance or shared entrance.

**Non-Commercial Speech:** Dissemination of messages not classified as Commercial Speech which include, but are not limited to, messages concerning political, religious, social, ideological, public service and informational topics.



Multi-Tenant

**Off-Premise Advertising Sign:** A sign which directs the attention of the public to a business, activity conducted, or product sold or offered at a location not on the same lot where such sign is located.

**On-Premise Advertising Sign:** A sign which identifies or advertises an establishment, person, activity, goods, products or services located on the premises where the sign is installed.

**Permanent Sign:** A sign constructed of durable materials and intended to exist for the duration of time that the use or occupant is located on the premises.

**Pole Sign:** See Pylon Sign.

**Portable Sign:** Any sign which is clearly designed to be transported, including by trailer or on its own wheels, even though the wheels of such sign may be removed and the remaining chassis or support is converted to another sign or attached temporarily or permanently to the ground since this characteristic is based on the design of such a sign.

**Projecting Sign:** Any sign which is affixed to a building or wall in such a manner that leading edge extends more than two (2) feet beyond the surface or such building or wall face.

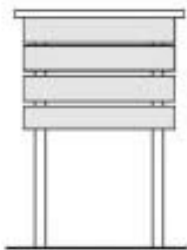


Projecting

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Pole/Pylon

**Pylon Sign:** Any freestanding sign which has one or two supportive structure(s) anchored in the ground and which has sign face elevated above ground level by pole(s) or beam(s) with the area below the sign face open.

**Real Estate Sign:** A sign indicating that a property or any portion thereof is available for inspection, sale, lease, rent, or directing people to a property, but not including temporary residential development project signs.

**Residential District:** Any district zoned for residential uses.

**Roof:** The exterior surface and its supporting structure on the top of a building or structure. The structural make-up of which conforms to the roof structures, roof construction and roof covering sections of the Uniform Building Code.

**Right of Way:** The entire right of way of any public street or platted or dedicated right of way.

**Roof line:** The upper-most edge of the roof or in the case of an extended facade or parapet, the uppermost height of said facade.

**Roof Sign:** Any sign erected and constructed wholly on and above the roof of a building, supported by the roof structure, and extending vertically above the highest portion of the roof.

**Roof Sign, Integral:** Any building sign erected or constructed as an integral or essentially integral part of a normal roof structure of any design, so that no part of the sign extends vertically above the highest portion of the roof and so that no part of the sign is separated from the rest of the roof by a space of more than six (6) inches.

**Rotating Sign:** A sign or portion of a sign which turns about on an axis.

**Sandwich Board Sign:** A temporary sign that is so designed to be self-supporting by design. Often times this sign is of the folding type and when collapsed is flat in nature, therefore “sandwiches” together.

**Search Light:** Is any apparatus designed to project a beam of light for the purpose of drawing the attention of the public during hours of darkness.

**Shimmering Signs:** A sign which reflects an oscillating sometimes distorted visual image.

**Sign:** any letter, word or symbol, poster, picture, statuary, reading matter or graphic presentation in the nature of advertisement, announcement, message or visual communication, whether painted, posted, printed, affixed or constructed, including all associated brackets, braces, supports, wires and structures, which is displayed for informational or communicative purposes.

**Sign Face:** The surface of the sign upon, against, or through which the message of the sign is exhibited.

**Sign Structure:** Any structure including the supports, uprights, bracing and framework which supports or is capable of supporting any sign.

**Site:** A lot or combination of contiguous lots which are intended, designated, and/or approved to function as an integrated unit.

**Stringer:** A line of string, rope, cording, or an equivalent to which is attached a number of pennants.

**Suspended Sign:** Any building sign that is suspended from the underside of a horizontal plane surface and is connected to this surface.

**Temporary Sign:** Any sign that is used only temporarily and is not permanently mounted which is to be in place for a specified period of time.

**Total Site Signage:** The maximum permitted combined area of all freestanding and wall identification signs allowed on a specific site.

**Video Screen Sign:** A sign comprised of a video screen displaying advertising content in animated or motion picture form.

**Vehicle Sign:** A permanent or temporary sign affixed, painted on, or placed in or upon any parked vehicle, parked trailer, or other parked device capable of being towed, which is displayed in public view such that the primary purpose of said display is to attract the attention of the public, rather than to serve the business of the owner thereof in the manner which is customary for said vehicle.

**Visible:** Capable of being seen by a person of normal visual acuity (whether legible or not) without visual aid.

**Wall:** Any structure which defines the exterior boundaries or courts of a building or structure.

**Wall Sign:** Any building sign attached parallel to, or entirely within two (2) feet of a wall, painted on the wall surface of, or erected and confined within the limits of an outside wall of any building or structure, or displayed on a canopy which is supported by such wall or building.

**Window Sign:** Any building sign, pictures, symbol, or combination thereof, designed to communicate information about an activity, business, commodity, event, sale, or service, that is painted or placed inside a window or upon the window panes or glass and is visible from the exterior of the window.

**31.08: PROHIBITED SIGNS.**

The following signs are unauthorized signs and are prohibited by this Ordinance:

- A. Any sign, signal, marking or device which purports to be or is an imitation of or resembles any official traffic control device or railroad sign or signal, or emergency vehicle signal, or which attempts to direct the movement of traffic or which hides from view or interferes with the effectiveness of any official traffic-control device or any railroad sign or signal.
- B. Off-premise Advertising Signs; including Billboards, except for in the C-2 and C-3 District, where they are a conditional use permit.
- C. Signs painted, attached or in any other manner affixed to trees, rocks, or similar natural surfaces, or attached to public utility poles, bridges, towers, or similar public structures.
- D. Roof Signs unless placed on parapet or incorporated into building as an integral roof sign to provide overall finished appearance.
- E. Shimmering Signs.
- F. Rotating Signs (except barber pole signs).
- G. Vehicle signs.
- H. Abandoned Signs.
- I. Search Lights.
- J. Bench Signs except the City approved memorial benches.
- K. Balloon Signs greater than 24" in diameter.
- L. Stringer Signs.
- M. Video Screen Signs.
- N. Signs affixed to sidewalks.
- O. Signs within public Right of Ways or easements, excepting the following:
  - 1. As Erected by an official unit of government or public utilities for the direction of traffic or necessary public information.
  - 2. In the C-1 District, signs may extend three (3) feet over the public right-of-way, but in no case beyond the curb line. Such signs shall be at least ten (10) feet above the level of the sidewalk.
  - 3. Directional signage upon finding that the signs are needed for the direction of traffic or necessary public information.
  - 4. Community Promotion Signs or Kiosks as authorized by the City. To ensure that the safety of the public is not compromised, the size, location and method of erection of such signs shall be subject to

approval by the City Clerk, Public Works Director and the Chief of Police pursuant to good engineering practices.

### **31.09: GENERAL REGULATIONS.**

- A. All signs along state highways shall conform to state sign regulations.
- B. Sign Maintenance.
  - 1. Painting: The owner of any sign shall be required to have such a sign properly painted at least once every two (2) years, if needed, including all parts and supports of the sign, unless such parts or supports are galvanized or otherwise treated to prevent rust.
  - 2. Area Around Signs: The owner, or lessee, of any sign or the owner of the land on which the sign is located shall keep the grass, weeds or other growth cut and the area between the sign and the street and the area within six (6) feet from the ends of the sign, free from refuse.
  - 3. Obsolete Signs: Any sign which no longer advertises a bona fide business conducted or a product sold shall be taken down and removed by the owner, agent or person having the beneficial use of the building or land upon which the sign may be found, within ten (10) days after written notice from the Zoning Administrator.
  - 4. Unsafe or Dangerous Signs: Any sign which becomes structurally unsafe or endangers the safety of a building or premises or endangers the public safety shall be taken down and removed by the owner, agent or person having the beneficial use of the building, structure or land upon which the sign is located, within ten (10) days after written notification from the Zoning Administrator.
- C. All signs in the U-R, R-1 and R-2 Districts shall be set back a minimum of five (5) feet from all property lines, and shall not be located within fifteen (15) feet of an intersection. In the C-1, C-2, C-3 and I-1 Districts, free-standing or pole signs shall be setback a minimum of five (5) feet from the front property line and a minimum of either five (5) feet or a distance equal to the height of the sign, whichever is greater, from the side property lines.

### **31.10: EXEMPTIONS.**

The following signs shall not require a permit. These exemptions, however, shall not be construed as relieving the Owner of the sign from the responsibility of its erection and maintenance, and its compliance with the provisions of this Ordinance or any other law or Ordinance regulating the same.

- A. The changing of the display surface on a painted or printed sign that does not involve any other structural alterations provided it meets all dimensional requirements of this Ordinance and does not provide off-site advertising unless specifically allowed by this Ordinance.
- B. Official Public Notices or signs required by local, state or federal regulations.
- C. Governmental signs, including but not limited to: traffic control and other regulatory purpose signs, street signs, City Identification Signs, informational signs, danger signs and railroad crossings.
- D. On premises Directional Signs not exceeding six (6) square feet in area or three (3) feet in height, if freestanding, displayed strictly for the direction, safety, or convenience of the public, including signs which identify restrooms, parking area entrances or exits, freight entrances, addresses, or similar information. A sign may contain a logo without text provided that the logo may not comprise more than 15% of the total sign area. Directional signage may be permitted within a public right of way only with the approval of the City Council; only to direct the public to a principal entrance that is not easily identified and only after the City Council determines that the public good is enhanced by the placement of the sign.



- E. Residential home security signs and home occupation signs, provided such total signage on a lot shall not exceed two (2) square feet in area, and such signs shall not be placed or maintained in the public right-of-way and shall not be illuminated.
- F. Historical plaques by recognized historical agencies, provided such signs shall not be placed or maintained in the public right-of-way, shall not be illuminated, and shall not exceed six (6) square feet in area.
- G. Interior Signs used within a building, which are positioned so as to not be readable from the outside of a building.
- H. Informational Signs not exceeding two (2) square feet in area displayed strictly for the convenience of the public, and which set forth no advertising, including signs which identify rest rooms, waste receptacles, addresses, doorbells, public interest signs or signs indicating the private nature of a road, driveway or premises, signs prohibiting or otherwise controlling hunting or fishing upon particular premises, and signs indicating ownership of a property mailboxes or building entrances. The City shall determine that the proposed location, sign material, manner of affixing or anchoring, size, and any illumination are safe and proper.
- I. Community Promotion Signs and Kiosks.
- J. Political campaign signs are permitted on private property in any zoning district subject to the express consent of the Owner or occupant of such property and in accordance Minnesota Statute 211B.045 provided that:
  - 1. No such sign is located within a hundred (100) feet of any polling Site;
  - 2. No such sign is placed within the public right-of-way;
  - 3. No such sign is posted prior to August 1st; and
  - 4. The political campaign sign is removed within ten (10) days following the election.
- K. Temporary on site and off site real estate signs pertaining to the sale or rental of real property, provided these signs shall be limited to two (2) signs per property totaling no more than six (6) square feet in Sign Face area. These signs shall be removed within seven (7) calendar days form the time of the sale, lease or rent.
- L. Memorial Signs or tablets.
- M. Construction Signs recognizing a party that is actually contributing to the project (architects, engineers, or contractors) placed on a Site where construction is occurring provided they do not exceed eight (8) square feet and are removed after a certificate of occupancy is issued.
- N. Window Signs indicating the store hours or names of credit institutions, provided that the total area of such sign or signs does not exceed two (2) square feet.
- O. Temporary residential signs advertising such things as garage sales, celebratory occasions, etc. provided such signage on a parcel shall not exceed eight (8) square feet in area, and such signs shall not be placed or maintained in the public right-of-way and shall not be illuminated.
- P. Temporary Emergency or Special Situation Signs not specifically defined in this Ordinance if a valid need is known to exist by virtue of an emergency or special situation such as highway construction. The duration, location, size and other conditions regarding the sign shall be established by the City Zoning Administrator at the time of approval.

- Q. Signs located on vending machines bearing the brand name of the product being sold or the price of such product.
- R. Revolving barbershop pole sign, only advertising barber or hair grooming services provided that it does not exceed thirty-six (36) inches in height.
- S. Any Temporary Sign located on a City-authorized Kiosk.
- T. Non-commercial art. Any outdoor artwork, mural, sculpture and the like may be displayed on a lot, provided that it does not contain any commercial message or logo and does not create a sight visibility hazard, and is not of an obscene nature as defined by the United States Supreme Court. Where such outdoor art is part of a Site that is subject to the Planning Commission's jurisdiction, the outdoor art shall be considered part of the development that is subject to the Planning Commission's review and approval.

**31.11: PERMITTED SIGNS.**

A. The following signs are permitted in the U-R, R-1 and R-2 Districts, upon issuance of a sign permit:

- 1. Subdivision Signs as regulated by this Chapter.
- 2. Development Signs as regulated by this Chapter.

B. The following signs are permitted in the C-1, C-2, C-3 and I-1 Districts:

- 1. On-Premises (Permanent and Temporary) Advertising Signs as regulated within this Chapter.
- 2. Development Signs as regulated within this Chapter.
- 3. Maximum Square Footage of Signs in the C-1, C-2, C-3 and I-1 Districts:
  - a. The aggregate square footage of sign space per lot shall not exceed ten (10) percent of the ground area of the principal structure on the lot.
  - b. Aggregate wall sign area shall not exceed twenty (20) percent of the area of the facade to which it is affixed.
  - c. No individual sign shall exceed one hundred (100) square feet of area per surface.

C. The following signs shall also be allowed in the C-2 & C-3 District, as applicable.

1. Off-premise signs (billboards), subject to performance standards below and conditional use permit approval by council.

- a. The total square footage allowed per off-premise sign shall be 64 sq.ft. If two sided, then each side can be 64 sq.ft. each.
- b. The maximum height shall be 20 feet and shall follow standard 4 subpart c below.
- c. One off-premise sign per parcel is allowed.
- d. There shall be 500 feet between all off-premise signs located on the same side of a street.
- e. If located on a state or county highway, the governing authority of the road shall give notice of the conditional use application to provide comment, and the sign shall conform to any regulations of the authority.

4. Maximum Height:

- a. I-1 Districts: Maximum Height. Freestanding signs shall not exceed twenty (20) feet in height as measured from the elevation of the centerline of the adjoining roadway, except that at those sites at which the elevation of the abutting property is higher than the centerline of the adjoining roadway, the height of any such sign shall not exceed twenty (20) feet as measured from the elevation of said abutting property at the site of such sign. All free standing signs must have at least fourteen (14) feet of underside clearance, unless they are enclosed at the base by landscaping and protected to avoid the underneath passage of persons or autos.  
*(Approved May 6, 2013 under Ordinance # 90)*
  - b. Pylon/pole permanent signs are prohibited in the C-1 District except that multi-tenant uses and uses that have on-site parking facilities of twenty (20) or more spaces may have one pylon/pole sign with a landscaping base around the perimeter. Said sign may be no higher than 20 feet.
  - c. C-3 (Highway Business): Maximum Height. Freestanding signs shall not exceed twenty (20) feet in height as measured from the elevation of the centerline of the adjoining roadway, except that at those sites at which the elevation of the abutting property is higher than the centerline of the adjoining roadway, the height of any such sign shall not exceed twenty-five (25) feet as measured from the elevation of said abutting property at the site of such sign. All free standing signs must have at least fourteen (14) feet of underside clearance, unless they are enclosed at the base by landscaping and protected to avoid the underneath passage of persons or autos.  
*(Approved May 6, 2013 under Ordinance #90)*
- 5. Signs that are placed on the exterior walls of buildings shall not extend more than four (4) inches from a building's wall surface.
  - 6. Awning, Canopy and Sign Projection: Awnings or canopies shall provide a minimum clearance of ten (10) feet from the sidewalk and project no closer than two (2) feet from the edge of the curb of the street. Projecting signs shall project no more than two (2) feet from the building and have an undersign clearance of at least ten (10) feet.
  - 7. Window signs may be placed inside of the commercial buildings, provided not more than fifty percent (50%) of the window is covered.
  - 8. Temporary Sandwich Signs. Temporary Sandwich Signs may be permitted in the C-1 and C2 Districts provided the total square footage per sign shall not exceed twelve (12) square feet or six (6) square feet per side. A temporary sandwich sign permit shall conform to the following:
    - a. The property owner shall sign a hold harmless agreement indemnifying the City of Osakis in any action arising out of the location of said sign within the public right-of-way.
    - b. Said signs shall be placed during daylight hours only, sunrise to sunset.
    - c. Signs shall only be placed in front of the location the sign serves.
    - d. Temporary sandwich signs shall not occupy more than one-third (1/3) of the width of the sidewalk on which it is located.
    - e. The Osakis Police Department shall remove all signs that are in violation.

**31.12: TEMPORARY SIGNS.**

- A. Temporary signs other than those signs exempted by this Ordinance may be permitted on a lot no more than four (4) times in any calendar year for a time period not exceeding a total of thirty (30) days in any calendar year. Temporary signs are regulated as follows:

1. Temporary signs shall not exceed twenty-four (24) square feet and the advertisement contained on any temporary sign shall pertain to the business conducted on the premises on which the sign is erected.
2. There shall be no more than two (2) temporary signs per business at any one time which may include no more than one (1) wall and (1) freestanding sign. Multi-tenant developments may be allowed two portable signs per site.
3. Temporary signs shall not be located as to obstruct with vehicular traffic or visibility for vehicles at intersections, and the clear space for pedestrian passage shall not be reduced to less than four (4) feet.
4. Temporary signs shall have no more than two (2) faces.
5. Temporary signs shall be secured in a manner as to prevent them from being moved or blown over by the wind.
6. Temporary signs shall be professionally made and constructed of durable, weather-resistant materials such as aluminum, plastic or wood finished surfaces and shall be maintained in good conditions throughout the term of the permit.
7. If any temporary sign is not removed by the expiration date of the permit, the Zoning/City Administrator of his/her designee may remove it and charge the costs of removal to the individual or enterprise responsible or property owner.

#### **31.13: SUBDIVISION SIGNS.**

A Monument Sign intended to permanently identify a residential development shall be permitted under the following conditions:

- A. There shall be an entity established to the satisfaction of the City such as a homeowners association, which shall be clearly responsible for the perpetual maintenance of said monument sign.
- B. The Monument Sign shall not exceed six (6) feet in height and shall not exceed forty (40) square feet of sign area.
- C. The Monument Sign shall be a minimum of thirty (30) feet from any existing or future residence.
- D. Landscaping shall be provided around the base of the monument sign.
- E. The City, at the discretion of the City Council, may deny a permit for a Monument Sign where it is determined that the Monument Sign may create an undue burden upon the City by virtue of its size, location, building materials or potential need for maintenance.
- F. No commercial advertising is allowed on any Subdivision sign.
- G. A Subdivision sign may be permitted within a right of way with City Council approval.

#### **31.14: DEVELOPMENT PROJECT SIGNS.**

- A. Sign permits are required for temporary on and off-premise signs for the purpose of selling/promoting a development project and for providing direction to the project. Regulations pertaining to such signs shall be as follows:

1. On-premise signs shall not exceed thirty-two (32) square feet in area per sign; two (2) signs are permitted if the development is fifteen (15) acres or larger or if the development has more than one (1) street frontage.
2. Off-premise signs shall not exceed thirty-two (32) square feet in area per sign; evidence of permission of the property Owner for Erecting such sign shall be required; there shall be no more than one (1) sign per development at any street intersection; where signs for two (2) or more developments are located in close proximity, they shall be placed so as not to obscure the line of vision to the signs from the roadway motorist.
3. On and off-premise development project signs shall be setback ten (10) feet from all property lines. Such signs shall be removed when seventy-five (75) percent of the units are occupied.

### **31.15: ELECTRONIC VARIABLE MESSAGE SIGNS.**

The preferred sign type relating to the electronic message sign is a monument type. If the EVM is displayed in a Pylon Sign type, said sign shall include a landscaped base wherein planter boxes, shrubs, flowers, etc. are maintained. Electronic message signs may be allowed under applicable provisions of this Ordinance provided that:

- A. The sign shall be at least thirty (30) feet from any Residential District;
- B. The variable message sign shall not exceed twenty-five (25) percent of the maximum allowable aggregate sign area for the use to which it pertains, the area allowed for an electronic variable message sign is included within the total allowable signage area;
- C. Modes which cause the message to flash are prohibited;
- D. The sign may only be used to promote activities, products, or services pertaining to the subject property; time and temperature; or other public service oriented messages;
- E. Landscaping shall be provided around the base of the monument sign.

### **31.16: PERMIT REQUIRED.**

- A. Every person shall obtain from the City a permit before erecting, placing, rebuilding, reconstructing, structurally altering, enlarging or relocating any sign or awning which is not specifically exempted by these regulations from this permit requirement. An application for a permit shall be submitted to the Zoning Administrator in accordance with the permit procedures of the Zoning Ordinance and the requirements of this section. The application shall include the information required by the form provided by the City and shall be accompanied by appropriate documents and plan or plans drawn to scale which legibly reflect the following:
  1. The location of proposed and existing signs in relation to property lines and existing and proposed building based upon a site plan approved by the City which accurately reflects current conditions on the property.
  2. The design, full dimensions, and specifications including the method of construction, and attachment to a building or placement in the ground.
  3. Stress calculations prepared by a certified engineer, where applicable, indicating that the structure's design for dead load and wind pressure in any direction in the amount required by regulations.
  4. Such other information as the Zoning Administrator or Building Inspector may require to show full compliance with this Ordinance and other applicable laws or codes of the City. The Zoning

Administrator may waive requirements for technical information specified above where such information is not necessary to the determination of compliance.

- B. The Zoning Administrator shall, upon approval, issue a written permit authorizing the proposed sign and related work. The permit shall, where applicable, specify the duration of the permit and any special conditions or requirements related to the construction of the sign. Expiration and renewal of permits shall be in accordance with the provisions of the Minnesota State Building Code for building permits.

**31.17: CONSTRUCTION REQUIREMENTS.**

- A. All signs shall be constructed and maintained in a manner where they will be safe to the general public.
- B. All permanent signs shall be constructed to meet Building Code standard for wind resistance, dead loads, wind loads and other applicable sections of the Building Code. Signs shall be rigidly suspended by means of fastening or support so as not to be free swinging or a menace to persons or property.
- C. All electrical wiring of signs shall comply with the provisions of the Building Code, as may be amended from time to time.

**31.18: VIOLATIONS/PENALTY.**

- A. If, upon inspection, the City determines a sign permitted by the City to be unsafe, un-maintained, or abandoned, the City may issue a written order to the owner of the sign and/or occupant of the premises stating the nature of the violation and requiring them to repair or remove the sign within ten (10) working days after receipt of notice from the City. In cases of emergency, the Enforcement Official may cause the immediate removal of a dangerous or defective sign. Signs removed in this manner must present an imminent hazard to the public safety.
- B. Failure to correct any violation of this Ordinance shall result in the City pursuing enforcement action following notification to the property owner, with the City having the authority to carry out any/all of the following enforcement remedies:
  - 1. The City shall have the authority to withhold or deny any/all permit or approval until the violation is appropriately corrected.
  - 2. The City shall have the authority to issue a stop work order on the property in violation.
  - 3. The City shall have the authority to require that the violation be abated by completely removing or stopping the item or use which has been identified in the zoning violation notice. Abatement action by the City shall not proceed until after a hearing before the City Council.
  - 4. The City shall have the authority to seek an injunction in court to stop any violation of this Ordinance.
  - 5. The City shall have the authority to assess charges against any property in violation of any of the provisions of this Ordinance.
  - 6. The City shall have the authority to institute appropriate misdemeanor action or misdemeanor criminal action for a violation of this Ordinance.
  - 7. Violation of this Ordinance is a misdemeanor. Each day that the violation continues is a separate offense.