

#46 City wk.

Office of County Recorder
County of Crow Wing, MN }

I hereby certify that the within instrument was filed
in this office for record on the 12 day of June
A.D. 2013 at 2:03 o'clock P M.
and was duly recorded as Doc. No. **0831005**

[Signature]
County Recorder
By Kim Sather
Deputy

**CITY OF BAXTER, MINNESOTA
ORDINANCE 2013-7**

RETURN TO City of Baxter

**AN ORDINANCE AMENDING THE TEXT OF TITLE 10 OF THE BAXTER
CITY CODE, ENTITLED BAXTER ZONING REGULATIONS**

THE CITY OF BAXTER ORDAINS:

SECTION 1. Amendments. The text of subsection 10-2-2: General Definitions of Title 10 (Zoning Regulations) of the Baxter City Code is hereby amended by deleting the ~~stricken~~ material and adding the underlined material as follows:

BILLBOARDS: A commercial sign which directs attention to a business, activity, service, entertainment, or a product not exclusively related to the premises or property where such sign is located. A Multi-Business S-sign (MBS) shall not be considered a billboard if it is in compliance with subsection 10-5-~~1D2~~1G2 of this title.

DYNAMIC DISPLAY: Any characteristics of a sign that appear to have movement or that appear to change, caused by any method other than physically removing and replacing the sign or its components, whether the apparent movement or change is in the display, the sign structure itself, or any other component of the sign. This includes a display that incorporates a technology or method allowing the sign face to change the image without having to physically or mechanically replace the sign face or its components. This also includes any rotating, revolving, moving, flashing, blinking, or animated display and any display that incorporates rotating panels, LED lights manipulated through digital input, "digital ink" or any other method or technology that allows the sign face to present a series of images or displays.

MULTI-BUSINESS PYLON-SIGN: A pylon-freestanding sign which displays, or is capable of displaying, more than one business, of which at least one business is located upon a different parcel of real estate.

NAMEPLATE SIGN: A permanent wall sign affixed on the front façade of a residential structure.

SIGN: Any name, identification, description, display, logo, illustration or device which is affixed to, painted or represented directly or indirectly upon a building or other surface or piece of land, and which directs attention to an object, product, place, activity, person, institution, organization or business.

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SIGN AREA: The area of the sign measured within lines drawn between the outermost points of a sign, but excluding essential sign structure, foundations or supports. The calculation for a double-faced sign shall be the area of one face only. Double-faced signs shall be so constructed that the perimeter of both faces coincide and are parallel and are not more than 24-inches apart.

SIGN HEIGHT: The average level of the grade below the sign to the topmost point of the sign including the supporting sign structure, foundations and supports.

~~TEMPORARY SIGN: A sign that is not a structure and is removed immediately after the event it is advertising, such as a grand opening, sale, lease, banner signs, hanging metal signs, flashing trailer type, or any other similar sign. Such signs, in any event, may not be displayed longer than one month except for those signs that advertise the sale or lease of real estate which may be displayed for up to six (6) months designed or intended to be displayed for a short period of time and is not permanently installed. Election signs are specifically regulated in subsection 10-5-1A8 of this title by Minn. Stat. §211B.045.~~

SECTION 2. Amendments. The text of subsection 10-5-1: Signs of Title 10 (Zoning Regulations) of the Baxter City Code is hereby amended by deleting the ~~stricken~~ material and adding the underlined material as follows:

10-5-1: SIGNS:

A. Findings, Purpose and Effect

1. Findings. The 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 have included 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. 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.

2. Purpose and Intent. It is not the purpose or intent of this sign ordinance to regulate the message displayed on any sign; nor is it the purpose or intent of this article 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 article 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. Maintain, enhance and improve the aesthetic environment of the city by preventing visual clutter that is harmful to the appearance of the community.
- 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 for herein under the zoning authority of the city.

3. Effect. A sign may be erected, mounted, displayed or maintained in the city if it is in conformance with the provisions of these regulations. The effect of this sign ordinance as more specifically set forth herein, is to:

- a. Allow a wide 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 sign 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 sign 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 sign ordinance.

B. Severability

If any section, subsection, sentence, clause, or phrase of this Sign Ordinance is for any reason held to be invalid, such decision shall not affect the validity of the remaining portions of this Sign 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.

C. Substitution Clause

The owner of any sign which is otherwise allowed by this sign ordinance may substitute noncommercial copy in lieu of any other commercial or non-commercial copy. 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, or favoring of any particular non-commercial message over any other non-commercial message. This provision prevails over any more specific provision to the contrary.

4)D. All Districts: Signs are a permitted accessory use in all use districts subject to the following regulations: (Ord. 8.38, 9-18-2001)

A.1. Private Signs Prohibited: Private signs are prohibited within the public right of way, public easements or on public property. With a written limited use agreement with the city, signs may be allowed in the right of way if the city, in its sole discretion, determines that the sign does not disturb necessary sight lines, prevent right of way maintenance and other uses necessary to a public right of way. This provision would include election and realtor signs. Garage sale signs, family event signs, open house signs and auction signs are permitted in the public right of way as long as they comply with subsection ~~A9-D15~~ of this section. Nameplates on or near a residential mailbox shall be permitted as long as the nameplate does not exceed five feet (5') in height. (Ord. 2010-6, 5-4-2010)

2. Illuminated Signs: Illuminated signs may be permitted, but devices giving off an intermittent, flashing, scrolling or rotating beam of rays of light shall be prohibited. No portion of the lighting surface shall be visible from adjacent properties or roadways.

3. Visibility. Vision clearance areas are triangle-shaped areas located at the intersection of any combination of rights-of-way, alleys or driveways. The sides of the triangle extend thirty (30) feet from the intersection of the public rights-of-way in either/each direction. Signs must meet all district setbacks and no sign may be installed within this vision clearance area.

4. Dynamic signs. Dynamic displays on signs are allowed subject to the following conditions:

- a. Only one (1) dynamic sign shall be allowed per lot.
- b. Dynamic displays are allowed only on monument and freestanding signs for conditionally permitted uses in residential districts and for all uses in other districts. Dynamic displays may occupy no more than 50 percent of the actual copy and graphic area. The remainder of the sign must not have the capability to have dynamic displays even if not used. Only one, contiguous dynamic display area is allowed on a sign face.
- c. A dynamic display may not change or move more often than once every three (3) seconds, except one for which changes are necessary to correct hour-and-minute, date, or temperature information. Time, date, or temperature information is considered one dynamic display and may not be included as a component of any other dynamic display. A display of time, date, or temperature must remain for at least three (3) seconds before changing to a different display, but the time, date, or temperature information itself may change no more often than once every three (3) seconds.
- d. The images and messages displayed and transitioned must be instantaneous or fading. The use of animation and scrolling is permitted provided that change

in message or display does not exceed the rate prescribed in this section of the ordinance. Modes of display which cause the message to flash or blink are prohibited.

- e. Dynamic displays must be designed and equipped to freeze the device in one position if a malfunction occurs. The displays must also be equipped with a means to immediately discontinue the display if it malfunctions, and the sign owner must immediately stop the dynamic display when notified by the city that it is not complying with the standards of this ordinance.
- f. Dynamic displays must comply with the brightness standards contained in the sign ordinance.
- g. Dynamic displays existing on May 20, 2013 must comply with the operational standards listed above. An existing dynamic display that cannot meet the operational requirements may continue as a non-conforming structure.

5. Brightness Standards.

- a. All signs must meet the following brightness standards in addition to those in subsection 10-4-100:
 - 1) No sign may be brighter than is necessary for clear and adequate visibility.
 - 2) No sign may be of such intensity or brilliance as to impair the vision of a motor vehicle driver with average eyesight or to otherwise interfere with the driver's operation of a motor vehicle.
 - 3) No sign may be of such intensity or brilliance that it interferes with the effectiveness of an official traffic sign, device or signal.
 - 4) If there is a violation of the brightness standards, the adjustment must be made within one (1) day of notice of non-compliance by the City.
- b. Maximum illumination levels:
 - 1) Signs using an LED (Light Emitting Diode) light source shall not exceed a luminance level of 500 candela per square meter (nits) between sunset and sunrise, and shall not exceed a luminance level of 5,000 candela per square meter between sunrise and sunset.
 - 2) Signs using florescent, neon, or incandescent light sources shall not exceed 12 watts per square foot of sign surface area.
 - 3) All signs with illumination shall be equipped with a mechanism that automatically adjusts the brightness to ambient lighting conditions (e.g., dusk) to ensure that the sign's intensity does not exceed 0.3 foot-candles above ambient light levels as measured from 100 feet from the sign's face.
- c. LED accents. LED accent lighting used as part of a sign element must comply with these brightness standards.

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- 6. Changeable messages: a message that is not permanently attached to the sign face but that is not a dynamic display may occupy no more than 35 percent of the actual copy and graphic area. The remainder of the sign must not have the capability to change messages even if not used.

6.7. Selling, Renting Or Leasing: Any private sign that is selling, renting or leasing a single parcel of real estate is a permitted use as long as it meets the following

conditions: In nonresidential districts a total of thirty two (32) square feet of sign may be placed within the front yard. In residential districts a total of sixteen (16) square feet of sign may ~~be placed~~ be placed within the front yard. Such signs shall not be less than ten feet (10') from the right of way or property line.

~~D.8.~~ Interference With Traffic Signal: No sign, temporary or permanent, by reason of position, shape or color shall interfere in any way with the proper functioning or purpose of a traffic signal.

~~E.9.~~ Painted On Wall: Signs shall not be painted directly on the outside wall of a building.

10. Painted On Structures; Paper Signs: Signs shall not be painted on fences, rocks, or similar structures or features nor shall paper or similar signs be attached directly to a building wall or utility pole by an adhesive or similar means.

11. Sale Or Lease: Any sign for the purpose of selling or leasing a residential project, commercial area or an industrial area which consists of more than one parcel of real estate, one sign not to exceed thirty two (32) square feet in nonresidential districts and sixteen (16) square feet in residential districts shall be allowed.

12. Construction Signs. One temporary sign not exceeding a total surface area of 96 square feet, not exceeding 16 feet in height, and not less than two feet above grade. Such signs shall be set back at least 10 feet from lot lines. Such signs shall be allowed for three years from the date of original building permit issuance, or until construction in the development is completed, whichever occurs first.

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13. Temporary Signs:

- a. There shall be no more than one temporary sign on any lot, and such sign shall not exceed thirty two (32) square feet in size for commercial districts and sixteen (16) square feet for residential districts.
- b. Temporary signs shall require a permit that can only be renewed three (3) times annually for a total of 90 days. The duration of a temporary sign permit shall not exceed thirty (30) days except as described in this section. The zoning administrator may document the duration of any temporary sign and require its removal if it is displayed for more than its permitted duration unless it meets all standards for permanent signs. For the purposes of this subsection A7(D13), the zoning administrator can ignore intermittent removal of said temporary signs if the clear intent of the owner is to display this sign for more than the permitted duration.
- c. Temporary Signs: Although the current ordinance allows only one temporary sign on any lot, one may apply for one additional temporary sign not exceeding thirty two (32) square feet which promotes a local fundraiser or activity benefiting any nonprofit group. To qualify for the

application, the sign must not be displayed until sixty (60) days prior to the first day of the event; the event must last no longer than one week and the applicant must promise to remove said sign within one week of the last day of said fundraiser. In addition, the applicant must provide written evidence that it has been acknowledged by the Minnesota secretary of state as a valid nonprofit entity. If said conditions are met, a sign permit will be granted as long as the proposed sign's placement or design does not significantly affect traffic flow or safety as determined by the zoning administrator. (Ord. 8.42, 10-1-2002)

~~G.~~

d. Temporary Signs or Temporary Banners for New and Opening

Establishments. An establishment that is opening to the public for the first time or which is reopening after having been closed to the public for fifteen (15) consecutive calendar days or more and which has received all required permits and approvals, may display temporary signs or temporary banners in accordance with the following requirements:

- (1) One temporary sign or banner shall be allowed on each building façade that faces a street, driveway or parking lot and has a customer entrance on that building façade.
- (2) Such temporary signs or temporary banners shall be removed no later than thirty (30) days after placement or upon installation of permanent signage, whichever occurs first.

~~H.14.~~ Election Signs: Election signs are permitted as provided by Minn. Stat. §211B.045. For election signs not specifically addressed in the statute, such signs must be removed within ten (10) days following the election related to the sign. All private signs are prohibited from placement in the public right of way or on public property.

~~H.15.~~ Event Signs: Garage sale signs, family event signs, open house signs and auction signs are permitted provided such signs are placed no more than one day prior to and one day after said event. Such signs must conform to other ordinance standards.

~~J.~~ Billboards: No billboards shall be permitted in any zoning district. (Ord. 8.38, 9-18-2001)

~~2)E.~~ Signs Permitted In RS, R-1, R-2, And R-3 and PB Districts:

1. Two (2) nameplate signs for each dwelling, each not to exceed two (2) square feet in area per surface, and no sign shall be so constructed as to have more than two (2) surfaces.
- ~~1.~~
2. One nameplate sign for each dwelling group of six (6) or more units. Such sign not to exceed twelve (12) square feet in area per surface and no sign shall be so constructed as to have more than two (2) surfaces.

3. See subsection 3-9-3B of this code for regulation of signs of home occupations.
4. Symbols, statues, flags, sculptures and integrated architectural features on buildings may be illuminated by floodlight provided that the bulb or light source is shielded so that the bulb or light source is not visible from a public right of way or adjacent property.
5. One freestanding sign not to exceed thirty two (32) square feet may be allowed for apartments in R-2 and R-3 districts and uses in the PB district. Any sign greater than six (6) square feet shall be set back at least ten feet (10') from any property line. No sign located in residential zones shall exceed seven feet (7') in height above the average grade level. Signs may be illuminated by such lighting but shall be diffused or indirect and not illuminated beyond any lot line and the source of the light shall be concealed unless an approval for special lighting is approved by the city council. (Ord. 2010-10, 7-20-2010)

3)F. Signs Permitted In OS, I, C1 And C2 Districts:

- 1)1. Size: The aggregate square footage of the pylon, multi-tenant pylon, monument, directional and temporary sign space per lot shall not exceed the sum of one square foot for each front foot of lot to a maximum of two hundred (200) square feet except for multi-business ~~pylon~~-signs approved pursuant to subsection D2 of this section. Any lot upon which three (3) or more businesses are located may add an additional 0.25 square feet of sign space for every linear foot along a side lot line to a maximum of two hundred fifty (250) square feet of sign space to accommodate lots that extend a farther distance from the front lot line. Front footage is measured as a linear distance across the front lot line only, not a cumulative road frontage wherein a roadway is adjacent to two (2) or more property lines.
- 2)2. Height: No ~~pylon~~-freestanding sign shall extend more than six feet (6') in height above the average height found by adding the wall height to the gabled peak height and dividing by two (2) of any principal building, not to exceed a maximum of forty feet (40').
- 3)3. Additional Signage Space: In commercial districts, up to ten percent (10%) of any face of the building may be dedicated to signage in addition to the aggregate maximum for cumulative signage referenced in subsection ~~C1-F1~~ of this section. This may include wall signs, window signs and raised lettering.

4)G. Signs Requiring Conditional Use Permits:

- 1)1. ~~Sale Or Lease: Any sign for the purpose of selling or leasing a residential project, commercial area or an industrial area which consists of more than one parcel of~~

real estate, one sign not to exceed thirty two (32) square feet in nonresidential districts and sixteen (16) square feet in residential districts shall be allowed.

2) 1. Multi-Business Signs ~~Multi-Business Pylons~~:

- a. ~~Multi-Business pylons~~ Sign, hereinafter referred to ~~MBPMBS~~, shall only be permitted in OS, C1, C2 and I zoning districts and on property that is guided Commercial or Industrial in the Comprehensive Plan.
- b. The intent and purpose of ~~multibusiness pylon~~ Multi-Business Signs are:
 - a. ~~(1)~~ (1) To promote commercial depth rather than first tier strip development along highway corridors.
 - b. ~~(2)~~ (2) To allow area identification and commercial identification of business sites in a manner that coordinates traffic safely and effectively.
 - c. ~~(3)~~ (3) To minimize individual ~~pylon~~ freestanding signage by allowing clustering of two (2) or more area identification and/or ~~commercial business identification~~ freestanding signs on a single ~~MBPMBS~~ in exchange for separate ~~pylon~~ freestanding signs on each business site.
 - d. ~~(4)~~ (4) To cluster ~~MBPMBS~~ signage at major intersections.
 - e. ~~(5)~~ (5) To require high architectural standards for ~~MBPMBS~~ and to achieve an "up north" look which would incorporate natural wood, stone, brick or manufactured like products in the ~~pylon~~ freestanding structure.
 - f. ~~(6)~~ (6) To require ~~pylon~~ base landscaping and maintenance.
 - g. ~~To require annual permit review for MBP to ensure compliance.~~
 - h. ~~(7)~~ (7) To allow area identification and commercial business identification on approved ~~MBPMBS~~ for developments and/or businesses located within a one-half (1/2) mile radius of the ~~MBPMBS~~ location, and for only those developments and/or businesses within the city limits in accordance with an approved ~~MBPMBS~~ plan.
 - i. ~~(8)~~ (8) To promote ~~MBPMBS~~ sign usage for sufficient sized areas to achieve the other purposes listed above.
- c. No ~~MBPMBS~~ may be erected or maintained until a plan (the "~~MBPMBS~~ plan" or "plan"), signed by the owner(s) of all properties on which any area or business is located whose identification sign is proposed to be included on any ~~MBPMBS~~ covered by the plan, is filed with, and approved by the city. The ~~MBPMBS~~ plan shall also specify standards for each ~~MBPMBS~~ included in the plan, including color scheme, lettering or graphic style, lighting, materials, sign proportions and landscaping around the base of each ~~MBPMBS~~. The plan may contain other restrictions as the owners of the affected properties may reasonably determine, shall be signed by each of the owners and shall otherwise be in such form as required by the city. An ~~MBPMBS~~ plan may be amended by filing a new plan with the city that otherwise conforms with all of the requirements of the city code in effect at that time. No amendment shall be required for changing the identity of any area or business whose identification sign is attached to an ~~MBPMBS~~ so long as all areas or businesses whose identification signs are attached to the ~~MBPMBS~~ are located on one of the properties covered by the plan under which the ~~MBPMBS~~ has been approved and the affected ~~MBPMBS~~ otherwise conforms to the ~~MBPMBS~~ plan after the replacement sign is attached.

- d. The applicant(s) shall submit diagrams, drawings, pictures and other information as requested by city staff describing each MBPMBS proposed, the location of each MBPMBS and the identity of each property proposed to be included in the MBPMBS plan including the name of the property owner, and the size and location of each property included in the plan.
- ~~e.~~ All MBPs shall require an annual administrative review for compliance.
- e. After the city's approval of an MBPMBS plan, no ~~sign pylon~~freestanding signs other than those included in the approved plan shall be kept erected, placed or maintained on the properties covered by the plan. Any existing freestanding signs other than the MBS must be removed. The MBPMBS plan may be enforced in the same way as any other provision of this code. In case of any conflict between the provisions of any approved MBPMBS plan and this code, the approved MBPMBS plan shall control.
- f. The sign must be located on a platted parcel and at least one business from the parcel where the MBS located must have space on the sign.
- ~~g.~~ The permissible height of MBPMBS shall be no greater than forty feet (40') with a minimum clear zone below the sign of ten feet (10') unless approved as a monument type sign. ~~Pylon height shall be measured from the curb height closest to the MBP site.~~
- ~~h.g.~~ Total permissible sign face area on MBPMBS shall be no greater than five ~~four hundred (500400)~~ square feet per face.
- ~~i.h.~~ Setback standards shall be as required for similar freestanding sign in the zoning district where the MBS is located. ~~in all applicable districts will be as follows:~~
 - ~~(a)~~ Plumb line from the outermost edge of the sign face must be a minimum of ten feet (10') from any road right of way.
 - ~~(b)~~ Plumb line from the outermost edge of the sign face must be a minimum of forty feet (40') from any side lot line when the adjacent property is zoned one classification category less in use intensity.
 - ~~(c)~~ Plumb line from the outermost edge of the sign face must be a minimum of ten feet (10') from the side lot line of same zone classification.
- ~~j.i.~~ Each MBPMBS plan shall consist of at least five (5) acres, not including public rights of way, and at least one of the businesses displayed on the MBPMBS must be located on same parcel as the MBPMBS. In addition thereto, each business displayed on the MBPMBS must be within one-half (1/2) mile of the MBPMBS and be within the city limits of Baxter.
- ~~k.j.~~ MBPMBSs may only be located near major intersections of trunk highways 371 and 210 as identified on the official city "Major Intersections" map. If all standards are met, there could be up to four (4) MBPMBSs per major intersection, one upon each parcel adjacent to the major intersection. The planning and zoning commission will determine if the proposed site is in a major intersection during the conditional use permit process. ~~Notwithstanding~~Notwithstanding the foregoing, however, no MBPMBS may be erected unless and until the applicant obtains any required permit from the Minnesota department of transportation nor shall any MBPMBS be erected which otherwise violates any state law, rule or regulation.

~~h.k.~~ Notwithstanding any other provision of the city code, no business located on property which is covered by any approved MBPMBS plan shall be permitted to keep erect, place or maintain any ~~pylon~~freestanding sign on such property except as referenced in the approved plan. Such business may, however, erect, place and maintain any other signs (such as building, monument, directional signs, etc.) otherwise permitted by this code.

~~m.l.~~ No signage shall be allowed on any MBPMBS other than area identification and commercial business identification signs for developments and/or businesses located within the city on property covered by the MBPMBS plan under which such MBPMBS is approved. No sign advertising any product (rather than identifying an area or business) shall be allowed on any MBPMBS. (Ord. 8.38, 9-18-2001)

~~3)~~ Temporary Signs: Although the current ordinance allows only one temporary sign on any lot, one may apply for one additional temporary sign not exceeding thirty two (32) square feet which promotes a local fundraiser benefiting any nonprofit group. To qualify for the application, the sign must not be displayed until sixty (60) days prior to the first day of the fundraiser, the fundraiser must last no longer than one week and the applicant must promise to remove said sign within one week of the last day of said fundraiser. In addition, the applicant must provide written evidence that it has been acknowledged by the Minnesota secretary of state as a valid nonprofit entity. If said conditions are met, a sign permit will be granted as long as the proposed sign's placement or design does not significantly affect traffic flow or safety as determined by the zoning administrator. (Ord. 8.42, 10-1-2002)

~~4)2.~~ Multiple Entrances Signage: In OS, I, C-1 and C-2 zoning districts, or for churches and/or public facilities in any zoning district, the owner may choose to divide the allowable sign footage into more than one sign at multiple entrances. The aggregate sign square footage shall not exceed the maximums as set forth at subsection C of this section for the OS, I, C-1 and C-2 zone districts and church/public facilities signs shall not exceed fifty (50) square feet. (Ord. 2004-7, 4-20-2004)

~~5)~~ Sign Removal: The applicant for a sign permit shall be deemed the owner and thus responsible for the removal of the sign within six (6) months of its discontinued use as determined by the zoning administrator.

H. Billboards:

~~6)~~ Billboards are expressly prohibited in all zoning districts in the city. (Ord. 8, 12-17-1996) Billboards are a principal use of property. All such signs must be removed as a condition of subdivision, platting, site plan, or PUD approval for new uses or structures on the parcel where the outdoor advertising sign is located. No such sign that is non-conforming by reason of height, area, or location shall be altered or expanded to allow an electronic graphic display, changeable copy sign, or electronic changeable copy sign.

I. Nonconforming Signs: For the purposes of this section, a "nonconforming use" shall be defined as any permanent sign that was constructed prior to the effective date

hereof. The content or display of such permanent nonconforming signs may be modified after the adoption of this section as long as the modification does not intensify any nonconformity based on the standards set forth above. Temporary signs shall need to comply with new standards. (Ord. 8.38, 9-18-2001)

J. Administration and Enforcement

1. Permit Required. No sign shall be erected, altered, improved, reconstructed, or moved in the City without first securing a permit from the City, except for those signs which are specifically exempted by these regulations
 - a. An application for a permit shall be submitted to the Zoning Administrator in accordance with the permit procedures of the City Code 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 and accurately reflect the following:
 - (1) The location of proposed and existing signs in relation to lot lines and existing and proposed building based upon a certified survey or 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, where applicable, indicating that the structure's design for dead load and wind pressure in any direction in the amount required by City Code and regulations.
 - (4) The addition, deletion, alteration, replacement or improvement of any electrical component.
 - (5) Such other information as the Zoning Administrator or Building Official shall require to show full compliance with this Section 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 appropriate permit fee as set forth in the City Code shall be required prior to issuance of the permit.
 - c. The Zoning Administrator shall notify the applicant, in writing, of an incomplete application within 15 days of the date of submission.
 - d. The Zoning Administrator shall review the application and related materials and shall determine whether the proposal is in compliance with all applicable evaluation criteria, codes, ordinances, and applicable performance standards set forth in this Section within 60 days of submission of a complete application.
 - e. 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 sign; and the permit shall indicate any special conditions or requirements related to the construction of the sign
 - f. Expiration and renewal of permits shall be in accordance with the provisions of the Minnesota State Building Code for building permits.

2. Exemption from Permits. Any alteration, modification or construction that is limited to the replacement a sign panel, replacing individual letters and logos in the same area or repainting a sign face, and does not involve changes to the structure, erection or relocation of the sign or changes electrical system is exempt from permit requirements.

3. Repairs.

Any sign located in the city which may now be or hereafter become out of order, rotten or unsafe, and every sign which shall hereafter be erected, altered, resurfaced, reconstructed or moved contrary to the provisions of this section, shall be removed or otherwise properly secured in accordance with the terms of this section by the owners thereof or by the owners of the grounds on which said sign shall stand, upon receipt of proper notice so to do, given by the issuing authority. No rotten or other unsafe sign shall be repaired or rebuilt except in accordance with the provisions of this section and upon a permit issued by the issuing authority.

K. Removal.

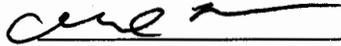
In the event of the failure of the owner or person, company or corporation having control of any sign, or the owner of the ground on which the sign is located, to remove or repair said sign within 60 days after the use is terminated, a notice shall be given to the landowner and the sign may be removed by the city at the expense of the owner or manager of the sign, or the owner of the ground upon which the sign stands.

L. Violations.

7) Violation of this section is a misdemeanor. Each day that the violation continues is a separate offense.

Section 3. Effective Date. This amendment shall take effect upon its passage.

WHEREUPON, said Ordinance is hereby declared adopted on this 21st day of May 2013.



Darrel Olson, Mayor

ATTEST:



Gordon Heitke, City Administrator

City Seal