

**ARTICLE V
SIGNS
OUTLINE**

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ARTICLE V SIGNS

5.00.00 GENERAL PROVISIONS

5.00.01 Relationship To Building And Electrical Codes

These sign regulations are intended to complement the requirements of the building and electrical codes adopted by the City. Wherever there is inconsistency between these regulations and the building or electrical code, the more stringent requirement shall apply.

5.00.02 No Defense To Nuisance Action

Compliance with the requirements of these regulations shall not constitute a defense to an action brought to abate a nuisance under the common law.

5.00.03 Maintenance

All signs, including their supports, braces, guys and anchors, electrical parts and lighting fixtures, and all painted and display areas, shall be maintained in accordance with the building and electrical codes adopted by the City, and shall present a neat and clean appearance. The vegetation around, in front of, behind, and underneath the base of ground signs for a distance of ten (10) feet shall be neatly trimmed and free of unsightly weeds, and no rubbish or debris that would constitute a fire or health hazard shall be permitted under or near the sign.

5.00.04 Definitions

Accessory Sign

A permanent ground or building sign that is permitted under this Code as incidental to an existing or proposed use of land.

Advertising

Sign copy intended to directly or indirectly promote the sale or use of a product, service, commodity, entertainment, or real or personal property.

Building Sign

A sign displayed upon or attached to any part of the exterior of a building, including walls, windows, doors, parapets, marquees and roof slopes of forty-five (45) degrees or steeper. See Figure 5.00.04-A.

Commercially Developed Parcel

A parcel of property on which there is at least one walled and roofed structure used, or designed to be used, for other than residential or agricultural purposes.

Copy

The linguistic or graphic content of a sign.

Electric Sign

Any sign containing electric wiring.

Erect a Sign

To construct, reconstruct, build, relocate, raise, assemble, place, affix, attach, create, paint, draw, or in any other way bring into being or establish; but it shall not include any of the foregoing activities when performed as an incident to the change of message, or routine maintenance.

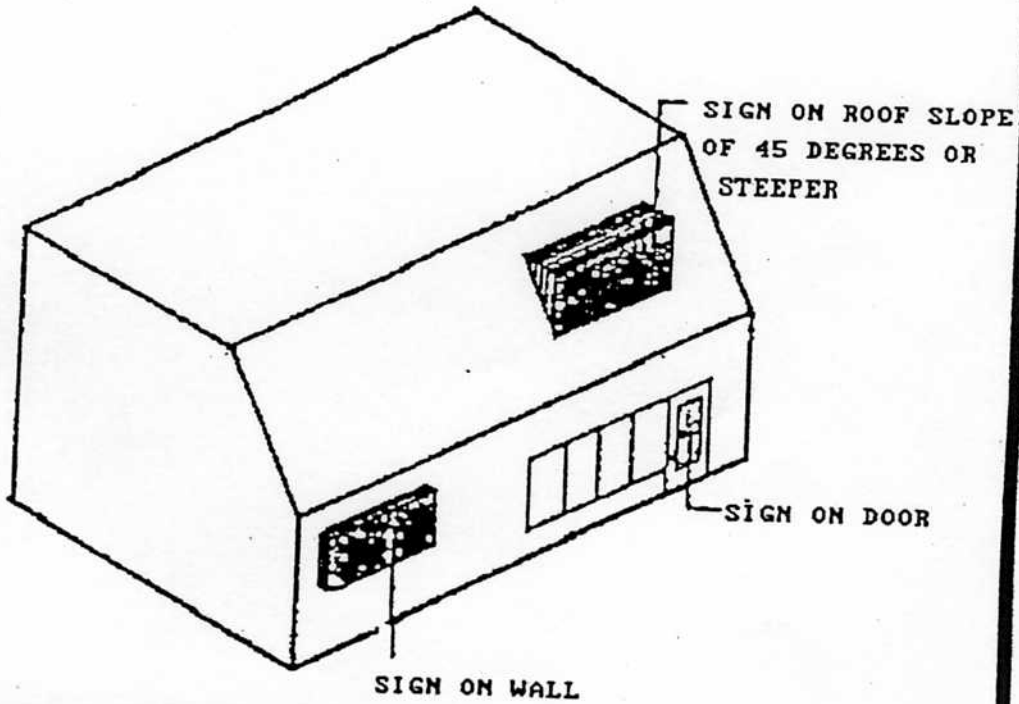
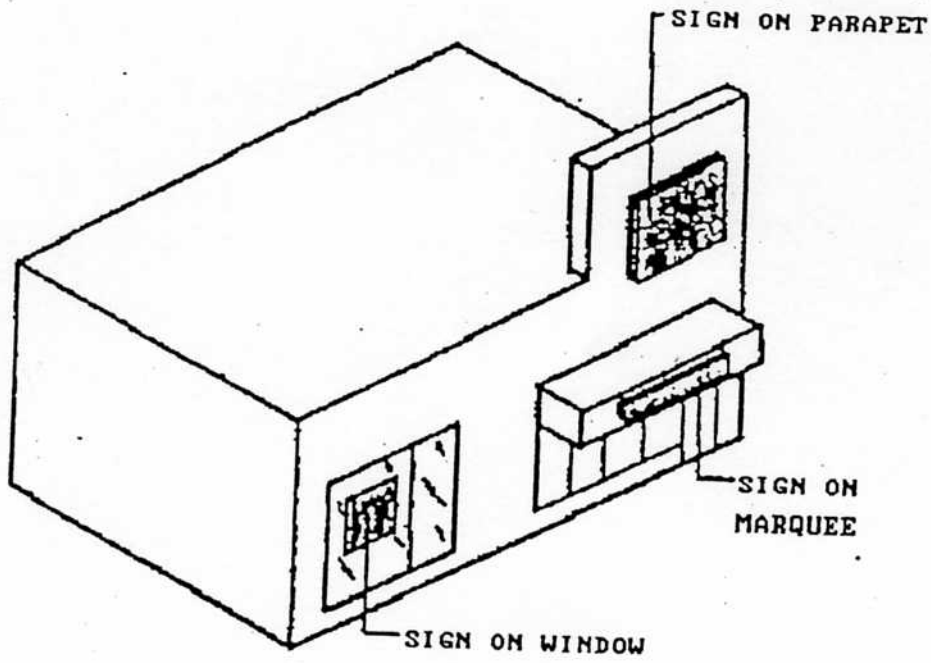


FIGURE 5.00.04-A EXAMPLES OF BUILDING SIGNS

Frontage

The length of the property line of any one parcel along a street on which it borders.

Ground Sign

A sign that is supported by one or more columns, upright poles, or braces extended from the ground or from an object on the ground, or that is erected on the ground, where no part of the sign is attached to any part of a building. See Figure 5.00.04-B.

Illuminated Sign

A sign which contains a source of light or which is designed or arranged to reflect light from an artificial source including indirect lighting, neon, incandescent lights, back-lighting, and shall also include signs with reflectors that depend upon automobile headlights for an image.

Marquee

A structure projecting from and supported by a building which extends beyond the building line or property line and fully or partially covers a sidewalk, public entrance or other pedestrian way.

Multiple Occupancy Complex

A commercial use, i.e. any use other than residential or agricultural, consisting of a parcel of property, or parcel of contiguous properties, existing as a unified or coordinated project, with a building or buildings housing more than one occupant.

Nonconforming Sign

Any sign within the City on the effective date of this Code [or a sign existing within any area annexed to the city after the effective date of this Code,] which is prohibited by, or does not conform to the requirements of, this Code; except signs that are within ten (10) percent of the height and size limitations of this Code, and that in all other respects conform to the requirements of this Code, shall be deemed in conformity with this Code.

Occupant (Occupancy)

A commercial use, i.e. any use other than residential or agricultural.

Outdoor Advertising Sign

A permanent ground sign supported by a single metallic pole attached to which is a sign face the bottom of which is at least 20 feet above the ground and which is at least 200 square feet in size.

Parcel

A unit of land within legally established property lines. If, however, the property lines are such as to defeat the purposes of this Code or lead to absurd results, a "parcel" may be as designated for a particular site by the Board.

Permanent

Designed, constructed and intended for more than short term use.

Portable Sign

Any sign which is manifestly designed to be transported by trailer or on its own wheels, including such sign even though the wheels may be removed and the remaining chassis or support structure converted to an A or T frame sign and attached temporarily or permanently to the ground.

Roof Line

A horizontal line intersecting the highest point or points of a roof.

Roof Sign

A sign placed above the roof line of a building or on or against a roof slope of less than forty-five (45) degrees.

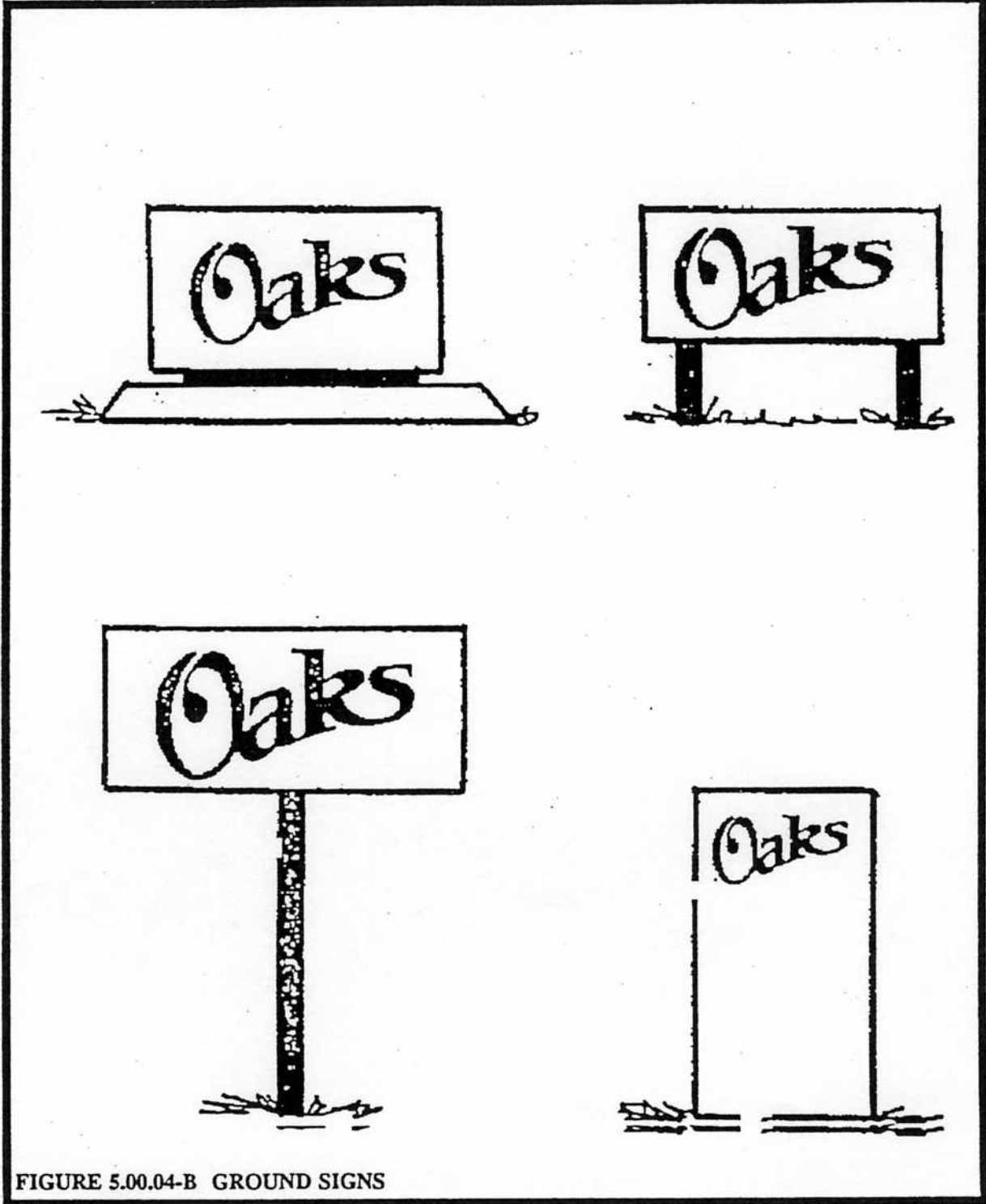


FIGURE 5.00.04-B GROUND SIGNS

Sign

Any writing, pictorial presentation, number, illustration, or decoration, flag, banner or pennant, or other device which is used to announce, direct attention to, identify, advertise or otherwise make anything known. The term sign shall not be deemed to include the terms "building" or "landscaping," or any architectural embellishment of a building not intended to communicate information.

Sign Face

The part of a sign that is or may be used for copy.

Sign Face Area

The area of any regular geometric shape which contains the entire surface area of a sign upon which copy may be placed.

Sign Structure

Any construction used or designed to support a sign.

Snipe Sign

Any sign made of any material, including paper, cardboard, wood, and metal, when such sign is tacked, nailed, posted, pasted, glued, or otherwise attached to trees, telephone poles, or fences.

Street

A public or private right of way for vehicular traffic, including highways, thoroughfares, lanes, roads, ways, and boulevards.

Temporary

Designed, constructed, and intended to be used on a short-term basis.

Unit

That part of a multiple occupancy complex housing one occupant.

Vehicle Sign

Any sign affixed to a vehicle.

5.01.00 EXEMPT SIGNS

The following signs are exempt from the operation of these sign regulations, and from the requirement in this Code that a permit be obtained for the erection of permanent signs, provided they are not placed or constructed so as to create a hazard of any kind:

- A. Signs that are not designed or located so as to be visible from any street or adjoining property.
- B. Signs of two (2) square feet or less and signs that include no letters, symbols, logos or designs in excess of two (2) inches in vertical or horizontal dimension, provided that such sign, or combination of such signs, does not constitute a sign prohibited by Section 5.02.02 of this Code.
- C. Signs necessary to promote health, safety and welfare, and other regulatory, statutory, traffic control or directional signs erected on public property with permission as appropriate from the State of Florida, the United States, Bay County, or the City of Mexico Beach.

- D. Legal notices and official instruments.
- E. Decorative flags and bunting for a celebration, convention, or commemoration of significance to the entire community when authorized by the City Commission for a prescribed period of time.
- F. Holiday lights and decorations.
- G. Flags, emblems, or insignias of the United States, State of Florida, Bay County, or the City of Mexico Beach.
- H. Signs incorporated into machinery or equipment by a manufacturer or distributor, which identify or advertise only the product or service dispensed by the machine or equipment, such as signs customarily affixed to vending machines, newspaper racks, telephone booths, and gasoline pumps.
- I. Advertising and identifying signs located on taxicabs, buses, trailers, trucks, or vehicle bumpers.
- J. Public warning signs to indicate the dangers of trespassing, swimming, animals or similar hazards.
- K. Signs carried by a person.
- L. Works of art that do not constitute advertising.
- M. Religious displays.

5.02.00 PROHIBITED SIGNS

5.02.01 Generally

It shall be unlawful to erect, cause to be erected, maintain or cause to be maintained, any sign not expressly authorized by, or exempted from, this Code.

5.02.02 Specifically

The following signs are expressly prohibited unless exempted by Part 5.01.00 of this Code or expressly authorized by Part 5.03.00 or Part 5.04.00 of this Code:

- A. Signs that are in violation of the building code or electrical code adopted by the City.
- B. Any sign that, in the opinion of the Board, does or will constitute a safety hazard.
- C. Blank temporary signs.
- D. Signs with visible moving, revolving, or rotating parts or visible mechanical movement of any description or other apparent visible movement achieved by electrical, electronic, or mechanical means, except for traditional barber poles.
- E. Signs with the optical illusion of movement by means of a design that presents a pattern capable of giving the illusion of motion or changing of copy.
- F. Signs with lights or illuminations that flash, move, rotate, scintillate, blink, flicker, or vary in intensity or color except for time-temperature-date signs.

- G. Strings of light bulbs used on commercially developed parcels for commercial purposes, other than traditional holiday decorations.
- H. Signs, commonly referred to as wind signs, consisting of one or more banners, pennants, ribbons, spinners, streamers or captive balloons, or other objects or material fastened in such a manner as to move upon being subjected to pressure by wind. See Figure 5.02.02-A.
- I. Signs that incorporate projected images, emit any sound that is intended to attract attention, or involve the use of live animals.
- J. Signs or sign structures that interfere in any way with free use of any fire escape, emergency exit, or standpipe, or that obstruct any window to such an extent that light or ventilation is reduced to a point below that required by any provision of this Code or other ordinance of the City.
- K. Signs that emit audible sound, odor, or visible matter such as smoke or steam.

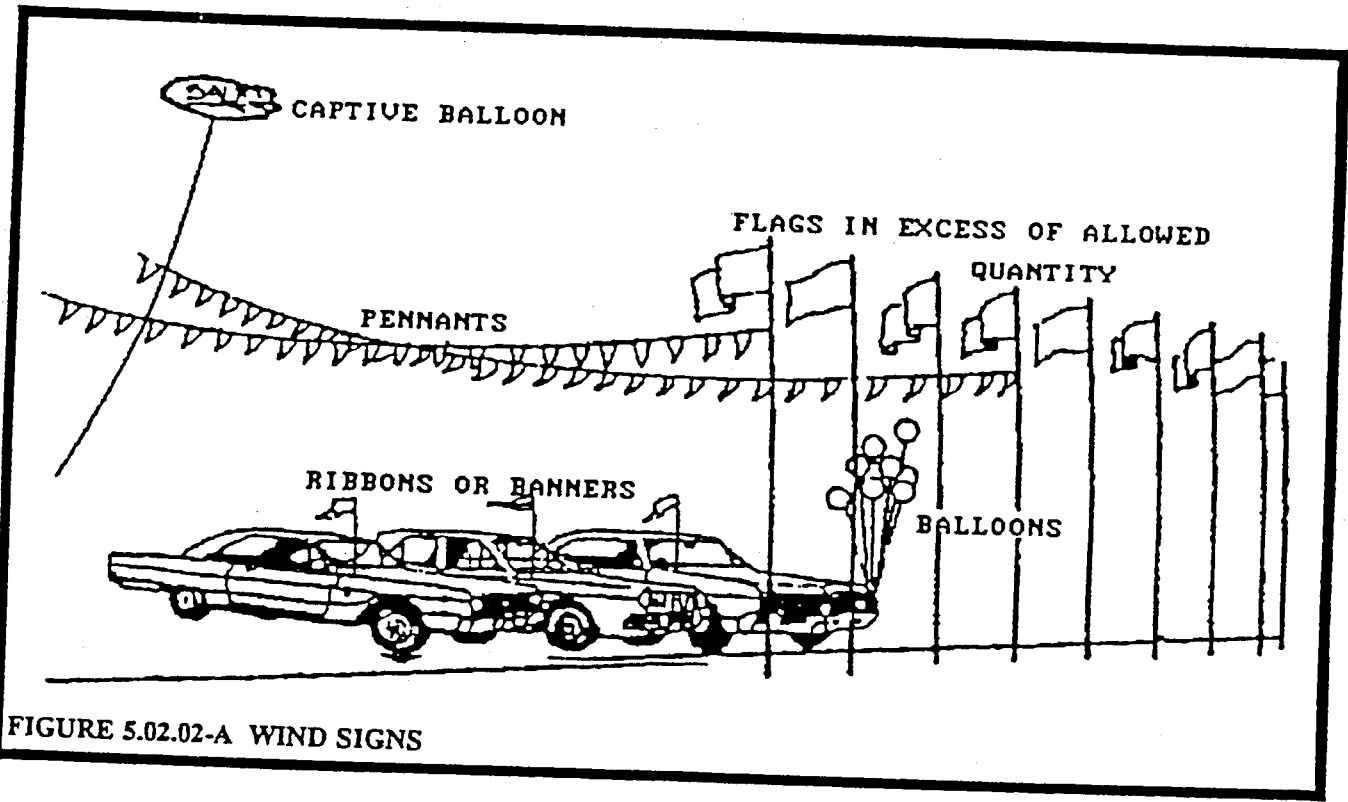


FIGURE 5.02.02-A WIND SIGNS

- L. Signs that resemble any official sign or marker erected by any governmental agency, or that by reason of position, shape or color, would conflict with the proper functioning of any traffic sign or signal, or be of a size, location, movement, content, color, or illumination that may be reasonably confused with or construed as, or conceal, a traffic-control device.
- M. Signs that obstruct the vision of pedestrians, cyclists, or motorists traveling on or entering public streets.
- N. Non-governmental signs that use the words "stop," "look," "danger", or any similar word, phrase, or symbol.
- O. Signs that are of such intensity or brilliance as to cause glare or impair the vision of any motorist, cyclist, or pedestrian using or entering a public way, or that are a hazard or a nuisance to occupants of any property because of glare or other characteristics.
- P. Searchlights used to advertise or promote a business or to attract customers to a property.
- Q. Signs that are painted, pasted, or printed on any curbstone, flagstone, pavement, or any portion of any sidewalk or street, except house numbers and traffic control signs.
- R. Signs placed upon benches, bus shelters or waste receptacles, except as may be authorized in writing pursuant to §337.407, Florida Statutes.
- S. Signs erected on public property, or on private property (such as private utility poles) located on public property, other than signs erected by public authority for public purposes.
- T. Signs erected over or across any public street except as may otherwise be expressly authorized by this Code, and except governmental signs erected by or on the order of a public officer.
- U. Portable signs as defined by this Code.

5.03.00 PERMITTED TEMPORARY SIGNS

5.03.01 Where Allowed

Temporary signs are allowed throughout the City, subject to the restrictions imposed by this section and other relevant parts of this Code.

5.03.02 Sign Types Allowed

A temporary sign may be a ground or building sign, but may not be an electric sign.

5.03.03 Permits

Temporary signs as defined in this Code shall not require a permit from the City.

5.03.04 Removal Of Illegal Temporary Signs

Any temporary sign not complying with the requirements of this section is illegal and subject to immediate removal.

5.03.05 Permissible Temporary Signs

A temporary sign may display any message as long as it is not advertising as defined by this Code, except that advertising for the following purposes may be displayed:

- A. To indicate that an owner, either personally or through an agent, is actively attempting to sell, rent or lease the property on which the sign is located.
- B. To indicate the grand opening of a business or other activity. Such message may be displayed for a period not exceeding fourteen (14) days within the first three (3) months that the occupancy is open for business.
- C. To identify construction in progress. Such message shall not be displayed more than sixty (60) days prior to the beginning of actual construction of the project, and shall be removed when construction is completed. If a message is displayed pursuant to this section, but construction is not initiated within sixty (60) days after the message is displayed, or if construction is discontinued for a period of more than sixty (60) days, the message shall be removed, pending initiation or continuation of construction activities.
- D. To indicate the existence of a new business, or a business in a new location, if such business has no permanent signs. Such message may be displayed for a period of not more than sixty (60) days or until installation of permanent signs, whichever shall occur first.
- E. To announce or advertise such temporary uses as fairs, carnivals, circuses, revivals, sporting events, flea markets, or any public, charitable, educational or religious event or function. Such message shall be removed within five (5) days after the special event.

5.03.06 Permissible Size, Height And Number Of Temporary Signs

A. One-Family and Two-Family Residences

A parcel on which is located a single one-family or two-family residence may display not more than two temporary signs with an aggregate sign area of not more than ten (10) square feet. No individual sign shall exceed six (6) square feet nor exceed eight (8) feet in height.

B. Three-Family and Four-Family Residences

A parcel on which is located a single three-family or four-family residence may display not more than four (4) temporary signs with an aggregate sign area of not more than ten (16) square feet. No individual sign shall exceed six (6) square feet nor exceed eight (8) feet in height.

C. On All Other Parcels

All other parcels may display one (1) square foot of temporary signage per ten (10) feet of frontage up to a maximum of one hundred (100) square feet. No individual sign shall exceed sixty (60) square feet nor exceed ten (10) feet in height. Signs must be spaced at least one hundred (100) feet apart.

5.04.00 PERMITTED PERMANENT ACCESSORY SIGNS

5.04.01 Sign Types Allowed

A permanent accessory sign may be a ground or building sign. A permanent accessory sign may not be a roof sign.

5.04.02 Permissible Number, Area, Spacing And Height Of Permanent Accessory Signs

A. Ground Signs

The permissible number, area, spacing and height of permanent accessory ground signs for each multiple occupancy complex and each occupant not located in a multiple occupancy complex shall be determined according to the following tables and text:

PERMISSIBLE GROUND SIGNS

Frontage on a Public right-of-way	Number of Signs Allowed	Total Sign Area Allowed	Minimum Distance From Any Side Property Line	Maximum Height (in feet)
Less than 50	1	24	10	18
At least 50 but less than 100	1	48	15	18
At least 100 but less than 200	1	64	20	18
At least 200 but less than 300	1	96	50	18
At least 300 but less than 400	2	128	50	18
400 or more	2	192	50	18

B. Building Signs

1. Subject to the design criteria in Part 5.07.00 of this Article, the maximum height of a building sign shall be eighteen (18) feet, except that on a building of more than two stories, a single building sign is allowed above eighteen (18) feet on each side of the building.
2. Each multiple occupancy complex may display one (1) permanent accessory building sign on each side of the principal building or buildings in which the complex is located, not to exceed a sign area of up to ten (10) percent of the facade area (see Part 5.06.00, Measurement Determinations) of each building side or two hundred (200) square feet, whichever is smaller.

3. Each occupant of a multiple occupancy complex may display three (3) permanent accessory building signs on any exterior portion of the complex that is part of the occupant's unit (not including a common or jointly owned area), not to exceed a total combined sign area of fifteen (15) percent of the facade area (see part 5.06.00, Measurement Determinations) of such exterior portion or two hundred (200) square feet, whichever is smaller.
4. Each occupant not located in a multiple occupancy complex may display three (3) permanent accessory building signs on each side of the principal building in which the occupancy is located, not to exceed a total combined sign area for each building side of twenty (20) percent of the facade area (See Part 5.06.00, Measurement Determinations) of the building side or two hundred (200) square feet, whichever is smaller.

C. Multiple Frontages

If a building has frontage on two (2) or more streets, each frontage shall be separately considered for the purposes of determining compliance with the provisions of these regulations, but the permitted sign area for one (1) frontage may not be combined with that permitted on another frontage to increase the permitted sign area on one frontage. However, no ground sign on one right of way may be closer than one hundred (100) feet to a sign on another right of way, measured as the sum of distances measured continuously along the rights of way through a common point or points.

5.04.03 Time-Temperature-Date Signs

Time-temperature-date signs are permitted as a permanent accessory sign on commercially developed parcels notwithstanding the general prohibition on changing signs. These signs may only display numerical information in an easily comprehensible way and shall be kept accurate. They may be ground or building signs, and are subject to the regulations applicable to such signs. They shall be counted as part of an occupancy's allowable sign area.

5.04.04 Directional Signs

Directional signs limited in area to four (4) square feet, giving directions to motorists regarding the location of parking areas and access drives shall be permitted as permanent accessory signs on all parcels and shall not be counted as part of an occupancy's allowable sign area.

5.04.05 Signs At Entrances To Residential Developments

A. Generally

A permanent accessory sign may be displayed at the entrance to residential developments.

B. Restrictions

1. One (1) sign is permitted at only one (1) entrance into the development from each abutting street. The sign may be a single sign with two (2) faces of equal size or may be two (2) single-faced structures of equal size located on each side of the entrance. No face of the sign shall exceed thirty-two (32) square feet in size, and may be illuminated in a steady light only.
2. When considering the placement of such signs, the Planning Board shall consider the location of public utilities, sidewalks and future street widenings.
3. The Planning Board shall ensure that such signs shall be maintained perpetually by the developer, the owner of the sign, a pertinent owners' association, or some other person who is legally accountable under a maintenance arrangement approved by the Board. If no accountable person accepts legal responsibility to maintain the signs and no other provision has been made for the maintenance of them, the signs shall be removed by the developer or owner.

5.04.06 Utility Signs

Public utility signs that identify the location of underground utility lines and facilities, high voltage lines and facilities, and other utility facilities and appurtenances are permitted so long as they do not exceed three (3) feet in height, and so long as the sign face does not exceed one half (1/2) square foot.

5.05.00 PERMITTED PERMANENT OUTDOOR ADVERTISING SIGNS

5.05.01 Where Allowed

It is the purpose and intent of this section to prohibit permanent outdoor advertising signs in order to maintain the aesthetic appearance of the City.

5.05.02 Types Prohibited

All permanent outdoor advertising signs, as defined by this Code, are prohibited.

5.06.00 MEASUREMENT DETERMINATIONS

5.06.01 Distance Between Signs

The minimum required distance between signs shall be measured along street rights of way from the closest parts of any two signs. See Figure 5.06.01-A.

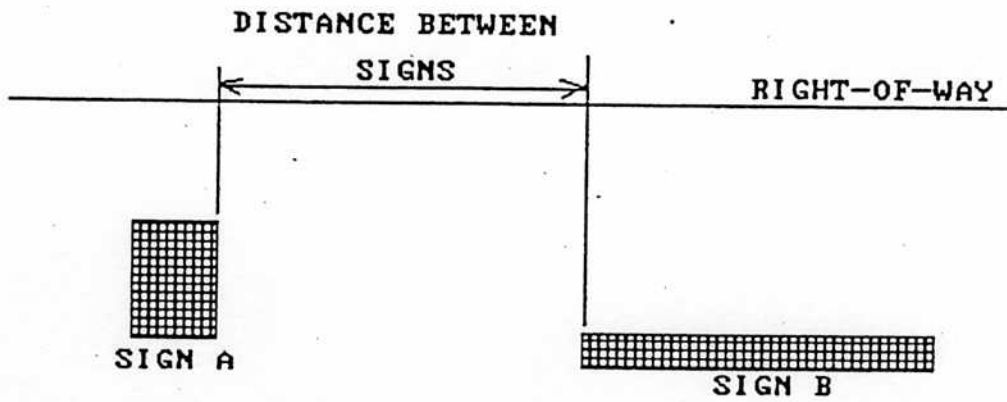
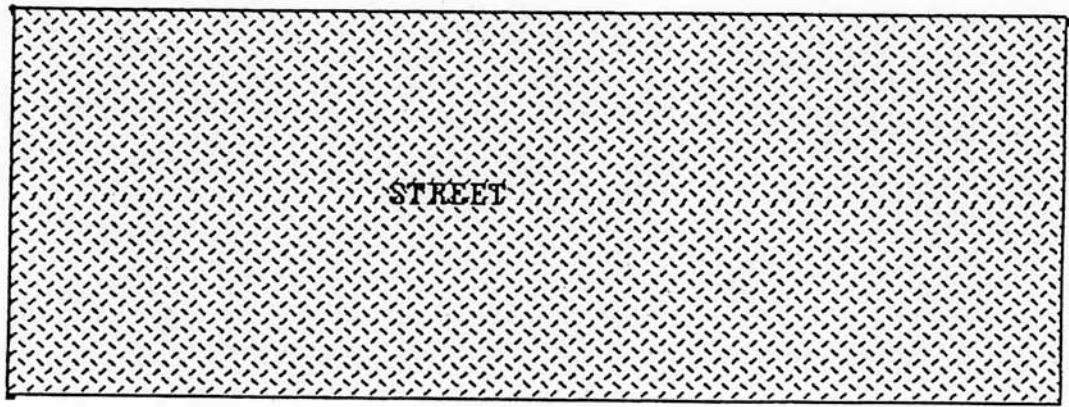
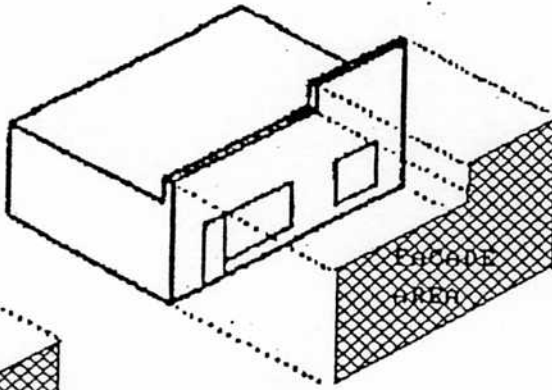
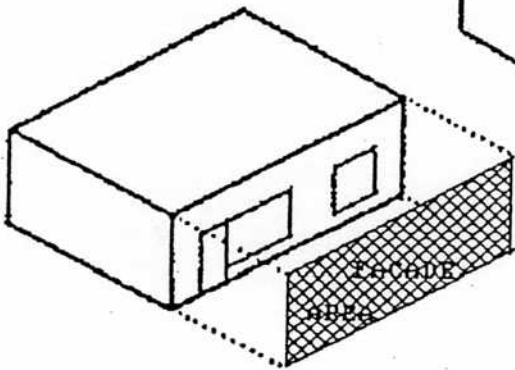
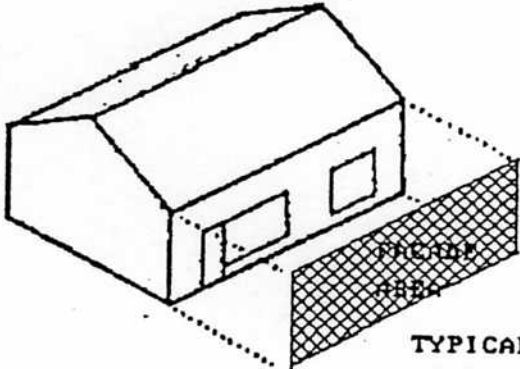
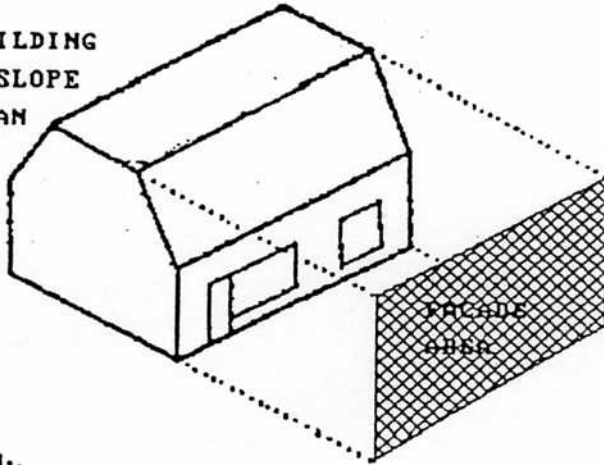


FIGURE 5.06.01-A MEASURING DISTANCE ALONG STREET RIGHT-OF-WAY



TYPICAL BUILDINGS WITH
FLAT ROOFS

TYPICAL BUILDING
WITH ROOF SLOPE
STEEPER THAN
45 DEGREES



TYPICAL BUILDING
WITH ROOF SLOPE
LESS THAN 45 DEGREES

FIGURE 5.06.02-A FACADE AREA EXAMPLES

5.06.02 Facade Area

The facade area shall be measured by determining the area within a two-dimensional geometric figure coinciding with the edges of the walls, windows, doors, parapets, marquees, and roof slopes of greater than forty-five (45) degrees that form a side of a building or unit. See Figure 5.06.02-A.

5.06.03 Sign Area

A. Generally

The area of a sign shall be the area within the smallest square, rectangle, parallelogram, triangle, circle or semicircle, the sides of which touch the extreme points or edges of the sign face.

B. Special Situations

1. Where a sign is composed of letters or pictures attached directly to a facade, window, door, or marquee, and the letters or pictures are not enclosed by a border or trimming, the sign area shall be the area within the smallest rectangle, parallelogram, triangle, circle or semicircle, the sides of which touch the extreme points of the letters or pictures. See Figure 5.06.03-A.

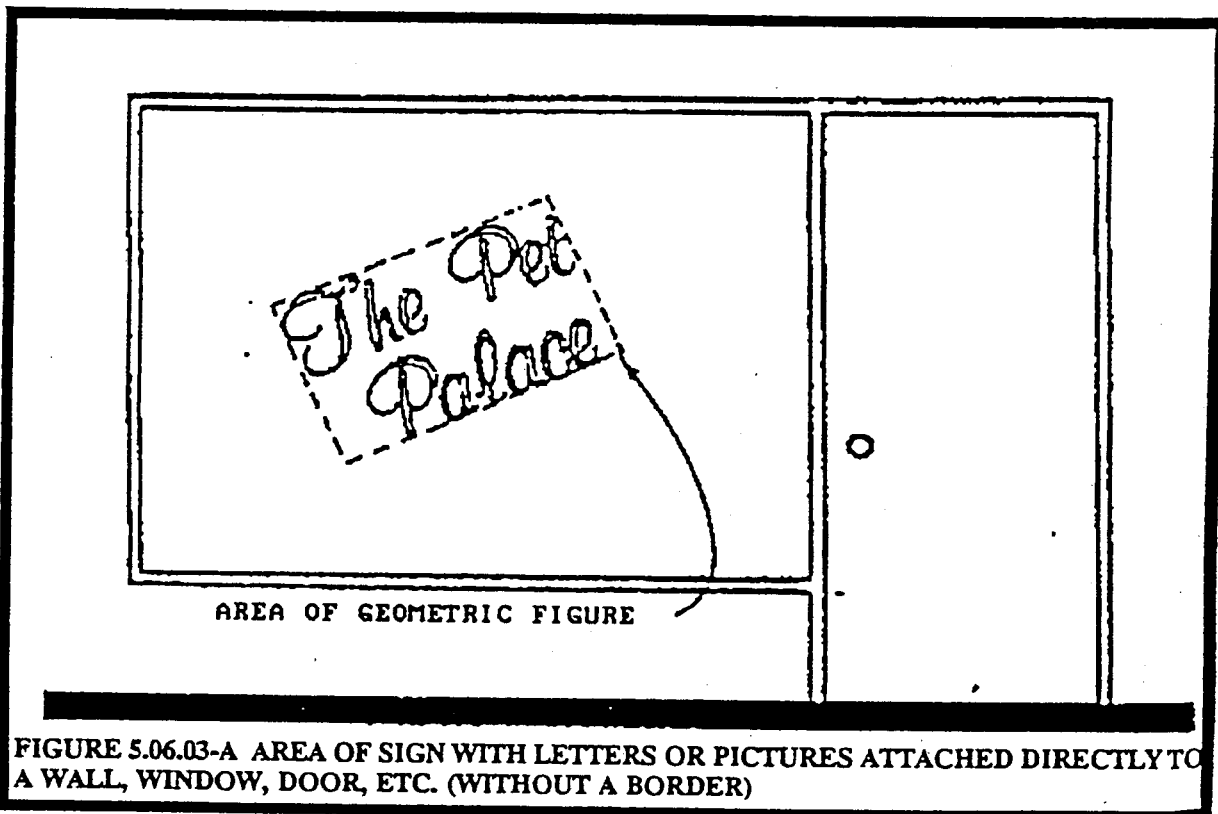


FIGURE 5.06.03-A AREA OF SIGN WITH LETTERS OR PICTURES ATTACHED DIRECTLY TO A WALL, WINDOW, DOOR, ETC. (WITHOUT A BORDER)

2. Where two sign faces are placed back to back on a single sign structure, and the faces are at no point more than four (3) feet apart, the area of the sign shall be counted as the area of one (1) of the faces.
3. Where four sign faces are arranged in a square, rectangle, or diamond, the area of the sign shall be the area of the two largest faces. See Figure 5.06.03-B.
4. Where a sign is in the form of a three-dimensional object, the area shall be determined by drawing a square, rectangle, parallelogram, triangle, circle or semicircle, the sides of which touch the extreme points or edges of the projected image of the sign and multiplying that area by two (2). The "projected image" is that image created by tracing the largest possible two dimensional outline of the sign. See Figure 5.06.04-A.

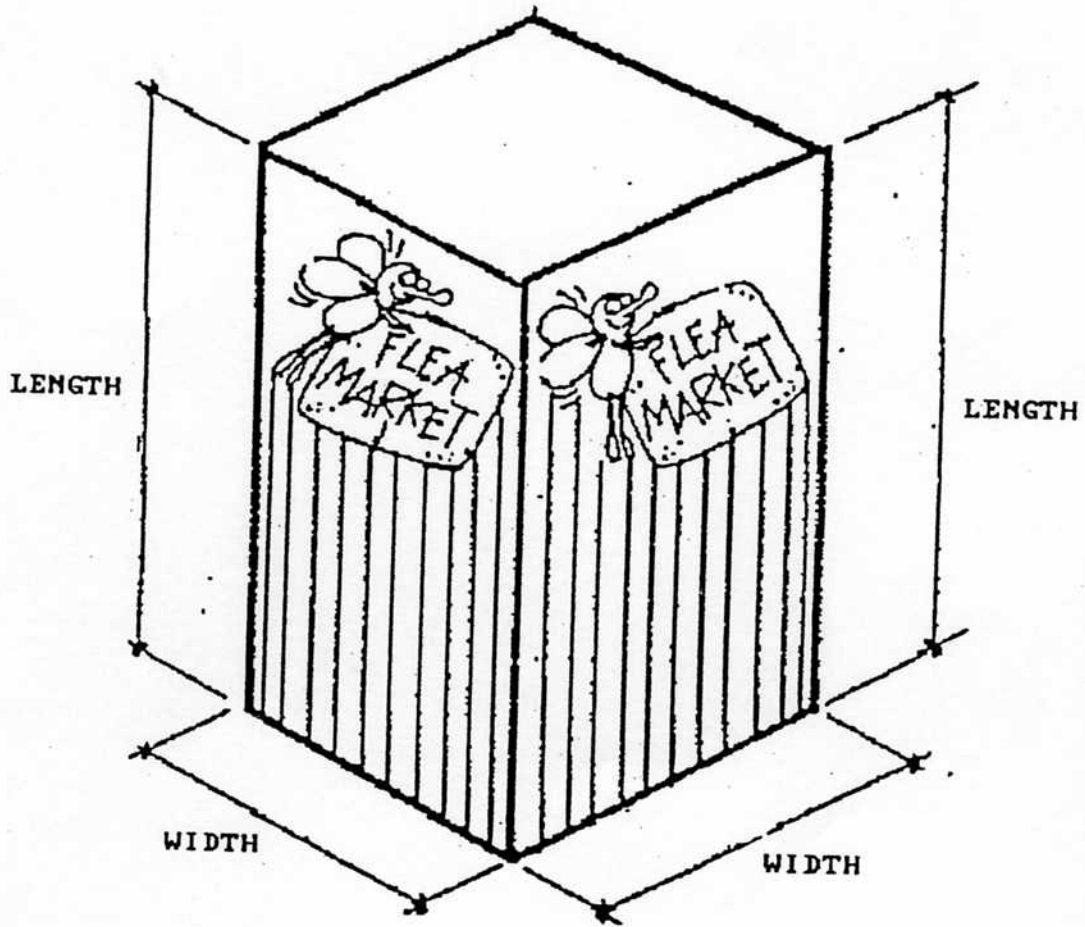


FIGURE 5.06.03-B SIGN AREA OF SIGN WITH FOUR FACES

5.06.04 Number of Signs

A. Generally

In general, the number of signs shall be the number of non-contiguous sign faces. Multiple non-contiguous sign faces may be counted as a single sign if all the sign faces are included in the geometric figure used for determining the sign area. See Figure 5.06.04-A.

B. Special Situations

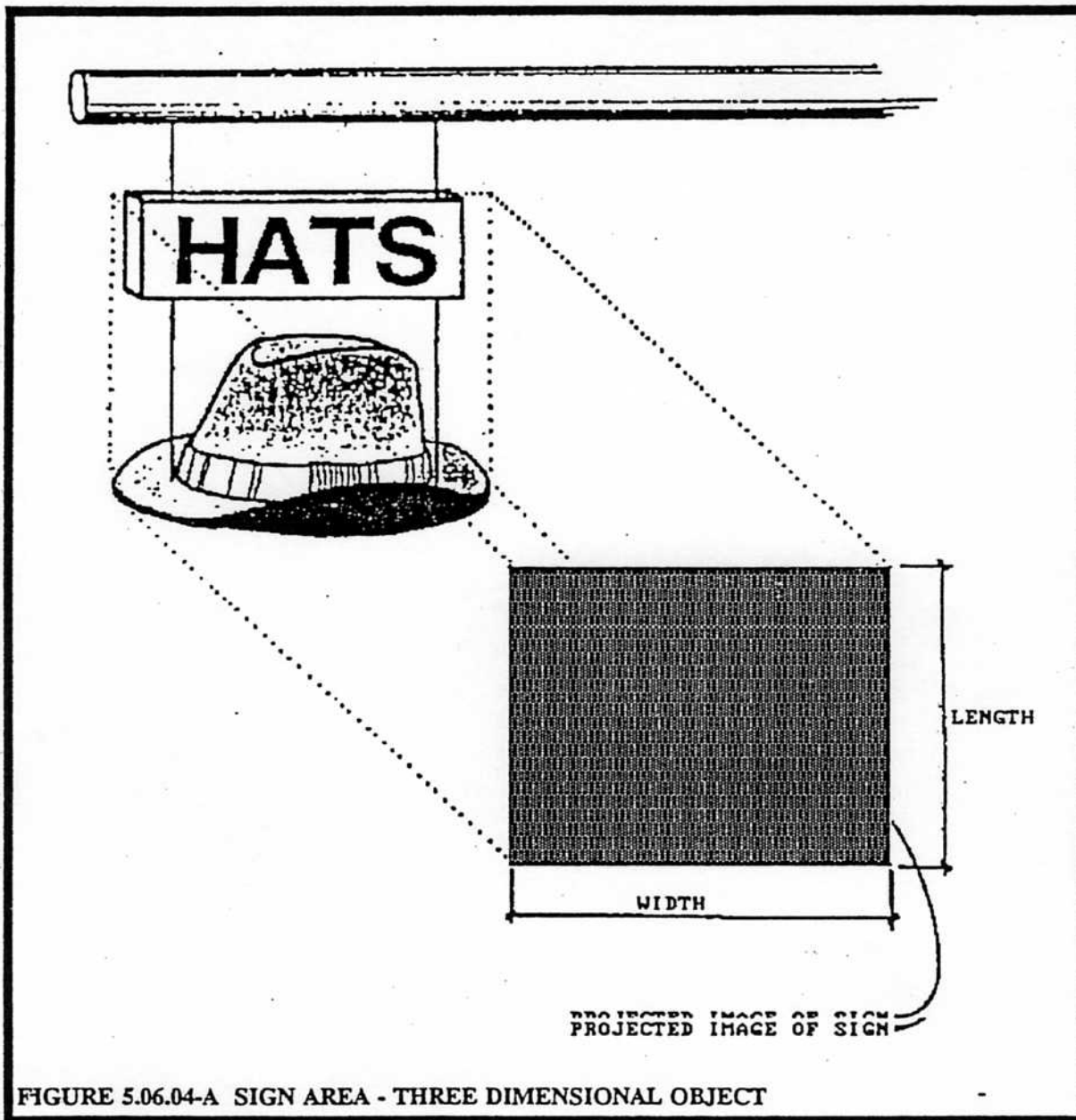


FIGURE 5.06.04-A SIGN AREA - THREE DIMENSIONAL OBJECT

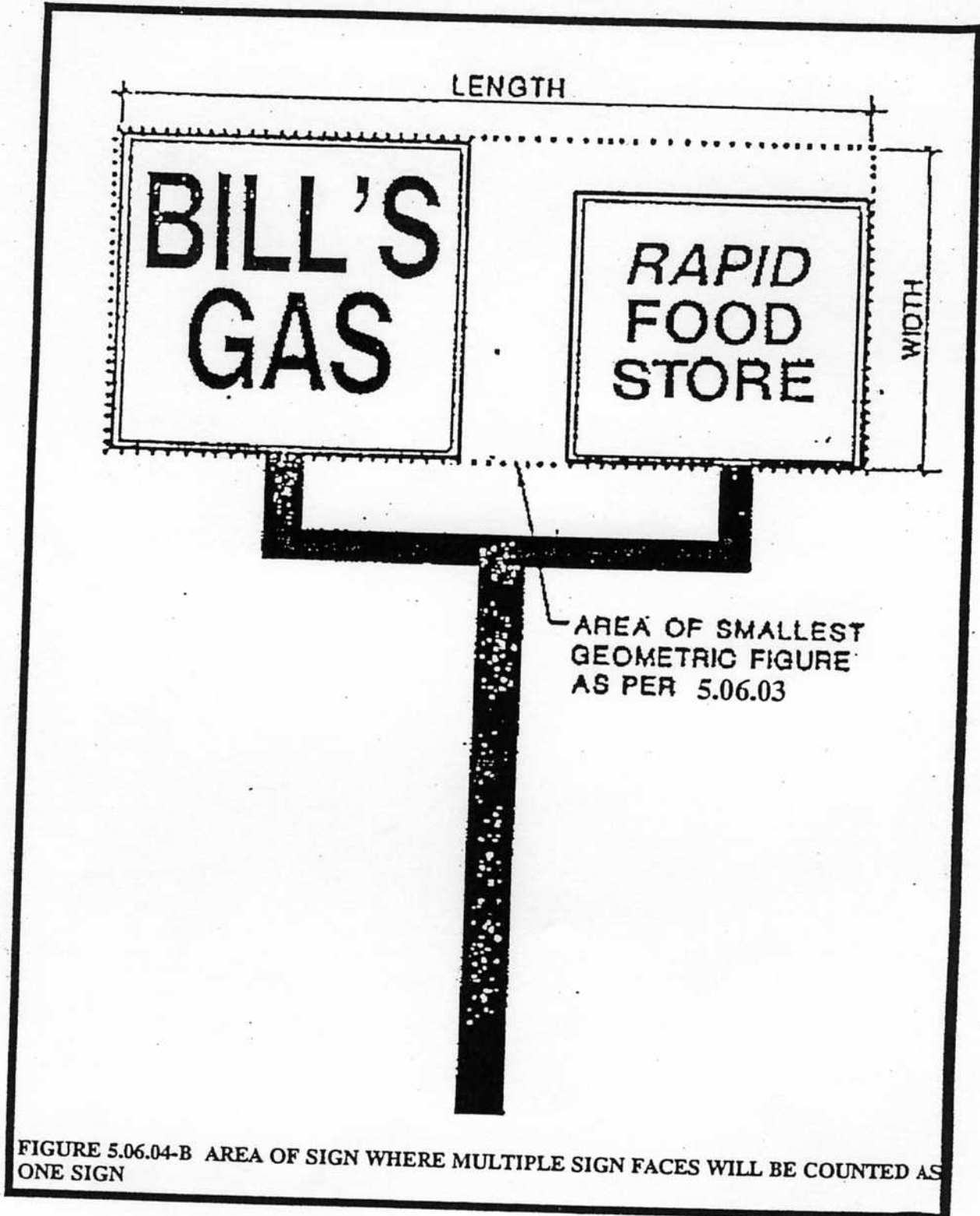


FIGURE 5.06.04-B AREA OF SIGN WHERE MULTIPLE SIGN FACES WILL BE COUNTED AS ONE SIGN

1. Where two sign faces are placed back to back and are at no point more than three (3) feet apart, it shall be counted as one sign.
2. If a sign has four faces arranged in a square, rectangle or diamond, it shall be counted as two signs. See Figure 5.06.04-B.

IF FOUR SIGN FACES ARE ARRANGED IN A SQUARE, RECTANGLE, OR DIAMOND, THEY SHALL BE COUNTED AS TWO SIGNS.



FIGURE 5.06.04-C NUMBER OF SIGNS WHERE SIGN HAS FOUR FACES

5.06.05 Sign Height

The height of a sign shall be measured as the vertical distance from the finished grade at the base of the supporting structure to the top of the sign, or its frame or supporting structure, whichever is higher. See Figure 5.06.05-A.

5.07.00 DESIGN, CONSTRUCTION, AND LOCATION STANDARDS

5.07.01 Generally

All permanent signs must comply with the following design, construction and location standards.

5.07.02 Compliance With Building And Electrical Codes Required

All permanent signs, and the illumination thereof, shall be designed, constructed and maintained in conformity with applicable provisions of the building and electrical codes adopted by the City.

5.07.03 Illumination Standards

- A. Sign lighting may not be designed or located to cause confusion with traffic lights.
- B. Illumination by floodlights or spotlights is permissible so long as none of the light emitted shines directly onto an adjoining property or into the eyes of motorists or pedestrians using or entering public streets.
- C. Illuminated signs shall not have lighting mechanisms that project more than eighteen (18) inches perpendicularly from any surface of the sign over public space.

5.07.04 Placement Standards

- A. **Near Street And Driveway Intersections**
Signs located within a clear visibility triangle shall conform to the requirements at Section 6.02.04 H of this Code.
- B. **In Right Of Way**
Supports for signs or sign structures shall not be placed in or upon a public right of way or public easement, except under the terms of a lease between the owner of the easement or right of way and the owner of the sign.
- C. **Over Right Of Way**
No ground sign shall project over a public right of way.
- D. **Blocking Exits, Fire Escapes, Etc.**
No sign or sign structure shall be erected that impedes use of any fire escape, emergency exit, or standpipe.

5.07.05 Clearance Standards

- A. **Over Pedestrian Ways**
All signs over pedestrian ways shall provide a minimum of seven (7) feet six (6) inches of clearance.

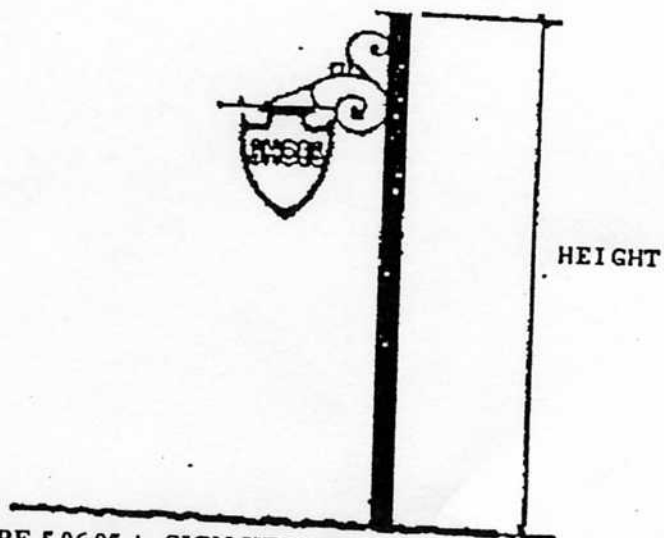
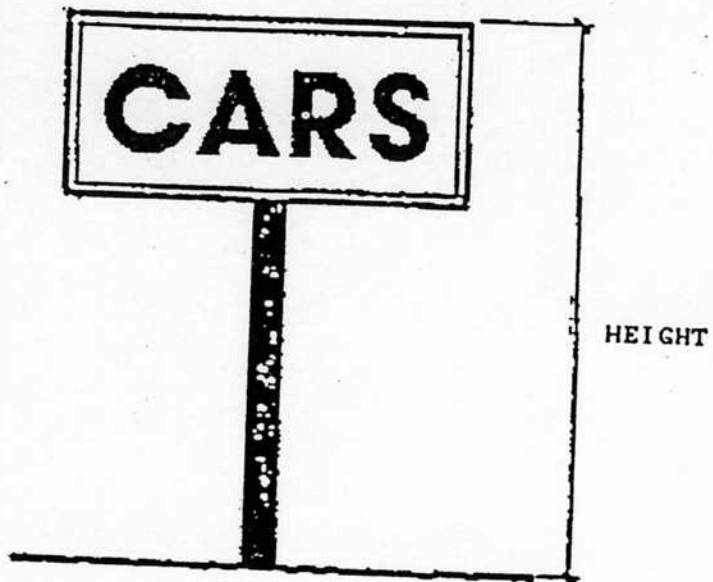


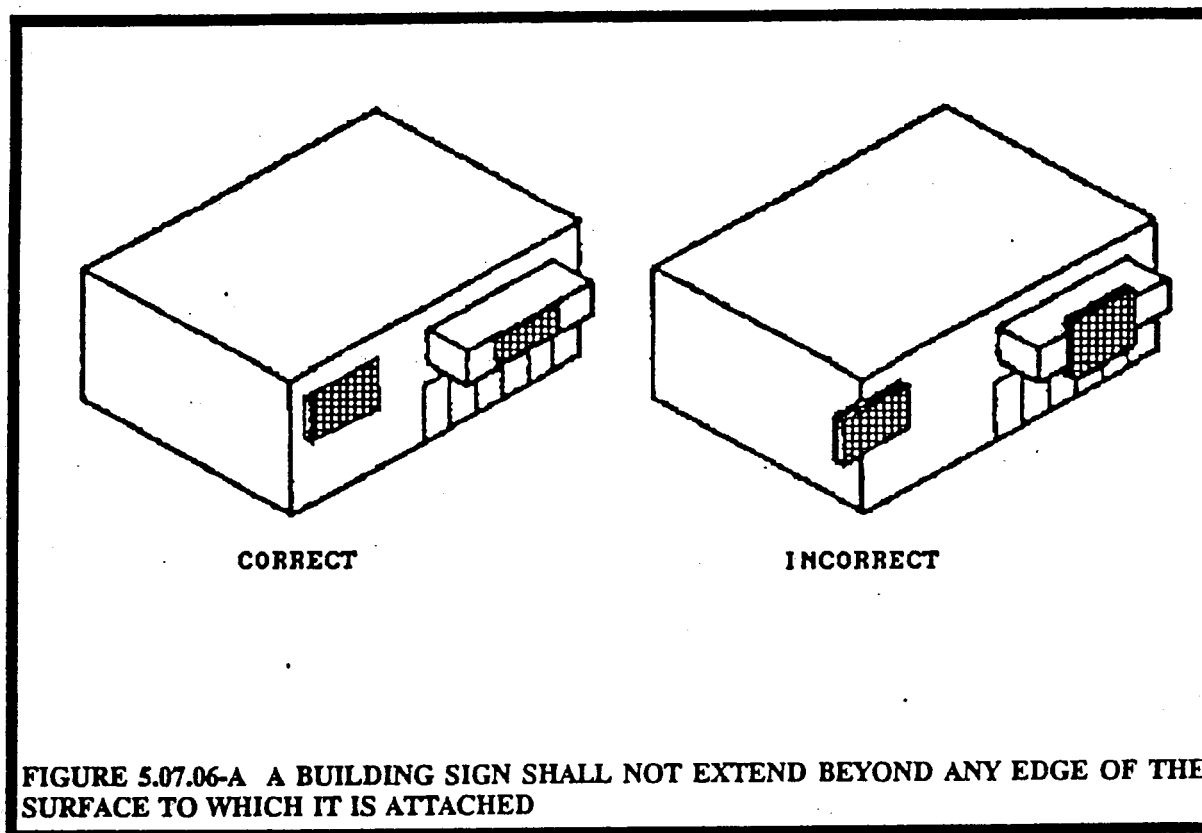
FIGURE 5.06.05-A SIGN HEIGHT

B. Over Vehicular Ways

All signs over vehicular ways shall provide a minimum of thirteen (13) feet six (6) inches of clearance.

5.07.06 Relationship To Building Features

A building sign shall not extend beyond any edge of the surface to which it is attached, nor disrupt a major architectural feature of the building. See Figure 5.07.06-A and Figure 5.07.06-B.



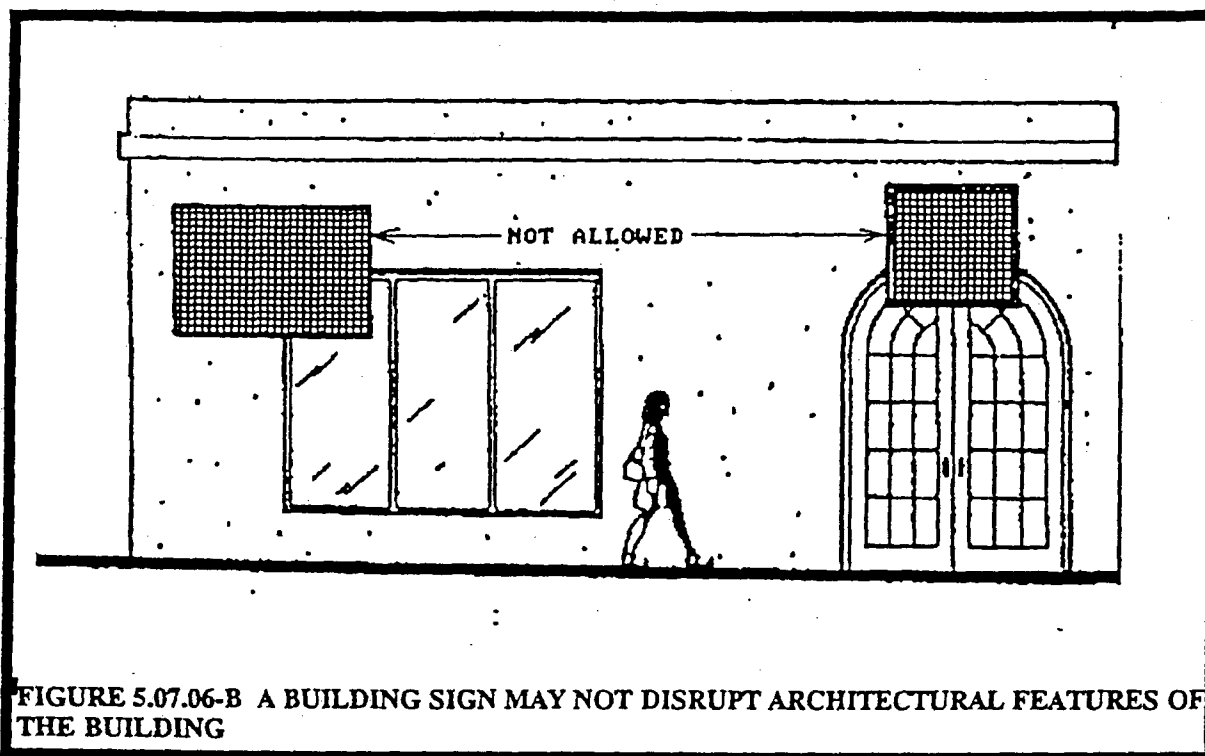


FIGURE 5.07.06-B A BUILDING SIGN MAY NOT DISRUPT ARCHITECTURAL FEATURES OF THE BUILDING

5.07.07 Maximum Projection

A building sign may project no more than four (4) feet perpendicularly from the surface to which it is attached.

5.07.08 Maximum Window Coverage

The combined area of permanent and temporary signs placed on or behind windows shall not exceed twenty-five (25) percent of the total window area at the same floor level on the side of the building or unit upon which the signs are displayed.

5.07.09 Format For Multiple Occupancy Complexes

Building signs for multiple occupancy complexes constructed or remodeled after the effective date of this Code shall conform to an approved sign format. The sign format shall be included as a submittal for authorization to erect such a sign and shall be maintained on file in City Hall. The format shall be presented in a plan or sketch, together with written specifications in sufficient detail to enable the Board to authorize signs based on the specifications. As a minimum, the sign format shall specify the types of signs and dimensions (not to exceed the size limits contained in this Article) which will be permitted each occupant within the complex. The sign format shall also contain common design elements, such as placement, color, shape, or style of lettering, which lend a unified appearance to the signs of the occupants within the complex. The sign format may only be modified with the approval of the Board upon submission of a revised plan and specifications detailing the revised format.

5.08.00 NONCONFORMING SIGNS

5.08.01 Defined

Any sign within the City on the effective date of this Code [or a sign existing within any area annexed to the city after the effective date of this Code,] which is prohibited by, or does not conform to the requirements of, this Code; except signs that are within ten (10) percent of the height and size limitations of this Code, and that in all other respects conform to the requirements of this Code, shall be deemed in conformity with this Code.

5.08.02 Continuation Of Use

- A. All nonconforming signs and all signs prohibited by Part 5.02.00 (Prohibited Signs) of this Code with a replacement cost of less than \$100.00, shall be removed within sixty (60) days of the enactment of this Code.
- B. All other nonconforming signs other than nonconforming accessory or permanent signs, but including portable signs, shall be removed within one (1) year of the effective date of this Code. Within thirty (30) days from the effective date of this Code, any animated component of any portable sign shall be turned off.
- C. Nonconforming accessory and other permanent signs may be continued indefinitely subject to the restrictions of Section 5.08.03 below.

5.08.03 Continuation of Use Restrictions

Subject to the restrictions of Section 5.08.02, a nonconforming sign may be continued and shall be maintained in good condition as required by this Code, but it shall not be:

- A. Structurally changed to another nonconforming sign, but its pictorial content may be changed.
- B. Structurally altered to prolong the life of the sign, except to meet safety requirements.
- C. Altered in any manner that increases the degree of nonconformity.
- D. Expanded.
- E. Re-established after damage or destruction if the estimated cost of reconstruction exceeds fifty (50) percent of the appraised replacement cost as determined by the Planning Board.
- F. Continued in use when a conforming sign or sign structure shall be erected on the same parcel or unit.
- G. Continued in use when the structure housing the occupancy is demolished or requires renovations the cost of which exceeds fifty (50) percent of the assessed value of the structure.
- H. Continued in use after the structure housing the occupancy changes ownership.

In addition to the above, permanent signs such as animated signs or signs with flashing lights shall conform to the signage regulations contained in this Article by turning off the animated or flashing portion of the sign, where practicable.

5.09.00 PERMIT REQUIRED

All signs existing in the City on the effective date of this Code, other than temporary signs, are required to have a sign permit application on file in City Hall within 180 days of the effective date of this Code, to establish a record of existing signs in the City. Applications for permits for signs existing on the effective date of this Code are exempt from any sign permit fees adopted as a part of this Code, if submitted within 180 days of the effective date of this Code. Information included on the application shall contain sufficient information for the City Manager to make a determination as to whether the sign is in conformance with this Code.

The erection of a permanent sign after the effective date of this Code shall require a sign permit as required in Article VII of this Code.