

Chapter 16

SIGNS

GENERAL PROVISIONS

Section 16.1 Purpose and Intent

Exterior signs have a clear impact on the character and quality of the city. As a prominent part of the urban environment, signs may attract or repel the viewing public, affect the safety of pedestrian and vehicular traffic, and help set the character and legibility of neighborhoods in the City-Parish. This chapter establishes minimum standards to promote life, health, safety, welfare, convenience, and enjoyment for the public by regulating the design, quality of materials, construction, location, electrification, and maintenance of all On and Off-Premise Signs and advertising devices visible from public rights-of-way.

- A. This chapter intends to promote the safety of persons and property by providing that signs:
 - 1. Do not create a hazard due to collapse, fire, collision, decay, electrocution, or abandonment;
 - 2. Do not obstruct fire fighting or police surveillance; and
 - 3. Do not create traffic hazards by confusing or distracting motorists or by impairing the driver's ability to see pedestrians, obstacles, other vehicles, or traffic signs.

- B. This chapter intends to promote the efficient transfer of information in sign messages by providing that:
 - 1. Businesses and services may clearly identify themselves;
 - 2. Customers and other persons may easily locate a business or service;
 - 3. No person or group is arbitrarily denied the use of the sight line from the public right-of-way for communication purposes; and
 - 4. Persons exposed to signs are not so overwhelmed by the number of messages presented that they cannot find the information they seek and are able to observe or ignore messages according to their purposes.

- C. This chapter is intended to protect the public welfare and to enhance the appearance and economic value of the landscape by providing that signs:
 - 1. Do not interfere with significant scenic views;
 - 2. Do not create a nuisance to persons using the public rights-of-way;
 - 3. Do not constitute a nuisance by their brightness, size, height, or movement to occupants of adjacent and contiguous property;
 - 4. Are not detrimental to land or property values; and

5. Contribute to the special character of particular areas or districts, which help observers understand and orient themselves with the City-Parish.

Section 16.2 Construction of Language

The following rules of construction shall apply to the text of this chapter:

- A. The particular shall control the general.
- B. In case of any difference of meaning or implication between the text of this chapter and any caption, illustration, summary table, or illustrative table, the text shall control.
- C. A "building" or "structure" includes any part thereof.
- D. The phrase "used for" includes "arranged for", "designed for", "maintained for", or "occupied for".
- E. Unless the context clearly indicates the contrary, where a regulation involves two (2) or more items, conditions, provisions, or junctions, such shall be interpreted as follows:
 1. "And" indicates that all the connected items, conditions, provisions, or events shall apply.
 2. "Or" indicates that the connected items, conditions, provisions, or events may apply singly or in any combination.
 3. "Either / or" indicates that the connected items, conditions, or events shall apply singly but not in combination.
 4. The word "includes" shall not limit a term to the specified examples, but is intended to extend its meaning to all other instances or circumstances of like, kind, or character.

Section 16.3 Permit Required

Except as otherwise provided in this article, it shall be unlawful to erect, substantially modify, or relocate any sign without first obtaining a sign permit.

When a sign permit has been issued, it shall be unlawful to substantially modify the sign without prior approval of the Building Official or to deviate from the terms and conditions of the permit and this Unified Development Code. A written record of such approval shall be entered upon the original permit application and maintained in the files of the Building Official.

The changing of the advertising copy or message on signs that are specifically designed for the use of replaceable copy shall not require a sign permit.

Section 16.4 Permit Not Required

The following types of signs shall not require a permit and shall be allowed in all zoning districts provided that these signs are in conformance with all other requirements of this Unified Development Code and are not illuminated or electrified.

- A. Public service signs.

- B. Window Signs with a total copy area not exceeding fifty (50) percent of the window or glass door onto which the sign(s) are located.
- C. Farm products signs and Seasonal business signs provided:
1. Signs are located on the premises where the products are grown and sold in conjunction with an allowable farm use as determined by the Unified Development Code
 2. Signs shall not exceed thirty-two (32) square feet in area.
 3. Only one (1) sign shall be erected per lot/tract.
 4. Signs shall be removed within seven (7) days of the termination of sale activities.
- D. Copy Changes:
- The changing of advertising copy or the advertising message on a printed sign, painted sign, or sign specifically designed for the use of changeable copy as provided for in this Unified Development Code except for changing the name of the owner of a business advertised.
- E. Motor Fuel Pump Signs provided:
1. Signs show information pertaining to volume, octane rating, and type of fuel dispensed or display the trade name or associated symbol of the business; and
 2. The signs do not exceed three (3) square feet in area per sign face and an aggregate area of six (6) square feet per pump.
- F. Directory Signs provided that:
1. The sign shall not exceed six (6) square feet.
 2. The sign shall be non-electric within "A, HR, HB, B, and GU" Zoning Districts.
 3. The sign shall be wall mounted.
- G. Any sign painted on the wall of a building.
- H. Wall Signs, which are;
1. Less than thirty-two (32) square feet;
 2. Which are located on a wall, which contains less than two hundred (200) square feet of signage;
 3. Which are non-electric; and
 4. Which do not extend above the parapet, the mansard, or the eaves of the building to which the sign is attached.

Section 16.5 Abandoned

- A. Any person who owns or leases an On-Premise Sign or any person who owns an Off-Premise Sign shall remove such sign when the sign is determined to be abandoned by the Building Official.
- B. Abandoned signs shall be removed in accordance with Section 16.16, Administration, B. Enforcement, 3. Violation.
- C. An On-Premise Sign structure need not be removed if the successor to a person's business location or business agrees to maintain it as required (See Section 16.8 Maintenance) and files a letter of intent with the Building Official within thirty (30) days after written notice by the Building Official that the sign has been declared abandoned.

Section 16.6 Non-Conforming (Grandfather Clause)

- A. Except as otherwise provided in this subsection, non-conforming signs, which comply with the applicable previous sign ordinance including permit requirements, which may remain subject to the requirements of this section. Any sign which conformed to the applicable previous sign ordinance in all respects except for the permitting requirements shall be permitted within ninety (90) days of May 18, 1994 in order to remain. If the applicable previous sign ordinance did not require a permit, no permit need be obtained. Where a sign permit is granted prior to May 18, 1994 for a sign that complies with then existing requirements, the permit shall be valid and the sign may be built if erected within ninety (90) days of May 18, 1994. Otherwise the permit shall be void.
- B. Illegal signs, which do not comply with the previous sign ordinance, shall be removed within ninety (90) days of May 18, 1994. Removal shall be in accordance with the Administration Section.
- C. Non-Conforming Signs shall not be allowed to remain unless properly repaired and maintained as provided in this chapter.
- D. Special Requirements for Non-Conforming Signs.

Non-Conforming signs shall not be:

- 1. Changed to or replaced with another Non-Conforming Sign;
- 2. Structurally altered so as to extend their useful life;
- 3. Expanded;
- 4. Relocated;
- 5. Re-established after damage or destruction of more than fifty (50) percent of the replacement value of the same type sign at the time of such damage or destruction; or
- 6. Modified in any way that would increase the degree of nonconformity of such sign.

Except in the case of (5) above, this shall not prevent repairing or restoring to a safe condition any part of a sign or sign structure or normal maintenance operations performed on a sign or sign structure.

Section 16.7 Calculations

Measurement Standards: (See Appendix C, Sign Area Calculations)

A. Area or Sign Area:

1. The area of a sign shall be determined by computing the area of the smallest square, circle, rectangle, or triangle that will encompass the extreme limits of the sign face including any open areas within the sign face. This calculation shall not include the structure, foundations, supports, or embellishments. However, if the open area within a sign face exceeds twenty-five (25) percent of its total square footage, the actual area of the sign is to be used to calculate the square footage.
2. Multiple Signs On A Single Structure:
 - (a) When one business has more than one sign on a single structure, the sign area shall be calculated by individual geometric shapes on each sign.
 - (b) When two or more businesses have signs on a single structure, the sign area shall be calculated by individual geometric shapes on each sign.
3. The area of all signs in existence on May 18, 1994, whether conforming or non-conforming, shall be counted in establishing the allowable sign area.
4. Where a sign is of three dimensional, round, or irregular solid shape, the largest cross-section shall be used in a flat projection for the purpose of determining sign area.
5. Unless otherwise specified within this Unified Development Code, only one side of a double-faced sign or one side of a multi-faced sign shall be included in a calculation of sign area.

B. Height:

Height is measured from the average level of the grade below the sign to the topmost point of the sign.

C. Clearance:

Clearance is measured from the average grade below the sign to the lowest point of the sign face.

D. Spacing:

1. Between Off-Premise Signs shall be measured by the distance between two points along the edge of the street and on the same side of the street as the signs. The points shall be determined by drawing a line perpendicular to the street from the closest extremity of the sign to the street.

2. Between Detached On-Premise Signs shall be measured by the distance between the closest extremities of the signs.
3. Between Off-Premise Signs and Detached On-Premise Signs shall be measured by the distance between the closest extremities of the signs.

The following table gives the minimum spacing between detached signs located on separate parcels, lots, or tracts. When detached signs are located on the same parcel, lot, or tract, the spacing shall be determined by the requirements set forth in Section 16.13, Permanent On-Premise Signs By Zoning District.

SPACING OF SIGNS

| FROM: | TO: | DISTANCE: |
|--|--|--|
| On-Premise Detached Sign (A,HR,HB, B, and GU Zoning District.) | On-Premise Detached Sign (A,HR,HB, B, and GU Zoning Dist.) | None (For further details see Section 16.14) |
| On-Premise Detached Sign (N,GO,LC,HC,C,R,X, and M Zoning District) | “A and/or R” Zoning District | (On same frontage) 2’ stbk to 1’ hgt. (On rear of tract) 1’ stbk to 1’ hgt. |
| On-Premise Detached Sign (N,LC,GO,HC,C,X, and M Zoning District) | On-Premise Detached Sign (N,LC,GO,HC,C,X, and M Zoning District) | None (For further details see Section 16.14) |
| On-Premise Detached Sign | Off-Premise Sign | 100 feet |
| Off-Premise Sign | “A and/or R” Zoning | (On same frontage) 2’ stbk to 1’ hgt. (On rear of tract) 1’ stbk to 1’ hgt. |
| Off-Premise Sign | On-Premise Detached Sign | 100 feet |
| Off-Premise Sign | Off-Premise Sign | 1,000 feet |

E. Setback:

All permanent On-Premise and temporary signs shall be set back a minimum of ten (10) feet from the right-of-way of any public street except as provided for in Section 16.12. Off-Premise Signs shall be set back a minimum of ten (10) feet from the right-of-way of any interstate highway or expressway, Federal Aid Primary System road, or their service roads or from the right-of-way of any arterial street, as determined by the Major Street Plan. (See Off-Premise Signs.)

SETBACK OF SIGNS

| SIGN TYPE | SETBACK |
|-------------------------|----------------|
| On-Premise | 10 feet |
| Off-Premise: | |
| Interstate | 10 feet |
| Interstate Service Road | 10 feet |
| Major Street | 10 feet |
| Expressway | 10 feet |

(Also see Section 16.12, A.3. and 5.; (b). for setback exceptions)

F. Structural Requirements:

No sign shall be erected unless it complies with the structural requirements as specified by the current Building Code for the City and Parish of East Baton Rouge

G. Frontage:

Building Frontage:

For the purpose of computing sign area or other measurements by building frontage, the front footage of a building shall be calculated by using the horizontal, linear dimension of that side of a building that abuts a street, parking area, or other unenclosed circulation area open to the general public. Should a business have two (2) primary public entrances, the largest frontage shall be used for computing the sign area.

Street Frontage:

For the purpose of computing sign area by street frontage, the front footage of the property shall be that frontage determined along the street used for the address.

In no case shall either computation allow the sign area, individual, or aggregate to exceed the limits specified for the sign type or district.

Section 16.8 Maintenance

All signs together with all of their structures and components shall be kept in good repair and be maintained in a safe condition. All signs and the sites upon which they are located shall be maintained in a neat, clean, and attractive condition. Signs shall be kept free from excessive rust, corrosion, peeling paint, or other surface deterioration. The display surfaces of all signs shall be kept neatly painted or posted.

No person required to obtain a sign permit under this chapter shall scatter, daub, or leave any paint, paste, glue, or other substances used for painting or affixing advertising matter or scatter, throw, or allow to be scattered or thrown any bills, waste matter, paper, cloth, or materials of whatsoever kind removed from signs on any public street, sidewalk, or private property.

The area within a ten (10) foot distance from the sign support(s) and sign overhang shall be properly maintained and clear of brush, trees, and other obstacles so as to make signs readily visible and free of ground clutter. All burned out bulbs or damaged panels must be replaced. All sign copy shall be maintained securely to the face, and all missing copy must be replaced.

Signs in violation of this section shall be removed in accordance with the Administration Section.

Section 16.9 Exemptions

The provisions of this chapter shall not apply to the following:

- A. Official traffic signs and signals.

- B. Identification Signs, Directional Signs, pennants, or streamers erected by proper public authority.
- C. Signs not visible from a public sidewalk, street, highway, alley, or property.
- D. Temporary or permanent public utility and safety signs allowed by law.
- E. Official notices or advertisements posted by or under the direction of any public or court officer in the performance of his official duties provided that all such signs shall be removed not later than ten (10) days after the last day of the period for which they are required to be displayed in order to accomplish their purpose.
- F. Flags.
- G. The provisions of this chapter shall not apply to the following signs (as long as they do not exceed six (6) square feet) unless otherwise specified:
 1. A warning sign erected on private property to warn the public of danger on or prohibiting or limiting access to the premises on which the sign is located provided such sign is not located in the vision triangle area.
 2. Permanent building plaques, corner stones, name plates, and similar building identifications.
 3. House and building numbers.
 4. Historical markers erected or maintained by public authority or by a recognized historical society or organization identifying sites, buildings, or structures of recognized historical value and not located in the vision triangle area.
 5. Directional Signs erected solely for the purpose of identifying and giving direction for phone booths, restrooms, and parking areas providing direction to motorists within parking lots and structures or aiding and directing the movement of pedestrians.

Section 16.10 Prohibited Signs

The following are prohibited unless specifically stated otherwise in another section of this chapter:

- A. Skid mounted signs or trailer signs. See Section 16.12, Temporary Signs.
- B. Roof signs. See Section 16.16, Administration, D.4. Appeals and Variance.
- C. Fluttering, rotating, or moving signs in Residential, Historic, Transition, and Public Facilities Districts and A, HR, HB, B, NO, R, GU Zoning Districts other than signs that are exclusively Time/Date/Temperature Signs. This prohibition shall not apply to the hands of a clock or a weather vane.
- D. Signs extending into or placed within the public right-of-way other than those signs specifically allowed.
- E. Any sign that does not comply with the provisions of the "Illumination" section of this chapter.

- F. Any sign that projects beyond a lot line unless otherwise specifically allowed in this chapter.
- G. All advertising media including commercial banners and commercial benches which are located on or within a public right-of-way unless otherwise stated within this Unified Development Code or granted a franchise by the Metropolitan Council. Commercial banners are not allowed as permanent On-Premise Signs and shall be regulated by the Temporary Sign provisions of this chapter.
- H. Any sign placed so that it obstructs any opening or access intended for light, air, ingress to, or egress from any building.
- I. Any sign that is attached to a tree whether on public or private property.
- J. Any sign that is attached to a utility pole, curb, sidewalk, lamppost, hydrant, bridge, highway marker, highway regulatory sign, or mailbox on public property except official notices or announcements.
- K. Any sign which by reason of its location, position, size, shape, or color may obstruct, impair, obscure, interfere with the view of, or be confused with any Traffic Control Sign, signal, or device erected by a public authority or where it may interfere with, mislead, or confuse traffic. To those ends, no sign shall use the words "Stop", "Slow", "Caution", "Yield", "Danger", "Warning", or "Go" when such sign may be confused with a Traffic Control Sign used or displayed by a public authority.
- L. Any sign or sign structure located in the sight triangle except as approved and otherwise stated within this Unified Development Code. An application for a sign to be placed on a corner lot or tract shall be reviewed and shall receive approval by Department of Public Works. See Appendix, Sight Triangle.
- M. Any sign that contains statements, words, or pictures of an obscene, indecent, or immoral character that will offend public morals or decency.
- N. Portable, moveable, skid mounted, or Trailer Signs converted to any other type sign such as a Detached Sign (pole or monument), Wall Sign, Roof Sign, or Projecting Sign.
- O. Changeable Letter Signs are prohibited except as described and allowed in Section 16.12, Temporary Signs, A. Permit Requirements for Temporary Signs, 1. Special Event Signs and Section 16.13, Permanent On-Premise Signs by Type A. Changeable Letter Signs.
- P. Off-Premise Temporary Signs - Signs advertising events or products on a site other than where the event shall occur or the product shall be sold shall be prohibited except as provided within Section 16.12, Temporary Signs.
- Q. A-frame or sandwich signs except within the Downtown Development District.
- R. Parasite Signs (Add-Ons or Rider Signs) - Signs attached to the structure of a Primary Sign and not an integral part of the Primary Sign except as otherwise provided within Section 16.12, Temporary Signs, (4).
- S. Any sign or advertising of any character (except traffic directional signs painted on pavement) located in parking lots within the "B1" Zoning District. See Section 8.205.

Section 16.11 Illumination

Illuminated signs shall be constructed and located so as to protect the general welfare of all citizens and the safety of the motoring public as follows:

- A. The light from any illuminated sign shall be so shaded, shielded, or directed that the light intensity or brightness will not be hazardous or objectionable to the adjacent or surrounding areas.
- B. Beacons or revolving lights shall not be allowed.
- C. No colored lights shall be used at any location or in any manner so as to be confused with or construed as traffic control devices.
- D. Neither the direct nor the reflected light from primary light sources shall create a traffic hazard to operators of motor vehicles on public thoroughfares.
- E. Moving message signs made up of a matrix of incandescent lamps shall be limited to a maximum power output of seventy-five (75) percent. The copy shall appear on the face as a lighted letter or pictorial and non-lighted background. Incandescent lamps used for this purpose shall not exceed thirty-three (33) watts.
- F. When illuminated, all such signs shall comply with the Electrical Code of the City of Baton Rouge and Parish of East Baton Rouge and shall carry an underwriter's label on each sign. See Section 16.1, General Provisions; Section 16.10, Prohibited Signs; and Section 16.16, Administration, C, Licensing And Certification.
- G. Illuminated signs shall not be allowed in Residential, Historic, and Transition Zoning Districts and A, HR, HB, B, Zoning Districts, RE/A 1, RE/A 2, and RE/A 3.

Section 16.12 Temporary Signs

Generally:

All Temporary Signs not expressly deemed as allowable under this section are prohibited. All Temporary Signs shall require a permit unless this section expressly exempts such Temporary Signs. All Temporary Signs are excluded from complying with specific On-Premise regulations set forth in Sections 16.13 and 16.14 unless otherwise stated. All Temporary Signs shall comply with all other general provisions of this chapter

Changeable Letter Signs displayed as an integral part of an On-Premise Sign are not deemed to be Temporary Signs and are not regulated under the provisions of this section. See Changeable Letter Signs, Section 16.13.

All Temporary Signs may be placed as On-Premise Signs in any zoning district unless otherwise specified herein.

Temporary Signs may include non-illuminated detached or attached signs. A Portable Sign may be allowed as a Detached Temporary Sign provided that the sign is securely anchored to the ground.

- A. Permit Requirements for Temporary Signs

Permits are required for the following Temporary Signs:

1. Special Event Signs:
 - a. Any one business, individual, or organization may display a Special Event Sign on two (2) separate occasions during a twelve (12) month period (e.g. portable signs).
 - b. Such businesses, organizations, groups, and/or individuals that require additional occasions for Special Event Signs shall appeal to the Planning Commission, comply with Section 16.13 "On Premise Signs by Type" Changeable Letter Signs, or comply with Section 16.14(A)(4), "Permanent On-Premise Signs by Zoning District: (I.D) Secondary Informational Signs".
 - c. Each separate display of a Special Event Sign shall not exceed thirty (30) days. There shall be a minimum thirty (30) day period without the display of a Special Event Sign between each display period.
 - d. No more than one (1) Special Event Sign shall be located on one (1) lot/tract at any time unless otherwise allowed under this section. Where there is more than one (1) business or tenant per lot/tract, one (1) sign per separate business or tenant shall be allowed.
 - e. Special Event Signs shall not exceed twenty-four (24) square feet in area and ten (10) feet in height. Such signs shall also comply with the Calculation Section of this chapter.
 - f. Special Event Signs shall be firmly affixed to the ground or the structure to which they are attached.
 - g. Special Event Signs shall be removed within twenty-four (24) hours of termination of the event, which is advertised, or within twenty-four (24) hours of the end of the thirty (30) day display period, whichever occurs first.
 - h. Special Event Signs displaying information pertaining to an event occurring on a lot/tract other than where the sign is displayed are allowable as Off-Premise Signs and shall comply with the provisions of the Off-Premise Sign Section of this chapter. See Section 16.15, Off-Premise Signs.

| | |
|-------------------------------|-------------------------------|
| Type of Sign Allowed: | Attached or detached |
| Number of Signs: | 1 per event, per lot/tract |
| Number of Signs Per Business: | 1 per business |
| Number of Faces: | 2 per sign (back to back) |
| Sign Area: | 24 square feet |
| Permit Required: | Yes |
| Setback: | 10 feet from the right-of-way |
| Illumination: | No |
| Maximum Height: | 10 feet |

- i. Special Event Signs for churches, civic associations, and similar non-profit organizations shall be allowed for a period not to exceed fourteen (14) days and according to the following criteria:

| | |
|-----------------------|----------------------|
| Type of Sign Allowed: | Attached or detached |
|-----------------------|----------------------|

| | |
|--------------------|---|
| Number of Signs: | 1 per event, per lot/tract per organization |
| Number of Faces: | 2 per sign |
| Sign Area Maximum: | 32 square feet |
| Permit Required: | Yes |
| Fee Required: | No |
| Setback: | 10 feet from the right-of-way |
| Illumination: | No |
| Maximum Height: | 10 feet |

2. Real Estate Signs Advertising a Residential or Commercial Subdivision Development or a Planned Development.

Such Temporary Signs may be erected on the premises or tract of the development provided:

- a. That the maximum number of signs shall not exceed two (2) freestanding signs per development.
- b. The spacing of such signs shall be at least five hundred (500) feet. Method of measurement shall be in compliance with Section 16.7.
- c. The number of faces per sign shall not exceed two (2). Placement of faces shall be either back-to-back or V-shaped (interior angle of the two (2) faces not exceeding forty-five (45) degrees).
- d. No such sign shall exceed sixty-four (64) square feet per face.
- e. No such sign shall exceed sixteen (16) feet in height.
- f. Such signs shall be removed within one (1) year from the date the sign permit was issued. The Building Official may grant one (1) extension of up to six (6) months without further review by the Planning Commission.
- g. Setback distances shall be in accordance with the regulations set forth in Section 16.7.

| | |
|------------------|---------------------------------------|
| Type of Signs: | Detached |
| Number of Signs: | 2 per development |
| Spacing: | 500 feet |
| Number of Faces: | 2 per sign (back-to-back or V-shaped) |
| Sign Area: | 64 square feet maximum |
| Permit Required: | Yes |
| Setback: | 10 from right-of-way |
| Maximum Height.: | 16 feet |

3. Construction Signs Identifying the Contractor and/or Purpose for Construction, Craftsmen's Signs, and other signs pertaining to construction:

All such signs shall be durable and weather resistant and shall comply with the following district requirements:

- a. Commercial and Industrial Districts:

One (1) sign shall be allowed displaying the names of the building, contractor(s), architect, engineer, craftsmen, and similar information upon the premises of any work under construction or any work of major repair or improvement provided that the sign does not exceed sixty-four (64) square feet in area. Such sign shall be set outside of the right-of-way and shall not encroach upon the vision clearances or sight triangles set forth in Section 16.1. This sign shall be removed within seven (7) days after approval of final building inspection.

b. Residential, Transition, and Historic Districts:

Contractor Signs, Craftsmen's Signs, and other signs pertaining to construction may be displayed separately or jointly on one (1) sign. When displayed separately, the signs shall be grouped in an orderly manner on the site. Total sign area of all signs shall not exceed forty-eight (48) square feet. All signs shall be removed within seven (7) days after final building inspection.

4. Substitution Sign (See Section 16.16, Administration - 1. Permits, D. Emergency Permit).

5. Campaign Signs, Political Signs, or signs of candidates for election or for issues on a ballot (excluding bumper stickers and decals) shall require a permit. See Appendix.

a. Signs no greater than eight (8) square feet are permitted in Zoning Districts A1, A2, A2.1, A2.5, A2.6, A2.7, A3.1, A3.2, A3.3, A4, A5, B, B1, NO, HR, HB and Rural.

b. Signs no greater than eighteen (18) square feet are permitted in Zoning Districts GOL, GOH, NC, NC-AB, LC1, LC2, LC3, C1, C-AB-1, CG, CW and X. Signs in recognized residential subdivisions shall comply with sign dimensions described in paragraph "a" of this subsection.

c. Signs no greater than thirty-two (32) square feet are permitted in Zoning Districts C2, C-AB-2, C5, HC1, HC2, M1 and M2. Signs in recognized residential subdivision shall comply with sign dimensions described in paragraph "a" of this subsection.

d. Maximum number of faces shall be two (2) per sign (back-to-back).

e. No political sign supporting any candidate shall be erected more than six (6) months prior to the opening of qualifying for the election in question. In the case of signs relating to a proposition rather than a candidate, no such signs shall be placed or erected more than six (6) months prior to balloting on the proposition in question.

f. All temporary signs supporting any candidate or regarding any ballot proposition shall be removed not more than seven (7) days following balloting which either terminates the candidate's campaign or which decides the issue or proposition. Signs not removed accordingly may be removed by the Building Official at a cost of twenty-five (25) dollars per sign.

- g. The set back of Campaign and Political Signs greater than two (2) square feet shall be ten (10) feet from the right-of-way.
- h. No temporary political sign may be located in any right-of-way, public servitude or passage, street, median, boulevard, or neutral ground between the street and the sidewalk (where sidewalks are present) nor attached to any tree, utility pole, or publicly owned structure. Any political sign so placed is defined as litter and is subject to removal by any person. Should the Building Official effect removal, a charge of twenty-five (25) dollars per sign to cover the cost of such removal shall be made.
- i. Hand-outs, push cards, bumper stickers, fliers, etc. are exempted from the provisions requiring a permit. Such promotional paraphernalia shall comply with Section 16.1, General Provisions, K Prohibited Signs.

B. Permit Not Required for Temporary Signs:

The following On-Premise Temporary Signs shall not require a permit and may be erected. However, all signs are subject to the General and Administrative Sections of this Unified Development Code and all other applicable codes and regulations:

1. All signs listed in Section 16.1, Permit Not Required and Section 16.1, Exemptions.
2. Decorative flags and bunting for City-Parish wide celebrations, conventions and commemorations when authorized by the Building Official and the Metropolitan Council for a prescribed period of time.
3. Special Event Signs:
 - a. Any one business, individual, or organization may display a Banner Sign on as many occasions as needed during a twelve (12) month period provided the sign is attached only to the building and shall drape in a manner parallel to and not perpendicular to the building.
 - b. Shall be allowed in the A, HR, and HB Zoning Districts on as many occasions as needed during a twelve (12) month period provided the sign does not exceed thirty-two (32) square feet, is non-electric, and shall not remain in place longer than seven (7) days.
4. Holiday lights and decorations.
5. Real Estate Open House Signs:
 - a. Signs announcing "Open House" for the purpose of real estate sales shall be placed out after 5 p.m. on the Friday prior to the week-end event and removed by noon on the following Monday.
 - b. Sign copy shall identify the event "Open House" and the address, time, and date if necessary.

- c. There shall be no limit on the number of events allowed, the number of weekends per month determine such events. No more than six (6) signs shall be allowed per open house.
- d. Open House Signs shall not exceed one-hundred ninety-two (192) square inches. The maximum dimensions shall be limited to eight (8) inches by twenty-four (24) inches per sign face. Each sign shall be no more than five (5) feet in height.
- e. Open House Signs shall comply with the Calculations Section of this Unified Development Code except that Open House signs shall be allowed to be placed up to but not within the right-of-way.

| | |
|-----------------------|---------------------------|
| Type of Sign Allowed: | Detached |
| Number of Signs: | 6 per open house |
| Number of Faces: | 2 per sign (back-to-back) |
| Sign Area: | 192 square inches maximum |
| Permit Required: | No |
| Setback: | Outside of right-of-way |
| Maximum Height: | 5 feet |

6. Real Estate Signs for Residential Zoned Property (Intended for individual Real Estate Signs advertising the sale, rental, or lease of the property on which said signs are located. Such signs are allowed provided they are non-illuminated and free-standing detached). Freestanding Temporary Real Estate Signs shall comply with the following:

- a. The maximum number of signs per street frontage shall not exceed one (1).
- b. The maximum number of faces per sign shall not exceed two (2) and such signs shall be placed back-to-back.
- c. No such sign shall exceed five (5) feet in height.
- d. No such sign shall exceed six (6) square feet per face including sign attachments.
- e. Real Estate Signs shall comply with the Calculations Section of this Unified Development Code except that Real Estate Signs shall be allowed to be placed up to but not within the right-of-way.
- f. All such signs shall be removed within seven (7) days after the closing of the sale, rental, or lease of the property.

| | |
|-----------------------|---------------------------|
| Type of Sign Allowed: | Detached |
| Number of Signs: | 1 per street front |
| Number of Faces: | 2 per sign (back-to-back) |
| Sign Area: | 6 square feet |
| Permit Required: | No |
| Setback: | Outside of right-of-way |
| Maximum Height: | 5 feet |

7. Real Estate Signs for Property Zoned Other Than Residential:

(This Section is intended for individual lots or tracts.)

Real Estate Signs advertising the sale, rental or lease of the property on which said signs are located shall be allowed, provided such signs are non-illuminated and detached. Such signs shall comply with the following:

- a. The maximum number of signs shall not exceed one (1) per street front.
- b. The maximum number of faces per sign shall not exceed two (2), and such faces shall be placed back-to-back.
- c. No such sign shall exceed ten (10) feet in height.
- d. No such sign shall exceed thirty-two (32) square feet per face including attachments.
- e. All such signs shall be removed within seven (7) days after the closing of the sale, rental, or lease of the property.
- f. Real Estate Signs shall comply with the Calculations Section of this Unified Development Code.

| | |
|-----------------------|---------------------------|
| Type of Sign Allowed: | Detached |
| Number of Signs: | 1 per street front |
| Number of Faces: | 2 per sign (back-to-back) |
| Sign Area: | 32 square feet |
| Permit Required: | No |
| Maximum Height: | 10 feet |
| Setback: | 10 feet from right-of-way |

8. Garage Sale, Rummage Sale, Yard Sale, Estate Sale, or signs of similar activities shall not require a permit per event or function and shall comply with the following:
 - a. Signs shall be placed out after 5:00 p.m. on the Thursday prior to a week-end sale, and removed by 6:00 p.m. on the following Sunday.
 - b. Sign copy shall identify the address of the sale, the date of the sale, and the time of the sale.
 - c. Signs shall be allowed no more than one (1) weekend per month per single-family lot/tract; or in the case of multiple tenants or a multi-family lot/tract, no more than one (1) weekend per month per address and/or unit. In no case shall a single-family dwelling or an individual unit of a multi-family dwelling be permitted more than three (3) signs under this section.
 - d. Signs shall be placed on private properties and shall be placed outside of the sight triangle. No such sign shall be placed within the right-of-way or on trees or utility poles or painted or drawn upon natural features.
 - e. The sign area shall not exceed two (2) square feet.
 - f. Sign height shall not exceed three (3) feet.

| | |
|-----------------------|---------------------------------------|
| Type of Sign Allowed: | Detached |
| Number of Signs: | 1 per lot/tract/address, 12 per event |
| Number of Faces: | 2 per sign (back-to-back) |
| Sign Area: | 2 square feet maximum |
| Permit Required: | No |
| Maximum Height: | 3 feet |
| Setback: | Outside of right-of-way |

Section 16.13 Permanent On-Premise Signs By Type

The following are general specifications applicable to the various permanent signs. Additional specifications regarding size, number, location, and allowed types of signs are set forth in Section 16.14, Permanent On-Premise Signs by Zoning District.

A. Changeable Letter Signs:

Changeable Letter Signs shall be allowed with Permanent On-Premise Sign(s) and shall be an integral part of the structure. The first thirty-two (32) square feet of a Changeable Letter Sign face shall not be calculated in the total sign area. The amount of square footage in excess of the thirty-two (32) square feet will be included in the maximum square footage allowed in aggregate on that sign structure. (Changeable Letter Signs that are an integral part of a Permanent On-Premise Sign are not considered Temporary Signs)

B. Wall Signs:

Wall Signs shall be allowed on the wall of a building as follows:

1. Wall Signs:

- a. Which are less than thirty-two (32) square feet;
- b. Which are located on a wall, which contains less than two hundred (200) square feet of signage;
- c. Which are non-electric; and
- d. Which do not extend above the parapet, the mansard, or the eaves of the building to which the sign is attached.

Shall be exempt from the Permit Requirements of this Unified Development Code. See Section 16.4 (H).

2. Any Wall Sign, which does not meet the above criteria, shall:

- a. Not extend more than eighteen (18) inches from the building wall;
- b. Be regulated in accordance with Section 16.14, Permanent On-Premise Signs by Zoning District;
- c. Comply with all license and permit requirements; and

- d. Not exceed thirty (30) percent of the wall.
3. No wall sign shall cover any window, door, or part thereof.
4. The total area of a Wall Sign may be increased to thirty (30) percent of the area of the building wall to which it is attached if no detached or any other type of Attached Sign is used on the premises.
5. No Wall Sign shall extend above the parapet, the mansard or the eaves of the building to which the sign is attached. No Wall Sign shall project more than eighteen (18) inches from the building wall. Further, no Wall Sign or its supporting structure shall cover any window, door, or part thereof.

C. Canopy and Awning Signs:

Signs may be attached, painted, or printed upon the face of a canopy or awning provided that the maximum allowable area for Canopy or Awning Signs or a combination of canopy and/or awning signs shall not exceed thirty (30) percent of the canopy fascia and/or awning. Canopies and awnings shall not be calculated in the total square footage of a building wall.

The total area of a Canopy or Awning Sign may be increased to fifty (50) percent of the area of the canopy or awning to which it is attached if no Detached or any other type of Attached Sign is used on the premises.

Canopy and Awning Signs shall not exceed one hundred (100) square feet of sign area.

D. Projecting Signs:

A Projecting Sign may be used in lieu of a Detached Sign in the LC, HC, C, X, and M Zoning Districts. A Projecting Sign shall be allowed provided:

1. A Projecting Sign shall not project more than eight (8) feet from a building wall.
2. A Projecting Sign shall not extend vertically above the eaves or the lower edge of the roof or the mansard by more than four (4) feet. When on a parapet wall of a building the Projecting Sign shall not extend above the parapet.
3. The minimum height from grade level to the lowest edge of a Projecting Sign shall be nine (9) feet.
4. Projecting Signs shall not exceed forty-eight (48) square feet of sign area. See Section 16.16, Administration, C. Licensing and Certification, 2. Certification, (b).

E. Detached Signs:

Detached Signs shall be permitted provided that:

1. The maximum size and permitted location of Detached Signs shall be regulated in accordance with Section 16.14, Permanent On Premise Signs By Zoning District.
2. Unless otherwise specified in Section 16.14, Permanent On Premise Signs By Zoning District, no Detached Sign shall exceed thirty-five (35) feet in height.

Properties within two hundred (200) feet of a Federal Aid Primary System road right-of-way may be allowed an additional fifteen (15) feet in height if only advertising emblems for food, fuel, and lodging are used on the Detached Sign.

3. No ground mounted or monument sign shall be located in the sight triangle.
4. Unless otherwise specified in Section 16.14, Permanent On-Premise Signs By Zoning District, all portions of a sign shall be set back from the street right-of-way a minimum of ten (10) feet.
5. The maximum angle of a double-faced sign shall be forty-five (45) degrees except for signs located at corners in which case the angle may be ninety (90) degrees. A sign with three (3) faces shall be limited to a combined total of one hundred eighty (180) degrees. A sign with four (4) faces shall be limited to a combined total of three hundred sixty (360) degrees. (This refers to the angle between sign faces on a sign structure.)
6. The maximum number of faces per sign shall be determined by the requirements stated in Section 16.14, Permanent On-Premise Signs by Zoning District.
7. In the case of a Pole Sign there shall be a minimum height of ten (10) feet from the bottom of the sign display area to the grade level unless the top of the sign is not more than three (3) feet above the grade level.
8. Monument signs shall not exceed three (3) feet in height. If the sign is set back more than thirty (30) feet from the right-of-way, the monument height may exceed three (3) feet but shall not exceed the height limitations for the zoning district.
9. Signs shall not be allowed to be erected within the following minimum distances from any A and/or R Zoning District:
 - a. An On-Premise Sign shall be setback a minimum of two (2) feet for each one (1) foot in sign height from an A and/or R Zoning District when said district is adjacent to and fronting on the same side of the roadway as the tract or lot on which said sign is located.
 - b. An On-Premise Sign shall be setback a minimum of one (1) foot for each one (1) foot in sign height from an A and/or R Zoning District when said district is adjacent to and to the rear of the tract or lot on which said sign is located.

Section 16.14 Permanent On-Premise Signs by Zoning District

Permanent On-Premise Signs shall conform to the standards established in this section in addition to those applicable standards set forth elsewhere in this Unified Development Code.

- A. Residential and Historic Zoning Districts (A, HR, HB, and R Zoning Districts):
 1. Signs on the premises of Residential, Historic Residential, and Historic Transition Districts shall conform to this Section of the Unified Development Code. See Section 16.4, General Provisions, E. Permit Not Required and 16.9.

Exemptions. One (1) sign shall be allowed not exceeding two (2) square feet in area identifying a dwelling, its occupant, and its location.

| | |
|-----------------------|---------------------------|
| Type of Sign Allowed: | Wall, Window, or Monument |
| Number of Signs: | 1 per premise |
| Number of Sign Faces: | 2 per sign |
| Maximum Size: | 2 square feet |
| Permit Required: | No |
| Setback: | Outside of right-of-way |

2. Subdivision Signs are limited to the name of the subdivision or community and shall not exceed one (1) sign per subdivision entrance. The sign face shall not exceed thirty-two (32) square feet in area and eight (8) feet in height. Subdivision identification signs shall be placed on property within the development, on property owned and controlled in common by the individual owners of lots/units with the development, or may be placed within a private servitude at a principal entrance or intersection serving primarily the development provided that:

- a. Prior to the issuance of any sign permit, the sign location and construction details including any illumination shall be approved in accordance with this section and any other applicable criteria or law by all appropriate governmental authorities having jurisdiction with respect thereto.
- b. The location of the sign, as determined by the Building Official and Department of Public Works, does not interfere with the location or placement of any official traffic control device(s) or with the flow of pedestrian or vehicular traffic, and that such sign shall not impair any sight distance reasonably necessary for pedestrian or traffic safety. (See Appendix, Sight Triangle)
- c. The sign shall be properly maintained at all times in accordance with this section by the holder of the permit, their successors, or assigns.

| | |
|----------------------------|----------------------------------|
| Type of Sign Permitted: | Identification or Monument |
| Number of Signs Permitted: | 1 signs per subdivision entrance |
| Number of Sign Faces: | 1 per sign |
| Maximum Size: | 32 Square Feet |
| Setback: | Outside of right-of-way |
| Maximum Height: | 8 Feet |
| Setback: | Outside of right-of-way |
| Permit Required: | Yes |
| Illumination: | No |

Note: Sign faces may be used in conjunction with a wall, fence, or other architectural entrance feature provided it is placed outside of the right-of-way.

- 3. Subdivision Signs on the premises of multi-family Residential developments shall be regulated as follows:
 - a. A multi-family development may consist of separate phases or sections within the overall development. If the officially approved development

plan so indicates, each phase or section within the officially approved development may be treated separately for purposes of signs. Subdivision and other permitted signs may be allowed for each separate section or phase of the overall development if individually and separately identified, and when such sections have frontage on or are separated by a public or private street serving as a principal means of access to a development or phase provided each section or phase has been approved by the Planning Commission and/or Planning Administrator (Planning Director).

- b. Subdivision Signs, whether attached or detached, are limited to the name of the development, section, or phase if individually and separately identified and shall not exceed two (2) signs per development, section or phase unless otherwise allowed by this section. Each Subdivision Sign shall not exceed thirty-two (32) square feet in area. Detached Signs shall not exceed eight (8) feet in height and Attached Signs shall not extend above the roof line of the building. Where there is frontage on more than one (1) street, one (1) Detached Sign for each street frontage is allowed if the signs are at least one-hundred (100) feet apart. Two (2) signs on one (1) street are allowed provided the signs are a minimum of five hundred (500) feet apart. Two (2) signs may be allowed at each principal entrance/intersection when the signs are attached to a decorative fence or wall constructed in accordance with the height requirements of this chapter provided the total area of the two (2) signs shall not exceed thirty-two (32) square feet and when the entrances along any one street are at least five hundred (500) feet apart.

| | |
|----------------------------|-----------------------------------|
| Type of Sign Permitted: | Identification, Detached, or Wall |
| Number of Signs Permitted: | 2 signs per development |
| Number of Sign Faces: | 2 faces per sign |
| Maximum Size: | 32 square feet |
| Maximum Height: | 8 feet |
| Setback: | 10 feet from right-of-way |
| Permit Required: | Yes |

- 4. Signs for other uses in Residential Districts shall be allowed in accordance with the following:

- a. An Identification Sign (primary sign) not exceeding thirty-two (32) square feet in total area for any permitted church, school, or other public or semi-public institution. One additional sign (secondary informational sign) not exceeding twenty-four (24) square feet in total area. Such allowed signs include child care or school facilities located within any church building. Such signs may be illuminated and shall not be located within a sight triangle. The signs shall be no higher than ten (10) feet if detached or no higher than the roof line of the building if attached to the building. A Secondary Sign (Informational Sign) may be a permanent Changeable Letter Sign.

| | |
|----------------------------|---|
| Type of Sign Permitted: | Identification, Attached, or detached |
| Number of Signs Permitted: | |
| Primary Sign: | 1 per street front |
| Secondary Sign: | 1 per child care or school facility or church |
| Number of Sign Faces: | 2 faces per sign |

| | |
|------------------|----------------------------|
| Setback: | 10 feet from right-of-way |
| Maximum Size: | |
| Primary Sign: | 32 square feet |
| Secondary Sign: | 24 square feet |
| Maximum Height: | 10 feet for detached signs |
| Permit Required: | Yes |
| Illumination: | Yes |

- b. Golf courses, country clubs, swimming clubs, community recreation centers, tennis clubs, and similar uses shall be allowed one (1) Identification sign per street front not exceeding twenty-four (24) square feet per sign and a maximum height of eight (8) feet.
- c. Day care centers allowed in residential districts may be allowed one (1) non-illuminated Identification Sign not exceeding two (2) square feet and shall be wall or window type.

B. Transition and Public Facilities Zoning Districts (B, N, and GU Zoning Districts):

The following signs are allowed:

- 1. Any sign permitted or allowed in Residential and Historic Zoning Districts.
- 2. Transition Zoning Districts:
 - a. Wall Signs, the area of which shall be determined by either of the two (2) methods below:
 - (1) One Wall Sign for each building, each sign not to exceed twelve (12) square feet; or
 - (2) One Wall Sign for each tenant provided that the tenant's space has direct access from the exterior of the building. Each sign shall not exceed six (6) square feet.
 - b. One (1) Detached Sign shall be allowed identifying a business or all businesses when located within one (1) building. The sign shall not exceed fifteen (15) feet in height nor exceed twenty (20) square feet in area. Where there is frontage on more than one (1) public street, one (1) sign for each street frontage is allowed if the signs are at least fifty (50) feet apart. The total for these two (2) signs shall not exceed forty (40) square feet. However where there is frontage on more than one (1) street and only one sign is erected, that sign shall be allowed to have a maximum size of forty (40) square feet.

| | |
|----------------------|-----------------------------------|
| Type of Sign: | Identification or Detached |
| Number of Signs: | 2 signs (1 per street front) |
| Number of Faces: | 2 faces per sign |
| Maximum Size: | 1 Street Frontage: 20 square feet |
| Two Street Frontage: | 40 square feet (total of 2 signs) |
| or | |
| Two Street Frontage: | 40 square feet (1 sign only) |
| Maximum Height: | 15 feet |
| Setback: | 10 feet from Right-of-Way |

| | |
|------------------|-----|
| Permit Required: | Yes |
| Illumination: | No |

- c. One (1) Detached Sign per building indicating only the building name or number in a coordinated office development of two (2) or more buildings. Such detached signs shall not exceed twelve (12) square feet in area nor three (3) feet in height and shall be located adjacent to the main entrance to the building.

| | |
|------------------|----------------------------|
| Type of Sign: | Identification or Detached |
| Number of Signs: | 1 sign per street front |
| Number of Faces: | 2 faces per sign |
| Maximum Size: | 12 square feet per sign |
| Maximum Height: | 3 feet |
| Setback: | 10 feet from Right-of-Way |
| Permit Required: | Yes |
| Illumination: | Yes |

- d. Canopy and Awning Sign shall be allowed in accordance with Section 16.13, Permanent On-Premise Signs by Type except that the Canopy and Awning Sign shall not exceed twelve (12) square feet.
- e. Projecting Sign shall be allowed in accordance with Section 16.13, Permanent On-Premise Signs by Type except that the Canopy and Awning Sign shall not exceed twelve (12) square feet.

- 3. Public Facilities Zoning District: Sign requirements shall be controlled exclusively by the Metropolitan Council and subject to review by the Planning Commission and shall comply with all other necessary codes and/or ordinances.

C. Commercial and Adult Business Zoning Districts (C and X Zoning Districts):

The following Signs are allowed:

Any sign permitted or allowed in Residential, Historic, and Transition Zoning Districts.

Detached Signs shall conform to the standards established in this section in addition to those applicable standards set forth for other sign types that are regulated elsewhere in this section of the Unified Development Code. See Section 16.13, Permanent On-Premise Signs By Type.

Detached signs in the C, LC, HC, GO, and X Zoning Districts shall be regulated as follows:

- 1. Signs for businesses other than shopping centers and/or multi-tenant properties

| | |
|------------------|---|
| Type of Sign: | Identification |
| Number of Signs: | 1 sign structure per street (Maximum of 2 sign structures) |
| Number of Faces: | 3 per sign |
| Setback: | 10 feet from Right-of-Way |
| Permit Required: | Yes |
| Illumination: | Yes |

Maximum Size: See chart below (maximum sign area to be determined by road frontage)
 Maximum Height: 35 feet*

The aggregate of all sign faces per sign structure shall not exceed the sign area maximum according to the following table:

| ROAD FRONTAGE | SIGN AREA (MAXIMUM) | SIGN HEIGHT (MAXIMUM) |
|--|---------------------|-----------------------|
| 100 ft. or less | 100 sq. ft. | 35 ft. |
| 101 ft. to 200 ft. | 150 sq. ft. | 35 ft. |
| 201 ft. or greater | 200 sq. ft. | 35 ft. |
| Interstate, Expressway, or Interstate Service Road | 200 sq. ft. | 50 ft.* |

* Refer to Section 16.13, Permanent On-Premise Signs By Type, Detached Signs, B.

One (1) Detached Sign shall be allowed per street front and shall be limited to thirty-five (35) feet in height with a maximum sign area to be determined by lot or tract frontage as shown in the chart above.

When a business is located on more than one street, two (2) signs shall be allowed. One for each street provided that the signs are at least seventy-five (75) feet apart and the aggregate area of the two (2) signs does not exceed the maximum allowable area for that lot or tract.

2. Signs for Shopping Centers and/or multi-tenant properties

All businesses within a shopping center and/or multi-tenant properties shall erect or construct detached identification signs on a common sign structure or monument intended for use by the businesses or tenants of the shopping center or business complex. One (1) sign structure per street with a maximum of two (2) sign structures shall be allowed. A maximum of four (4) sign faces per structure shall be allowed.

Type of Sign: Identification
 Number of Signs: 1 sign structure per street (Maximum of 2 sign structures)
 Number of Faces: 4 per sign
 Setback: 10 ft. from right-of-way
 Permit Required: Yes
 Illumination: Yes
 Maximum Size: See chart below (maximum sign area to be determined by road frontage)
 Maximum Height: See chart below:

| ROAD FRONTAGE | SIGN AREA (MAXIMUM) | SIGN HEIGHT (MAXIMUM) |
|--------------------|---------------------|-----------------------|
| 200 ft. or less | 200 sq. ft. | 35 ft. |
| 201 ft. to 400 ft. | 300 sq. ft. | 35 ft. |
| 401 ft. to 600 ft. | 400 sq. ft. | 40 ft. |
| 601 ft. to 800 ft. | 500 sq. ft. | 45 ft. |
| 801 ft. or greater | 600 sq. ft. | 50 ft. |

When a shopping center and/or multi-tenant property is located on more than one street, two (2) signs shall be allowed. One for each street provided that the signs are at least seventy-five (75) feet apart, and the aggregate area of the two (2) signs do not exceed the maximum allowable area for that site.

Out parcels may be allowed one Monument Sign per street (maximum of two (2) Monument Signs per lot/tract, one (1) per street front). Each Monument Sign shall be allowed a maximum height of three (3) feet and a maximum area of sixty-four (64) square feet.

All Motor Vehicle Dealers may erect or construct one (1) Identification Sign per street with a maximum of two (2) structures per Automobile Dealership. All Motor Vehicle Dealers may erect or construct a total of five (5) Detached Franchise Identification Signs, Detached Franchise Ancillary Use Signs, Truck Signs, and/or Used Car Signs for the first Automobile Franchise held by the Motor Vehicle Dealer and shall be allowed to erect or construct a total of three (3) Detached Franchise Identification Signs, Detached Franchise Ancillary Use Signs, Truck Signs, and/or Used Car Signs for each subsequent Automobile Franchise held by the Motor Vehicle Dealer.

| | |
|------------------|--|
| Type of Sign: | Any Detached Auto Dealership Sign |
| Number of Signs: | Maximum of 5 signs per Dealership for the First Franchise Maximum of 3 signs per Dealership for Subsequent Franchises |
| Type of Sign: | Dealership Identification Sign |
| Number of Signs: | 1 sign structure per street (Maximum of 2 structures per Dealership) |
| Maximum Size: | 200 sq. ft. (per sign) |
| Maximum Height: | 50 feet |
| Type of Sign: | Franchise Identification Sign |
| Number of Signs: | 1 sign per street per Franchise (Maximum of 2 structures per Dealership per Franchise) |
| Maximum Size: | 300 sq. ft. (per sign) |
| Maximum Height: | 50 feet |
| Type of Sign: | Franchise Ancillary Use Sign |
| Maximum Size: | 50 sq. ft. (per sign) |
| Maximum Height: | 35 feet |
| Type of Sign: | Used Car Sign |
| Maximum Size: | 150 sq. ft. (per sign) |
| Maximum Height: | 35 feet |
| Type of Sign: | Truck Sign |
| Maximum Size: | 225 sq. ft. (per sign) |
| Maximum Height: | 35 feet |

The following shall be applicable to all Motor Vehicle Dealers' Detached Signs as described above:

| | |
|------------------|--------------------------|
| Permit Required: | Yes |
| Illumination: | Yes |
| Number of Faces: | 2 per sign |
| Setback: | 10 from the right-of-way |

3. One (1) detached Menu (Board) Sign per drive-through entrance or per drive-through service facility (service windows). Each sign shall not exceed twenty-four (24) square feet in area or eight (8) feet in height. The sign shall not face nor shall it be legible from any public right-of-way.

D. Industrial Zoning Districts (M District):

The following Signs are allowed and shall be regulated as follows:

1. Any sign permitted or allowed in Residential, Historic, Transition, Commercial, Rural, and Adult Business Districts.
2. One Detached Sign shall be allowed identifying a business or all businesses when located within one building and having only one street frontage. The sign shall not exceed thirty-five (35) feet in height nor exceed two hundred (200) square feet in area. When on a corner lot (two (2) street frontage), two (2) Detached Signs may be allowed provided that the signs are at least seventy-five (75) feet apart and the total area per sign does not exceed one hundred twenty-five (125) square feet. When on a corner lot (two (2) street frontage) and only one (1) Detached Sign is elected for use, the maximum allowable area of the sign shall be two-hundred fifty (250) square feet.

| | |
|----------------------|----------------------------|
| Type of Sign: | Detached |
| Number of Signs: | 1 per street front |
| Number of Faces: | 4 faces per sign |
| Maximum Height: | 35 feet |
| Setback: | 10 feet from right-of-way |
| Permit Required: | Yes |
| Illumination: | Yes |
| Maximum Size: | |
| One Street Frontage: | 200 square feet |
| Two Street Frontage: | |
| (2 signs erected) | 125 square feet (per sign) |
| or | |
| Two Street Frontage: | |
| (1 sign erected) | 250 square feet |

3. Signs other than Detached Signs for businesses located within this district shall conform to the standards established in Section 16.13, Permanent On-Premise Signs By Type.
4. Subdivision Signs identifying an industrial park or similar permitted planned development shall be regulated in the following manner:
 - a. One (1) sign not exceeding one hundred (100) square feet in area and fifteen (15) feet in height at each primary entrance or intersection to the

development or for each one thousand (1,000) linear feet of street frontage provided such signs are at least one thousand (1,000) feet apart and located at least seventy-five (75) feet from any other Detached Identification Sign on the property; or

- b. Two (2) signs not exceeding one hundred (100) square feet in area in the aggregate when such signs are attached to a fence or wall constructed on private property in accordance with the height requirements of this chapter (15 feet). Also, when located at a primary entrance intersection, the sign shall be located at least one thousand (1,000) feet apart and at least seventy-five (75) feet from any other detached business sign on the property.
- c. The signs shall be placed on private property that is owned individually or owned in common by the owners of lots or buildings within the development.

E. Special District (Downtown Development District):

The following Signs are allowed and shall be regulated as follows:

- 1. Any sign permitted or allowed in Residential, Historic, Transition, Public Facilities, Commercial, Rural, and Adult Business Districts (See Section 16.13, Permanent On-Premise Signs By Type, and Section 16.14, Permanent On-Premise Signs by Zoning District).
- 2. A-Frame or Sandwich Signs are allowed in the Downtown Development District subject to Section 16.14, Permanent On-Premise Signs By Zoning District, and Section 16.15, Off-Premise Signs.
- 3. All Temporary Signs deemed allowable and regulated under Section 16.12 of this Unified Development Code.

The Downtown Development District as defined in Chapter 2, Definitions shall not permit an Off-Premise Outdoor Advertising Sign structure to be erected nor shall an Off-Premise Outdoor Advertising Sign be permitted within two hundred (200) feet of its established boundaries. See Section 16.15, Off-Premise Signs, D. Special District.

Section 16.15 Off-Premise Signs

A. Purpose and Intent:

The purpose of this section is to promote the reasonable, orderly and effective display of Off-Premise Outdoor Advertising while remaining consistent with the national policy to protect the public investment in the Interstate and Federal Aid Primary highways; to promote the safety and recreational value of public travel; to promote and enhance the beauty, order and attractiveness of the City-Parish to residents, tourists, and visitors; to positively influence the economic prosperity of the area; and to support and complement land use objectives in the Unified Development Code. The uncontrolled use of Off-Premise Outdoor Advertising Signs and their location, density, size, shape, motion, illumination, and their demand for attention can be injurious to traffic safety and to the well-being of the public and destructive to adjacent property values and objectives stated above. It is understood that these conditions can be relieved, prevented, and often eliminated through planned and properly enforced Unified

Development Code, thereby, resulting in the overall enhancement of the general health, safety, and welfare of the people of East Baton Rouge Parish.

B. Off-Premise Signs Prohibited:

The following Off-Premise Outdoor Advertising Signs shall not be allowed to remain or be erected: See Section 16.5, Abandoned; Section 16.8, Maintenance; Section 16.10, Prohibited; and Section 16.11, Illumination.

1. Signs that are obsolete including but not limited to out-of-date political signs and advertising of defunct businesses.
2. Signs that are illegal under state or federal laws or regulations.
3. Signs that are not securely fixed upon a substantial structure as determined by the Building Official.
4. Signs that contain as part of the message mirror-like surfaces greater than two (2) square inches or any mirror-like surface that creates a traffic hazard.
5. Signs that emit smoke, vapor, particles, or odor.
6. Any sign within two hundred (200) feet of a public park or any Off-Premise Outdoor Advertising Sign located within two hundred (200) feet of the land covered by the Mississippi River levee right-of-way.
7. Any sign within two hundred (200) feet of any historic site, district, place (on the National Register of Historic Places), or the following designated areas and rights-of-way of the following routes or rivers:
 - a. Routes:
 - Greenwell Springs Road (From Beaver Bayou northward to the E.B.R. Parish Boundary)
 - Highland Road (From Chimes Street southward to I-10)
 - Old Scenic Highway (From Samuel's Road northward to the E.B.R. Parish Boundary)
 - River Road (From the I-10 Bridge southward to the E.B.R. Parish Boundary)
 - b. Rivers:
 - Amite River
 - Bayou Manchac
 - Comite River
 - Mississippi River
 - c. Areas: (See Appendix II)
 - Bluebonnet Swamp
 - Capitol Lake
 - City Park Lake
 - University Lake System
 - Profit Island
 - Thomas Point
 - Devil Swamp
 - Duncan or Conrad Point

Manchac Swamp

8. Notwithstanding any other provision, and superceding any contradictory provision of this Code, all off premise signs must be setback minimum distances from the property line of any property zoned A1 – A2.7, Rural, SPUD or PUD with A1 – A2.7 land uses designated on the final development plan, in accordance with the following table:

| Square Footage of Face | Minimum Setback |
|-------------------------------|------------------------|
| 1 - 275 sq. ft. | 110 feet |
| 276 – 378 sq. ft. | 165 feet |
| 379 or more sq. ft. | 250 feet |

9. Any sign within two hundred (200) feet of the established boundaries of the "Downtown Development District. (See Special District, Section 16.15, Off-Premise Signs)
10. Any sign along any thoroughfare, interstate, or arterial that is not designated as a major street on the official Major Street Plan for East Baton Rouge Parish.
11. Signs within any zoning district except LC, HC, C, M, and X Zoning Districts. Such zoning categories allowing Off-Premise Signs include the following: LC1, LC2, LC3, C-1, C-AB-1, HC1, HC2, C-2, C-AB-2, C-G, M-1, M-2, and X Zoning Districts.

C. General Provisions:

A permit shall be required from the Office of the Building Official for each off-premise outdoor advertising sign structure by an A licensed sign company. An engineering drawing for each structure shall be required and each sign or sign structure shall comply with the provisions of the building and electrical codes of the City-Parish.

1. Spacing:

Generally, Off-Premise Outdoor Advertising Signs shall be subject to the same minimum side and rear yard requirements as set forth for the zoning district in which they are located and in addition:

- a. Off-Premise Signs shall be spaced from any A and/or R Zoning District according to the requirements set forth in Section 16.15 (b)(8)(a & b) "Off-Premise Signs Prohibited".
- b. No two (2) signs shall be located closer than one thousand (1000) feet from each other measured along the edge of the street pavement on the same side of the street with corners included.

For the purpose of these regulations, each side of the interstate or other thoroughfare shall be considered separately.

- c. No Off-Premise Outdoor Advertising Sign structure oriented to one (1) street shall be spaced less than two hundred fifty (250) feet from another Off-Premise Outdoor Advertising Sign structure oriented to an

intersecting street measured in a direct line between the structures regardless of which side of the streets the signs are located on.

- d. No Off-Premise Outdoor Advertising Sign shall be closer than one hundred (100) feet from any existing On-Premise Sign.

2. Number of Faces:

Off-Premise Outdoor Advertising Signs shall not contain more than two (2) faces.

- a. No Off-Premise Outdoor Advertising Sign shall be constructed with more than one (1) face per side. The backs of parallel signs shall not be separated more than forty-eight (48) inches.
- b. All sign faces shall be perpendicular or at an angle no less than forty-five (45) degrees to the road upon which they front.
- c. No Off-Premise Outdoor Advertising Sign shall be constructed in a V-shape in excess of a forty-five (45) degree angle. For V-shaped signs, the backs shall not be separated by more than thirty-six (36) inches at the apex of the "V". Both advertising surfaces shall be the same size and shape.

3. Setback:

- a. Off-Premise Outdoor Advertising Signs shall be located a minimum of ten (10) feet (excluding embellishments) from any right-of-way line.
- b. Setbacks from side and rear property lines shall comply with minimum yard requirements as set forth for the zoning district in which the sign is located. Such signs shall be located according to the minimum distances from any A and/or R Zoning District according to the requirements set forth in Section 16.15 (B)(8)(a & b), "Off-Premise Signs Prohibited".
- c. Any Off-Premise Outdoor Advertising Sign shall be located so that the minimum distance from electrical utility lines or other facilities complies with all appropriate and applicable codes and regulations including those latest editions of the National Electrical Safety Code and meets at least the minimum requirements. The foregoing is intended to be minimum requirements and additional clearance may be required on a case-by-case basis. In no case shall any portion of the sign extend into or over any utility easement or right-of-way.

4. Measurements:

All measurements for Off-Premise Outdoor Advertising Signs shall be measured between the closest extremities of the two (2) signs. When the base structure of one (1) sign is the extremity of a sign, the base structure shall be used to measure the distance to the extremity of another sign. The only exception to this regulation is when the measurement is being made between signs as provided in Section 16.15, Off-Premise Signs, C. General Provisions, 1. Spacing (c).

5. Height Restrictions:

Except as otherwise specified in this Unified Development Code, no portion of an Off-Premise Outdoor Advertising Sign shall be higher than fifty (50) feet including embellishments nor lower than ten (10) feet from existing grade level at site including embellishments.

6. Size:

a. Sign surface area:

- (1) Minimum: Seventy-two (72) square feet per sign face. See certification requirements in Section 16.16, Administration, C. Licensing and Certification, 2. Certification, (c).
- (2) Maximum: Six hundred seventy-two (672) square feet per face excluding embellishments.

b. Maximum sign face height per side shall be twenty-five (25) feet including embellishments. Maximum sign face length per side shall be fifty-two (52) feet including embellishments. When double faced, both sides shall be of equal size and shape (except for temporary embellishment) so that no substantial portion of the back of the opposing sign shall be visible.

c. Embellishment may be added as a temporary extension comprising fifteen (15) percent of the sign face. The limits of the embellishment shall not extend more than five (5) feet above the sign face, two (2) feet on either side of the sign face, or one (1) foot below the sign face.

7. Stacking:

- a. Placement of an On-Premise or another Off-Premise Sign with an Off-Premise Sign or any part thereof is prohibited.
- b. Stacking of all other signs is prohibited.

8. Illumination:

- a. Illuminated Signs that indicate such customary public service as time, date, and temperature shall be allowed.
- b. An Off-Premise Outdoor Advertising Sign may be illuminated only by a reflected or internal light source. The source of light shall be oriented or otherwise controlled to prevent glare towards any part of an existing residence, a residential area or district, or a public street or highway. Illuminated Signs shall be constructed in accordance with all applicable codes.

9. Maintenance:

All signs together with all their structures and components shall be kept in good repair and be maintained in a safe condition. All signs and the site upon which they are located shall be maintained in a neat, clean and attractive condition. Signs shall be kept free from excessive rust, corrosion, peeling paint, or other

surface deterioration. The display surface of all signs shall be kept neatly painted or posted.

No person required to obtain a sign permit under this chapter shall scatter, daub, or leave any paint, past, glue, or other substance used for painting or affixing advertising matter or scatter, throw, or allow to be scattered or thrown any bills, waste matter, paper, cloth, or materials of whatsoever kind removed from signs on any public street, sidewalk, or private property.

No person constructing, erecting, owning, or controlling an Off-Premise Outdoor Advertising Sign shall fail, refuse, or neglect to remove all weeds, rubbish, or flammable waste or material within a distance of ten (10) feet on each side of the base of such structure or fail to keep the sign and its structural supports in good repair and safe condition. Failure to comply with this section may result in action by the Building Official to rescind the permit with subsequent removal of the entire structure.

10. Identification:

Every Off-Premise Outdoor Advertising Sign shall have the name of the sign's installer and manufacturer and the voltage of any electrical apparatus used marked on it in a conspicuous place.

11. Construction:

All Off-Premise Outdoor Advertising Signs must be in compliance with the provisions of the Standard Building Code and the Electrical Code as adopted by the City-Parish. (See Southern Building Code Congress International, "SBCCI" Chapter 23, Signs and Outdoor Displays, Section 2301-2304.4 and 1205.4-1205.4E)

D. Special District:

The Downtown Development District as defined in Chapter 2, Definitions, shall not permit an Off-Premise Outdoor Advertising Sign structure to be erected nor shall an Off-Premise Outdoor Advertising Sign be permitted to be erected within two-hundred (200) feet of its established boundaries. See Section 16.14, Permanent On-Premise Signs By Zoning District, E. Special District.

Section 16.16 ADMINISTRATIONS

A. Permits:

All sign permits covered under the provisions of this Unified Development Code shall be issued, regulated, and revised under the following provisions:

1. Application:

a. In order to obtain a permit to erect, substantially modify, or relocate any sign under the provisions of this Unified Development Code, an applicant shall submit to the Building Official a sign permit application that sets forth in writing a complete description of the proposed sign and shall include:

- (1) The name, address, and telephone number of the property owner, the persons entitled to possession of the sign and the sign contractor or erector. If a license is required to erect the sign, the license number of the licensed sign company shall be provided.
 - (2) The location by street address of the proposed sign structure and if applicable by lot number, square, and subdivision name or exact legal description with a sketch showing lot lines nearest intersecting streets and nearest detached sign(s).
 - (3) All information required on application forms provided by the Building Official including but not limited to a site plan and elevation drawings of the proposed sign and caption of the proposed sign (for identification purposes only).
 - (4) Plans indicating the scope and structural detail of the work to be done including details of all connections, guy lines, supports, footings, and materials to be used.
 - (5) If the sign is electric, electrical diagrams and details are required for an electrical permit. Such information shall include the name(s) of the licensed electrical installer.
 - (6) An agreement to defend, indemnify, and hold the City-Parish harmless for all damages, demands, or expenses of every character that may in any manner be caused by the sign, sign structure, or sign installation.
- b. For Off-Premise Signs, an applicant shall obtain and attach to the application the written consent for the erection of such sign of the person having the right to use and possession of the premises on which the sign is to be erected.
A permit issued by the State of Louisiana for such sign shall be presented to the Building Official.
- c. Prior to the issuance of an off premise sign permit, a preliminary site plan drawn to scale and requirements to be included as provided herein, must be submitted delineating property boundaries, sign location (including pole (s) and sign face (s)), sign height, all existing on premise signs within one hundred (100) feet (on the same side of the street), and all existing off premise signs within one thousand (1000) feet (on the same side of the street), the zoning of all adjacent property, and setback distances from property zoned A1 – A2.7, Rural, SPUD or PUD.

A final site plan, from a licensed land surveyor or civil engineer confirming all of the elements required in and noted in the preliminary site plan shall be submitted prior to the issuance of the permit.
- d. The Building Official shall act upon an application for a permit with plans as filed or amended within five (5) working days of the original application date, by issuing in writing, approval of the preliminary plan conditioned upon the receipt of the required certified final site plan within thirty-five (35) days of the original application date as required and described in section 16.16 (A) (1) (c) above. Failure to submit the

required certified final site plan within thirty-five (35) days of the original application date shall void the permit application. The building official shall issue or deny a building permit within five (5) working days of receipt of the certified final site plan as required in 16.16 (A) (1) (c) above.

2. Inspection Sticker:

All signs for which a permit is required shall display an inspection sticker. The Building Official shall attach or require to be attached to the sign a permanent sticker which shall have printed or impressed thereon:

"City of Baton Rouge and Parish of East Baton Rouge Sign Permit", the identification number or certificate number thereof and the year of its issuance.

Any sign that requires a permit shall have an inspection sticker securely attached to the sign face or attached to its supporting structure, in such manner as to be plainly visible from the street or roadway. Unless otherwise stated herein, one (1) inspection sticker shall be required regardless of the number of sign faces.

The absence of an inspection sticker shall be prima facie evidence that the sign or advertising structure is being operated in violation of the provisions of this Unified Development Code.

3. Duration:

A sign permit shall become null and void if the sign for which the permit was issued has not been completed within a period of six (6) months after the date of issuance.

4. Emergency Permit:

In extenuating circumstances where a sign becomes unsafe due to accident or natural disaster, the Building Official may upon review issue an emergency permit for a temporary or a substitution sign for a period of time not to exceed forty-five (45) days. The Building Official may waive permit fees in extenuating circumstances.

5. Revocation:

The Building Official is, hereby, authorized and empowered to revoke any permit issued by him upon failure of the holder to comply with the provisions of this Unified Development Code or with the signed plans submitted to the Building Official. The holder shall be notified within thirty (30) days after revocation in writing.

B. Enforcement:

1. Authority:

The Building Official is, hereby, authorized and directed to enforce the provisions of this chapter and his designees shall be authorized to inspect all signs or parts of signs and to issue sign violation citations. For the purpose of sign inspections, the Building Official or his designees may enter at any reasonable time upon the premises where any permitted sign is located. Neither the Building Official nor the City-Parish shall be liable for any damages or for any failure to enforce any of the provisions of this Section of the Unified Development Code.

2. Decriminalized nature of sign violations:

All sign violations prohibited, hereby, shall be considered civil infractions only, and no criminal penalty shall attach for their commission except where a police officer or deputy sheriff has actually observed the violation being committed. When a police officer or deputy sheriff has observed the violation being committed, he may issue a misdemeanor summons to the violator under 13.63 of the Code of Ordinances and the violator shall be subject to the penalties contained within that provision.

3. Violations:

a. Signs on Public Property or Public Right-of-Way

Any sign located on public property and/or within the public right-of-way and in violation of the provisions of this Unified Development Code shall be considered "litter". Signs that are considered "litter" by this Unified Development Code may be removed by any person and disposed of immediately. No notice is required to be given to the owner of the sign before issuance of a citation for violation of this provision.

b. Other Illegal Signs

The provisions of this sub-section do not apply to signs, which have been placed on public property or within the public right-of-way.

(1) The Building Official may order the removal of any sign erected or maintained in violation of this Unified Development Code. He shall give ten (10) days notice in writing to the owner of such sign or of the building, structure, or premises on which such sign is located to remove the sign or to bring it into compliance.

(2) The Building Official may remove a sign at cost to the owner, immediately and without notice, if in his opinion the sign presents an immediate threat of danger to the safety of the public.

(3) If the owner of the sign and/or the owner of the building, structure, or premises upon which the sign is located have been notified pursuant to this section and 1) such person fails or refuses to comply or remove the sign, or 2) is unable to be located despite reasonable attempts, the Building Official may remove or authorize others to remove such sign at expense to the owner of the sign and/or the owner of the building, structure, or premises on which the sign is located. Such costs and expense including but not limited to the notification efforts to secure compliance

painting out of a sign, sign removal, storage, or transportation may be a lien against land or premises on which the sign is located and may be collected or foreclosed in the same manner as liens are entered in the docket of East Baton Rouge Parish.

- (4) The Building Official shall store any sign removed by him for a period of thirty (30) days from the time the person responsible is notified or has failed to timely respond as provided in this Unified Development Code. The Building official shall continue to store the sign for any additional period during which an appeal is before the Planning Commission. At the expiration of the time specified in this section, if the person responsible for the sign or other interested person has not reclaimed the sign as provided, herein, the building Official may destroy the sign or dispose of it in any manner he deems appropriate.
- (5) To reclaim any sign removed by the Building Official, the person reclaiming the sign shall pay to the Building Official as directed an amount equal to the entire costs incurred by the Building Official and any fine imposed under this Unified Development Code.

4. Procedure for Issuance of Citations:

a. Sign violation citation forms

All sign violation citations shall be issued on forms prepared by the Building Official and approved jointly by the city judges, parish attorney, finance director, and chief of police. They shall at a minimum contain information concerning the nature, date, time, and location of the infraction; the manner by which the violation penalty may be paid or the citation contested; and the fact that a failure to timely answer or appear shall be considered an admission of liability authorizing the issuance of a default civil judgment against the violator.

b. Service of sign violation citations

A sign violation citation shall be served personally upon all persons or entities identified by the sign. For purposes of this ordinance, personal service may be achieved by certified mail. In the case of a business, the citation shall be served upon the owner of the business, and in the case of a corporation, upon the corporation's agent for service of process.

c. Disposition of sign violation citations

The original sign violation citation shall be signed by the issuing official and shall be processed in accordance with such procedures as may be established by the Building Official and the court.

d. Citation as legal demand and prima facie evidence

The original sign violation citation or any true copy thereof shall be considered a demand for enforcement of a legal right and shall further be

considered an ordinary business record of the city-parish and prima facie evidence of the facts contained therein.

e. Responsibility of persons and entities cited

All persons and entities cited within the same citation shall be solidarily liable to the city-parish for the violation unless a party can show that the sign was posted without such party's consent expressed or implied. A party who pays any sign violation fine, civil judgment costs, or administrative fees pursuant to this article shall have the right to recover the same from all other parties cited in the same citation.

f. Answering sign violation citation

A person to whom a sign violation citation has been issued shall answer to the same in the manner and within the delays indicated on the citation. An answer may take the form of:

- (1) Admission of the violation with payment of the scheduled civil penalty; or
- (2) Denial of liability by appearance on the scheduled adjudicatory hearing date.

g. Failure to answer consequences

Failure to answer a sign violation citation within the allowable period subjects the person to whom the sign violation citation was issued to such additional monetary penalties as may be prescribed by the court.

h. Default

(1) In General

If a person to whom a notice of violation has been issued fails to answer or to appear at a hearing when required to do so or having admitted or been finally judged liable for the sign violation fails to timely pay the prescribed penalty, the court shall without further notice enter a default judgment sustaining the charges and fixing the appropriate penalty which shall have the same effect as a civil money judgment. However, the laws relating to citation and service of process shall be observed prior to legal enforcement of any such civil judgment.

(2) Businesses

If a business to whom a notice of violation has been issued accumulates five (5) or more notices and the owner, authorized agent, or other legal representative fails to answer or to appear at a hearing when required to do so as stated on the face of the citation, the business is subject to an injunction ordering the business to cease from further pursuit of business until all fines assessed in connection with the violations have been paid. However, the clerk of court shall first cause notice of a

contradictory hearing to be sent to the registered owner or agent for service of process, stating the time and location for a contradictory hearing. Every violation of the injunction shall be considered as a contempt of court and punished according to law.

i. Adjudicatory hearings

- (1) Hearings for the adjudication of sign violation citations shall be conducted contradictorily between the respondent and the city-parish. The city prosecutor in city court and the district attorney in district court shall represent the city-parish.
- (2) The city-parish shall have the burden of proving the violation by a preponderance of evidence. However, proof that a particular person or entity was identified in a sign which was posted in violation of this Chapter shall constitute in evidence a prima facie presumption that the person or entity identified in the sign, was the person or entity who posted or placed such sign at the point where and for the time during which, the violation occurred.
- (3) At the conclusion of the contradictory hearing, the court shall render a civil judgment either finding the respondent liable and assessing the penalty or denying liability and dismissing the claim.

j. Execution of judgments

Execution may be levied and such other measures may be taken for collection of final judgments upon unpaid sign violation citations as are authorized for the collection of unpaid civil judgments entered against defendants in actions upon debt. The court may assess costs and legal interest against the judgment debtor to be paid upon satisfaction of the judgment.

k. Civil contempt citation

If a respondent defaults in the payment of a penalty, the court may require the respondent to appear and show cause why the default should not be treated as a civil contempt. The court may issue a summons order to show cause or a bench warrant for the respondent's arrest upon failure to appear pursuant to personal notice. The officers of a corporation or the partners, directors, or officers of an association may be held in contempt upon such a default by the corporation or association.

l. Method of notice

Any notice permitted or required to be given under this chapter shall be considered given when mailed by certified mail to the individual; or in the case of a business, to the registered owner; or in the case of a corporation, to the agent for service of process. However, the laws relating to citation and service of process shall be observed prior to legal enforcement of any civil judgment.

m. Penalties

- (1) Each sign placed in violation of this ordinance shall be deemed to be a separate violation, however, where more than one violation has been cited on the same day per violator, the violations shall all be scheduled for adjudication on the same hearing date.
- (2) For each violation, a fine of not less than twenty-five (25) dollars nor more than five hundred (500) dollars shall be imposed.

n. Disposition of monetary penalties

The moneys collected pursuant to this chapter shall be forwarded to the director of finance, who shall deposit the same in the general fund of the city-parish after deducting or allocating any credits due.”

C. Licensing and Certification:

1. Licensing:

- a. The licensing of sign companies shall be regulated by the Department of Public Works, Inspection Division’s Building Official, hereinafter, referred to as "the Building Official" of the City of Baton Rouge and Parish of East Baton Rouge. There shall be two types of licenses for sign companies. The "A" License shall be designated for electrical signs or signs, which pose a significant safety risk, and the “B” License, shall be designated for non-electrical signs or other signs specified herein. Anyone obtaining an "A" License shall also be qualified to install signs designated under the "B" License.
- b. It shall be unlawful for any person to erect, substantially modify or relocate any of the following signs without first obtaining the designated sign company license:
 - (1) "A" License:
 - i. an electric sign, or
 - ii. any sign requiring certification by a Louisiana Registered Engineer.
 - (2) "B" License:
 - i. a sign that is more than ten (10) feet in height, or
 - ii. a sign that has an area of more than thirty-two (32) square feet.
 - iii. a sign that is painted on a wall shall be exempt from the requirements of this section. Signs, which are painted on a wall, shall comply with the provisions in Section 16.13, Permanent On-Premise Signs By Type, B. Wall Signs, and Section 16.14, Permanent On-Premise Signs by Zoning District.

No sign company shall be issued a permit unless they are properly licensed.

- c. The initial fee for a sign company license shall be one hundred (100) dollars. The license shall be valid for a period not to exceed one (1) year, and the license shall expire on January 1st of the following year. The license shall be renewed on or before its expiration, and the renewal fee shall be fifty (50) dollars per year.
- d. Applicants for a sign company license shall submit an application properly completed on forms furnished by the Building Official. Applicants shall meet the following minimum requirements:
 - (1) All applicants shall furnish satisfactory proof of at least three (3) years experience in the erection or installation of electrical signs for "A" Licensing and of non-electrical signs for "B" Licensing. The following shall be considered satisfactory proof of said experience:
 - i. "A" License - UL (Underwriters Laboratory) certification for three (3) years - or East Baton Rouge City-Parish Occupational License for three (3) years and five (5) permits issued for electrical signs within the last three years; and
 - ii. "B" License - East Baton Rouge City-Parish Occupational License for three (3) years and five (5) permits issued for signs within the last three (3) years, or five (5) permits issued for sign permits within the last three years and letters from all businesses of satisfactory installation.
 - (2) All applicants shall be required to pass a test with a score of seventy (70) percent or above on each section of the test as given by the Building Official.
 - (3) Each applicant must provide a local published telephone number to be recorded with the Building Official.
 - (4) For "A" Licensing each applicant must be UL (Underwriters Laboratory) approved for electric signs.
 - (5) Subject to the licensee's right to maintain reasonable deductibles in amounts approved by the Building Official, an applicant shall purchase and maintain at all times the following insurance:
 - i. Workmen's compensation and employer's liability, in statutory limits and a minimum of one hundred thousand (100,000) dollars for employer's liability per incident or as required by Louisiana State law.
 - ii. Comprehensive automobile liability, to include coverage for owned/leased automobiles, non-owned automobiles, and hired cars, in a combined single limit for bodily injury as required by Louisiana State law.

- iii. Comprehensive general (public) liability to include coverage for premises/operations, independent contractors, personal injury, products/completed operations, contractual liability, and explosion, collapse, and underground property damage in a combined single limit for bodily injury or property damage of five hundred thousand (500,000) dollars for "A" License or one hundred thousand (100,000) dollars for "B" License.
 - iv. The policy of insurance required by the City-Parish shall satisfy the following criteria:
 - aa. the City-Parish shall be named as an insured or an additional insured, as its interest may appear;
 - bb. any right of subrogation against the City-Parish shall be waived;
 - cc. written notice to the Building Official of no less than thirty (30) days shall be required before a cancellation or material change to the insurance policy may become effective; and
 - dd. the insurance company providing the policy must be licensed by and in the State of Louisiana.
 - v. Adequate proof that the insurance required by this section has been issued and is in effect shall be provided to the Building Official before a sign company may be licensed and at all times during that company's holding of such license.
 - vi. If the insurance policy is canceled or renewed at some time other than the annual registration renewal date, the registrant shall furnish proof that a new policy has been obtained and is in effect.
 - vii. The Planning Commission shall review any request to waive any of the above-required insurance.
- (6) Each application shall contain an agreement to indemnify and hold the City-Parish harmless for all damages, demands or expenses of every character, which may in any manner be caused by the sign or sign structure.
- e. Failure to comply with any of the above licensing requirements or the following regulations as well as others set forth in this Unified Development Code may result in the suspension or revocation of a sign company's license.
 - (1) Each sign (listed in Section A above) shall have attached an identification sticker designating the licensed party who installed and built the sign. The identification sticker shall be a size no less

than two (2) inches high and four (4) inches wide and shall be visible from the ground.

- (2) All trucks or vehicles of licensed sign companies shall contain the name and license number of said company.
- (3) A licensed sign company is authorized to perform sign work under his license for only one firm, partnership, or corporation and partner thereof, and must furnish satisfactory documentary proof of compliance with these requirements. No persons, firm, or corporation engaged in the sign business shall give or sell his license without the approval of the Building Official, and any person taking over such license must meet all requirements set forth in this Unified Development Code. No person, firm, or corporation engaged in the sign business shall allow its name to be used directly or indirectly by any other person either to obtain a permit or permits, submit notices, make returns, or to do any work under its license under penalty of having the license revoked.
- (4) No sign company shall be issued a sign permit unless the sign company requesting the permit is licensed to operate in the City of Baton Rouge and the Parish of East Baton Rouge and is in compliance with all requirements of the City-Parish Finance Department, Occupational License Division, and any licenses required by the State of Louisiana.
- (5) Any person, firm or corporation who willfully employs a person to install, construct or repair a sign in violation of these licensing provisions in part or in whole shall be deemed guilty of a misdemeanor, and be punished by the fines provided for in this Unified Development Code. See Section 16.16, Administration, 2 Enforcement, C. Violation and Penalties.

2. Certification:

The following signs shall be designed, signed, and certified by a Louisiana registered engineer who shall certify that the structure complies with the building code and shall submit sufficient data to enable the Building Official to determine whether the sign complies with this Unified Development Code. The certification shall be in addition to any licensing requirements.

- a. All Roof Signs, when permitted.
- b. Projecting Signs over twenty-four (24) square feet in area.
- c. Off-Premise Signs or ground signs over one hundred (100) square feet in area.
- d. All signs with unusual structural features as determined by the Building Official. (See Standard Building Code for the City of Baton Rouge and Parish of East Baton Rouge, Southern Building Code Congress International, "SBCCI" Chapter 23, Signs and Outdoor Displays, Section 2302.1-2304.4 and 1205.4-1205.4E)

D. Appeals and Variance:

1. Any person aggrieved by any of the requirements of this chapter of the Unified Development Code may make written appeal to the Planning Commission stating the reason or reasons for the appeal. The Planning Commission is, hereby, directed and authorized as a committee with full powers to act in the review of all requests under this chapter of the Unified Development Code.
2. The Planning Commission may vary the application of any provisions of this chapter of the Unified Development Code to any particular case when the case meets all of the following criteria in its opinion:
 - a. Special conditions and circumstances exist that are unique to the sign and are not applicable to others;
 - b. The special conditions and circumstances do not result from the action or inaction of an applicant;
 - c. Granting the variance requested will not confer on the applicant any special privilege that is denied by this chapter of the Unified Development Code to other buildings, structures, and service system;
 - d. The variance granted is the minimum variance that will make possible the reasonable use of the building, structure, or service system; and
 - e. The grant of the variance will be harmony with the general intend and purpose of this chapter of the Unified Development Code and will not be detrimental to the public health, safety, and general welfare.
3. The Building Official may, at his discretion, make adjustments of up to ten (10) percent of allowable figures in this Unified Development Code where a sign variance might otherwise be granted. These decisions would not include setbacks, vision triangle area, or any situation where public safety would be compromised.
4. The Building Official may grant a permit for a roof sign in lieu of another type of sign when special conditions and circumstances exist that are unique to the situation. Review of this request shall be done in a reasonable and timely manner.
5. A decision of the Planning Commission to vary the application of any provision of this chapter of the Unified Development Code or to modify an order or decision shall specify in what manner such variation or modification is to be made, the conditions upon which it is made, and the reasons.
6. An appeal may be made to the Metropolitan Council in writing within ten (10) calendar days of receipt of the Planning Commission decision.