

BILL NO. 2019-35

ORDINANCE NO. \_\_\_\_\_

INTRODUCED BY Alderwoman Susan Lenger

**AN ORDINANCE TO ESTABLISH SIGN REGULATIONS.**

WHEREAS, the Board of Aldermen desires to encourage the effective use of Signs as a means of communication in the City of Hermann; and

WHEREAS, the Board of Aldermen also desires to maintain and enhance the pleasing look of the City of Hermann and to make the City attractive to businesses and residences; and

WHEREAS, the Board of Aldermen also desires to maintain the City of Hermann's historic character and to minimize the possible adverse effects of Signs on public and private property; and

WHEREAS, the Board of Aldermen has determined that enacting Sign regulations as provided herein serves a legitimate public purpose and is in the best interests of citizens of the City of Hermann, Missouri.

NOW, THEREFORE, BE IT ORDAINED BY THE BOARD OF ALDERMEN THAT A NEW CHAPTER, TITLED SIGN REGULATIONS, SHALL BE ADDED TO THE HERMANN MUNICIPAL CODE, AS FOLLOWS:

**SECTION ONE:** A new Chapter is hereby added to the Hermann Municipal Code, as follows:

**CHAPTER 410. SIGN REGULATIONS.**

**Section 410.010. Purposes.**

The purposes of these Sign regulations are:

- A. To encourage the effective use of Signs as a means of communication in the City of Hermann ("Hermann").
- B. To maintain and enhance the pleasing look of Hermann, which attracts events of regional, national and international interest.
- C. To preserve Hermann as a community that is attractive to businesses and residences.
- D. To maintain Hermann's historic character.
- E. To improve pedestrian and traffic safety.
- F. To minimize the possible adverse effects of Signs on public and private property.
- G. To ensure that Signs in the community are compatible with the high quality image that Hermann seeks.

### **Section 410.015. Applicability.**

A Sign may be erected, placed, established, painted, created or maintained in Hermann only if it conforms to the standards, procedures, exemptions and other requirements of this Chapter.

### **Section 410.020. Definitions.**

**Animated Sign:** Any Sign using movement or changes of lighting to depict action or create a special effect or scene.

**Awning Sign:** Any Sign attached to, or in any manner or otherwise made a part of any awning or awning-like structure which projects beyond a building or extends along and projects beyond the wall of the building, generally designed and construction to provide protection from the weather.

**Banner:** Any Sign of lightweight fabric or similar material for temporary use.

**Beacon:** Any light with one (1) or more beams directed into the atmosphere or directed at one (1) or more points not on the same lot as the light source; also, any light with one (1) or more beams that rotate or move.

**Billboard:** Any off-premise Sign, which is not exempt or permissible under this Chapter.

**Building Sign:** A Sign that is attached to any part of a building.

**Canopy or Awning Sign:** Any Sign that is a part of or attached to an awning, canopy, or other fabric, plastic, or structural protective cover.

**Changeable Copy Sign:** A Sign or portion thereof with characters, letters, or illustrations that can be changed or rearranged without altering the face or the surface of the Sign. A Sign on which the message changes more than eight (8) times per day shall be considered an Animated Sign and not a Changeable Copy Sign for purposes of this Chapter.

**Flag:** Any fabric, banner, or bunting containing distinctive colors, patterns, or symbol.

**Freestanding Ground Signs:** Any Sign supported by structures or supports that are placed on or anchored in the ground and that are independent from any building or other structure.

**Marquee:** Any permanent roof-like structure projecting beyond a building or extending along and projecting beyond the wall of the building.

**Marquee Sign:** Any Sign attached to, in any manner, or made part of a Marquee.

**Mural:** An exterior wall painting.

**Non-Conforming Sign:** Any Sign that does not conform to the requirements of this Chapter.

**Pennant or Windblown Device:** Any lightweight plastic, fabric, or other material, suspended from a rope, wire, or string, usually in series, designed to move in the wind.

**Person:** An organization, association, company, corporation, firm, or partnership, singular or plural, of any kind.

**Portable Sign:** Any Sign not permanently attached to the ground or other permanent structure, or a Sign designed to be transported, including, but not limited to, Signs designed to be transported by means of wheels.

**Poster Box:** An enclosed structure for the display of a poster, bill or placard in a public space.

**Principal Building:** The building in which is conducted the Principal use of the lot on which it is located. Lots with multiple Principal uses may have multiple Principal Buildings, but storage buildings, garages, and other clearly accessory uses shall not be considered Principal Buildings.

**Projecting Sign:** Any Sign affixed to a building or wall in such a manner that its leading edge extends more than six (6) inches beyond the surface of such building or wall.

**Residential Sign:** Any Sign located in a district zoned for residential uses.

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

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

**Sandwich Board Sign:** Two boards hinged together or connected by straps or some other means.

**Setback:** The distance from the property line to the nearest part of the applicable building or structure measured perpendicularly to the property line.

**Sign:** Any device, fixture, placard, or structure that uses any color, form, graphic, illumination, symbol, or writing to communicate information of any kind to the public.

**Special Event:** Any scheduled public organized activity, not occurring on a weekly or monthly basis, which requires or involves the use of public property, facilities or personnel to an extent significantly greater than the use to which such property, facilities or personnel are regularly subjected.

**Subdivision Sign:** A permanent Sign located at the entrance to a residential subdivision.

**Suspended Sign:** A Sign that is suspended from the underside of a horizontal plane surface and is supported by such surface.

**Temporary Sign:** Any Sign that is used only temporarily and is not permanently mounted.

**Theater:** A building or area for dramatic performances, spectacles or for the showing of motion pictures.

**Wall Sign:** Any Sign attached parallel to, but within six (6) inches of, a wall, painted on the wall surface of, or erected and confined within the limits of an outside wall of any building or structure, which is supported by such wall or building, and which displays only one (1) Sign surface.

**Window Sign:** Any Sign, pictures, symbol, or combination thereof, that is placed inside a window or upon the window panes or glass and is visible from the exterior of the window.

#### **Section 410.025. Non-Conforming Signs.**

- A. **Pre-Existing Signs.** The lawful and permitted use of a Sign existing immediately prior to the date of the passage of this Chapter adopting these Sign regulations may remain in place, although the Sign does not conform to the provisions of this Chapter; provided, however, that the City retains the right to remove any Sign which may have been placed in the public right of way prior to the passage of this Chapter which does not conform to the provisions in Section 420.090.
- B. **Limitations On Pre-Existing Non-Conforming Signs.** No existing on-premises Sign permitted by this Chapter in the district in which such on-premises Sign is located, except when required to do so by law or ordinance, shall be enlarged, extended, reconstructed or structurally altered, unless the Sign is changed to one (1) permitted in the district in which such on-premises Sign is located.

#### **Section 410.030. Interpretation.**

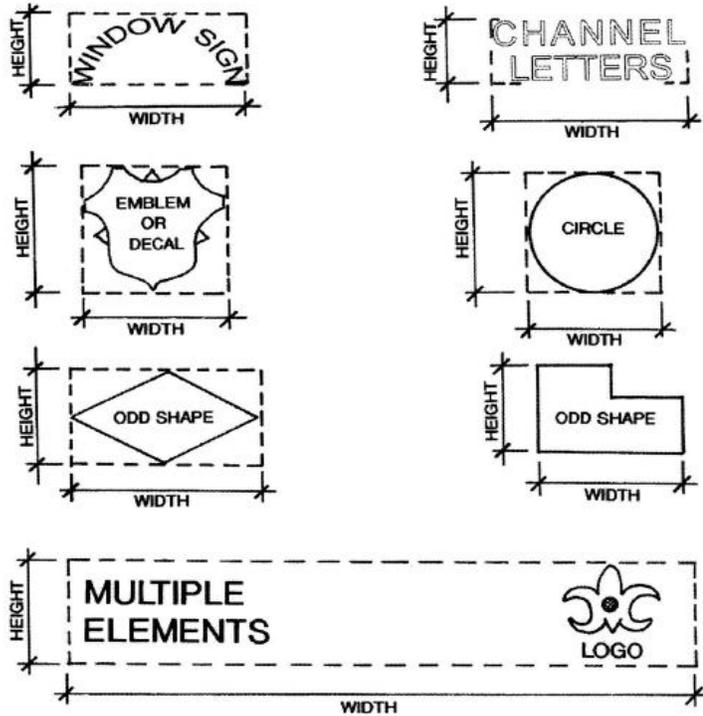
Words and phrases used in this Chapter shall have the meanings set forth as defined above. Words and phrases not defined in this Chapter but defined elsewhere in the City Code shall be given the meanings set forth there. All other words and phrases shall be given their common, ordinary meanings, unless the context clearly requires otherwise.

**Section 410.035. Exempt Signs.**

The following Signs shall be exempt from regulation under this Chapter:

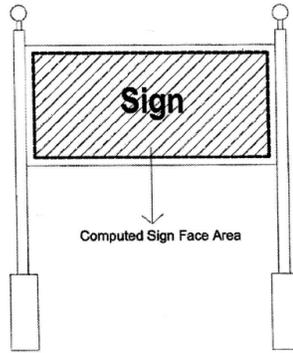
- A. Any public notice or warning required by a valid and applicable federal, state or local law, regulation or Chapter, or by a public utility company or by order of a Court of competent jurisdiction.
- B. Traffic Signs on private property, such as Stop, Yield and similar Signs, which meet Department of Transportation standards.
- C. Any Sign inside a building, not attached to a window or door, that is not visible from off the site on which it is located.
- D. Any Sign on an athletic field or other enclosed outdoor space.
- E. Temporary Signage erected as part of a City-approved event.
- F. Signs erected on behalf of a governmental or quasi-governmental agency, including but not limited to governmental offices and transit stations, for the purpose of site identification, to identify public property, convey public information and to direct or regulate pedestrian or vehicular traffic.
- G. Historic wall Murals that have been approved by the Landmarks Commission.

**Section 410.040. Area Computation of**



**Signs.**

- A. **Individual Signs.** The area of a Sign face (which is also the Sign area of a wall Sign or other Sign with only one face) shall be computed by means of the smallest rectangle that will encompass the extreme limits of the writing, representation, emblem or other display, together with any material or color forming an integral part of the background of the display or used to differentiate the Sign from the backdrop or structure against which it is placed, but not including any supporting framework, base, bracing or decorative fence or wall when such fence or wall otherwise meets the regulations of this Chapter and is clearly incidental to the display itself. For a single wall on a single-occupant building, all pieces of information or other graphic representations on that wall shall be measured as though part of one (1) Sign, encompassed within one (1) rectangle, which may not exceed ten (10) percent of the total wall area to which the Sign is affixed. For a single wall on a multi-occupant building, the area of Signs shall not exceed ten (10) percent of the total wall area to which the Sign(s) is affixed.

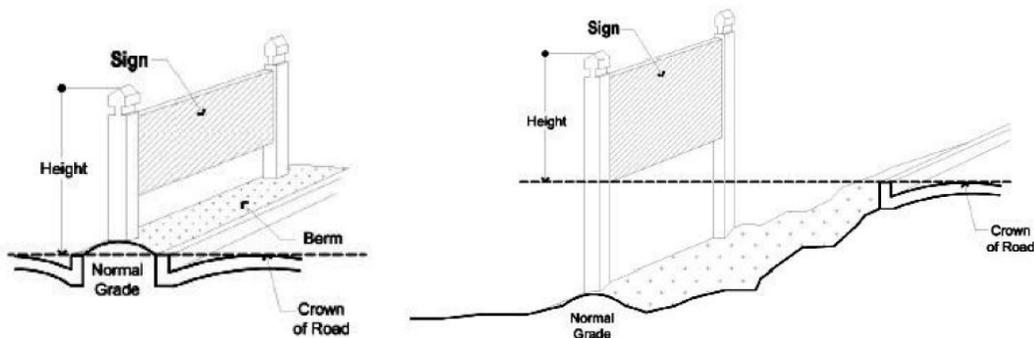


**Area Computation of an Individual Sign**

- B. **Multi-Faced Signs.** Where the faces of a double-faced Sign are parallel, the interior angle formed by the faces is sixty (60) degrees, or less, only one (1) display face shall be measured in computing Sign area. The areas of all faces of a multi-faced Sign shall be added together to compute the area of the Sign. Sign area of multi-faced Signs is calculated based on the principle that all Sign elements that can be seen at one (1) time or from one (1) vantage point should be considered in measuring that side of the Sign. Double-faced Signs that are displayed on gateway entry monuments within City approved area plans, may be displayed on walls with an interior angle of up to ninety (90) degrees.

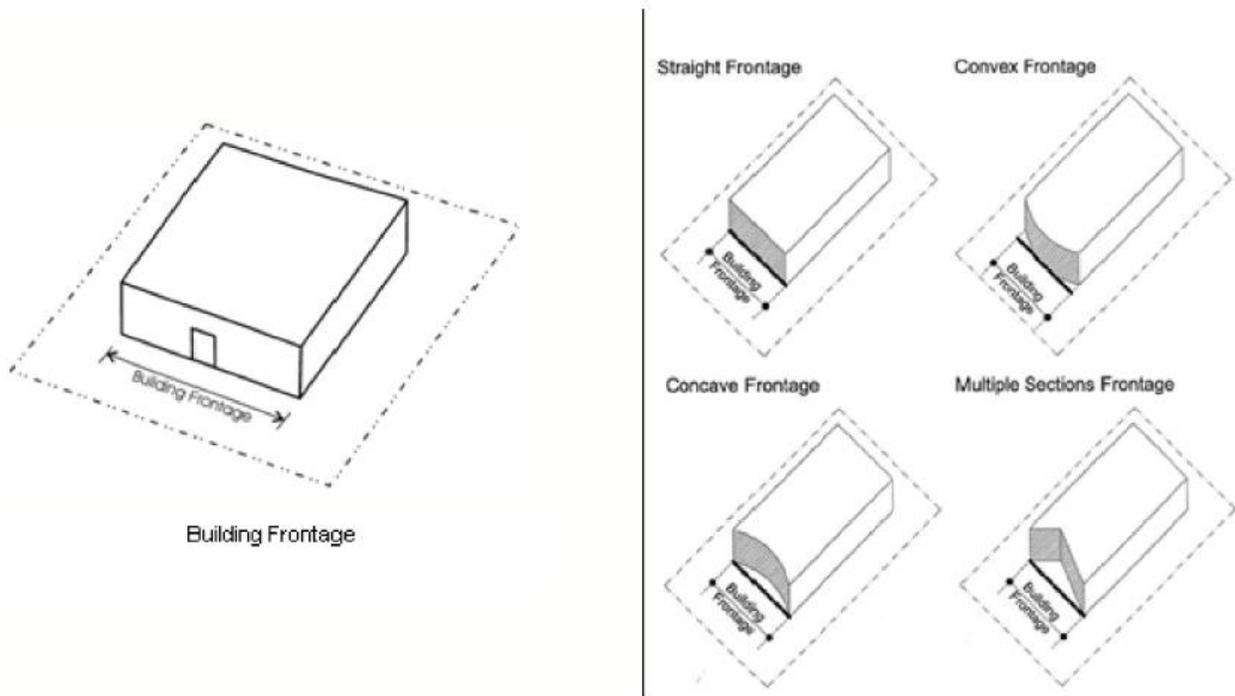
**Section 410.045. Sign Height Computation.**

The height of a Sign shall be computed as the distance from the base of the Sign at normal grade to the top of the highest attached component of the Sign. Normal grade shall be construed to be the newly established grade after construction, exclusive of any filling, berming, mounding or excavating solely for the purpose of locating the Sign. In cases where the normal grade is below grade at street level, Sign height shall be computed on the assumption that the elevation of the normal grade at the base of the Sign is equal to the elevation of the nearest point of the crown of a public or private street.



**Section 410.050. Building Frontage.**

Building frontage shall mean the horizontal length of a building on the side with its principal entrance. If that side is a straight wall, then the building frontage shall be the length of the wall. If the side is not a straight wall, the building frontage shall be the horizontal distance from the corner at one (1) end of the side of the building with the principal entrance to the other corner on the same side of the building; where that side of the building is concave, then the measurement shall be made in a straight line from corner to corner; where the side of the building is convex or has one (1) or more sections that project in front of the front corners, then the measurement shall be made as the shortest distance between two (2) lines projected from the two (2) front corners of the building, with such lines parallel to each other and as close as practicable to perpendicular to the front of the building.



**Section 420.055. Design and Construction Standards.**

All Signs shall be designed, constructed and maintained according to the following standards:

- A. All Signs shall comply with applicable provisions of State and local building codes.
- B. All wiring to Signs or to equipment that lights a Sign shall be installed underground.
- C. Except for permitted Banners, Flags and Window Signs, all Signs shall be constructed of permanent materials and shall be attached to the ground, a building or another structure.
- D. Lights for externally lit signs shall be directed only upon the Sign face and shall also be directed to prevent off-site glare.

- E. Materials such as metal, PVC and acrylic may be used for individual letters and raceways. The structural supports, background materials and foundation materials of Signs shall match the primary materials found in the principal structure(s). Background material for the Sign message shall match the primary materials, mimic the appearance of the primary materials found in the principal structure, or be architecturally compatible in style and color (e.g., materials such as synthetic wood and other similar materials may be considered).

**Section 420.060. Maintenance Standards.**

All Signs shall be maintained in good structural condition in compliance with all building and electric codes and in conformance with this Chapter. Specifically:

- A. A Sign shall have no more than twenty (20) percent of its surface area covered with disfigured, cracked, ripped or peeling paint, poster paper or other material for a period of more than thirty (30) days.
- B. A Sign shall not stand with bent or broken Sign facing, with broken supports, with loose appendages or struts, or more than fifteen (15) degrees from vertical for a period of more than ten (10) days.
- C. A Sign shall not have weeds, trees, vines, or other vegetation growing upon it, or obscuring the view of the Sign from the public right-of-way from which it is to be viewed, for a period of more than thirty (30) days.
- D. An internally illuminated Sign shall be allowed to stand with only partial illumination for a period of no more than thirty (30) days.
- E. Flags shall not be faded, tattered or torn.

**Section 420.065. Regulations for Certain Signs; Permits Required.**

The following Signs shall require a permit and shall also comply with the regulations indicated for each type of Sign.

- A. **Awning Sign.** Awning Signs are allowed in all Zoning districts provided that:
  - 1. On a single-occupant property, one (1) Awning Sign may be allowed in lieu of other wall Signs.
  - 2. On a multi-occupant property, one (1) Awning Sign may be allowed over each occupant entrance, in lieu of other Wall Signs.
  - 3. The maximum area of an Awning Sign shall not exceed ten percent (10%) of the total awning face front and side area.

4. Awning Signs may be illuminated only with direct surface lighting and not with any form of backlighting.

B. **Changeable Copy Sign.** Changeable Copy Signs are not allowed in Residential zoning districts. A Changeable Copy Sign is allowed in all other zoning districts provided it is permanently mounted or affixed to a structure. When used in conjunction with a Ground Sign, a Changeable Copy Sign must be located on the same supports. The Sign shall not exceed twenty-four (24) square feet per Sign facing or forty-eight (48) square feet for the total area. In no case shall the Sign flash or have a time interval of less than three (3) seconds.

C. **Marquee Signs.** Marquee Signs are not allowed in Residential zoning districts. Marquee Signs are allowed in all other zoning districts provided they have no more than one square foot of Sign area for each linear foot of building frontage.

D. **Freestanding Sign Ground Signs.** Freestanding Ground Signs are allowed in all zoning districts, provided that:

1. Freestanding Ground Signs shall not exceed forty-eight (48) inches in height.
2. The area of Freestanding Ground Signs shall not exceed thirty-two (32) square feet per side or sixty-four (64) square feet total.
3. Setbacks shall be adequate to protect a clear sight triangle, in accordance with the City Code.
4. Lettering on Freestanding Ground Signs shall not exceed six (6) inches in height, shall be consistent with existing Sign materials and colors and shall be uniform type style.
5. If a Freestanding Ground Sign contains information on more than one side of the Sign, then all sides shall be identical.
6. A single-occupant property may have only one (1) Freestanding Ground Sign.
7. Freestanding Ground Signs shall not be placed within three hundred (300) feet of each other.
8. For a multi-occupant property, there shall be only one (1) Freestanding Ground Sign plus one (1) additional

Freestanding Ground Sign if the property has street frontage on a second public street. An additional (third) Freestanding Ground Sign may be permitted if the property has street frontage on a third public street. The additional Signs are permitted so long as the street frontage on each street is at least one hundred fifty (150) feet in length and so long as there are entrances to the property from all such streets.

9. Freestanding Ground Signs are not allowed on outparcel lots in shopping centers.

E. **Residential Sign.** Residential Signs shall not be lighted and they shall not be more than ten (10) square feet in area. Residential Signs may be attached flat against the building or set back at least eight (8) feet from the edge of the street/curb. Any Residential Signs placed near street intersections shall comply with Section 420.690 of this Code regarding open views at intersections.

F. **Subdivision Sign.** Subdivision Signs are allowed on one (1) or both sides of each principal entrance to the subdivision, provided that:

1. Such Signs shall not exceed thirty-two (32) square feet in area.
2. Such Signs shall not exceed forty-eight (48) inches in height, unless integrated into a wall or column, in which case it shall not exceed the height of the wall or column.
3. Such Signs shall not be in the public right of way, unless approved by the City of Hermann.

G. **Suspended/Projecting Sign.** Suspended/Projecting Signs are not allowed in Residential zoning districts. Suspended/Projecting Signs are allowed in all other zoning districts under canopies and along pedestrian arcades, provided that:

1. Such Signs shall not exceed one (1) per tenant in a multi-tenant building entrance.
2. Such Signs shall not exceed eight (8) square feet in area.

H. **Wall Signs-Non-Residential Properties.** Wall Signs on Non-Residential properties are allowed in all zoning districts so long as:

1. The total area of an individual Wall Sign on a building shall be limited to one (1) square foot in area for each linear foot of wall area; provided, however, that in no case shall the total area of an individual Wall Sign be permitted to exceed ten (10) percent of the total wall area to which the Sign is affixed.
2. The total number of Wall Signs shall be limited to two on single tenant and on multi-tenant buildings that share a common principal entrance.
3. No Wall Sign shall project above the highest point of the building wall. This shall also apply to Marquee Signs and any Signs not affixed directly to a wall.
4. On a single occupancy building, all Signs on any single wall, except for Poster Boxes, Marquee Signs, Logos and Wall Signs on theaters, shall be considered parts of the same Sign and shall be measured by a rectangle surrounding all of them.
5. On a multi-occupancy building, each occupant with a separate outside entrance serving the general public may have a Wall Sign. Corner tenants with a door or window on two walls shall be allowed one additional Wall Sign.
6. Subject to total Sign area limits applicable to all Wall Signs, a Theater may install one (1) or more back-lighted or internally illuminated Poster Boxes, provided that:
  - a. Poster Boxes shall not have an area exceeding thirteen (13) feet.
  - b. The top of any Poster Box shall not be more than ten (10) feet above the ground.
  - c. Poster Boxes shall be permanently mounted to a wall.

I. **Wall Signs - Residential/Institutional Properties.** Wall Signs are allowed on residential/institutional properties so long as:

1. Single-family residential units in residential zoning districts may have only one wall Sign which shall not exceed two square feet in area.

2. Multi-family residential or institutional properties located in Residential zoning districts may have one wall Sign per public entrance, provided that such Sign shall not exceed six square feet in area.
4. Such Sign may only be illuminated by direct, external illumination.

- J. **Window Sign.** Window Signs are allowed in all zoning districts and shall be allowed on the inside or outside of window glass of non-residential properties provided that they cover no more than 25 percent of the gross glass area on any one side and so long as they are not illuminated.

**Section 420.070. Regulations for Certain Signs; Permits not Required.**

The following Signs do not require a permit but shall comply with the regulations indicated for each type of Sign.

- A. **Flags and Flagpoles.** Flags and flagpoles are allowed in all zoning districts provided that:
1. No flag shall exceed five (5) feet by eight (8) feet in size.
  2. No flagpole shall exceed thirty-five (35) feet in height.
- B. **Banners.** Banners are allowed in all zoning districts provided that:
1. Banners may only remain in place for up to thirty (30) days, but Businesses undergoing a façade change or exterior renovation may have a banner in place for up to ninety (90) days, and new Businesses may have a banner in place for up to sixty (60) days after issuance of the first business license for that business in that location or from the issuance of a Certificate of Occupancy for that location.
  2. Banners shall be attached to and parallel with a wall of the building on which the Banner is permitted and shall not exceed 32 square feet in area.
  3. Banners are not subject to the construction and installation requirements applicable to other Signs.
  4. Banners shall be allowed for Special Events provided that:
    - a. Only one Banner shall be allowed per property per event.

- b. The Banner shall be limited to 48 inches in height and 16 square feet in area.
- c. The Banner, if attached to a wall, shall be limited to 32 square feet in area.
- d. The Banner shall be erected no sooner than fourteen (14) days preceding the Special Event and shall be removed no later than two days following the Special Event.

**Section 420.075. Regulation of Signs in the HO Historic Overlay Zoning District - Purpose.**

The purpose of specific, more restrictive regulations for signs in the Historic Overlay District (“HO District”) is to encourage high standards for Signs and to add to the aesthetic appearance and attractiveness of the HO District. All Signs within the HO District shall require review and approval by the Landmarks Commission whether or not a permit is required. Signs within the HO District shall:

- 1. Protect the HO District from Sign clutter and visual blight resulting from excessive and redundant Signs.
- 2. Be architecturally compatible with the style, composition, materials, colors and details of the building and its vicinity and contribute to the character of the HO District.
- 3. Comply with the City of Hermann’s Design Guidelines and Streetscape Requirements.

**Section 420.080. Regulations for certain Signs within the HO District.**

- A. **Residential Signs.** A permit must be obtained and:
  - 1. Properties are limited to only one (1) Sign per dwelling unit.
  - 2. The area of any Sign shall not exceed two (2) square feet.
- B. **Principal Ground Sign.** A permit must be obtained and:
  - 1. For a Residential property, the area of the Sign shall not exceed 24 feet. If a Sign has 2 sides, then the area of either side shall not exceed 12 square feet.
  - 2. For a Commercial property, the area of the Sign shall not exceed 32 square feet. If a Sign has 2 sides, then the area of either side shall not exceed 16 square feet.

- C. **Projecting Sign.** A permit must be obtained and:
1. The number of Signs shall not exceed one (1) per building occupant.
  2. The Sign area shall not exceed six (6) square feet per side and twelve (12) square feet total.
  3. The height of the top edge of the Signboard or bracket shall not exceed the height of the wall from which the Sign projects.
  4. No element of the Sign shall hang lower than seven (7) feet above the ground or pedestrian walkway.
  5. Since Projecting Signs may extend over the public right-of-way, they shall be mounted and attached to buildings in a secure manner. The Sign, brackets and mounting devices shall be maintained in good repair for both safety and appearance. Such Signs shall be mounted so that the method of installation is concealed to the extent practical.
  6. The Signboard shall not project more than thirty-six (36) inches from the wall.
  7. Projecting Signs may be illuminated indirectly. Internal illumination is prohibited. All indirect lighting shall require complete shielding of all light sources to illuminate only the face of the Sign and prevent glare from off-site.
  8. All lettering and graphics shall be permanent. Changeable copy is prohibited.
- D. **Sandwich Board Sign.** One Sandwich Board Sign is allowed per business, with a permit, so long as:
1. The total area of the signboards shall not exceed ten (10) square feet per side.
  2. Any Sandwich Board Sign shall not exceed two (2) feet in width or five (5) feet in height.
  3. The Sign shall be constructed of materials that present a finished appearance. Rough-cut plywood is not allowed.

4. The Sign shall be located on the same lot and within six (6) feet of the building of the business. Installation of the Sign and its location shall not interfere with pedestrian or vehicular traffic.
5. All Sandwich Board Signs shall be removed at the end of the business day.
6. Any person or entity erecting a sandwich board Sign shall indemnify Hermann and its officers, agents, and employees from any claim arising out of the presence of the Sign on City property or rights-of-way.

E. **Suspended Sign.** A permit must be obtained and:

1. Suspended Signs within the HO District may be larger than two (2) square feet in total area and all area over two (2) square feet shall be considered as part of the property's overall allowed Sign area.
2. No part of the Sign shall hang lower than seven (7) feet above the ground.

F. **Wall Sign, Non-Residential.** A permit must be obtained and:

1. Signs are allowed on any part of the building except the roof.
2. Wall Signs on buildings, located on corner lots (fronting upon two (2) public rights-of-way, excluding alleys and walkways) and multi-story buildings with upper floor non-residential occupants or tenants are allowed a maximum Sign surface not to exceed one and one-half (1 ½) square feet for every linear foot of building frontage, provided the overall Sign area of an individual wall Sign does not exceed ten (10) percent of the wall area to which the Sign is affixed or a maximum of 32 square feet.

G. **Additional Signs for Restaurants and Cafes.** In addition to other Signage, restaurants and cafes may have one wall-mounted display featuring the menu, which shall be located at or near the main entrance, at a height of approximately five (5) feet, and it shall not exceed two (2) square feet in size. The display may be lighted provided that any light directed toward the Sign is shielded to illuminate only the face of the Sign.

H. **Accessory or Out-building Sign.** Wall Signs shall be allowed on non-residential accessory buildings pursuant to the provisions in this Chapter, and provided that the colors of such Signage conform to the Landmarks Commission requirements when in the HO District.

I. **Exceptions to Prohibited Signs and Devices in a HO District.**

1. Barbershops are entitled to display barber poles which shall be mounted to the building wall and shall not project higher than the highest part of the eaves. Low-level internal illumination is allowed.
2. One (1) illuminated window Sign is permitted for each window opening in the HO District so long as:
  - a. The Sign is illuminated only during business hours;
  - b. The Sign is located on the interior side of the window;
  - c. The Sign meets safety requirements by having a backing and self-contained transformers. All components shall be UL approved;
  - d. Text, logos and color are not restricted.

J. **Existing Signs.** Existing Signs which are attached to, painted on, or an integral part of contributing historic structures within the HO District, and which retain the content, dimensions, location, and lighting that the Sign possessed when the District was designated shall enjoy the following privileges:

1. They may remain on roofs or exceed height limits found elsewhere in this Chapter.
2. They may exceed dimensional limits found elsewhere in this Chapter.
3. They may reference a product or business which is not related to the existing business on the property.
4. They shall not, if the Sign is not related to an existing business, have the Sign area deducted from the total amount of square feet of the Sign area granted by other standards of this Chapter.
5. They may remain in a right-of-way unless they become a hazard to traffic.
6. They may retain their original lighting pattern and materials.

7. They may be restored to 100% of the original design if damaged or destroyed.

**Section 420.085. Prohibited Signs and Devices.**

The following Signs and devices are prohibited:

- A. Any Sign that copies or imitates an official Sign or purports to have official status.
- B. Beacons.
- C. Animated Signs.
- D. Any Sign that obstructs or substantially interferes with any window, door, fire escape, stairway, ladder, or opening intended to provide light, air, ingress, or egress to any building.
- E. Billboards; provided, however, that billboards are allowed along Highways 100 and 19, so long as they are spaced at least 600 feet apart.

**Section 420.090. Signs in the Public Right-of-Way.**

No Signs shall be allowed in the public right-of-way, except for the following:

- A. **Permanent Signs.** Permanent Signs shall be limited to:
  1. Public Signs erected by or on behalf of a governmental body to identify public property, convey public information and direct or regulate pedestrian or vehicular traffic.
  2. City approved public transit Signs.
  3. Informational Signs of a public utility regarding its poles, lines, pipes or other facilities.
  4. Signs appurtenant to a use of public property permitted under a franchise or lease agreement with the City.
  5. Awning or suspended Signs projecting over a public right-of-way in conformity with the conditions of this Chapter.
  6. Signs posted in association with municipal, county, state or federal authorities for crime prevention and public safety and health.
  7. Any other sign which has been approved by the Board of Aldermen.
- B. **Temporary Signs.**

1. Legal notices erected by or on behalf of a governmental body.
  2. Emergency warning Signs erected by a governmental agency, a public utility company, or a contractor doing authorized or permitted work within the public right-of-way.
- C. **Violation a Nuisance – Removal of Sign.** Any other Sign placed in the public right-of-way in violation of this Chapter shall be deemed a public nuisance and may be seized by the enforcement official or other representative of the City, and the person owning or placing the Sign may be charged both with a violation of this Chapter and with the cost of removing and disposing of the Sign.

**Section 420.095. Signs Prohibited from Creating a Traffic Hazard.**

- A. **Clear Sight Triangle.** No Sign shall be erected in the clear sight triangle as defined by the City's setback requirements at intersections.
- B. **Other Hazards.** No Signs shall be erected, and there shall be no lighting of Signs or premises, in such a manner or in such location as to obstruct the view of, or be confused with, any authorized traffic Signal, notice or control device.
- C. **Removal.** Any such Signs or light sources shall be removed at the direction of the City of Hermann. If not removed by owners or occupants of the property within ten days of notice, the City of Hermann shall cause the Signs to be otherwise removed, and the cost of removal shall become a lien against the property until satisfied.

**Section 410.100. Sign Permits.**

The following procedures shall govern the application for, and issuance of, all Sign permits under this Chapter.

- A. **Applications.** All applications for Sign permits of any kind shall be submitted to the zoning inspector or his or her designee on an application form or in accordance with application specifications published by the Zoning Inspector. An application for construction, creation or installation of a new Sign or for modification of an existing Sign shall be accompanied by detailed drawings to show dimensions, design, structure and location of each particular Sign. One application and permit may include multiple Signs on the same lot.
- B. **Action.** Within seven (7) business days of the submission of a complete application for Signed permit, the Zoning Inspector shall either:
  1. Issue the Sign permit, if the Sign that is the subject of the application conforms in every respect to the requirements of this Chapter; or

2. Reject the Sign permit if the Sign that is the subject of the application fails in any way to conform to the requirements of this Chapter. In case of a rejection, the Zoning Inspector shall specify in the rejection the section or sections of this Chapter with which the Sign is inconsistent.

C. **Inspection.** The Zoning Inspector shall cause an inspection of the lot for which each permit for a new Sign or for modification for an existing Sign is issued. During the sixth month after the issuance of such permit or at such earlier date as the owner may request. If the construction is not substantially complete at the time of inspection, the permit shall lapse and become void. If the construction is complete and in full compliance with this chapter and with the building and electrical codes, the Zoning Inspector shall affix to the premises as permanent symbol identifying the Sign and the applicable permit by number or by other reference. If the construction is substantially complete but not in full compliance with this Chapter and applicable codes, the Zoning Inspector shall give the owner or applicant notice of the deficiencies and shall allow an additional thirty (30) days from the date of inspection for the deficiencies to be corrected. If the deficiencies are not corrected by such date, the permit shall lapse.

D. **Continuous Maintenance of Permit Required.** The Owner of a lot containing Signs requiring a permit under this Chapter shall at all times maintain in force a Sign permit for such property.

**Section 410.105. Violations and Enforcement.**

A Violation of any provision of this Chapter shall be prosecuted as a misdemeanor.

**SECTION TWO:** All Ordinances or parts of Ordinances in conflict herewith are hereby repealed.

**SECTION THREE:** This Ordinance shall be in full force and effect from and after its passage and adoption.

**SECTION FOUR:** The publisher of the City of Hermann Ordinances shall be permitted to re-designate section or subsection numbers contained in this Chapter as may be necessary within the discretion of the publisher.

First Reading: August 26, 2019

Second Reading: October 14, 2018

VOTE:

Name	First Reading			Second Reading		
	Aye	Nay	Abs	Aye	Nay	Abs
Alderman David Faerber	x					
Alderman Bruce Cox	x					
Alderman Jim Schirmer	x					
Alderman Susan Lenger	x					

Passed and approved this \_\_\_\_ day of \_\_\_\_ October \_\_\_\_\_, 2019.

\_\_\_\_\_  
DR. ROBERT C. KOERBER, Mayor

\_\_\_\_\_  
PATRICIA HEANEY, City Clerk

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