

Article X

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ARTICLE X. SIGN REGULATIONS [133]

(133) Cross reference— Signs at Gainesville Regional Airport, § 3-56; buildings and building regulations, Ch. 6; streets, sidewalks and other public places, Ch. 23.

Section 30-10.1. Purpose and objectives.

- A. The objective of this article is to establish requirements for the placement, installation and maintenance of signs, in order to preserve and protect the health, safety, welfare and general well-being of the community's citizens. As the regulation of the placement, construction and maintenance of buildings and structures through zoning is a valid use of the police power, so too is the regulation of the placement, installation and maintenance of signs since such signs in the literal sense must ordinarily be considered structures, and in a practical sense are capable of producing many of the same nuisances as are produced by buildings.
- B. The regulation of the placement, installation and maintenance of signs is further justified by their innate scheme and primary purpose to draw mental attention to them, potentially to the detriment of sound driving practices and the safety of the motoring public to which a majority of signs is oriented. Therefore, it is the intent of this article to regulate the size and location of signs so that their purpose can be served without unduly interfering with motorists and causing unsafe conditions.
- C. Finally, it is the objective of this article to protect and preserve the aesthetic qualities of the community by regulating the placement, installation and maintenance of signs. The fact that such signs are intended to be seen grants to signs a proportionately greater role than other structures in determining the overall aesthetic quality of the community.
- D. The aesthetic impact of signs is an economic fact which may bear heavily upon the enjoyment and value of property; therefore the regulation of signs is validly justified on the basis of conserving the value of property and encouraging the most appropriate use of land throughout the municipality. Furthermore, it is not irrational for a community's citizens to plan their physical surroundings in such a way that unsightliness is minimized.
- E. With this purpose in mind, it is the intention of this article to authorize the use of signs which are:
 1. Compatible with their surroundings and appropriate within the parameters of the comprehensive plan.
 2. Appropriate to the type of activity to which they pertain.
 3. Expressive of the identity of the individual proprietors or of the community as a whole.
 4. Large enough to sufficiently convey a message about the owner or occupants of a particular property, the products or services available on such property, or the business activities conducted on such property, yet small enough to preserve and protect the natural beauty of the city and limit distractions to motorists.
 5. To reduce the concentration of signs which result in clutter and unnecessary distraction to motorists.
 6. To allow the placement of signs in a manner which would not result in the unnecessary removal of vegetation.
 7. To regulate the placement, height and size of signs which are compatible to a pedestrian and motorist scale.
 8. Are necessary to preserve the life and safety of the public, which the city finds to be a compelling interest.

(Ord. No. 3777, § 1, 6-10-92; Ord. No. 002561, § 2, 12-9-02; Ord. No. 070776, § 1, 3-24-08)

Section 30-10.2. General restrictions.

- A. Location of signs. It shall be unlawful to erect, cause to be erected, maintain or cause to be maintained a sign which violates the following general restrictions:
- B. Ingress and egress to buildings. No sign shall be attached to or placed against a building in such a manner as to prevent ingress and egress through any door or window required or designed for access to any building, nor shall any sign obstruct or be attached to a fire escape.
- C. Banners. No banner sign or other sign of any type whatever may be erected, constructed or maintained along or across any of the public streets of this city, except across-street and vertical pole banners shall be permitted over or along the streets designated by the city manager and the general manager for utilities within the city. They are authorized to adopt rules regulating the permit application, installation procedures and minimum banner specifications. An application shall be filed with the city manager together with the permit fee. In addition to the permit fee, the applicant shall pay the banner installation fee in an amount prescribed by the general manager for utilities to allow full cost recovery to the city. The following conditions and restrictions shall apply:
1. Application shall be accompanied by complete and accurate description and content of banner(s).
 2. Messages shall directly relate to a not-for-profit event that is scheduled to occur within the city or unincorporated Alachua County and that will be open to the general public.
 3. Messages and logos (if any) shall not include or contain:
 - a. Any obscene, defamatory or patently offensive sexual and excretory words or symbols;
 - b. Any commercial advertising;
 - c. Promotion of any for-profit commercial event or enterprise;
 - d. Any phone numbers or addresses or references; or
 - e. Any traffic directions or traffic signage that may cause a traffic or pedestrian hazard.
 4. Banners may be installed no more than 14 days prior to the event and shall be removed no later than seven days following the event.
- D. Signs on public property and rights-of-way. No sign other than a city sign or other sign of a public nature will be allowed to be erected, placed, replaced, installed or maintained in or on any city property or public right-of-way. The following signs are allowed without permit in the public right-of-way:
1. Signs described by the Manual of Uniform Traffic Control Devices;
 2. Signs required by federal or state law or regulation;
 3. Signs indicating obstruction of a road;
 4. Signs placed by a utility indicating where their underground lines are, as provided in subsection (c) of this section;
 5. Signs placed by a transit company along its routes to indicate stops and routes;
 6. Informational signs of a utility identifying its poles, lines, pipes or other facilities.
 7. Signs identifying public property.
- E. Prohibited signs. It shall be unlawful to erect, cause to be erected, maintain or cause to be maintained any of the following signs:

1. Traffic or pedestrian hazards: No sign shall be erected in such a manner as to obstruct the vision of pedestrians. No signs shall obstruct vision at any street intersection as provided in **section 30-341**. This section, however, shall not prohibit the erection of a sign which is located at least eight feet above the highest crown of any adjacent street when such sign is mounted upon a sign support structure which does not exceed 8 inches in diameter. Any sign which by glare or method of illumination constitutes a hazard to traffic is prohibited. No sign may use the words "Stop," "Look," "Drive in," "Danger" or any similar word, phrase, symbol or character within ten feet of a public right-of-way or 200 feet of a traffic control device.
2. Signs of obscene nature: Signs displaying any statement, word, character or illustration of an obscene nature. The word "obscene" shall be construed consistent with the mandate of Miller v. California, 412 U.S. 15(1973).
3. Portable sign(s); including sandwich board, "A" frame, and swinger signs. (See **section 30-2.2**, Definitions.) (See **Figures X-1 and X-2**).
4. Pennant(s) or spinner(s). (See **section 30-2.2**, Definitions.) (See Figure 3.)
5. Red and green lights: Red or green lights, except traffic control signals, within ten feet of public right-of-way or 200 feet of traffic control lights, except as provided in **subsection 30-316(d)(2)**.
6. Snipe signs: Any small sign, generally of a temporary nature, made of any material when such sign is tacked, nailed, posted, pasted, glued or otherwise attached to trees, poles, stakes or fences, or to other objects, when the advertising matter appearing thereon is not applicable to the present use of the premises upon which such sign is located.
7. Revolving sign(s). (See **section 30-2.2**, Definitions.)
8. Animated sign(s). (See **section 30-2.2**, Definitions.)
9. Electronic sign(s)/ (see **section 30-2.2**, Definitions).
10. Off-premises sign(s). (See **section 30-2.2**, Definitions.)
11. Vehicle sign(s) with a total sign area on any vehicle in excess of 10 square feet, when parked on a business premises for more than one consecutive hour and located more than 100 feet from any business or business location advertised or named on the vehicle sign. (See **section 30-2.2**, Definitions.)
12. Tethered inflatable promotional devices, either on- or off-premises.
13. Flashing, intermittent or color-changing light or lighting located on or near a window or transparent door, and intended to be visible from the outside.
14. Banner signs(s) except as provided for in **subsection 30-316(a)(2)**.
15. Flags or insignia displayed in connection with commercial promotion.
16. New ground mounted sign in T-5 and T-6 zones.
17. Roof-mounted signs in all districts.
18. New ground mounted signs in T-6 zones.

Figure X-1. Portable Sign - A-Frame



Figure X-2. Portable Sign on Wheels

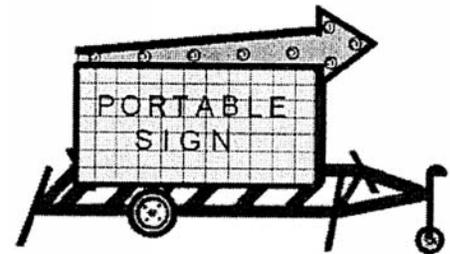
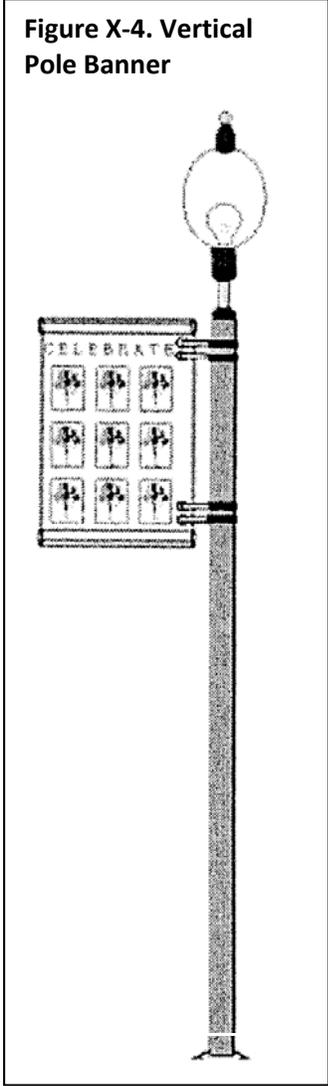


Figure X-3. Pennants



- F. Signs exempt from this chapter. The following signs are exempt from regulation under this article but must meet requirements of any applicable special area plan.
1. Signs necessary to preserve life and prevent serious injury. The city finds that the following types of signs are necessary to protect the lives and safety of its citizens, and that such protection is a compelling interest:
 - a. One sign with a total size of six square feet or less per building to provide information about the address of the building or identification and contact information of occupants of the premises, with characters not exceeding eight inches in height for nonresidential uses or of any height for residential uses, not to exceed a maximum height of six feet when freestanding. The city finds that these signs are critical for the timely provision of emergency services and thereby protect the lives and safety of its citizens.
 - b. Signs of six square feet of sign area or less, either publicly or privately owned, directing and guiding traffic and parking, which may include the business identification which shall not exceed one-third of the sign area, but bearing no advertising matter. Example: Parking, entrance, exit, one-way, service, etc., not to exceed a maximum height of six feet when freestanding.
 - c. Nonilluminated signs of not over four square feet of sign area for safety or caution or to prohibit trespassing; not to exceed a maximum height of six feet when freestanding.
 - d. Nonilluminated signs which warn or caution the general public of the location and direction of underground utility lines. Where feasible, these signs should be placed at the intersection of adjoining lots rather than near the midpoint of a lot line. The following criteria must be met:
 - i. Signs and support have an overall height no greater than three feet;
 - ii. Support shall be no more than six inches in width or diameter;
 - iii. The width of the signs shall be no wider than its support;
 - iv. The signs shall contain no more than one-half square foot of sign area; and
 - v. No more than one sign per block face or every 200 feet, whichever is less, will be allowed, and signs should not be clustered at street corners unless required because of a directional change to the underground line.
 - e. Signs on hospital grounds directing the public to the emergency room, as follows:
 - i. One wall-mounted sign on the front face of the emergency room entry wall, not to exceed the lesser of ten percent of the area of the wall or 100 square feet, which sign may only read "EMERGENCY".
 - ii. One ground-mounted sign, not to exceed 16 square feet, indicating the direction to the emergency room.
 2. Flags or insignia except when displayed in connection with commercial promotion.
 3. Signs reproduced on the body of coin-operated vending machines, gasoline pumps, telephone booths and ice vending equipment, and not including off-premises signs.
 4. Nonilluminated signs of not over four square feet of sign area when located on a window or inside wall of any nonresidential use or when located within five feet of a public right-of-way and within ten feet of the city limits.
 5. Words or letters reproduced or printed on an umbrella attached to a table at an outdoor eating or drinking place, provided that the table and umbrella are otherwise lawfully permitted.

- 6. Decorative vertical pole banners of 18 square feet or less (see **Figure X-4**).
- G. Murals and other decorative features, and neon strip lighting.
 - 1. Murals, statues, paintings, designs or other decorative features or structures.
 - a. Such items containing information intending to advertise or draw attention to a brand of product or brand of service shall be regulated as a sign.
 - b. Such items that are designed to attract attention to any occupancy shall be reviewed by the city manager or designee as provided **in section 30-323**, and approved if the following are not included:
 - i. The name of the commercial occupant.
 - ii. Business or brand identification, trademark, logo, address, offer of service or other commercial message.
 - 2. Such items displaying any statement, word, character or illustration of an obscene nature is prohibited. The word "obscene" shall be construed consistent with the mandate of Miller v. California, 412 U.S. 15(1973).



- H. Neon strip lighting. Neon strip lighting of less than one inch in diameter shall be permitted by the city manager or designee as provided in **section 30-323** if it meets the following requirements:
 - 1. It contains no name of any commercial occupants, business or product identification, trademark, logo, address, offer of service or other commercial message.
 - 2. It does not face any property zoned or developed as single-family residential located within 200 feet.
 - 3. It does not create a traffic hazard.
 - 4. All necessary electrical permits are obtained.
 - 5. Strip lighting shall be separated by at least two feet from any signs so that it would in no way be construed as being part of the total area allowed for the signs.

I. Signs for specific uses. There are some uses that because of their unique character have special regulations concerning signs that are not applicable to other uses. There are also locations within the city that deserve particular care in signage matters because of the existing or desired character of the area. Signs for the following uses and/or locations have specific regulatory provisions. Where there is conflict between these regulations and the sign regulations for specific uses and/or locations, the regulations for specific uses and/or locations shall prevail.

[LD11]

- 1. Outdoor gun club in the agriculture zoning district. See **section 30-72(f)(6)**.
- 2. In CON (conservation) districts, only one nonilluminated, wall- or ground-mounted sign, of any type permitted by this section, not exceeding 12 square feet in area and six feet in height, including supports, may be erected [LD12].
- 3. Historic preservation/conservation district. New signs within one of the historic districts or for property that is listed on the local or National Register of Historic Places will be approved in accordance with the Historic Preservation Rehabilitation and Design Guidelines.

- 4. Sales and leasing office(s). See [section 30-6.23](#).
 - 5. Bed and breakfast establishments. See [section 30-6.34](#).
 - 6. Food distribution centers for the needy as a principal use. See [section 30-6.44](#). For this use as accessory to a place of religious assembly, see [section 30-6.54](#).
 - 7. Farmers markets. See [section 30-6.43](#).
 - 8. Permanent development identification signs and structures. See [section 30-188\(g\)](#).
 - 9. Planned development ordinance adopted for a particular location.
- J. Substitution of messages. Notwithstanding anything contained in this chapter or any special area plan to the contrary, any sign erected pursuant to the provisions of this chapter or otherwise lawfully existing with a commercial message may, at the option of the owner, contain a noncommercial message in lieu of a commercial message. The noncommercial message may occupy the entire sign face or any portion thereof. The sign face may be changed from commercial to noncommercial messages provided that the sign is not a prohibited sign or sign-type and provided that the size, height, setback and other criteria contained in this chapter or special area plan code have been satisfied.

(Ord. No. 3777, § 1, 6-10-92; Ord. No. 3851, § 1, 4-5-93; Ord. No. 3871, § 1, 6-21-93; Ord. No. 951223, § 1, 7-8-96; Ord. No. 961037, § 2, 7-28-97; Ord. No. 002561, § 3, 12-9-02; Ord. No. 070776, § 1, 3-24-08; Ord. No. 070890, § 3, 4-14-08)

Section 30-10.3. Temporary signs.

Temporary signs are those that are used for a limited time and are not permanently mounted, such as but not limited to political signs, sales and special event signs, and signs indicating the development of property.

A. Temporary signs that contain no commercial message are allowed without permit subject to the following regulations:

- 1. The signs must meet the following size and location standards:

	Maximum area (square feet)	Maximum height (feet)	Side setback (feet)
Residential district	6	4	10
Nonresidential district	32, with border no greater than 6 inches in width	8	15

- 2. Signs pertaining to an event, such as an election, must be removed no later than three days after the event.

B. Temporary signs that contain a commercial message, including but not limited to signs related to sales events, garage or yard sales, development or repair of property (contractor signs), and real estate signs, are allowed without permit subject to the following regulations:

- 1. The sign must relate to an event or activity taking place on the property on which the sign is posted.
- 2. The sign may be posted no earlier than ten days prior to the event or activity and must be removed no later than three days after the event or activity ends, or the sale is completed.
- 3. The signs must meet the following standards:

	Maximum area (square feet)	Maximum height (feet)	Side setback (feet)	Maximum number of signs
Residential district	6	4	10	3 per property in single family district

				3 per driveway in Multi-family district
Nonresidential district	32, with border no greater than 6 inches in width	8	15	1 per premises

C. In addition, a new business or business in a new location that has not yet installed a permanent sign, or a business which has its permanent signs destroyed may obtain a permit for a temporary sign of up to 16 square feet in sign area for a period of not more than 60 days, or until installation of permanent signs, whichever occurs first. The sign may have a border up to six inches in width, and shall not exceed six feet in height if freestanding. The sign may be attached to the building at a height not to exceed the roofline.

D. A temporary sign shall not be illuminated.

(Ord. No. 3777, § 1, 6-10-92; Ord. No. 4044, § 1, 11-28-94; Ord. No. 990194, § 1, 3-13-00; Ord. No. 002561, § 4, 12-9-02; Ord. No. 070776, § 1, 3-24-08)

Section 30-10.4. Permanent signs.

It shall be unlawful to erect, cause to be erected, maintain or cause to be maintained, display or cause to be displayed, or substantially alter or reconstruct, or cause to be substantially altered or reconstructed, any signs, other than temporary signs specifically permitted by this article and signs specifically exempted from this article, which do not conform to the following provisions:

A. Areas in which permitted:

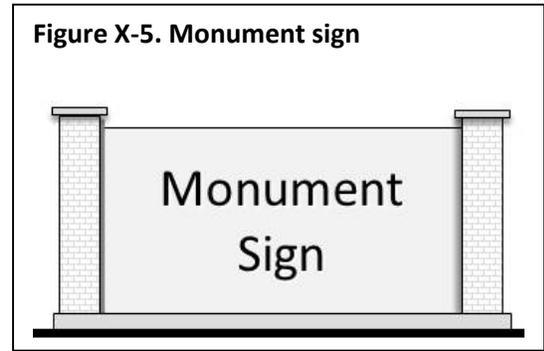
1. Except where otherwise specifically provided, signs shall be permitted only in areas other than residential districts. For purposes of this section, residential districts include all land zoned CON, RSF-1, RSF-2, RSF-3, RSF-4, RMF-5, RMF-6, RMF-7, RMF-8, RC, and MH , as well as that zoned AG, OR, MU-1 ,MU-2 and T-3 and T-4R when used solely for residential purposes.
2. For the purposes of this section, I-75 corridor signage shall be restricted to land zoned BUS within one-fourth mile of the centroid of an I-75 interchange with any arterial roadway.

B. Ground-mounted signs.

1. General restrictions. All signs permitted pursuant to this subsection, and any sign structures upon which they are located, shall comply with the following general restrictions:
 - a. The height of a ground-mounted sign shall be measured vertically from the established average grade directly below the sign to the elevation of the highest point of the sign.
 - b. A ground-mounted sign under which a pedestrian walkway passes must have at least a nine-foot vertical clearance.
 - c. A ground-mounted sign shall not project over a right-of-way.
 - d. Signs shall not be located within the vision triangle.
 - e. Any ground-mounted sign may have a border of up to six inches in width surrounding the permitted sign area.
 - f. No sign permitted by this subsection shall contain any advertising message concerning any business, goods, products, services or facilities which are not manufactured, produced, sold, provided or located on the premises upon which the sign is erected or maintained.
 - g. Signs shall be located to avoid the unnecessary removal of mature trees.

2. Standards for single and multiple occupancy developments.

- a. The following table lists the ground mounted sign standards for multiple-occupancy complexes and single-occupancy buildings/ developments (see **sub-section 3** for restrictions in T-5). Monument signs as defined in **section 30-2.2** are encouraged over other types of ground-mounted signs (see **Figure 5**). In order to provide incentives for the use of monument signs, a 20 percent size bonus is provided. For example, a property with an allowed maximum sign area of 64 feet would be able to install a monument sign of up to 77 square feet, which is 20 percent greater in area.



Street Frontage (feet)	Number of Signs	Ground-Mounted Sign (square feet)	Monument Sign (square feet)	Side setback (feet)	Distance from Other Signs (feet)
Less than 50	1	24	29	10	—
50 to less than 100	1	32	38	10	—
100 to less than 200	1	64	77	20	—
200 to less than 300	1	72	86	50	50
Greater than 300	1	96	115	50	100
Greater than 600 with no outparcels	2	144 (neither sign may be greater than 96 square feet)	173 (neither sign may be greater than 115 square feet)	50	250

- b. The maximum height of a ground-mounted and a monument sign shall be ten (10) feet for primary frontages and eight (8) feet for secondary frontages.
 - c. Monument signs in a T-5 zone are restricted to a maximum size of 24 square feet and a maximum height of eight (8) feet. Building setbacks and frontage requirements shall not be modified to accommodate a monument sign.
 - d. Ground-mounted signs shall be a minimum of 10 feet from any building located on the site.
3. Standards for developments with frontage on more than one public right-of-way In addition to signs allowed under **subsection 2**, one secondary ground-mounted sign is permitted subject to the following :
- a. The city shall designate which is the primary and secondary frontage.
 - b. Secondary frontage signs shall not be located within 200 feet of any property designated for single-family land use on the future land use map of the city comprehensive plan or zoned for single-family development, measured in a straight line from the sign to the nearest property line. This provision shall not apply to single-family land uses designated on arterial roadways as shown in the Transportation Mobility Element of the City of Gainesville Comprehensive Plan.
 - c. A sign located on a secondary frontage shall display only the name of the development.
 - d. The secondary sign shall be no more than 24 square feet in size (29 square feet for a monument sign).

- 4. Standards for outparcels. Outparcels with 22,500 or more square feet in size and a minimum street frontage of 150 feet may have a ground mounted sign subject to the following.
 - a. Only one ground mounted sign is allowed regardless of the number of site frontages. An allowable sign on a corner outparcel may be located along either one of the street frontages.
 - b. The size of a freestanding sign for an outparcel shall be based on the length of the street frontage of the outparcel as follows:

Street Frontage (feet)	Number of Signs	Ground-Mounted Sign (square feet)	Monument Sign (square feet)	Side setback (feet)	Distance from Other Signs (feet)
Less than 200	1	24	29	10	50
200 to less than 300	1	32	38	10	50
Greater than 300	1	48	58	20	50

- c. The sign shall not exceed eight (8) feet in height.
 - d. The sign shall not be located along the street frontage which is adjacent to property shown as single-family residential on an adopted land development code or comprehensive plan.
 - e. The sign shall be designed and placed in a manner which will be architecturally compatible with the structure and in harmony with the character of surrounding developments. The area around the base of the sign shall be landscaped with appropriate low-growing shrubbery. Grade treatment with the use of gravel, rocks, mulch or other materials used in the profession may be used.
 - f. The sign shall be placed in a manner which is sensitive to the existing vegetation and natural features on the site.
 - g. If an outparcel contains a nonconforming sign, no new freestanding sign shall be permitted on the outparcel unless the nonconforming sign is brought into compliance. An outparcel with a nonconforming use may not have a new freestanding sign.
- 5. Standards for developments within the I-75 corridor.
 - a. In addition to other ground-mounted and wall-mounted signs otherwise allowed by this section, an additional ground-mounted or free-standing sign on a development site (including outparcels) with a maximum height of 18 feet shall be allowed, provided that the sign face area of such sign in combination with other permitted signs on the site does not exceed a maximum sign area of 300 square feet. Such sign shall be oriented and located to achieve a view-shed from I-75. The location of this sign shall not be limited to properties actually abutting I-75, however, no I-75 corridor sign shall be located on any frontage where the adjacent or facing properties are designated single-family on the future land use map.
 - b. An applicant for this additional ground-mounted sign may apply for a special use permit for an I-75 corridor sign which allows a maximum height above 18 feet. The plan board shall review sign height and the overall site design in order to make the appropriate findings in accordance with **article VII** and the following special considerations. Under no circumstances may a special use permit be granted for any sign exceeding 90 feet in height. The burden shall be on the applicant to prove by clear and convincing evidence that all requirements of **article VII, division 5**, are met and that no on-site sign of a height of 18 feet or less can be seen by motorists on I-75 at a distance of one-fourth mile from the nearest exit ramp and that the sign requested is of the minimum height and orientation necessary to achieve such visibility due to special conditions and circumstances relative to topography, vegetation or the built environment.

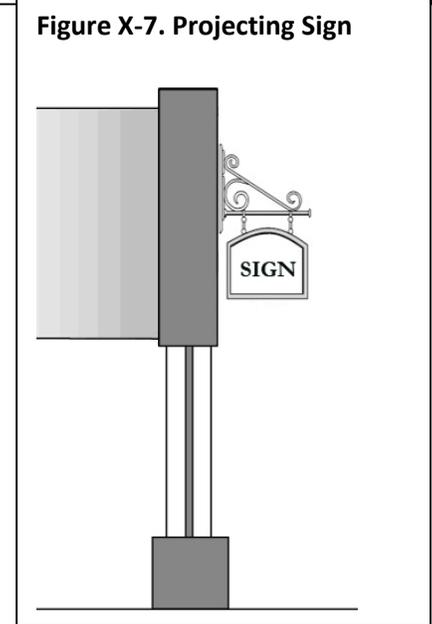
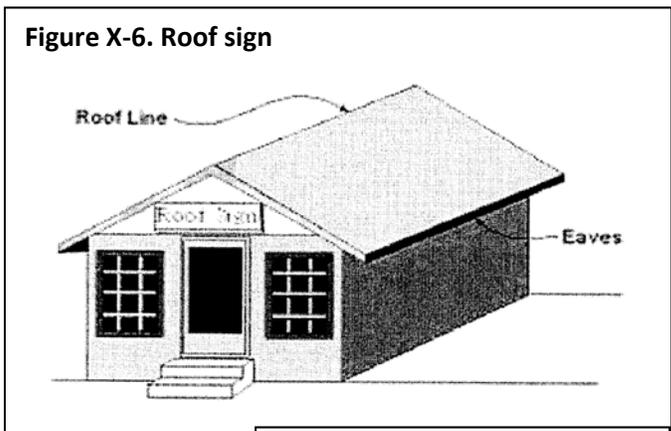
Applicants for the special use permit must include certification by a registered engineer or other reliable documentary evidence of the factual and methodological basis that no on-site ground-mounted or roof-mounted sign of a height of 18 feet or less could be seen as specified above and that the requested sign is of the minimum height and orientation required to establish the clear view-shed above visual obstacles such as topographical conditions, vegetation or built environment. If the applicant cannot prove that such visibility will be achieved within the 90 feet height, then no special use permit shall be issued. In addition, no special use permit for an I-75 corridor sign shall be granted unless the applicant can prove that the special conditions and circumstances do not result from actions of the applicant.

- c. Any sign authorized pursuant to a special use permit granted by the terms of this section shall comply with all other standards of this section except as specifically addressed above. In granting any special use permit the plan board may prescribe appropriate conditions and safeguards to ensure the structural integrity and safety of the sign and to landscape and buffer the sign structure.

C. Wall-mounted, roof, projecting and marquee signs.

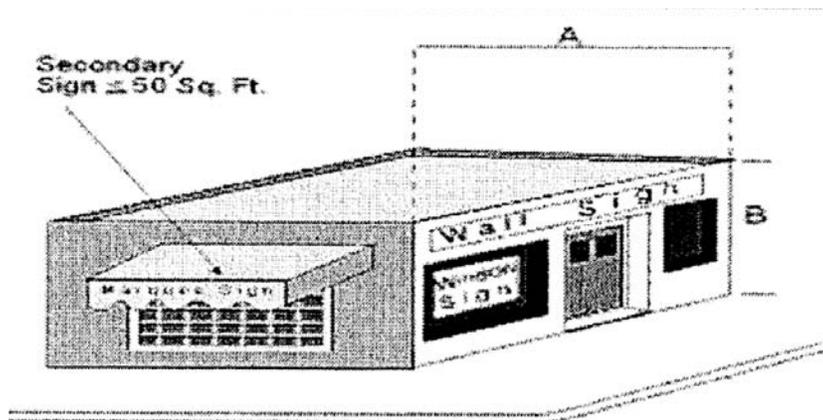
1. General restrictions. All signs permitted pursuant to this subsection shall comply with the following general restrictions^[LD13]:

- a. The maximum height for wall-mounted signs is the roofline or eaves, whichever is lower.
- b. Roof signs, as defined in Section 30-2.2, shall not project above the roofline (see Figure X-7.)
- c. Marquee and projecting signs, as defined in Section 30-2.2, shall not project above the roofline or 18 feet, whichever is the lower.
- d. The height of a marquee or projecting sign shall be measured vertically from the established average grade directly below the sign to the highest point of the sign.
- e. Where a wall supporting a wall sign is less than 12 inches back from a right-of-way line, the wall sign may project over the right-of-way, provided it does not project more than 12 inches from the wall.
- f. Marquee or projecting signs under which a pedestrian walkway passes must have at least a nine (9) foot vertical clearance.
- g. Projecting signs may project no more than four (4) feet horizontally from the wall. (See Figure X-8.)
- h. Marquee signs are permitted only on marquees, canopies or awnings otherwise lawfully permitted or in existence. Marquee signs shall not extend horizontally beyond the edges of the canopy, marquee or awning to which they are attached or from which they are suspended.
- i. Signs on service station canopies are not permitted unless the canopy is connected to the principal building, in which case the face of the canopy is considered a part of the face of the principal building. Signage will be regulated in accordance with subsection (c)(1).



- j. All roof and projecting signs may have a border of up to six (6) inches in width surrounding the permitted sign area.
 - k. No sign permitted by this subsection (3) shall contain any advertising message concerning any business, goods, products, services or facilities which are not manufactured, produced, sold, provided or located on the premises upon which the sign is erected or maintained.
 - l. Signs shall not be painted directly on the wall.
2. Permissible sign area. Wall-mounted, roof, projecting and marquee signs shall be permitted in all areas other than residential areas in accordance with the following limitations and restrictions:
- a. Single-occupancy development.
 - i. Each single-occupancy development may display up to two wall-mounted, roof, projecting and marquee signs on any one side of the principal building in which such occupancy is located.
 - ii. The total area of both signs for all districts except in the T-4T, T-5 and T-6 zones shall be no greater than 20 percent of the surface area of the portion of such building side of the occupancy or 200 square feet, whichever is the smaller (see Figure X-6).
 - iii. The total area of both signs in T-4T, T-5 and T-6 zones shall be no greater than 10 percent of the surface area on the portion of the building side of the occupancy or 100 square feet, whichever is smaller.
 - iv. Where the development abuts a second street, one additional sign (a secondary sign) may be allowed on the side of the building facing that street. However, no secondary sign shall be allowed to be located on any face of a building or any roof which would be directly opposing any property having a single-family land use designation or zoned for single-family use. This provision shall not apply to single-family land uses designated on arterial roadways (shown in the Transportation Mobility Element of the City of Gainesville Comprehensive Plan).
 - v. The size of the secondary sign may not exceed an area of 50 square feet and the sign must be placed on the secondary street side. (See Figure X-6.)

Figure X-8. Primary and secondary wall-mounted signs



Primary frontage: 2 Signs (20% of A x B) or 200 sq. ft., whichever is less.
 Secondary frontage: 1 sign 50 sq. ft. or less.

- b. Multiple-occupancy development.

- i. Each multiple-occupancy development may display one wall-mounted, roof, projecting or marquee sign on any one side of the principal building in which such occupancy is located.
 - ii. The signs shall be no greater than 20 percent of the surface area of such building side or 200 square feet, whichever is the smaller for all districts except T-5 and T-6 zones. The total area of both signs in T-5 and T-6 zones shall be no greater than 10 percent of the surface area on the portion of the building side of the occupancy or 100 square feet, whichever is smaller.
 - iii. Where a multiple-occupancy development consists of only one principal building, one additional sign (a secondary sign) may be allowed if a second public street abuts the multiple-occupancy development.
 - iv. The size of the secondary sign may not exceed an area of 50 square feet.
 - v. The secondary sign for a multiple-occupancy complex shall only include identification of the multiple-occupancy complex.
 - vi. Wall-mounted signs for a multiple-occupancy complex shall only include identification of the complex itself.
 - vii. No secondary sign shall be allowed to be located on any face of a building or any roof which would be directly opposing any property having a single-family land use designation on the future land use map or zoned for single-family use. This provision shall not apply to single-family land uses designated on arterial roadways (shown in the City of Gainesville Comprehensive Plan, Data and Analysis Report).
- c. Signs for occupants of a multiple-occupancy development.
- i. Each occupant of a multiple-occupancy complex may display such signs on the principal building in which such occupant is located, with the following limitations.
 - ii. The sign may be placed only on the exterior surface of the principal building, or portion thereof, which is included as part of the occupant's individually leased or owned premises in accordance with the following:
 - On the side which is the primary entrance/exit to the occupancy, the occupant may display in the leased or owned area as many as two signs.
 - Only one building side will be considered as being any occupant's primary entrance/exit.
 - The two signs may have a combined maximum size of ten percent of the surface area of the exterior wall included in such occupant's individually leased or owned premises or 100 square feet, whichever is the less.
 - If the occupant has an entrance/exit on a corner or on more than one side, the occupant may choose which building side shall count as having the primary entrance/exit.
 - One additional sign may be placed on the non-entrance/exit side of the occupant's leased or owned area.
 - The maximum size of a sign on a non-entrance/exit side of an occupancy shall be 24 square feet. Such sign shall be allowed if the property adjacent or opposite to the non-entrance/exit side is zoned nonresidential.
 - iii. Each occupant, the individually owned or leased premises of which do not include part of an exterior wall of a principal building, may nevertheless display one such sign of up to six square feet of sign area on one side of the principal building in which such occupant is located.

- iv. A common or jointly owned area shall not be included as part of the exterior surface of any one occupancy. The allowable sign area of two or more occupants may be placed on a common or jointly owned area providing:
 - The common area is an integral part of all occupants which will be included in the sign.
 - Only one sign, common to all occupants of the common area, may be displayed.
 - The common area may not be used to display a sign for any one single occupant, regardless of whether the other occupants agree to placement of the sign.
 - The sign may display the names, products or service of all participating occupants.

D. Permanent development identification signs and structures for subdivisions and neighborhoods.

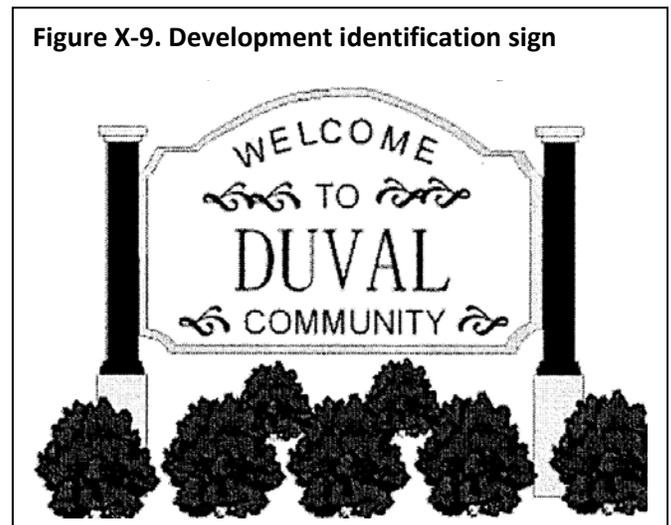
1. Generally. Any platted subdivision or neighborhood may display one sign identifying the name of the subdivision or neighborhood. Such subdivision or neighborhood may be permitted one additional sign at a secondary entrance.

a. Freestanding signs for residential subdivisions or neighborhoods.

- i. The size of the sign shall be dependent on whether it is the main or secondary entrance sign.
- ii. The main entrance sign for a residential subdivision or neighborhood shall be no greater than 24 square feet. Such signs may be double-faced.
- iii. The secondary entrance sign shall be no more than 16 square feet. Such signs may be double-faced.
- iv. Such signs may be located in the public right-of-way provided there is compliance with the restrictions delineated in **subsection 30-188(g)**, as applicable.
- v. The maximum height of the sign shall not exceed eight feet measured from average grade; and
- vi. No information other than the subdivision or neighborhood name may be shown.
(See **Figure X-9**.)

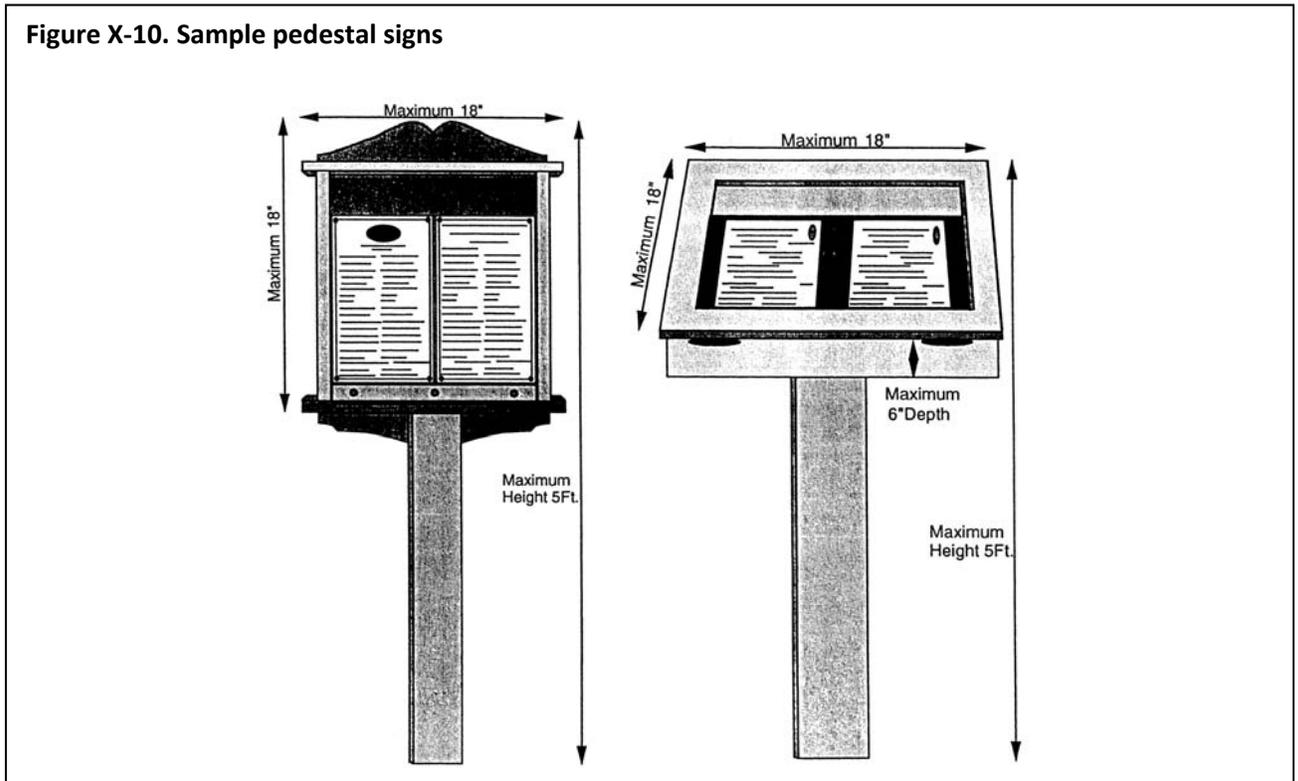
b. Freestanding sign for nonresidential subdivisions. The size of a sign for a nonresidential subdivision shall be based on the number of individual lots in the subdivision. It may have a minimum of 24 square feet up to a maximum of 96 square feet. The size of the identification sign shall be based on six square feet per lot, not to exceed a maximum size of 96 square feet or 115 square feet for a monument sign. However, any subdivision or minor subdivision may have a minimum of 18 square feet. The maximum height of the sign shall not exceed eight feet measured from average grade.

- i. Such signs may be illuminated with a steady light, but not animated.
- ii. Such signs may be located in the public right-of-way provided there is compliance with the restrictions delineated in **subsection 30-188(g)**.



- iii. Such signs may have tenant panels, listing the tenants of the subdivision, provided that only those businesses located within the subdivision are identified, and all tenant panels are the same size.
2. Multiple-family residential developments, community residential homes with more than fourteen residents, mobile home parks and other allowable uses in multi-family districts for which signage is not otherwise regulated. Signs of a permanent nature, designed only to identify the development and indicate availability of dwelling units or mobile home sites and including structural features may be erected in accordance with the following regulations:
 - a. Permanent identification signs and structures shall be permitted only for a total development as originally or subsequently approved as shown on the latest approved development plan for developments that require development plan approval. Such signs and structures shall be erected entirely on private property in accordance with the requirements of subsections (d)(2)b., c., d., and e. of this section.
 - b. Except as provided in subsection c. below, such signs and structures shall be permitted on one entrance into such development from an abutting street. The sign shall not exceed 16 square feet in size, excluding structural elements and decorative features, and may be wall or ground mounted.
 - c. Multi-family developments consisting of six or more units shall be allowed a sign not to exceed 24 square feet in size, excluding structural elements and decorative features. Such signs may be wall or ground-mounted and may be a single sign unit with two faces or a single-faced sign mounted on each side of an entrance into such development from an abutting street. Where more than one entrance is approved, one additional sign, not exceeding 16 square feet in size, excluding structural elements and decorative features, shall be allowed at each additional entrance. If the development has frontage with no approved entrance on the frontage, one additional sign not exceeding 16 square feet in size, excluding structural elements and decorative features, shall be allowed to be placed on one additional frontage.
 - d. Such signs may be illuminated with a steady light but shall not be animated.
 - e. The maximum height of the freestanding sign shall not exceed eight feet.
- E. Permanent identification signs and structures for non-residential uses in residential districts. In all residential zoning districts as listed in section 30-41, a non-residential primary use shall be allowed one ground-mounted sign and one wall-mounted sign. If there is also a non-residential accessory use housed in a separate building or buildings from the primary use, one additional wall-mounted sign is allowed on the separate building. The sign areas shall not be combined to form a single sign area larger than that permissible for each sign type as follows:
 1. The maximum sign area for the ground-mounted sign shall be 24 square feet, except the maximum sign area for the ground-mounted sign when the primary use fronts on a four-lane road shall be 32 square feet provided the sign fronts the four-lane road. The maximum height of the ground-mounted sign shall be eight feet. The sign may be externally or internally illuminated. The light sources shall be shielded from all adjacent residential buildings and shall not shine on or increase the lighting adjacent residential districts or properties.
 2. The maximum sign area for the wall-mounted sign on the building housing the primary use shall be 24 square feet. The sign shall not be internally illuminated. The light sources for external illumination of the wall-mounted sign shall not shine on or increase the light in adjacent residential districts or properties.
 3. The maximum sign area for the wall-mounted sign on the building housing the accessory use shall be 18 square feet. The sign shall not be internally illuminated. The light sources for external illumination of the wall-mounted sign shall not shine on or increase the light in adjacent residential districts or properties.

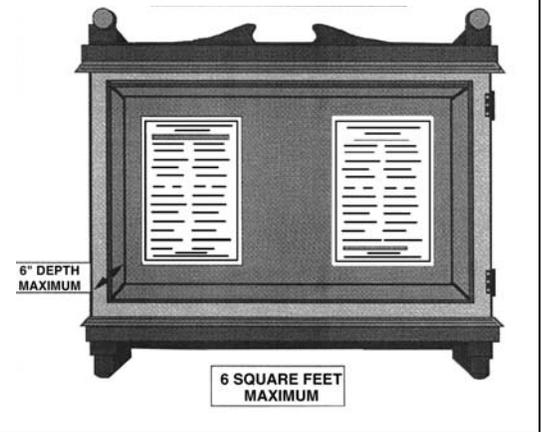
- F. Pedestrian-oriented signs. Pedestrian-oriented signs shall be allowed for businesses to attract pedestrian traffic. A pedestrian-oriented sign may be used to advertise changing specials such as food items, menus or other promotions; and shall only be used to advertise products or services available or for sale at the site where the sign is located. The allowable sign area for pedestrian-oriented signs shall not be counted against the total allowable sign area for a development or business. A permit must be obtained for pedestrian-oriented signs.
1. Permitted number of signs.
 - a. Each single-occupancy development and each occupant of a multiple-occupancy development may display one under-canopy sign.
 - b. Each single-occupancy development and each occupant of a multiple-occupancy development may display either one message-board sign or one pedestal-type sign.
 2. Under-canopy signs.
 - a. The maximum area of an under-canopy sign is four (4) square feet [LD15].
 - b. A minimum nine (9) foot vertical clearance must be maintained when an under-canopy sign is above a pedestrian-walkway.
 - c. Under-canopy signs shall not be internally illuminated.
 - d. An under-canopy sign shall contain only the business name and logo.
 3. Pedestal-type signs. **Figure X-10** illustrates samples of pedestal-type signs.



- a. The maximum height of a pedestal-type sign is five (5) feet.
- b. Pedestal-type signs shall be permanently mounted in the ground, and shall not be placed in the public right-of-way or any pedestrian walkway.

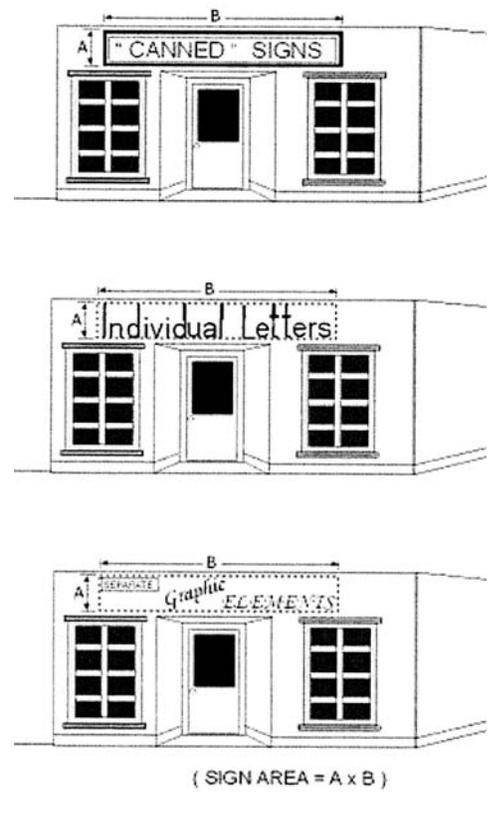
- c. Pedestal-type signs shall have a maximum sign length and width of 18 inches, for a maximum sign area of 2.25 square feet.
- d. Pedestal-type signs may be internally illuminated.
- 4. Message-board signs, including chalk boards and bulletin boards. **Figure X-11** illustrates a sample message-board sign.
 - a. The maximum area of a message-board sign is six square feet.
 - b. Message-board signs must be mounted on a wall, door, or window of a business.
 - c. Message-board signs may be mounted in a protective frame with a covering of up to six inches deep; and may project into the public right-of-way by six inches.
 - d. Message-board signs may be internally illuminated.
- G. Determination of sign area, size of sign structure and distance between signs.

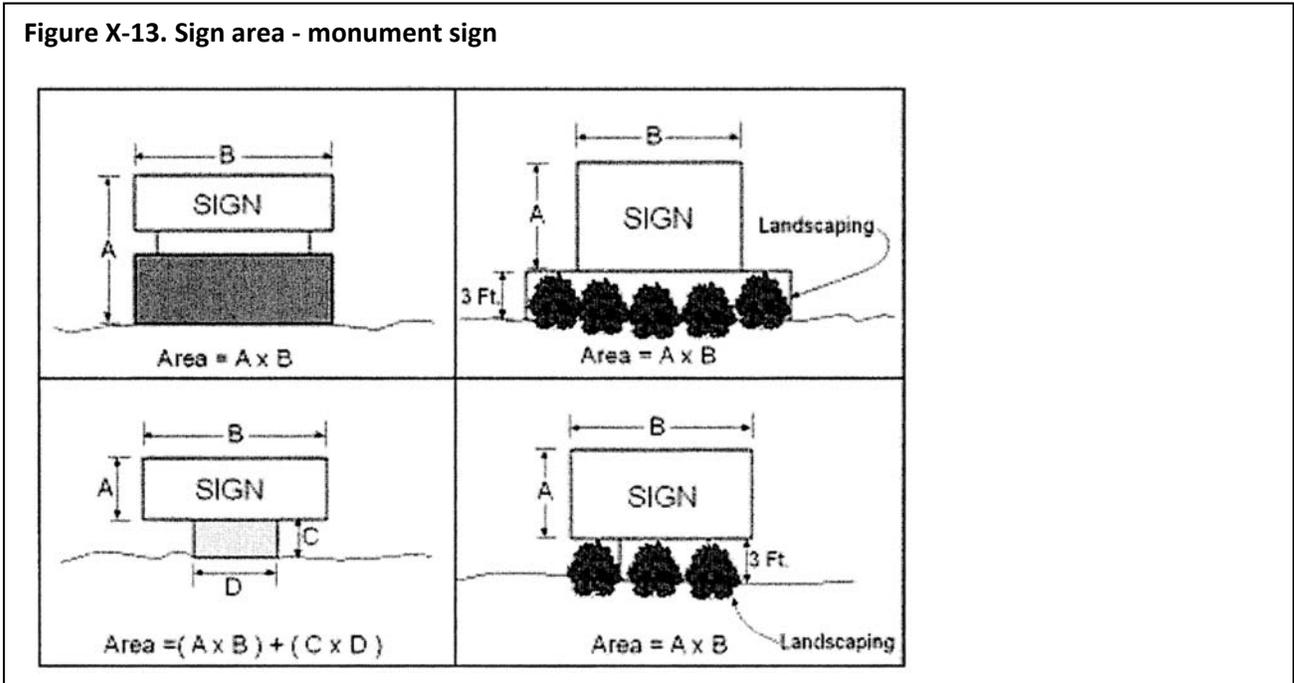
Figure X-11. Sample message board sign



- 1. Distance between signs. The minimum required distance between signs shall be measured from the closest parts of any two sign areas.
- 2. Sign area. The sign area of any sign shall be determined by considering all adjoining or contiguous surfaces upon which any part of such sign appears as being one continuous surface. Signs contained on noncontiguous surfaces shall be considered as separate signs. Signs contained on different parts of a contiguous surface, except for the surface of a sign structure, may be considered as separate signs, and the intervening surface area not counted as part of the sign area, if more than one sign is permitted and if the distance between the signs is sufficient. The sign area of an irregularly shaped surface shall be determined by using an imaginary surface with the shape of a common geometric figure approximating the actual surface as closely as possible (see **Figure X-12.**) For all signs except wall-mounted signs, roof signs which are applied to the roof surface, ground-mounted signs applied to the surface of a fence or accessory building and marquee signs which are applied to the surface of the marquee, canopy or awning, the sign area shall be determined by the largest surface area viewable at one time from any one direction parallel to the ground; and any sign which appears on the remaining surface area shall not count against the sign areas permitted hereunder. The base of a monument sign shall count towards the sign area unless the base area is landscaped sufficiently to screen it from view. This applies to up to three feet of the height of the base. A landscape plan is required with the permit application in order to use this provision. (See **Figure X-13.**)

Figure X-12. Sign area - wall mounted





3. Size of sign structure. The size of any sign structure shall be limited so as to appear, from any direction from which any part of the sign area is viewable, to have borders no greater than six inches in width. Larger borders, or larger apparent borders, are allowed only if that part greater than six inches in width is counted as part of the sign area.
- H. Directional signs, certain nonresidential developments. Directional signs are allowed for nonresidential developments with a minimum of 300,000 square feet of floor area. These signs shall be limited to the name of the development and/or the names of the occupants of the development, and shall comply with the following conditions:
1. The signs shall not be located within 100 feet of any public right-of-way line.
 2. A single business or activity shall be limited to two square feet per individual sign face.
 3. The directional sign shall not exceed a total area of 50 square feet. Sign area shall be measured in accordance with [section 30-318\(g\)](#).
 4. The maximum height of a directional sign shall not exceed six feet.
- I. Flags and flagpoles. The display of flags shall be limited by the following regulations:
1. A flagpole may be ground-mounted or building-mounted.
 2. No flag may contain a commercial message.
 3. Height of flagpoles shall not exceed 25 feet in a residential district.
 4. The vertical dimension of the flag shall be a maximum of 20 percent of the height of the flagpole.
 5. Ground-mounted flagpoles shall be set back at least ten feet from any property line.
 6. Flag and flagpole standards are as follows:

	Flagpole Height	Recommended Flag Dimensions
Residential Zone Districts	15'	3'x5'
	20'	3'x5'
	25'	4'x6'
Nonresidential Zone Districts	20'	4'x6'
	25'	5'x8'
	30'	6'x10'
	40' and above	6'x10' to 8'x15'

(Ord. No. 3777, § 1, 6-10-92; Ord. No. 4044, § 2, 11-28-94; Ord. No. 950704, § 1, 10-9-95; Ord. No. 951411, § 1, 7-8-96; Ord. No. 951223, § 2, 7-8-96; Ord. No. 961037, §§ 3, 4, 7-28-97; Ord. No. 970742, § 1, 3-23-98; Ord. No. 002561, § 5, 12-9-02; Ord. No. 040514, § 1, 2-14-05; Ord. No. 070776, § 1, 3-24-08; Ord. No. 080545, § 6, 5-21-09; Ord. No. 100101, § 1, 11-18-10)

Section 30-10.5. Illumination of signs.

- A. Colored lights. Colored lights shall be designed to prevent confusion with traffic lights.
- B. Floodlight illumination. Floodlight illumination of signs is permitted provided that the floodlight or spotlight is positioned so that none of the lights shine onto an adjoining property or in the eyes of motorists or pedestrians.
- C. Bare-bulb illumination. Bare-bulb illumination of signs is permitted only in districts zoned MU-1, MU-2, BUS, BA, I-1 and I-2.
- D. Flame. Flame as a source of light for signs is permitted if adequate fire safety standards as prescribed by the city manager or designee are met.

(Ord. No. 3777, § 1, 6-10-92; Ord. No. 951411, § 2, 7-8-96)

Section 30-10.6. Permit required; inspection; fees.

- A. Permit required. It shall be unlawful to erect, cause to be erected, maintain, cause to be maintained, alter or extend any new or existing sign without first obtaining a permit indicating compliance with the provisions and regulations of this article, except as noted below. No permit shall be required for the following signs, provided that such signs are in compliance with the terms and provisions of this article, and provided further that such signs have no electrical parts or usage:
 - 1. Signs exempt from the provisions of this article;
 - 2. Temporary signs, except those for businesses awaiting their permanent signs pursuant to section 30-317(c);
 - 3. Signs which are a permanent architectural feature of the building or structure, such as a cornerstone or other identifying letters carved into or embossed on the building, provided such letters are not illuminated apart from the building, are not made of a reflective material and do not contrast in color with the building;
 - 4. Signs with a sign area of six square feet or less, at a height of four feet or less;
 - 5. Panels or letters incorporated in larger signs, provided a permit has been issued for the larger signs; and
 - 6. Any change in the advertising content of a sign, provided a permit has been issued for the sign and the advertising content does not violate any provisions of this article.
- B. Inspection. It shall be unlawful to erect, cause to be erected, maintain or cause to be maintained any sign requiring a permit which has not been inspected at the time of initial installation.

- C. Fees. Applications for a permit to erect, construct, alter or extend a sign shall be accompanied by a fee in the amount established by the building code as set out in Appendix A.
- D. Expiration of permit. Any permit issued pursuant to this section shall expire six months after its date of issuance unless the permitted sign is erected or unless its erection is substantially underway.
- E. Penalty. In addition to other penalties provided by this article, a fee of double the amount specified for a permit shall be charged for any work commenced before a permit therefor has been issued, or renewed after the expiration date.

(Ord. No. 3777, § 1, 6-10-92; Ord. No. 002561, § 7, 12-9-02; Ord. No. 070776, § 1, 3-24-08)

Section 30-10.7. Applications for permits.

All applications for sign permits required by this article shall be filed by the owner, or his/her agent, in the office of the building official, after appropriate development review, upon forms furnished by the city. The applications shall describe and set forth the following:

- A. The type of sign as defined in this article.
- B. The actual cost of the sign.
- C. The street address of the property upon which the sign is to be located and the proposed location of the sign on the property. In the absence of a street address, a method of location acceptable to the city manager or designee shall be used.
- D. The height, shape and dimensions of the sign structure, if any, and the dimensions and shape of the sign area.
- E. The name and address of the owner or other person in control or possession of the real property upon which the sign is to be located.
- F. Written consent of such owner, his/her lessee, or his/her agent, granting permission for the construction, operation, maintenance or display of the sign.
- G. A plan, sketch, blueprint, blue line print or similar presentation drawn to scale, showing all pertinent structural details, wind pressure requirements, and display materials in accordance with the requirements of the Standard Building Code.
- H. A map showing the location of the proposed sign and all trees having a diameter of 12 inches or more at a height of 4 ½ feet above the ground that will be removed for the construction and display of the sign.
- I. The name of the sign contractor, if any.
- J. Any other information reasonably required by the city manager or designee to determine whether such sign is in compliance with the requirements of this article.
- K. Procedure.
 - 1. Investigation/time limits. Upon the receipt of a completed permit application and upon payment of the appropriate permit fee by the applicant, the city manager or designee shall promptly conduct an investigation of the application, the proposed sign and the premises. The city manager or designee shall grant or deny the permit application within 30 days from the date the completed application with application fee was filed with the city manager or designee.
 - 2. Issuance or denial of permit.
 - a. If, after review and investigation as required herein, the city manager or designee determines that the application meets the requirements contained in this chapter and determines the proposed sign will not

violate any building, electrical or other adopted codes of the city, the city manager or designee shall issue the permit.

- b. If, after review and investigation as required herein, the city manager or designee determines that one or more reasons for denial exist, the permit shall be denied and the city manager or designee shall make a written report of the denial and the reasons therefore. A copy of the report shall be sent by certified mail to the designated return address of the applicant on the application. The application for a permit shall be denied if it does not comply with the requirements of this chapter; or the proposed sign would violate any building, electrical or other adopted codes of the city.
 - c. If the application is denied, the applicant may submit a corrected application within 15 days of the notice of denial without additional cost, and staff will review the corrected plan within 15 days. If the applicant does not resubmitted a corrected application within 15 days of the notice of denial, a new sign permit application and fee will have to be submitted, and the city will have an additional 30 days to review the new application.
3. Appeal. The decision of the city manager or designee to grant or deny a sign permit is an administrative decision that can be appealed as provided **in section 30-354** of this chapter.

(Ord. No. 3777, § 1, 6-10-92; Ord. No. 002561, § 8, 12-9-02; Ord. No. 070776, § 1, 3-24-08)

Section 30-10.8. Nonconforming signs; limitations; removal of signs.

- A. Nonconforming signs. Any sign not allowed by this article, but for which a permit has previously been issued by the city, shall automatically become a lawful nonconforming sign. The owner of any other sign not allowed by this article, or the owner of any property upon which such sign is located, shall have a period of six months from the effective date of this article to establish to the satisfaction of the building official that such sign was in compliance with the laws and ordinances of the city when it was constructed. The building official shall maintain the list of such signs, which shall continue to be lawful nonconforming signs. At the expiration of the six-month period, all other signs which are not in compliance with the terms of this article shall immediately be removed or brought into compliance with this article.
- B. Limitations. All nonconforming signs shall be permitted to continue as nonconforming uses with the following limitations:
 1. Signs not conforming to the requirements of this article shall be removed or made to conform when the structure housing the occupancy is demolished or requires renovations the cost of which exceeds 50 percent of the assessed value of the structure.
 2. All nonconforming signs shall be removed or made to conform when the sign is substantially demolished. Substantially demolished shall be determined by the city manager or designee on the basis of the extent of the physical damage of the sign.
 3. Neither the overall size nor the sign area of a nonconforming sign may be increased, nor may the height be increased, nor may the location be changed, nor may the use of the property on which it is located be changed, unless the sign is made to conform to the requirements of this article.
 4. A nonconforming sign may be changed to a sign allowed in the district in accordance with and in relation to allowable modification **under section 30-346**. Review and approval of such signs shall be by the plan board or development review board.
 5. A sign which on March 16, 1981, became nonconforming as an off-premises sign shall be removed or made to conform to the requirements of this article within five years from March 16, 1981.
 6. For purposes of this section, a channel/block letter wall-mounted sign means any wall-mounted sign where the letters of the sign are mounted directly to the face of a principal building wall. A lawful nonconforming

channel/block letter wall-mounted sign may be replaced with another nonconforming channel/block letter wall-mounted sign under the following terms and conditions:

- a. Existing electrical components of the existing nonconforming sign are used;
- b. The size of the nonconforming sign's area shall be measured in accordance with subsection 30-318(g); and
- c. Either a permit for the replacement sign must be applied for before the existing sign is removed, or sufficient existing information must be provided so that a determination of the size of the existing nonconforming sign can be made by the city manager or designee. If the city manager or designee cannot determine the size of the sign due to insufficient information, then scaled drawings of the building and the previously existing sign shall be provided to the city manager or designee.

C. Removal of signs. A sign, including the sign structure, now or hereafter existing, which no longer advertises a bona fide business conducted, or a product sold, on the premises and becomes dilapidated, run down, or a safety hazard, shall be taken down and removed by the owner, agent or person having beneficial use of the building, structure or land upon which such sign shall be found, within 30 days after written notice by the city manager or designee.

(Ord. No. 3777, § 1, 6-10-92; Ord. No. 3948, § 1, 1-24-94; Ord. No. 002561, § 9, 12-9-02; Ord. No. 070776, § 1, 3-24-08)

Cross reference— Nonconforming lots, uses and structures, § 30-346.

Section 30-10.9. Maintenance.

It shall be unlawful to own, maintain or cause to be maintained any sign without full compliance with the following requirements:

- A. Weeds shall be kept cut in front of, underneath and around the base of ground-mounted and other signs, and no rubbish or debris shall be permitted so near the base that it shall constitute a fire hazard.
- B. Signs shall be kept clean, neatly painted and free from all hazards, such as but not limited to faulty wiring and loose fastenings, and must be maintained at all times in such safe condition so as not to be detrimental to the public health and safety.

(Ord. No. 3777, § 1, 6-10-92; Ord. No. 002561, § 10, 12-9-02; Ord. No. 070776, § 1, 3-24-08)

Section 30-10.10. Enforcement.

- A. Duties of enforcing official. The city manager or designee shall be the enforcing official. The enforcing official is charged with the duty of administering the provisions of this article and securing compliance with it. In furtherance of this responsibility, the enforcing official shall:
 1. Make such inspections as may be necessary to bring about the purposes and intent of this article and initiate appropriate action to bring about compliance with this article if such inspection discloses any instance of noncompliance.
 2. Investigate thoroughly any complaints of alleged violations of this article, and indicate clearly in writing as a public record in his/her office the disposition made of such complaints.
 3. Order in writing as set out below the remedy of all conditions or all violations of the article found to exist in or on any premises.
 4. State in the violation order a time limit for compliance herewith as hereinafter set out.

5. Request the assistance of the city attorney and the state attorney in taking appropriate legal action upon the failure of the responsible party to comply with such violation order by the time specified therein.
- B. Right of entry. The enforcing official or his/her agent is authorized and directed to lawfully enter in and upon all premises at reasonable times to determine their condition insofar as the provisions of this article are applicable, and to obtain search warrants when necessary to do so.
- C. Contents of notice of violation. Whenever the enforcing official determines that a violation of this article exists, the official is authorized to issue a citation pursuant to section 2-337 of the Code. Time for compliance shall be as follows:
 1. Nonpermanent signs. For all portable signs as defined in section 30-23, unlawful and prohibited signs as specified in subsections 30-316(a) and (b), temporary signs as defined in section 30-317 and all other signs of a nonpermanent nature, the time may not be less than one hour nor more than 24 hours from the time of such written notice; provided, however, that any condition found to exist in violation of this article which constitutes a hazard to the public safety shall be required to be abated immediately.
 2. All other signs. For all signs not specified in subsection (c)1. of this section, the time may not be less than ten days nor more than 90 days from the date of such written notice; provided, however, that any condition found to exist in violation of this article which constitutes a hazard to the public safety shall be required to be abated immediately.
- D. Unauthorized signs in right-of-way. Any sign placed in the public right-of-way in violation of this article shall be deemed to be abandoned and may be removed immediately by an enforcing official or agent. Any sign so removed may be disposed of without notice or compensation. This removal shall not preclude prosecution or imposition of penalties for violation of this article.

(Ord. No. 3777, § 1, 6-10-92; Ord. No. 980832, § 1, 6-8-98; Ord. No. 002561, § 11, 12-9-02; Ord. No. 070776, § 1, 3-24-08)

Section 30-10.11. Severability.

- A. If any part, section, subsection, paragraph, subparagraph, sentence, phrase, clause, term, or word of this article is declared unconstitutional by the valid judgment or decree of any court of competent jurisdiction, the declaration of such unconstitutionality shall not affect any other part, section, subsection, paragraph, subparagraph, sentence, phrase, clause, term, or word of this article.
- B. Without diminishing or limiting in any way the declaration of severability set forth in subsection (a), or elsewhere in this article, this code, or any adopting ordinance, if any part, section, subsection, paragraph, subparagraph, sentence, phrase, clause, term, or word of this article is declared unconstitutional by the valid judgment or decree of any court of competent jurisdiction, the declaration of such unconstitutionality shall not affect any other part, section, subsection, paragraph, subparagraph, sentence, phrase, clause, term, or word of this article, even if such severability would result in a situation where there would be less speech, whether by subjecting previously exempt signs to permitting or otherwise.
- C. Without diminishing or limiting in any way the declaration of severability set forth in subsection (a), or elsewhere in this article, this code, or any adopting ordinance, if any part, section, subsection, paragraph, subparagraph, sentence, phrase, clause, term, or word of this article or any other law is declared unconstitutional by the valid judgment or decree of any court of competent jurisdiction, the declaration of such unconstitutionality shall not affect any other part, section, subsection, paragraph, subparagraph, sentence, phrase, clause, term, or word of this article that pertains to prohibited signs, including specifically those signs and sign-types prohibited and not allowed under section 30-316(b) of this article. Furthermore, if any part, section, subsection, paragraph, subparagraph, sentence, phrase, clause, term, or word of section 30-316(b) is declared unconstitutional by the valid judgment or decree of any court of competent jurisdiction, the

declaration of such unconstitutionality shall not affect any other part, section, subsection, paragraph, subparagraph, sentence, phrase, clause, term, or word of **section 30-316(b)**, thereby ensuring that as many prohibited sign-types as may be constitutionally prohibited continue to be prohibited.

- D. If any part, section, subsection, paragraph, subparagraph, sentence, phrase, clause, term, or word of this article and/or any other code provisions and/or laws are declared invalid or unconstitutional by the valid judgment or decree of any court of competent jurisdiction, the declaration of such unconstitutionality shall not affect the regulation of off-premises signs in this article.

(Ord. No. 070776, § 2, 3-24-08)

Editor's note— Prior to the reenactment of § 30-327 by Ord. No. 070776, Ord. No. 060109, § 5, adopted Nov. 13, 2006, repealed § 30-327 in its entirety. Former § 30-327 pertained to appeals to Ord. No. 3777, § 1, adopted June 19, 1992; Ord. No. 002561, § 12, adopted Dec. 9, 2002.