

# **CITY OF HAMMOND**

  

## **SIGN ORDINANCE**

**Ordinance No. 2118  
June 16, 1987  
as amended June 1996  
as amended July 21, 1998  
and Jan. 2002**

8/3/07

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## **I. SIGNS - GENERAL**

### **A. Purpose**

The purpose of these regulations is to provide uniform, comprehensive sign standards which promote a positive City image reflecting order, harmony and pride and thereby strengthening the economic stability of Hammond's business, cultural and residential areas. These regulations are necessary to insure the public's safety by eliminating unsafe, confusing and distracting signs that may be a hazard to motorists or pedestrians. In addition, a positive visual environment has traditionally been a part of Hammond's small town attraction and these regulations will help to continue and supplement that tradition.

For these purposes, it is declared that the regulation of signs within the corporate limits of Hammond is necessary and in the public interest. Objectives to be pursued in applying specific standards are as follows:

1. to protect the residential nature of residential neighborhoods;
2. to protect the motoring public from damage or injury to themselves or others caused by excessive sign distractions or obstructions;
3. to protect and enhance property values throughout the City by promoting a positive city image;
4. to assure that all signs in terms of size, height, location, and coloring and properly related to the adjacent land use character and zoning district.
5. to restrict lighting from signs from causing a nuisance to residential areas;
6. to identify individual businesses, residential, and public uses without creating unsightliness, confusion, and visual obscurity of adjacent businesses;
7. to assure that signs are properly located, built and anchored in a manner that does not add to or cause a public safety hazard brought about by high winds, electrical hazards and lack of visibility on or near public thoroughfares;
8. to enhance Hammond's traditional small town character and charm.

B. Relation to Building and Zoning Codes

1. In order to further coordination between City codes, signage information will be indicated on building permit applications when such information is available. If signage information is not yet available, building permit may be issued contingent upon receiving signage information.
2. If signage information becomes available after a building permit is already issued, such information will be turned in to the Building Official for approval before erecting such signs.

C. General Provisions: Extent of Ordinance

1. This Ordinance does not, in general, change the texture, color, or material of signs. Though such items are controlled in the Hammond Historic District, these items are not controlled in the remaining parts of the City unless they have a direct impact on traffic safety.
2. Size of signs (square footage) is generally not restricted, except for off-premise signs and signs in residential districts and restricted business districts (B-1, B-2).
3. Except for signs located in the Historic District, signs attached to buildings (roof, projecting, marquee signs, etc.) and on windows are not restricted as to size and number.
4. The height of signs, location of signs on the property, number of on- and off-premise signs, illumination and safety of signage is controlled.
5. Public signs: In order to set an example for others to follow, and to help eliminate traffic confusion and clutter, public informational and directional signs shall be thoughtfully and carefully located on the right-of-way. In order to reduce the great number of these signs, coordination and consolidation must be considered by public bodies. Where feasible public signs located at intersections will be consolidated onto one or two signs.

D. Volunteer Use of Hammond Logo Urged

A special logo representative of Hammond has been designed by the Hammond Chamber of Commerce. Business replacing or erecting new signs are asked to incorporate the use of this logo in their sign design whenever feasible. This use of this logo is being promoted to help further Hammond's image and show of unity.

## II. DEFINITIONS

Abandoned Sign. A sign which is dilapidated beyond repair of one in which the business or event identified by the sign is no longer operating.

Advertising Display Area. The Advertising display surface area (copy area) encompassed within any regular geometric figure which would enclose all parts of the sign. The structural supports for a sign, whether they be columns, pylons, or a building, or a part thereof, shall not be included in the advertising area.

Banner Sign. Any sign intended to be hung either with or without frames, possessing characters, letters, illustrations, or ornamentation applied to paper, plastic, or fabric of any kind. National flags, flags of political subdivisions, and symbolic flags of any institution shall not be considered banners for the purpose of this Article.

Beacon Light. Any light with one or more beams, capable of being directed in any direction or directions or capable of being revolved automatically.

Bench Signs. A sign located on any part of the surface of a bench or seat placed on or adjacent to a public right-of-way.

Billboards. Any structure or portion thereof upon which are outdoor advertising signs which advertise, promote, or disseminate information not related to the goods, products or services compromising a primary use on the premises on which the sign is located, being either:

- A. Poster panels or bulletins normally mounted on a building wall or free-standing structure with advertising copy in the form of pasted paper or
- B. Multi-prism signs - same as above, and alternately advertising messages on one display area; or
- C. Printed or painted bulletins, where the advertiser's message is painted directly on the background of a mounted or free-standing display area.

Changeable Copy Sign. A sign that is designed so that characters, letters, or illustrations can be changed or rearranged without altering the face or surface of the sign. This shall also include the changing of copy on billboards.

Construction Sign. Any sign giving the name or names of principal contractors, architects, owners, and/or lending institutions responsible for construction on the site where the sign is placed together with other information included thereon.

Directory Sign. A sign on which the names and locations of occupants or the use of building is given. This shall include office buildings and church directories.

Erect. To build, construct, attach, hang, place, suspend, install, or affix and shall also include the painting of wall signs.

Freestanding. See definition for "Pole Sign" below.

Illuminated Sign. Any sign illuminated in any manner by an artificial light source.

Integral Sign. Memorial signs or tablets, names of buildings, and date of erection when cut into any masonry surface or when constructed of bronze or other incombustible materials mounted on the face of a building.

Location. Any lot, premises, building, structure, wall, or any place whatsoever upon which a sign is located.

Marquee Sign. Any sign attached to and made part of a marquee. A marquee is defined as a permanent roof-like structure projecting beyond a building wall at an entrance to a building or extending along and projecting beyond the building's wall and generally designed and constructed to provide protection against the weather.

Mobile Sign. A sign, such as an A-frame which moveable by a person without aid of a motor vehicle or other mechanical equipment.

Monument Sign. A freestanding sign (a) the sign area of which is constructed or connected directly on or to a sign support consisting of a concrete slab base or foundation of similar type of construction; or (b) which is of monolithic construction in which the sign's base or support is of uniform composition with the material comprising the sign area of said sign and the base or support of said sign is directly affixed in or to the ground. Provided, however, that no sign the base, foundation or support of which consists in whole or in part of above ground poles, piers, piling or similar types of supports exceeding 18" in height measured above the ground shall constitute a monument sign.

Multiple Use Identification Sign. A sign stating the name of the group or development and the major tenants.

Non-conforming Sign. Any sign which does not conform to the regulations of this Article.

Off-Premise Outdoor Advertising. Any outdoor sign, display, figure, painting, drawing, message, plaque, poster, billboard, or any other thing which is designed, intended or used to advertise or inform, any part of which advertising or information content is visible from any place on the main travel way of the interstate system or any thoroughfare in the City. The term "off-premise outdoor advertising," however, does not include signs advertising or identifying on-premise activities, and such on-premise advertising or identifying structures shall not be considered "outdoor advertising" structures for any purpose of this Ordinance.

On-Premise Sign. Any sign that disseminated information that directly relates to the use of the property on which it is located and is not a separate and distinct use.

Parapet. That portion of a building wall that rises above the roof line.

Person. Any person, firm, partnership, association, corporation, company, or organization, singular or plural, of any kind.

Point-of-Sale-Sign. Any sign which carries only the name of the firm, major enterprise, or products offered for sale on the premises, or a combination of these things.

Pole Sign. Any sign which is supported by structure(s) in or upon the ground and independent of support from any building, guy wire, fence, vehicle, or object. (Also referred to as free-standing or pylon sign.)

Political Sign. Signs used to promote a particular candidate, political position or activity to the general public.

Projecting Sign. Any sign other than a wall sign affixed to any building or wall whose leading edge extends beyond such building or wall.

Real Estate Sign. any sign which is used to offer for sale, lease, or rent the property upon which the sign is placed.

Roof Sign. The juncture of the roof and the perimeter wall of the structure.

Sign Face. The part of a sign including any border and trim, facing traffic moving in one direction, and built on one structure. For the purpose of this Ordinance, a sign face may include not more than one (1) panel to a face.

Sign Height. The height of a sign shall be defined as the vertical distance from the adjacent street grade or upper surface of the street curb to the highest point of either the sign or sign structure. Elevated roadways shall not be used to measure height.

Sign Owner. The person receiving the benefit from the sign and/or the property owner.

Signs. Any surface, fabric, device, or display which bears lettered, pictorial, or sculptured matter, including forms shaped to resemble any human, animal, or product, designed to convey information visually and which is exposed to public view. For the purposes of this Code, the term "sign" shall include all structural members. A sign shall be construed to be a display surface or device containing organized and related elements composed to form a single unit. In cases where matter is displayed in a random or unconnected manner without organized relationship of the components, each such component shall be considered to be a single sign.

Skid Mounted Sign. (Also same as portable sign, trailer sign.) A skid mounted (or trailer mounted) sign, with or without wheels, for use with or without changeable lettering.

Snipe Sign. A sign, other than a real estate sign, garage sale sign or political sign displayed in conformity with the provisions of this Ordinance, which is tacked, nailed, posted, pasted, glued or otherwise attached to trees, poles, stakes, fences, or to other like objects.

Street Banner. Any banner sign which is stretched across and hung over a public right-of-way.

Temporary Sign. A sign which disseminates information but is approved by the Building Official for a 14 day period only, after which the sign must be removed.

Thoroughfare. Any street, expressway, freeway, highway or railway in Hammond.

Trailer Sign. Any sign mounted on a vehicle normally used as a trailer and used as advertising or for promotional purposes. This sign is portable and may be approved for temporary use only.

Useable Wall Area. The exterior wall or surface area of a building or structure that excludes doors and windows.

Wall Sign. Any sign painted on or attached to and erected parallel to the face of, or erected and confined within the limits of, the outside wall or building and which displays only one advertising surface.

Window Sign. Any sign placed inside or upon a window facing the outside and which is intended to be seen from the exterior.

### III.A. PROHIBITED SIGNS

1. Signs which by reason of their size, location, movement, content, coloring, or manner or illumination, may be confused with traffic control signs or signals, or the light of an emergency or road equipment vehicle, or which hide from view any traffic or street sign, signal or device.
2. Signs employing confusing motion; which employ motion in such a manner as to obstruct or interfere with a driver's view of approaching, merging or intersecting traffic, or a traffic signal, device or sign.
3. Signs with flashing, blinking, or traveling lights, regardless of wattage, which are located within 20 feet from the edge of the street pavement. Signs or devices which utilize intense flashing lights, spotlights, floodlights or any type of light which may impair vision, cause excessive glare, or otherwise interfere with any driver's operation of a motor vehicle will be prohibited in any location.
4. Signs which bear the words, "Stop," "Go Slow," "Caution," "Danger," or similar words which may be confused with traffic signs.
5. Signs which contain certain words, statements, or pictures which would be considered obscene, indecent, or immoral by local community standards.
6. Any signs or supports, other than those signs and supports required by governmental authority, or for which special permission has been obtained from the City, which are located on or across public right-of-way (including public parks and property) or that may impair visibility at intersections.
7. Signs which are considered unsafe or abandoned.
8. Balloons and gas-filled objects which are of an unusual nature or size (in which case special permission to use such objects shall be obtained from the Building Official).
9. Off-premise signs, except those legally permitted by the City of Hammond and in compliance with signage rules prior to June 18, 1996 (as per date of City Council amendment prohibiting all off-premise signs).
10. Billboards and off-premise signs not meeting the requirements of Section VI.
11. Signs which do not comply with the sign restrictions and applicable to the zoning district in which such signs are located.

12. Signs not meeting the City's Building or Electrical Codes.
13. Any mobile signs or temporarily allowed portable sign located within 10 feet of public right-of-way or within 10 feet of the edge of the street pavement, whichever is greater. (See No. 3 above.)
14. Snipe Signs
15. Portable, skid-mounted and trailer signs, except those allowed as temporary signs.
16. Rooftop signs which are directly above or on top of the roof or parapet of a building.
17. Signs over utility easement.
18. Pole or freestanding signs that exceed the number (per property or building) allowed by this Ordinance. There shall be only one freestanding sign per building or per business center, but such sign may be in sections and may have the name of each occupant in a business center, office complex, etc. There may be one such sign per street frontage adjoining the business or property concerned. Franchised operations representing more than one franchise may have two freestanding signs per street frontage.  
  
In addition to the freestanding sign (pole sign) each individual business may install a sign flat against the wall of their business or such attached sign may project out from their building. In the case of projecting sign, an eight (8) foot minimum clearance from the sidewalk or public way to the lowest extremity of the sign is required. (There is no limit on window signs.)
19. Search lights.

### **III.B. COORDINATED SIGNAGE REQUIRED**

1. Neighborhood business centers, shopping centers and commercial, industrial or office structures which have single or multiple ownership or tenants shall coordinate their signage. (Multiple use identification signs - See Definition #1B.)
2. Public agencies, including the City of Hammond, will also coordinate public signs of like purpose and location onto one sign.

#### IV. ABANDONED, UNSAFE, OR DAMAGED SIGNS

- A. All unsafe or damaged signs shall be removed or repaired within 20 days of receiving written notice from the Building Official. Such notice shall be by certified mail.
- B. All abandoned signs and their supports shall be removed within 90 days of receiving written notice from the Building Official.
  - a. All political campaign signs on private property shall be considered abandoned if they have not been removed within 20 days after an election. The City shall have authority to remove such signs without written notice to the sign owners if such signs are not removed within the 20 day period. Such signs are not allowed on public property.  
  
An exception to this rule shall be when political campaign signs are using leased signage space and/or have contracted for a particular rental period.
- C. If no remedial action is taken to repair or remove signs in the appropriate time frame stated above, then the City shall remove such signs and charge the costs of removal of the sign to the property owner and such documented City costs shall be paid by the owner. The Building Official or his representative shall have the authority to issue tickets to the sign owner in such cases (See Section X.E.)

## V. SIGN REQUIREMENTS BY ZONING DISTRICT

### A. Residential Zones (R-11, R-8, R-5S, R-5, R-S)

1. Permissible signs in residential districts shall be limited to:
  - a. signs relating to a permissible home occupation. The signs shall be non-illuminated and non-flashing and no larger than two (2) square feet in area, five (5) feet maximum height.
  - b. public signs relating to traffic, safety and informational purposes.
  - c. subdivision identification signs.
  - d. sign accessory to a permissible commercial establishment, provided that these signs are not illuminated or flashing, do not pose a nuisance to residential structures, and are no larger than 10 square feet in area. These may be apartment identification signs.
  - e. temporary signs of no more than 10 square feet in area relating to the sale or lease of property, garage, yard sales, elections, or construction, and located on the property affected (not on public right-of-way).
  - f. churches, public and semi-public buildings, hospitals and institutions may have bulletin board signs and identification signs of no more than 10 square feet in area. These signs may not be flashing but may be illuminated if light is focused directly onto sign or if sign is dimly lit.

All other signage shall be restricted.

2. Sign height in these districts shall be limited to 10 feet, except as otherwise noted, measured from ground level at the sign base.

B. Restricted Business Districts (B-1 and B-2)

1. All signage specified in Part V.A. Above shall be permissible. All other types of signage shall be allowed in the Restricted Business Districts, except for the following:
  - a. restrictions specified in Section III. A & B.
  - b. off-premise signs, including billboards.
  - c. flashing signs, regardless of location on the lot.
  - d. portable, trailer signs.
  - e. mobile signs.
  - f. temporary signs.
  - g. freestanding or pole signs other than one per commercial building (per street frontage).
2. Height in these districts shall be limited to 15 feet, measured from ground level at the sign base. Residential uses in the B-1 and B-2 District shall abide by height restrictions specified in Section V.A.

C. Commercial Business District (C-1)

1. Signage shall be allowed in the C-1 District subject to the following provisions and restrictions:
  - a. restrictions specified in Section III. A & B.
  - b. off-premise signs, flashing signs, portable, trailer signs, and billboards are prohibited.
  - c. pole signs shall be allowed in C-1 Zones which are outside of the Hammond Historic District, and in such cases, there may be no more than one pole sign per commercial building. Height shall be limited to 15 feet.
  - d. Signage in any part of the Hammond Historic District, or adjoining the District, shall be in compliance with the rules, regulations, and signage guidelines adopted by the Historical District Commissioners. When such regulations or guidelines conflict with the regulations of this Ordinance, the Historic District's regulations and guidelines shall prevail. All such signage must be approved by the Historic District Board before being installed.

D. Commercial Business District (C-2, C-3)  
Industrial Districts (L, H)

1. Signage shall be allowed in the C-2, C-3, L and H Districts subject to the following provisions and restrictions:
  - a. restrictions specified in Section III. A. & B.
  - b. off-premise signs and billboards are allowed in these Districts if legally permitted by the City prior to June 18, 1996.
  - c. permissible mobile signs are limited to one per business, must be no higher than 4 feet and must be set back at least 10 feet from the public right-of-way.
  - d. permissible temporary signs shall be set back at least 10 feet from the public right-of-way.
  - e. No more than one freestanding (pole) sign per commercial building per street frontage. (See Section III.A. "Prohibited Signs," number 18.)
2. Height shall be limited to no more than 45 feet (to top of sign).

Exceptions:

-Sign height may extend to 65 feet if all of the following conditions are met.

-The site is commercially zoned within 1,500 feet of an interstate right-of-way, and

-The site is located on an interstate access road or a State designed highway, and

-The signage proposed is limited to on-premise advertising of food, lodging, or fuel and

-The signage meets all other applicable City requirements or restrictions, including limitations on number of freestanding signs per business.\*\*

E. Monument Signs on CM Fagan Drive and W Minnesota Park Road

- 1. All newly constructed and legally permitted freestanding signage built or installed on private property after the date of this amendment shall be designed as monument signage meeting the definitions of the Hammond Signage Ordinance (#2118) and the criteria outlined herein.**
- 2. This section shall only apply to freestanding signage, not installed or painted signage on a building in compliance with the City's sign ordinance and Building Codes, and located along Fagan Drive and West Minnesota Park Road from Highway 51 Business (west side) to S. Morrison Blvd. (Highway 51 By-Pass) east side. Properties and buildings that must comply with this section are those that have access and/or frontage along Fagan Drive or West Minnesota Park Road. On corner properties located facing two public streets, compliance shall only be required for signage along Fagan Drive and West Minnesota Park Rd.**
- 3. Monument signs not exceeding 7 feet in height (measured from the top of its base or foundation to the highest point of the sign) shall be required in place of pole or freestanding signs when signage permits are requested from the City as per this sub-section. In addition, the sign base, foundation, or berm may be allowed up to 3 feet in height if landscaping around this sign is installed and maintained by the owner. A City approved sign permit must first be obtained before any signage construction can take place.**
- 4. Existing and legally non-conforming freestanding or pole signs may continue to be used until a new business on the property applies to change or re-construct the non-conforming sign with a new sign or sign face. At that time, the new signage will be built in accordance with the requirements outlined herein.**

## F. THOMAS/MORRIS STREET OVERLAY DISTRICT

**CREATION:** There is hereby established the Thomas/Morris Street Overlay and Economic Development District (OED District) within the City of Hammond that will supplement existing zoning regulations. **Administration:** The overlay district guidelines will be administered by the Hammond Building Department, with **variance** requests reviewed by the Hammond Zoning Commission, acting in their capacity as the Board of Adjustments.

**LOCATION:** This overlay district is bounded on the east by Range Road and on the west by Morrison (Highway 51 ByPass). All properties fronting onto East and West Morris and Thomas Street within this area are included in this newly created district, excepting the federal Hammond Historic District.

**2. *Signage:*** The Morris-Thomas Street corridor is a unique blend of residences and businesses in a neighborhood style setting. Signage guidelines are used to improve the harmony between different property uses and the historic/aesthetic nature of this area. All proposed signage within this District must be approved and permitted by the City Building Department and City Planner before being installed. In addition to following the existing requirements of the City of Hammond signage ordinance, additional standards for commercial uses in the Overlay District are hereby adopted as follows:

- when signage is installed, replaced, or renovated for a business and not attached to a building, monument signs not exceeding 7 feet in height shall be installed. An additional 3 feet in height may be allowed for a base, berm, or foundation if such area is landscaped.

Such signs east of Mooney Ave. shall not be back-lit but may be externally illuminated in a fashion that directly illuminates the sign and does not disturb neighboring properties. Monument signs shall meet the requirements of the City's sign ordinance and have frames constructed of brick, stucco, or cement. They shall be placed so as to not obstruct the view of on-coming traffic. *This section does not prohibit the sign face only or the name of the business from being changed on*

*existing, legal signs within the District*

- non-portable readerboard signs (in which letters and number are often changed to announce various information), which allow letters to be temporarily attached, will not be permitted within the OED Overlay District east of Mooney Ave.. Readerboard signs will be allowed to be permanently mounted on existing, legal pole signage for businesses west of Mooney Avenue. All other signage will follow the City's Sign Ordinance and shall first be permitted by the City. Readerboard signs may be included within a monument sign west of Mooney Avenue
- facade mounted or facade painted signs will be limited in size to 25 square feet or 15% of the principal facade area, whichever is greater, except for that area west of Mooney Avenue within the Overlay District (which will follow the existing City's sign ordinance)
- all signs that are legally non-conforming at the time that this ordinance is passed, may continue to be used if they are maintained in good. condition. If a new sign is constructed or substantially rebuilt, or if a sign is destroyed through an act of nature or by way of an accident, these new sign standards shall be used in constructing the new sign.

**VI. OFF-PREMISE SIGNS**

Off-premise signs within the City of Hammond are prohibited based upon a City Council amendment to this Ordinance passed June 18, 1996.

## VII. TEMPORARY SIGNS

- \*\* A. Temporary signs are those that generally are not allowed by this Ordinance, but which may be displayed for periods of no more than 14 consecutive days upon receiving written prior approval from the Building Official.
- B. Temporary signs that may be approved shall be limited to:
1. banner signs that announce special events relating to public purposes, charity, non-profit entities or tourism. Such signs approved by the Building Official may be erected across public streets that are no more than 2 lanes wide.
  2. portable or trailer signs that display grand openings or "special events."
  3. signs painted or built onto vehicles to be parked as advertising.
- C. It should be noted that this Ordinance allows any types of temporary signs that do not need approval from the Building Official. An example would be a business that announces a special sale with a temporary sign on their building or on an approved pole or mobile sign. Such signs do not need prior approval. Real estate, contractor signs, and political campaign signs are also examples of temporary signs that do not need prior written approval from the City when installed according to the guidelines of this Ordinance.
- \*\* **Temporary signs may be approved for periods of up to 14 consecutive days, 2 times per calendar year, for any 1 business. No one business then may display temporary signs for more than 28 days per calendar year.**
- D. Political campaign signs are all considered temporary and must be removed within 20 days after an election. These signs are not allowed on public right-of-way, public buildings, public parks, utility poles, or on public trees and may at any time be removed from the public property by the City.
1. Before signs are installed prior to an election each candidate which seeks to install signs within Hammond's corporate limits will post a **\$250.00** bond with the zoning clerk at City Hall. Such bond will be held by the City in escrow and returned to the candidate within 5 working days after the election if the candidate removes his own campaign signs within 20 days.

## VIII. SIGNS FOR WHICH A PERMIT IS NOT REQUIRED

- A. Sign permits and approval from the Building Official's office is not required for the following types of signs.
1. public signs relating to traffic, warning, or information purposes.
  2. indoor signs or window signs (inside or out)
  3. on-premise signs attached to any commercial or industrial building where such buildings are not located within the Hammond Historical District in residentially zoned districts, and are not prohibited or rooftop signs.
  4. political campaign signs that are on privately owned property and are within size limitations allowed in that zoning district.
  5. real estate sale signs, temporary construction signs, construction signs, garage and yard sale signs on private property and within size limitations allowed.
  6. flags of any governmental entity that are set back from the right-of-way at least 20 feet (must be permitted if used for commercial promotion).
  7. fuel pump pricing signs that are attached to an approved pole sign, on gas pumps, or attached to overhead canopy structures.
  8. menu boards for drive-thru food establishments.
  9. private traffic direction signs located off of the public right-of-way and not exceeding 5 square feet in area per sign (e.g. "exit," "entrance" signs).
  10. non-illuminated home occupation signs not exceeding 2 square feet in area.
- B. Although sign permits are not required for all signs, all restrictions and guidelines of this Ordinance must be followed as to appropriate sign location, height, size, etc. The Building Official may still require signs that do not require a permit be removed or altered if they do not meet the requirements of this Ordinance.

- C. If anyone is unsure of the need for a sign permit, the Building Official's office should be called before installing the sign.

## IX. NON-CONFORMING SIGNS; SCHEDULE FOR REMOVAL

- A. In order for this Ordinance to have its intended effect of improving safety and reducing clutter, certain types of non-conforming signs will be removed over a period of time as provided below:
1. Signs which have been erected in violation of a previously existing ordinance shall not, by virtue of the adoption of this Ordinance, become legally non-conforming. Such signs shall immediately be removed by the owner or be brought into conformance with this Ordinance.
  2. Signs which have been abandoned, are considered unsafe, or are illegally located on public property shall immediately be removed or repaired by the owner and brought into conformance with this Ordinance.
  3. Mobile, portable, skid-mounted and trailer (vehicle) signs shall immediately be brought into conformance with the Ordinance in relation to their location on the property. Blinking and flashing signs and those with traveling lights that are considered mobile or portable must be set back 20 feet from the right-of-way or from the edge of street pavement, whichever is greater. All portable and mobile signs not using flashing or blinking lights must be set back 10 feet from the right-of-way or edge of street pavement, whichever is greater.
  4. All portable, skid-mounted, mobile and trailer signs which are used on a rental basis must be removed or brought into compliance immediately at the end of the contracted rental period. Renewal of the rental contract for portable signs will not be allowed since these signs will become non-conforming in accordance with this Ordinance.
  5. Signs which become non-conforming and do not meet the provisions of this Ordinance because of height or size shall be allowed to remain and, therefore, become legally non-conforming.

6. All other on- or off-premise signs not conforming to the provisions of this Ordinance must be brought into conformance or removed within the limits of the time schedule indicated below:

<u>Original value of sign</u>	<u>Conformance Schedule</u>	
	Wood frame signs	Metal/brickframe
Less than \$2,000	24 months	28months
\$2,000 - \$6,000	30 months	48months
more than \$6,000	36 months	72months

7. No legally non-conforming sign may be enlarged or altered to increase its non-conformity with this Ordinance.

B. City Staff or their representatives must log all non-conforming signs and determine what schedule must be followed in having such signs removed or altered to conform with this Ordinance.

1. After inventory and logging of all signs which are non-conforming, the owners or responsible parties for such signs shall be notified by the City of the time schedule applicable for such signs to be brought into conformance with this Ordinance.

**X. SIGN ORDINANCE ADMINISTRATION, REVIEW, AND FEES**

A. Building Official as Administrator

1. The Office of the Building Official shall be responsible for the proper administration, interpretation and enforcement of this Ordinance.

B. Application and Fee for Sign Permit

1. An application for a sign permit shall be made by the owner or tenant of the property on which the sign is to be located, or by his authorized agent, or by a sign contractor. (See Section VIII for signs not requiring permits.)
2. Application shall be made on the forms designated by the Building Official at any time before a sign is erected or placed. A proper log and record of fees collected shall be kept by the Building Official's office.
3. A sign application form and a sign permit must be completed and obtained for each sign for which approval is sought. For the purposes of this Ordinance, one freestanding pole or monument sign with several businesses listed on it shall constitute only one sign.

The Building Official shall inspect each sign for which a permit is obtained.

4. Sign permit fees shall be as follows:

- \$50.00 per permanent sign regardless of size.

- \$25.00 per temporary sign (as defined herein) regardless of size.

Civic and charitable organizations shall be exempt from the above fees for use of approved temporary signs when such signs are used in pursuit of a civil or charitable purpose.

5. Any sign that is to be rebuilt or relocated due to "Acts of God" (natural disasters) or other types of damage beyond the control of the owner, must receive sign permits before such sign is rebuilt or relocated. This is done so that the Building Official can indicate the conforming status of the sign before it is rebuilt or relocated. When such "Acts of God" have caused a conforming or legally non-conforming sign to be rebuilt or relocated, sign permit fees shall not be collected.

C. Appeals/Board of Adjustments

1. Any City official, public or private organization, or person may appeal a decision of the Building Official's proper administration and or interpretation of this Ordinance.
2. Such appeal shall first be directed to the Building Official for reconsideration. Further appeals may be brought to the Board of Adjustment, which may override, by majority vote, an improper decision or interpretation of the Building Official. Until such time as a special Board is appointed, the City Planning Commission shall serve as the Board of Adjustments.
3. The 3 person Board of Adjustment shall be appointed by the Mayor, through recommendations from the City Council, and may be a different Board from the Zoning Board of Adjustments. Members of the Board of Adjustments may be compensated a reasonable stipend for each board meeting at which they are in attendance.
4. Terms of Board members: The City Council shall establish staggered initial terms for the members of the Board of Adjustments. Thereafter, all terms of membership shall be for 6 years.
5. Removal of Board members: The Mayor may remove a member of the Board of Adjustments for poor meeting attendance, neglect of duty, malfeasance or inefficiency in office.

D. Enforcement and Fines

1. Signs newly erected or placed in an improper manner or location must have the infraction corrected, or the sign removed, within 48 hours of receiving certified written notice from the Building Official's office. No notice is required before the City removes signs from public right-of-way.
2. Signs owners may be fined \$500.00 for an infraction not corrected within the time period allowed. Any owner so fined must correct the infraction cited or is subject to further charges cited in Item #3 below (in addition to the \$500.00).

3. If not corrected by the owner, the Building Official's office, or its chosen representative, may correct such an infraction or remove a sign at the expense of the sign owner. Documented expenses correcting a sign infraction will be sent to the owner for reimbursement to the City. Such expenses that are not paid within 30 days by the owner will be filed as a lien against the real property upon which such costs were incurred and said cost will be collected in the same manner as City property taxes.
4. The Building Official, or his chosen representative, may issue a ticket to the offending party for an infraction of the sign ordinance. Such infraction shall be a misdemeanor and subject to a \$500.00 fine plus court costs when collected by the Court. No prior written notice will be required for a second infraction of the same type at the same location. The Building Official's office shall require the infraction to be corrected immediately or may have the infraction corrected themselves (as per item #3 above).

E. Maintenance of Sign and Adjacent Areas

1. All signs and the premises surrounding them shall be kept free and clear of safety and health hazards, rubbish, high weeds and grass.

F. Validity and Separability

Should any section or provisions of this Ordinance be declared unconstitutional or invalid, such decision shall not affect the validity of this Ordinance as a whole or any part thereof other than the part so declared unconstitutional or invalid.

It shall be understood that where similar provisions are covered in other ordinances, the more restrictive provisions shall prevail unless agreed upon by the City Council.