

Section 53: Signs

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53.01 Title, Intent, and Purpose.

Subd. 1. Title. This section shall be known, cited and referred to as the "Maple Lake Sign Ordinance" except as referred to herein, where it may be referred to as "this Section."

Subd. 2. Intent and Purpose. The provisions of this Section are intended to allow creativity, a reasonable degree of freedom of choice, an opportunity for effective communication, and a sense of concern for the visual amenities on the part of those who design and display exterior signs while, at the same time, assuring that the public is not endangered, annoyed, or distracted by the unsafe, disorderly, indiscriminate, or unnecessary use of exterior signs. The purpose of this Section is:

- i. To encourage the effective use of signs as a means of promotion and communication in Maple Lake;
- ii. To maintain and enhance the aesthetic environment and the City's ability to attract sources of economic development and growth;
- iii. To establish standards that permit businesses a reasonable and equitable opportunity to advertise;
- iv. To improve pedestrian and traffic safety;
- v. To insure that signs do not create safety hazards;

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- vi. To preserve and promote civic beauty, and prohibit signs which detract from this objective because of size, shape, height, location, condition, cluttering, or illumination;
- vii. To minimize the possible adverse effect of signs on nearby public and private property; and
- viii. To enable the fair and consistent use of authority to enforce these sign restrictions.

53.02 General Provisions/Sign Regulations. This Section shall regulate the height, area, location, graphics, color, materials, and other visual aspects of signs and sign structures. It does not regulate non-commercial holiday signs and decorations, signs or displays which contain or depict only a message pertaining to a religious, national, state, or local holiday and no other matter, or signs required by law.

Subd. 1. Building Permit. A building permit shall be required for any non-portable sign which exceeds 4 square feet in area.

Subd. 2. Electrical Signs. The installation of electrical signs shall be subject to the State's Electrical Code. Electrical services to such signs shall be underground.

Subd. 3. Flashing Signs. Flashing signs (not including electronic message signs) shall not be permitted in any zoning district.

Subd. 4. Illuminated Signs.

- A. Illuminated signs shall be shielded to prevent lights from being directed at oncoming traffic in such brilliance that it impairs the vision of the driver. Signs shall not interfere with or obscure an official traffic sign or signal. This includes indoor signs which are visible from public streets.
- B. Illuminated signs shall be shielded to prevent lights from interfering with other land uses on adjacent lots.

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Subd. 5. Free Standing Signs.

A. Freestanding signs are subject to the following height limitation for each district:

DISTRICT	HEIGHT LIMIT
AG, R-1, R-2, R-3, R-4, MXR, RB-1, B-1, & MH1	6 Feet
B-2	30 Feet
I-1	10 Feet

B. A freestanding sign or sign structure constructed so that the faces are not back to back shall not have an angle separating the faces exceeding 20 degrees unless the total area of both sides added together does not exceed the maximum allowable sign area for that district.

Subd. 6. Off Premises Sign. The owner of an off premises sign must obtain the written permission of the property owner.

Subd. 7. Address Sign. Except for farm buildings, at least 1 address sign identifying the correct property number as assigned by the City shall be required on each principal building in all districts. The number shall be at least 3 inches in height.

Subd. 8. Traffic Interference. Signs shall not create a hazard to the safe, efficient movement of vehicular or pedestrian traffic. No sign shall be erected in any zoning district that, by reason of position, shape, or color, would interfere in any way with proper functioning or purpose of a traffic sign or signal. No private sign shall contain words which might be construed as traffic controls, such as "Stop," "Caution," "Warning," unless the sign is intended to direct traffic on the premises.

Subd. 9. Obsolete Signs. Any sign which no longer advertises a bona fide business conducted or a product sold shall be taken down and removed by the owner, agent, or person having the beneficial use of the building or land upon which the sign may be found within 10 days after written notice from the Zoning Administrator.

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Subd. 10. Central Business District. All future signs in the Central Business District (B-1) shall be placed flush against the building and protruding signs shall be prohibited.

Subd. 11. Location.

- A. Signs shall not be affixed to a fence or utility pole, nor shall such signs be painted, attached, or in any manner affixed to trees, rocks, or similar natural surfaces, except that address or identification signs engraved or painted on a landscape rock or similar natural surface as part of a landscape plan shall be allowed.
- B. No sign or sign structure shall be closer to any lot line than a distance equal to one-half of the minimum required yard setback.
- C. No sign shall be placed within any drainage or utility easement.
- D. No sign shall be placed within the right of way except those otherwise specifically allowed in this Section and the following: public signs erected by or on behalf of a governmental body to post legal notices, identify public property, convey public information, identify a community festival or event, or direct or regulate pedestrian or vehicular traffic; informational signs of a public utility regarding its poles, lines, pipes, or facilities; emergency signs erected by a governmental agency, a public utility company, or a contractor doing authorized or permitted work within the public right-of-way.
- E. No sign or sign structure shall be erected or maintained that prevents free ingress or egress from any door, window, or fire escape. No sign or sign structure shall be attached to a standpipe or fire escape.
- F. Signs shall not be located in any manner that would constitute a hazard to any person or property.
- G. Signs shall not be located or erected, in whole or in part, above a roof or parapet of a building or structure.

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- H. Signs located in non-residential districts which are prohibited in residential districts shall be positioned so that the visibility of the copy is minimized from residential use or districts along adjoining side and rear yard property lines.
- I. Signs permitted under this Section may be located in a window provided that not more than 50% of the window area facing the street is covered by the sign(s).
- J. Signs may be painted directly onto a wall.

53.03 General Prohibition. Any sign or attention getting device not specifically regulated by this Section shall be considered prohibited until the City Council can make a determination as to its acceptability and, if appropriate, initiate an amendment to this Section.

53.04 Signs Permitted.

- Subd. 1.** The following signs will be permitted in all districts subject to the specific standards indicated.
- A. Real Estate Signs - 1 sign not to exceed 16 square feet in area which advertises the sale, rental, or lease of the premises upon which the sign is temporarily located.
 - B. Name, Occupation, and Warning Signs - 1 sign not to exceed 16 square feet in area located on the premises.
 - C. Official Signs - Signs such as traffic control, parking restrictions, information and notices shall be permitted provided that the total square footage of official signs does not exceed 10 square feet.
 - D. Political Signs - Political signs are allowed in any district on private property with the consent of the owner of the property. Such signs must be removed within 7 days following the date of the election or elections to which they applied.
 - E. Construction Signs - 1 construction sign not exceeding 32 square feet in area shall be allowed in all zoning districts during construction. Such signs shall be removed immediately when the project is completed.

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- F. Temporary Signs - Temporary signs or banners may be erected if authorized by the City Council.

Subd. 2. The following signs shall be permitted in the Central Business District (B-1), the Highway Business District (B-2) and the Light Industry District (I-1) subject to the specific standards indicated:

- A. Real Estate Signs - 1 sign not to exceed 40 square feet in area which advertises the sale, rental, or lease of the premises upon which the sign is temporarily located.
- B. Name, Occupation, and Warning Signs - 1 sign not to exceed 40 square feet in area located on the premises.
- C. Construction Signs - 1 sign not exceeding 40 square feet in area. Such sign shall be removed immediately when the project is completed.

Subd. 3. All other signs shall require an Interim Use Permit.

53.05 Sign Maintenance.

Subd. 1. Maintenance. All signs shall be maintained in a safe, presentable, and good structural condition at all times. Maintenance shall include painting, repainting, cleaning, replacement, or repair of defective parts, replacement of missing letters and other necessary acts. Any sign which the City finds is in a dangerous or defective condition shall be removed or repaired by the owner of the sign or the owner of the premises on which the sign is located.

Subd. 2. Painting - The owner of any sign shall be required to have such sign property painted at least once every 2 years, if needed, including all parts and supports of the sign, unless such supports are galvanized or otherwise treated to prevent rust.

Subd. 3. Area around Sign - The owner or lessee of any sign or the owner of the land on which the sign is located shall keep the grass or other growth cut and the area free from refuse.

53.06 Unsafe or Dangerous Signs. Any sign which becomes structurally unsafe or endangers the safety of a building or premises or endangers the public safety shall be taken down and removed by the owner, agent, or person having the beneficial

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use of the building, structure, or land upon which the sign is located within 10 days after written notice from the Zoning Administrator.

53.07 Non-Conforming Signs.

Subd. 1. Except for signs determined to create a public safety hazard due to content or due to disrepair and condition and illegally established signs, all legally established signs existing upon the effective date of this Chapter shall not be enlarged or reconstructed, but may be continued at the size and in the manner of operation existing upon such date.

Subd. 2. A non-conforming sign may not be:

- i. Structurally altered except to bring it into compliance with the provisions of this Chapter.
- ii. Enlarged.
- iii. Re-established after its removal or discontinuance.
- iv. Repaired or otherwise restored, unless the damage is less than 50 percent of the sign structure.
- v. Replaced.

Subd. 3. Non-Conforming Sign Maintenance and Repair. Nothing in this Section shall be construed as relieving the owner or user of a legal non-conforming sign or owner of the property on which the legal non-conforming sign is located from the provisions of this Section regarding, safety, maintenance, and repair of signs, provided, however, that any repainting, cleaning, and other normal maintenance or repair of the sign or sign structure shall not modify the sign structure or copy in any way which makes it more non-conforming or the sign shall lose its legal non-conforming status.

Subd. 4. Non-Conforming Uses. When the principal use of land is legally non-conforming under the Zoning Ordinance, all existing or proposed signs in conjunction with that land shall be considered conforming if they are in compliance with the sign provisions for the most restrictive zoning district in which the principal use is allowed.

53.08 Permit, Application, Etc.

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Subd. 1. Signs identified in this Section that require an Interim Use Permit shall follow the process and procedures set forth in Section #11 (Interim Use Permits). The additional requirements of this section shall also apply to sign applications. The City may place conditions upon Interim Use Permit approval to ensure that the proposed display will be compatible with the existing and/or proposed land uses in the underlying zoning district.

Subd. 2. In addition to the application process identified in Section # 11 (Interim Use Permits), the following information for a sign Interim Use Permit shall be supplied by an applicant upon a form prescribed by the City and a fee shall be imposed in accordance with a fee schedule established by City Council resolution:

- A. Name, address, and telephone number of person making the application and name, address, and telephone number of person owning sign, if different.
- B. Dimensions of the proposed sign on the property.
- C. A site sketch showing the location of the proposed sign upon the property in relation to lot lines, building structures, parking areas, existing and proposed signs and any other physical features and showing distances where appropriate.
- D. Color sketch showing complete description of sign including content and type of material.
- E. Plans, specifications, and methods of construction and attachments to the buildings or placement method in the ground.
- F. Written consent of the owner or lessee of the site on which the sign is to be erected.
- G. Such other information as the City shall further require to show full compliance with this Section and all other laws and ordinances of the City.

53.09 Violations. The following shall be a violation of this Section and will be subject to the enforcement remedies and penalties provided by this Section, by the Zoning Ordinance, and by State law:

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- Subd. 1.** To install, create change, erect, or maintain any sign in a way that is inconsistent with any plan or permit governing such sign or the lot on which the sign is located.
- Subd. 2.** To install, create, erect, or maintain any sign requiring a permit without such a permit.
- Subd. 3.** To fail to remove any sign that is installed, created, erected, or maintained in violation of this Section, or for which the sign permit has lapsed.
- Subd. 4.** To continue any such violation. Each day of a continued violation shall be considered a separate violation when applying the penalty portions of this Section.
- Subd. 5.** Each sign installed, created, erected, or maintained in violation of this Section shall be considered a separate violation when applying the penalty portions of this Section.

53.10 Penalty. A violation of this Section shall be a misdemeanor, punishable according to law. Each day that a violation is permitted to exist shall constitute a separate offense. The City may issue a stop work order for any and all work on signs under construction that are not in conformance with this Section. In the case of a sign that poses an immediate danger to the public health or safety, the City may take such measures as are available under the applicable provisions of the Zoning Ordinance, City Code, and building code for such circumstances. In addition, the City may seek injunctive relief in Wright County District Court to require conformance with this Section. All costs and reasonable attorneys fees incurred by the City in enforcing the provisions of this Section shall be paid by the violator of this Section.

53.11 Removal of Signs. If the City finds that any sign, temporary or permanent, or other advertising structure regulated herein is in disrepair (parts missing or broken, chipped paint, bent parts, etc.), unsafe or insecure, a menace to the public, or in violation of the provisions of this Section, the Zoning Administrator or designee, shall give written notice to the holder of the permit. The holder of the permit shall remove or alter the structure so as to comply with the standards required by this Section and indicated by the Zoning Administrator within 10 days after issuance of such notice. If after receiving said notice such person fails to remove or alter said sign so as to comply with the provisions of this Section, such sign shall be deemed to be a nuisance and may be abated by the City by proceedings taken under Minnesota Statutes, Chapter 429, and the cost of abatement, including administration expenses and reasonable attorneys' fees, may be leveled as a special assessment against the property upon which the sign is located.

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Subd. 1. The City may cause any sign or sign structure which is an immediate public hazard to be removed summarily after a reasonable attempt has been made to have the property owner remove the sign.

Subd. 2. The notice of violation shall be sent by certified mail to both the permit holder and the property owner, if they are different persons.

53.12 Severance Clause. If any section, clause, or provision or portion thereof of this Section shall be found to be invalid or unconstitutional by any court of competent jurisdiction, such decision shall not affect any other section, clause, provision or portion thereof of this Section.