

## CHAPTER 30 SIGNS

### Section 1. Purpose.

The purposes of this Chapter include but are not limited to: permitting and regulating signs which allow businesses, residents, and other interested parties to communicate, advertise, or be identified; assuring compatibility of signs with surrounding land uses; preventing a proliferation of signage which may reduce the effectiveness of individual signs; preventing visual clutter and promote the aesthetic appearance of the community; and preventing the size, location, construction, or manner of display of signs from endangering the public safety of individuals; which are confusing, misleading or obstructing the vision necessary for traffic safety; or otherwise endangering the public health, safety, morals, and general welfare.

### Section 2. Definitions.

The following definitions shall apply to this Chapter. Unless specifically defined below, words or phrases used in this Chapter shall be defined in accordance with Chapter 3.

1. **Abandoned Sign**: A sign which advertises or identifies a product, place, activity, person, profession, service, institution or business which is no longer conducted or available on the premises or elsewhere. Signs that have been in a state of disrepair for at least 90 days are also considered abandoned signs.
2. **Abandoned Sign Structure**: Includes but is not limited to; supports, uprights, braces, mounting device, hardware or framework of a sign which are in a state of disrepair and/or has not been used for at least 90 days.
3. **Accessory Sign**: A sign which directs attention to a product, place, activity, person, profession, service, institution or business which is located, produced, conducted, sold or offered on the same premises where the sign is located, including but not limited too, wall signs, projecting signs, monument signs and freestanding signs.
4. **Advertising Sign**: A sign which directs attention to a product, place, activity, person, profession, service, institution or business which is located, produced, conducted, sold or offered elsewhere than on the premises where the sign is located.
5. **Alteration**: Any act or process that changes one or more of the exterior features of a structure.
6. **Awning**: A structure generally supported by a building that does not contain any electronic components is generally constructed from a fabric-like material.
7. **Awning Sign**: A sign incorporated into or attached to an awning.
8. **Banners, Pennants, String Lights**: Temporary signs hung with or without frames, possessing characters, letters, illustrations, or ornamentations applied to paper, plastic, fabric, or other similar material.

9. **Billboard**: A form of advertising sign designed for both painted bulletins and paper posters which advertises a product, place, activity, person, profession, service, institution or business located upon property other than the premises on which the sign is located.
10. **Bulletin Board**: A sign containing a surface upon which individual letters are temporarily attached for the announcement of services, activities, or special events related to and located on the same premises as schools, churches and institutions.
11. **Canopy**: A permanent non-walled structure designed and built to provide shelter from the elements for business transactions which is not usually attached to a primary structure. Customarily found at gas stations.
12. **Changeable Copy Sign**: A sign that is designed so that characters, letters, or illustrations can be periodically changed or rearranged, manually or automatically, without altering the face or the surface of the sign.
13. **Construction Sign**: A temporary sign giving the name or names of principal contractors, architects, and lending institutions responsible for construction on the site where the sign is placed, and information about the enterprises or project being developed.
14. **Design Guidelines**: regulations intended to preserve the historic and architectural character of the district.
15. **Directional/Information Sign**: Any sign giving directions, instructions, or information principally to pedestrian or vehicular traffic.
16. **Electronic Message Center**: A sign where different copy changes are shown such as an electrically or electronically controlled time and temperature sign, message center, or reader board.
  - a) *Time, temperature gas price* – Text-only electronic displays typically used to advertise gas prices at service stations or time and temperature signs that do not show pictures or videos.
  - b) *Electronic graphic display* – Electronically controlled sign displaying text, pictorial images, or videos.
17. **Fascia Sign**: A single faced sign, which is, attached parallel to its supporting wall and not extending more than 18 inches from a wall or building.
18. **Flashing Sign**: A sign which contains an intermittent or flashing light source, or which includes the illusion of intermittent or flashing light by means of animation or an externally mounted intermittent light source. Automatic changing signs conveying public service messages such as time and temperature are not classified as flashing signs.
19. **Freestanding Sign**: A sign which is supported by one or more columns, ropes or lines, uprights, poles or braces in or upon the ground and not attached to any building, structure or wall. This term shall include but shall not be limited to, signs placed directly upon the ground.

20. **Home Occupation Sign:** A non-illuminated sign or nameplate that identifies only the name and/or occupation of a practitioner or one conducting a permitted home occupation in a dwelling. Such sign shall not exceed one (1) square foot in area and is only permitted on the structure freestanding signs are not permitted.
21. **Illuminated Sign:** Any sign illuminated in any manner by an artificial light source.
22. **Incidental Sign:** A sign pertaining to specific products, services, or facilities available on the premises.
23. **Inflatables:** Any device designed to be filled with air or otherwise inflated which is intended to advertise or draw attention to specific business location, products, services, or facilities available on a premises.
24. **Marquee:** Any structure protruding over a right-of-way for the purposes of signage or shelter from the elements that is supported by a primary building.
25. **Menu Board:** A permanently mounted sign displaying the bill of fare of a drive-in or drive-thru restaurant.
26. **Monument Sign:** A ground sign which is mounted in or on a monument and does not have any exposed pole or pylon, and is attached to a base for at least 60% of the entire width of the sign.
27. **Mural:** Graphic image painted directly on a surface, which is not used for the purpose of advertising a product, place, activity, person, profession, service, institution or business.
28. **Nonconforming Sign:** Any sign, which does not conform to the regulations of this Chapter.
29. **Out Lot:** A lot either sold or leased within the RC, Regional Commercial District, separate from the lot containing the shopping center.
30. **Political Sign:** A temporary sign relating to candidates or issues associated with a local, state or national election or referendum.
31. **Portable Sign:** A sign, which by its construction or nature is designed to be moved from one location to another. When on a trailer, the removal of wheels or undercarriage, or the anchoring of the sign by means of chains, wires, concrete blocks, sandbags, or other types of temporary anchors, does not change the classification of the sign.
32. **Projecting Sign:** A sign attached to and projecting more than 18 inches from the building face or wall.
33. **Pylon Sign:** Any freestanding sign which is supported by a structure that is attached to the base for less than 60% of the entire width.
34. **Real Estate Sign:** A temporary sign advertising the sale, rental or lease of a premise.

35. **Roof Sign**: A sign erected upon or above a roof or parapet wall of a building, and which is wholly or partially supported by said building.
36. **Sign**: Any object, device, display or structure, or part thereof, which is affixed to or represented directly or indirectly upon a building, structure or parcel of land and which advertises, displays, identifies or directs attention to a product, place, activity, person, profession, service, institution or business.
37. **Sign Area**: The area within a single continuous perimeter enclosing the extreme limits of writing, representation, emblem or figure of similar character, together with any frame or other material or color forming an integral part of the display or used to differentiate such sign from the background against which it is placed, excluding the necessary exposed supports or uprights on which the sign is placed. If the sign consists of more than one section or module, all areas shall be totaled. The area of signs composed of words or characters attached directly to a building or wall shall mean and shall be computed as the area within a regular geometric shape that encloses the words or characters. The area of signs composed of spherical, three-dimensional, free form, sculpture, and other nonplanar shapes shall be the sum of the areas of the four vertical sides of the smallest polyhedron (cube-like volume) that will enclose the sign structure. The area of back-to-back signs shall be taken as the area of one sign face if the two sign faces are of equal area, or as the area of the larger face if the two faces are of unequal area.
38. **Sign Height**: The vertical distance from the uppermost point on a sign to the surrounding grade level immediately below and upon which the sign is located.
39. **Sign Structure**: Any supports, uprights, braces, mounting device, hardware or framework of a sign.
40. **Temporary Sign**: A sign not permanently attached to a building, structure, or the ground and designed or intended to be displayed for a limited period of time such as political signs, real estate signs, portable signs, banners and special event signs.
41. **Wall Sign**: A sign painted on or attached to a wall or building with the face in a parallel plane to the plane of the building or wall.
42. **Window Display Sign**: Advertising matter painted on, or applied directly to a window.
43. **Zoning Lot**: A single tract of contiguous land to be used or developed as one unit under single unified ownership or control, and which meets all minimum requirements and provisions of the Zoning Ordinance.

### **Section 3. General Provisions.**

The following general provisions shall apply to the regulation of signs in all zoning districts within the City of Marshalltown. No sign shall be located, erected or maintained except in compliance with the provisions contained herein.

## Sign Permit Fees and Requirements:

Except as otherwise provided in this Chapter it shall be unlawful for any person to erect, construct, enlarge, move or convert any sign in the city, or cause the same to be done, without first obtaining a sign permit for each such sign from the Zoning Department as required by this Chapter.

All signs that require a sign permit must be installed by a licensed sign erector with exception to awnings with signage printed on the fabric and signs painted directly upon the structure. For both awning signage and painted signs, a sign permit is still required. Any sign painted directly on a structure not by a licensed sign erector shall require prior approval of the Site Plan Review Board.

All signs which require a sign permit, including incidental signs, shall be required to pay a sign permit fee, which shall be set by resolution approved by the City Council.

These directives shall not be construed to require any permit for a change of copy on any sign, nor for the repainting, cleaning and other normal maintenance or repair of a sign or sign structure for which a permit has previously been issued, so long as the sign or sign structure is not modified in any way. No new permit is required for signs which have permits and which conform with the requirements of this Chapter on the date of its adoption unless and until the sign is altered or relocated. No permit shall be required when changing the face of any advertising sign.

### 1. Inspection: notice to remove nonconforming signs; action on failure to comply:

- a) *At times the building official or zoning administrator may direct any designated person to inspect any and all signs overhanging the streets, avenues or alleys or which are hung or fastened parallel or flush with the front or wall of any building within two feet of any street, avenue or alley and the supports thereof. If the sign is considered dangerous he shall immediately report the condition to the building official or zoning officer.*
- b) *Upon receipt of such report, the building official or zoning administrator shall cause notice in writing to be given the owner of the sign or the owner of the building to which it is attached to at once remove the sign.*
- c) *If such owner neglect or fail to comply therewith, the building official or zoning administrator may cause the sign to be removed and the expense thereof to be assessed against the owner of the building or sign and collected as other special taxes.*
- d) Anyone violating any of the provisions of this ordinance shall be subject to a fine that shall be set by resolution.

### 2. Exemptions:

*The following signs are exempted from the permit requirements of this Chapter, unless specified elsewhere*

*herein, but must be in compliance with all other applicable codes and ordinances:*

- a) Miscellaneous traffic or other signs of a public agency, such as railroad crossing signs, and signs warning of danger, hazards or unsafe conditions.
- b) Display of any official flag or emblem of a nation, state, or city, or a religious, charitable, educational, or non-profit institution or organization.
- c) Any sign which is located within a structure.
- d) Window display signs.
- e) Grave markers, statues, or remembrances of persons or events that are non-commercial in nature.

- f) Works of fine art, including murals, if not displayed in conjunction with a commercial enterprise for the principal purpose of commercial advertisement.
- g) Signs applied directly onto the body of a car, truck, bus, trailer, or other vehicle if such vehicle is operated in the normal course of a business and such vehicle is not used primarily to display such sign.
- h) Nameplates posted in conjunction with doorbells or mailboxes, and not exceeding one square foot in surface area.
- i) Signs and notices required to be displayed, maintained, or posted by law or by any court or governmental order, rule, or regulation.
- j) Directional/information signs displayed strictly for the direction, safety or convenience of the public, including signs which identify restrooms, telephones, danger areas, parking area entrances or exits, freight entrances, or the like. Such signs shall not exceed 6 square feet in area and shall not exceed 4 feet in height.
- k) Address signs, not exceeding one square foot in surface area, containing only the address of the premises upon which it is located.
- l) Plaques, tablets, or names of buildings and date of erection when cut into any surface of when such sign is attached flush to the building.
- m) Commemorative plaques or monuments placed by historical organizations.
- n) Public Notices.
- o) Safety and warning signs, such as warnings of high voltage, explosives, hazardous materials, and other dangerous situations.
- p) Signs advertising any sales popularly referred to as "Garage" and "Yard" sales complying with the Code of City Ordinances. Signs shall not exceed 4 square feet in area. Signs may be erected no more than 24 hours before the sale and shall be removed within 24 hours after a sale has ended. Said signs may be placed on public property under the jurisdiction and control of the City of Marshalltown, Iowa terrace or parking areas if said posting is approved by the owner of the adjacent real estate who maintains the public property, terrace or parking area, and said posting does not interfere with vehicular traffic visibility or pedestrian movement. Such signs shall not be placed on utility poles, traffic signals or signs.
- q) Signs for Home Occupations in compliance with Chapter 4, Section 11.
- r) No Trespassing signs.
- s) Signs consisting of sculptures and murals.
- t) Menu boards, both electronic and non-electronic, as long as pictures and text on the board do not utilize chasing or flashing effects. These signs must be orientated towards customers using the service and may not be intended for any other advertising purpose.
- u) Temporary signs, including:
  - i. Signs advertising the sale of a premise is permitted provided the following conditions are met:
    - a. Signs must be non-illuminated, and must not exceed nine (9) square feet in area and six (6) feet in height.
    - b. Not more than one sign shall be permitted per street frontage, (excluding open house signs).
    - c. Signs may be placed on the premise for sale or lease or in the public right-of-way abutting the premise. Signs in the public right-of-way must be a minimum of six (6) feet back from the street or back of curb and twenty (20) feet from intersections. Signs should not be placed where they would cause a visual obstruction to pedestrian or vehicular traffic.
    - d. Signs shall be removed within thirty (30) days of sale of the premise.

- e. Open House Signs must meet the same size requirements as described above, such signs may be placed in the public right-of-way abutting the premise for sale or lease and/or at another location provided permission is obtained from the abutting property owner. Such signs are permitted for a maximum period of three (3) days preceding the open house. The date and time of open house must be included on the open house sign.
  - f. Other types of directional signs advertising property for sale are not permitted off premises (i.e. directional arrows).
  - g. Signs promoting and/or directing traffic to non-profit or other community events that have obtained a valid Public Use Permit from the City Clerk's office, provided they are erected no more than one week in advance and removed no more than 24 hours after said event has ended.
- ii. Signs advertising the rental or lease of the premises or part of the premises on which the sign is displayed. One such non-illuminated sign, not to exceed 9 square feet in area and not to exceed 6 feet in height, shall be permitted on each premise. Such signs shall be removed within 30 days of lease of the premises or part of the premises on which sign is displayed. Such signs shall not be permitted in the public right-of-way.
  - iii. Commercial/Industrial Zoned Development: Signs advertising the architects, engineers, contractors, occupants, or other individuals involved in the construction, re-construction or remodeling of a building and/or development project and such signs announcing the character and/or purpose of the site. One such non-illuminated sign, not to exceed 120 square feet in area and not to exceed 8 feet in height, with a minimum setback of 15 feet, shall be permitted on each premise. Such signs shall not be erected until building permits have been issued, and shall be removed immediately upon project completion.
  - iv. Residential Zoned Development: Signs advertising the architects, engineers, contractors, occupants, or other individuals involved in the construction, re-construction, remodeling or financing of a building and/or development project. One such non-illuminated sign, not to exceed 9 square feet in area and not to exceed 6 feet in height, shall be permitted on each premise per contractor. Such signs shall be removed within thirty 30 days of project completion.
  - v. One non-illuminated sign in any residential real estate development indicating real property for sale or rent, not larger than 120 square feet in area. In no case is any such sign to be located closer than 30 feet to any street line. In no case shall a temporary sign be permitted after residences have been erected on 60 percent of the lots in the subdivision or after more than 60 percent of the lots have been sold.
  - vi. One non-illuminated sign in any commercial or industrial real estate development indicating real property for sale or rent, not larger than 120 square feet in area. In no case is any such sign to be located closer than 30 feet to any street line. In no case shall a temporary sign be permitted 60 percent of the lots in the subdivision have been built upon or sold.
  - vii. Signs announcing candidates seeking public political office or pertinent political issues. Such signs shall be confined to private property, except as hereinafter provided, shall not exceed 16 square feet in area, and shall not exceed 4 feet in height.
  - viii. Temporary signs, any special event sign, banner, pennant, flag, streamer, inflatable device, balloon, blimp, or advertising device displayed on the premises of an establishment shall not exceed 50 square feet in area and shall not exceed the height of the principal structure. Signs shall not be posted more than 30 days in a calendar year.

### 3. Prohibited Signs:

The following signs are prohibited in all zoning districts within the City of Marshalltown:

- a) Abandoned signs.
- b) Flashing signs, including those illuminated by or containing flashing, intermittent, rotating, or moving light or lights. This prohibition shall not apply to electronic message centers.
- c) Snipe signs or signs attached to trees, telephone poles, public benches, streetlights, or placed on any public property or public right-of-way.
- d) Signs placed on vehicles or trailers, which are parked or located for the primary purpose of displaying, said sign. Signs on vehicles or trailers must be parked on private property when not in use.
- e) Signs, which revolve or swing with normal wind currents or mechanical devices.
- f) Any sign, except menu boards, emitting sound other than that normal for their internal operation.
- g) Any sign, which contains statements, words or pictures of an obscene, pornographic or immoral character.
- h) Temporary signs, except for those expressly permitted by this Ordinance.
- i) In no event shall an illuminated sign or lighting device be placed or directed or beamed upon a public street, highway, sidewalk, or adjacent premises so as to cause glare or reflection that may constitute a traffic hazard or nuisance. All signs shall be screened from beaming on residential windows.
- j) No sign shall be erected so as to prevent free ingress to, or egress from, any door, window or any other exit-way required by the Building Code or Fire Code of the City of Marshalltown or by any other ordinance.
- k) No sign or part thereof shall contain or consist of banners, posters, pennants, ribbons, streamers, spinners or other similar moving devices, except as specified herein.
- l) No advertisement, advertising structure, billboard or other object shall be erected, used or maintained which in any way simulates official, directional or warning signs erected or maintained by the City or by the State of Iowa.
- m) No sign or advertising device shall be erected or maintained at the intersection of streets in such a manner as to obstruct free and clear vision of the intersection.
- n) No neon sign or other illuminated advertisement shall be of such color or located in such a manner as to diminish or detract in any way from the effectiveness of any traffic signal or similar safety or warning device.
- o) No building wall shall be used for display of advertising except that pertaining to the use carried on within such building.
- p) No sign or sign structure shall be placed on private or public property without the consent of the owner or authorized agent thereof.
- q) No new sign shall be placed on the roof of any building as of the date of this ordinance; however, if damaged, existing roof signs may be rebuilt to the size, shape and design of the sign immediately prior to damage.
- r) No sign shall be located in or over any public right-of-way, except as specified herein.

### 4. Supplemental Provisions:

The construction, installation, erection, anchorage and maintenance of all signs shall be subject to the applicable codes and ordinances of the City of Marshalltown.

All signs and sign structures requiring electrical connections must meet all requirements set by the City Electrician and applicable codes and ordinances of the City of Marshalltown.

All signs and sign structures shall be erected and maintained in a safe condition. It shall be the responsibility of the sign owner or property owner to keep all signs thereon properly maintained. Signs not to exceed twelve (12) square feet on bus shelters shall be allowed in any zoning district. All signs must be non-electrical. Only one sign/sign face per shelter shall be allowed.

Non conforming signs: Legally established signs, other than portable signs as herein defined, existing on the effective date of this Ordinance which do not conform to the provisions of this Ordinance shall be classified as legal nonconforming signs and be allowed to continue as such. No nonconforming sign shall be altered, reconstructed, enlarged, extended or relocated except in compliance with the provisions of this Ordinance. For purposes of this Section only, the terms "altered" and "reconstructed" shall not include minor maintenance, minor repair, landscaping around the sign, or the replacement of bulbs, changeable letters or figures, or other embellishments if such changes do not increase the size of the sign or the degree of its non-conformance.

Projecting signs: Projecting signs may be erected in commercial and industrial districts provided that such signs shall project no more than 8 feet from the building to which attached, and provided that the minimum clearance from grade shall be 9 feet above any pedestrian way and 17 feet above any vehicular way. Said signs may project into or over any public right-of-way provided that the sign projects not more than 6 feet into said right-of-way and is located not closer than 2 feet to the back of the curb.

Portable signs: Portable signs may be located in any commercial or industrial district on a temporary basis through issuance of a permit. Said portable sign permit shall have a fee set by resolution, approved by City Council. Such signs shall not exceed 50 square feet in area, shall not exceed 6 feet in height, and shall not be located in any public right-of-way. One portable sign shall be permitted on any zoning lot for a period of not more than 60 days in any calendar year. Off-premise advertising is prohibited. Portable signs may not be adapted for use as permanent signs. All portable signs being displayed on the effective date of this Ordinance are subject to the above regulations and shall be removed within 30 days unless authorized in accordance with the provisions stated herein.

Incidental and temporary signs: Placement is limited to 120 days per calendar year for any/all signage per zoning lot.

Inflatable signs: Placement is limited to 60 days per calendar year.

Advertising signs:

Advertising signs, including billboards, shall be permitted as follows:

- i. Structures shall be limited to two faces per sign, shall not exceed 30 feet in height, and shall have a total sign face area visible in any one direction of traffic not exceeding 300 square feet. Advertising structures shall be constructed of metal or other durable materials. Poles made of wood shall not be considered acceptable.
- ii. The minimum distance between advertising signs shall be 500 feet when adjacent to highway 30, and 300 feet on other streets, whether on the same side of a street or on opposite sides of a street.
- iii. Advertising signs shall be set back a minimum of 50 feet from highways 14 and 30 and Iowa Avenue. Setbacks from other streets shall be 30 feet. Where any advertising sign is

- iv. No advertising sign shall be permitted within 100 feet of any residential zoning district boundary.
- v. Advertising signs may be permitted in the following areas of the City: Any M-1 or M-2 district, any commercial district adjacent to highway 30 and Iowa Avenue, commercial districts adjacent to highway 14 south of Southridge Road, commercial districts north of Riverside Cemetery specifically on the west side of highway 14.

Electronic message centers: These regulations shall not apply to school property.

Table 30.1

	<b>Electronic Graphic Display</b>	<b>Time, Temperature, Gas Price</b>
<b>Description</b>	Moving pictures, with or without text	Time, temperature, and gas prices only
<b>Orientation</b>	Not within 100 feet of residential	Not in residential
<b>Minimum Duration</b>	No limit 1 second transition between static pictures	Time and temperature – 3 seconds Gas – ten minutes
<b>Size of Electronic Portion</b>	Maximum 50 square feet/side	Maximum 50 square feet/side
<b>Color</b>	No limit	Amber only Green, red or amber for gas prices
<b>Brightness</b>	Daytime: 10,000 nits Nighttime: 1,000 nits	No limit
<b>Dimmer Control</b>	Required	Not required
<b>Setbacks</b>	No limit	No limit
<b>Audio or Pyrotechnics</b>	Not allowed	Not allowed
<b>Other</b>	No aggressive flashing or blinking	No Flashing

Signs on school property:

The following provisions apply to electronic signs on property approved educational use, regardless of zoning classification:

- i) Lots shall be more than four (4) acres in size,
- ii) The current use of the building and lot is to provide a school curriculum approved by the State of Iowa.
- iii) The school is not a home-school as defined by this Ordinance.
- iv) Signs shall display only content related to non-profit activities, including sponsorship of activities, etc.
- v) Text shall be white or amber in color.
- vi) Signs shall not unduly shine into neighbors' property and/or distract traffic, as determined by the zoning administrator.
- vii) Signs shall be dimmed in the evening hours to an appropriate brightness level.

Illuminated Signs: All illuminated signs shall be turned off within one hour after the close of business, but in no event later than midnight for the NC or TN districts, or any Residential or A-1

District. Signs may be turned on again at 5:00 A.M. Businesses that are open 24 hours are exempt from this requirement.

Changeable copy signs: When combining a changeable copy sign with a pole sign or monument sign, the following standards shall be met: The changeable copy sign shall be integrated into other signage in a permanent manner, shall be placed directly below the commercial message sign or in a manner which looks integrated and natural, and both signs shall be facing the same direction and at the same angle. The total sign area of the changeable copy and the commercial message signs shall not exceed the allowable sign area, height, setback, and all other requirements for the given district. The changeable sign shall contain at least one color that is the same or complementary to that which is in the commercial message sign or pole and be made of the same type of materials in order to give the changeable copy sign an integrated look.

5. Awnings and Marquees:

- a) Any awning or marquee extending over any public street or thoroughfare shall be constructed by either the following methods:
  - i) Constructed on steel beams projecting through the street wall of the structure or building and capable of supporting the weight of such canopy or marquee and an additional live load weight of 60 pounds per square foot.
  - ii) Solidly anchored against the street wall of such building or structure on steel plates bolted through the wall and hung by rigid rods anchored through such street wall and attached to the extended portion of such canopy or marquee and capable of carrying the weight thereof and an additional live load weight of 60 pounds per square foot.
- b) Awnings, as defined in this article, shall be attached to framework securely anchored to the street wall of the building or structure in a manner approved by the building commissioner and upon a permit issued by him.
- c) Any marquee or awning permitted to extend over any public street or thoroughfare shall conform to the following:
  - i) It shall not extend in one section more than 25 feet along the line of the street.
  - ii) It shall provide a minimum clearance above the sidewalk of the lowest part thereof of not less than seven (7) feet.
  - iii) It shall not extend beyond the street line nearer than eighteen (18) inches to a vertical extension of the curb line.
- d) The owner of any building or the lessee thereof constructing any marquee or awning from a street wall and extending over any portion of a public sidewalk or thoroughfare shall be liable for injury to any person using such public sidewalk underneath or adjacent to the canopy, marquee or awning resulting from any faulty construction, maintenance or dangerous condition of the marquee or awning, and the owner shall hold a liability insurance policy which shall hold such city harmless on account thereof .

**Section 4. Agriculture and Residential Zoning District Regulations.**

1. A1, R-1, R-2, R-2A, R-3, R-4, R-5, R-6 Districts:

- a) Principal permitted uses other than single-family dwellings may have a maximum of one identification sign and shall comply with the following size requirements.

**Section 5. Wall Signs.**

Wall sign requirements apply to all zoning districts. Signs shall only be allowed on two walls.

1. Primary wall: The sum of all signage on the primary wall shall not exceed 1.5 square feet for every one linear foot of primary wall frontage length. In no event shall any wall sign extend beyond the width of the building or more than 6 feet above the top of the building wall or parapet. Buildings having a setback from the street of at least 150 feet will be permitted to have 2.0 square feet for every one linear foot of primary wall frontage length.
2. Secondary wall: Signs shall be permitted on secondary walls with the following requirements:
  1. The signage shall not exceed .5 square feet for every one linear foot of secondary wall frontage length,
  2. Traffic flow or parking deems it necessary to have signage at that location,
  3. The adjacent lot is other than a residential district.

**Section 6. Freestanding signs.**

The following provisions for freestanding signs shall apply to the regulation of signs in the respective zoning districts within the City of Marshalltown. Any letters (a), etc. refer to the notes following the table.

*Key for Table 30.2*

- A-1: Agricultural Reserve District
- “R” District: includes R-1, R-2, R-2A, R-3, R-4, R-5, and R-6 residential districts
- NC: Neighborhood Commercial District
- ED: Education District
- TN: Traditional Neighborhood District
- CBD: Central Business District
- CC: Community Commercial District
- GC: General Commercial District
- OP: Office Park District
  
- RC: Regional Commercial District
- PC: Planned Commercial District
- M-1 & M-2: includes Industrial Districts

Table 30.2

District	Max. # per Lot	Max. Height	Max. Area	Min. Setback*	Spacing**	Min. Distance from “R” District
A-1	1	10’	48 sq. ft.	0’	25’	NA
“R” District	1	6’ – monument sign only	48 sq. ft.	10’	25’	NA
NC	1	10’ – monument sign only	48 sq. ft.	10’	25’	10’

<b>ED</b>	2	1) 20' 2) 6'- monument only	48 sq. ft.	10'	25'	10'
<b>TN</b>	1	10' – monument sign only	48 sq. ft.	10'	25'	10'
<b>CBD</b>	1	10'	48 sq. ft.	10'	25'	NA
<b>CC</b>	1	Arterial: 30' Others: 20'	Along Arterial: 120 sq. ft. Other streets: 100sq. ft.	0'	50'	30'
<b>GC</b>	1	Arterial: 30' Others: 20'	Along Arterial: 120 sq. ft. Other streets: 100sq. ft.	0'	50'	30'
<b>OP</b>	1	10' – monument sign only	48 sq. ft.	10'	25'	10'
<b>RC</b>	(b)	Arterial: 30' Others: 25' Monument: 10'	(b)	0'	50'	30'
<b>PC</b>	1	Arterial: 30' Others: 20' Monument: 10'	Along Arterial: 120 sq. ft. Other streets: 100sq. ft.	0'	50'	30'
<b>M-1, M-2</b>	1	Arterial: 30' Others: 20'	Along Arterial: 150 sq. ft. Other streets: 120sq. ft.	0'	50'	30'
<b>Schools</b>	1 per public street frontage	12' – Monument only	60 sq. ft, not including base structure.	20'	50'	NA

\*Setbacks are measured from the property line.

\*\*Spacing refers to the minimum distance allowable between signs.

\*\*\* Signs in the NC and TN Districts shall only be allowed on properties containing a commercial use or multi-family development.

- a) **CENTRAL BUSINESS HISTORIC DISTRICT:** Freestanding signs in the Historic District are not permitted without special permission from the Site Plan Review Board. If special permission is awarded, the signage must conform to the standards for the NC, Neighborhood Commercial District with the

b) REGIONAL COMMERCIAL DISTRICT:

1. Major Sign. One freestanding sign of not more than 300 square feet and not exceeding 30 feet in height shall be permitted on that side of the RC, Regional Commercial District that fronts on a major thoroughfare and is considered the main entrance, for the express purpose of identifying the shopping center and the business establishments included therein.
2. Secondary Sign. One additional freestanding sign shall be permitted on a secondary frontage of the RC, Regional Commercial District. If the property adjacent or across the street from the secondary frontage is a residential district, the secondary sign shall conform to the CC, Community Commercial District regulations.
3. Monument Sign. One additional monument sign shall be permitted in the RC, Regional Commercial District. Such sign shall not exceed 48 square feet in area and 10 feet in height. One additional monument sign shall be allowed in the PC, Planned Commercial District, if more than 100,000 square feet of gross floor area is being developed contiguously.
4. Out Lot Sign. One additional freestanding sign shall be permitted on any out lot in the RC, Regional Commercial District. Such sign shall comply with the requirements of the CC, Community Commercial District regulations.

**Section 7. Historic District signs.**

The purpose of this Section is to promote the educational, cultural, and economic welfare of the public of the City by preserving and protecting historic structures, sites, and neighborhoods which serve as visible reminders of the history and cultural heritage of the City, State, or Nation. Furthermore it is the purpose of this Section to strengthen the economy of the City by stabilizing and improving property values in historic areas, and to encourage new developments that will be harmonious with the existing historic buildings and squares. Lastly, it is the purpose of the chapter to foster civic pride and to enhance the attractiveness of the community to residents, potential residents and visitors.

The following general provisions shall apply to the regulation of signs in the Historic District. No sign shall be located, erected or maintained except in compliance with the regulations contained herein.

1. Signs in the Historic District are subject to review by the City of Marshalltown Site Plan Review Board prior to installation in addition to the permit requirements defined in this Chapter.
2. The Site Plan Review Board will review signs based on the Site Plan Review Board Sign Review Criteria including the Main Street Design Guidelines.
3. Signs in the Historic District must be approved as appropriate in order to be issued a Sign Permit by the City of Marshalltown.
4. If the site Plan Review Board determines that the proposed sign is not appropriate according to the guidelines established and is not approved, the applicant may appeal the decision of the Site Plan Review Board through application to the Board of Adjustment in accordance with chapter 33 of the City of Marshalltown Zoning Ordinance.
5. Signs installed without prior approval shall be considered in violation of this Chapter and subject to the penalties set forth in Section 9 of this Chapter.

## **Section 8. Highway 30 Sign Overlay District:**

The following provisions shall apply to the Highway 30 Overlay District whose boundaries are: The full length of the city limits along both sides of Highway 30 including land within 150 feet of the property line adjacent to the Highway 30 right of way.

No person shall develop, install, locate, or construct any sign requiring a permit within the Highway 30 Overlay District except as expressly authorized in this Section 8. The provisions of this Section shall apply in addition to any other zoning district regulations in which land may be classified and such lands may be used as permitted by such other districts.

1. *A maximum of four accessory signs per business, but not more than two freestanding signs per zoning lot shall be permitted as follows, regardless of the number of accessory and freestanding signs permitted in an underlying zoning district:*
  - a. *One freestanding sign shall be permitted which meets the zoning requirements for the zoning district in which the land is located, and*
  - b. *One freestanding sign shall be permitted and shall be located in the Highway 30 Overlay District with a maximum sign height of 40 feet above the elevation of the centerline of Highway 30 at a point perpendicular to placement of the sign. Maximum sign square footage requirement is 150 square feet. The sign must be located within the overlay district and be set back a minimum of 50 ft from the property line adjacent to the Highway 30 right of way.*
  - c. *Only one non-freestanding accessory sign may be placed on any one side of the building.*
2. *The maximum signage for the zoning lot as established in the underlying zoning district continues to apply to property in the overlay district.*

## **Section 9. Canopy Signs.**

1. On two sides of a canopy, each side may have a sign with square footage equal to one third times the linear feet of that side.
2. A third side may have a sign with the square footage equal to ¼ times the linear feet of the side.

This Section shall not include decorative colors or designs unless said design contains an identifiable logo. Signs shall not extend above or below the physical structure.

## **Section 10. Violation and Penalty.**

Signs installed without obtaining prior approval through the issuance of a Sign Permit shall be subject to the approved fees, which shall be set by resolution approved by the City Council.

The zoning administrator is authorized to issue a municipal infraction or civil penalty as permitted in the City of Marshalltown Code of Ordinances or cause removal of such sign. The owner of the sign and/or sign structure or the owner of the property upon which the sign is located shall pay any expense incident to such removal. Failure to pay said costs may result in the assessment of such costs against the property.