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ORDINANCE NO. ____

AN ORDINANCE AMENDING THE CODE OF ORDINANCES OF THE CITY OF HIAWATHA, IOWA, 1996, BY AMENDING CHAPTER 166 SIGN CODE

BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF HIAWATHA, IOWA:

SECTION 1. Chapter 166 Sign Codeof the Code of Ordinances of the City of Hiawatha, Iowa, 1996, is hereby amended as follows:

166.10 REGULATIONS FOR ALL SIGNS.

3. Signs Prohibited.

A. Public Rights-of-Way. No sign or sign structure other than an official traffic, street, or related sign approved for placement by the controlling public agency shall be placed on any street or highway right-of-way.

B. Interference with Utilities. Signs and their supporting structures shall not interfere with any equipment or lines for utilities, including water, sewage, gas, electricity, or communications. No permanent sign of any size shall be located in or overhang a utility easement.

C. Consent of Owner Required. No sign or sign structure shall be placed on private or public property without the consent of the owner or authorized agent thereof.

D. Imitation or Resemblance to Traffic Control and Safety Signs. No sign or sign structure shall be erected at any location where it may, by reason of its size, shape, design, location, content, coloring, or manner of illumination, constitute a traffic hazard or a detriment to traffic safety by obstructing the vision of drivers, by obscuring or otherwise physically interfering with any official traffic control device, or which may be confused with an official traffic control device. No rotating beacon, beam, or flashing illumination resembling an emergency light shall be used in connection with any sign display or be visible from an adjacent street. No lights resembling an emergency light and no such words as "Stop," "Look," "Danger," or any other lights, words, phrases, symbols, or characters which in any manner may interfere with, mislead, or confuse vehicle operators shall be used in a location which is visible to vehicular traffic. No sign shall be located in such a manner as to impede the corner visual clearance.

E. Attention Drawing Devices and Portable signs. No festoons, spot lights, suspended balloons, other attention drawing devices or portable signs shall be allowed.

EXCEPTION: Attention-Drawing Devices. Temporary attention-drawing devices shall be submitted to the City for approval. A permit is required pursuant to the provisions of Section 166.12. The maximum time period for any such sign or attention-drawing device shall be two (2) weeks.

F. Roof Signs. No roof signs shall be allowed.

G. Fence and Free-Standing Wall Signs. Painting or affixing a sign to a fence or free-standing wall is prohibited.

EXCEPTION: Signs may be attached to a freestanding wall with setbacks as allowed for ground signs. Sign shall be considered as a ground sign.

H. Flashing Lights. Flashing, chasing and/or moving light is not allowed on any sign. See electronic message center signs in this Section 166.11 §10.

I. Vehicle Signs. Vehicle signs greater than one square foot which are applied directly or attached directly to the body of a car, bus, trailer, or other vehicle when such vehicle does not have a valid registration and is not utilized in the normal course of a business or in the operator's usual routine activities.

J. Advertising signs as defined in Section 166.54.

EXCEPTION: Business logos of businesses participating in the I-380 advertising program may be placed on I-380 Trailblazer signs located as approved by City Council as Right-Of-Way directional signs.

K. All signs not expressly permitted by this chapter.

166.27 ZONING DISTRICT SIGN REGULATIONS.

7. District Regulations for C-WH, I-1 and I-2 Districts. Only signs listed hereinafter shall be permitted and subject to the regulations set forth in the C-WH Commercial Warehouse, I-1 Restricted Industrial and I-2 General Industrial Zoning Districts as established and set forth in Chapter 165 of this Code of Ordinances.

A. General Regulations for the C-WH, I-1 and I-2 Districts. Signs for residential and other uses are allowed as permitted and regulated in Section 166.27(6) above, subject to the modifications stated herein.

B. For Nonresidential Uses. The allowable surface area of all permitted signs for each lot shall be calculated according to the criteria in this Section 166.27(7)(B). Signs may be illuminated.

(1) Total Allowable Surface Area. The total allowable surface area permitted on each lot frontage shall be equal to the surface area for building and freestanding signs as specified herein.

(2) Building Signs. Total building sign area shall not exceed 15% of the wall area on which the signage is located. One projecting sign for each establishment's street frontage shall be permitted. Projecting signs shall comply with Section 166.11(6)(D).

(3) Freestanding Signs. No more than one ground sign shall be permitted for each lot street frontage. The maximum total surface area, setback, and height for all such signs shall not exceed the dimensions given below for each lot for each street frontage:

a. 60 square feet if set back 10 feet with a height not to exceed 10 feet;

b. 80 square feet if set back 20 feet with a height not to exceed 12 feet; or

c. 100 square feet if set back 30 feet with a height not to exceed 15 feet.

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C. Lots with Frontage Exceeding 300 Feet

(1) Freestanding Signs. One freestanding sign shall be permitted for each 150 feet of frontage for lot frontages which exceed 300 feet. The additional freestanding signs allowed by this section shall be ground signs. Total allowable sign areas for the applicable zone and sign type shall not be exceeded. Sign separation distances shall comply with Section 166.11(9). This exception does not apply to I-380 frontage.

HIAWATHA, IOWA – SIGN CODE

TABLE 1 PERMITTED SIGNS BY ZONING DISTRICT[1 3]

(Does not include temporary signs or signs exempt from permits by §166.10.)

Zoning District	FREESTANDING SIGNS; one per street frontage				[4]BUILDING SIGNS	
	Pole Sign	Ground Sign			Projecting Signs	Allowable Area
		Setback	Height	Area		
1-2 Family Dwelling Use	NA	NA	NA	NA	NA	NA: Except Home Occupation wall signs – 2 ft^2 with no illumination
A, R-1, R-3, R-5 Non-Residential	NA	15 ft	8 ft	16 ft^2	NA	12 ft^2: Wall signs shall have no illumination
R-MH	NA	10 ft	8 ft	16 ft^2	NA	NA
R-7	NA	15 ft	6 ft	32 ft^2	NA	32 ft^2 Wall sign
C-ORS	NA	10 ft	10 ft	32 ft^2	NA	Total building sign area shall not exceed 15% of the wall area on which the signage is located
C-2	NA	10 ft	8 ft	40 ft^2	NA	
		20 ft	10 ft	50 ft^2		
		30 ft	12 ft	80 ft^2		
[6]C-3, C-4, C-R, CPR-3	[5]28' tall & 100 ft^2	**Setback**	**Height**	**Area**	One allowed	
		10 ft	10 ft	60 ft^2		
[6]CPR-1, 2	[5]NA	20 ft	12 ft	80 ft^2		
[6]I-1, I-2, C-WH	NA	30 ft	15 ft	100 ft^2		

NA – Not Allowed.

[1]Required setbacks unless noted otherwise; 10 ft front, corner and rear lot lines; 15 ft interior side lot lines; 40 ft from residential lots.

[3]Illumination permitted unless noted.

[4]Building sign definition includes all awning, canopy, marquee, projecting, wall and window signs. Window signs are limited to 30% of the window area on which they are located.

[5]I-380 signs allowed only within 50' of interstate ROW: Maximum 50 feet tall and 400 ft^2.

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[6]Additional ground signs are allowed on frontages exceeding 300 ft in C-3, C-4, I-1, I-2, C-WH, and CPR zones; signs must be 150 feet apart.

SECTION 2. SEVERABILITY CLAUSE. If any section, provision or part of this ordinance shall be adjudged invalid or unconstitutional, such adjudication shall not affect the validity of the ordinance as a whole or any section, provision or part thereof not adjudged invalid or unconstitutional.

SECTION 3. WHEN EFFECTIVE. This ordinance shall be in effect from and after its final passage, approval and publication as provided by law.

PASSED AND APPROVED this 1st day of August, 2018.

_____
Bill Bennett, Mayor

ATTEST:

_____
Kelly Kornegor, City Clerk

I, Kelly Kornegor, City Clerk of the City of Hiawatha, Iowa, do hereby certify that the foregoing ORDINANCE was PASSED and APPROVED by the City Council of the City of Hiawatha, Iowa, on the 1st day of August, 2018, and was posted as Ordinance No. ____ on the ____ day of August, 2018.

_____
Kelly Kornegor, City Clerk