

SEC. 100.26 SIGN REGULATIONS.

A. Purpose:

The regulations in this ordinance establish comprehensive minimum requirements for the control of signs in order to preserve, protect and promote the public health, safety, morals and general welfare. More specifically, this ordinance is intended to assist in achieving the following objectives:

1. To authorize the use of signs which are:
 - a. compatible with their surroundings and the zoning district;
 - b. appropriate to the type of activity;
 - c. expressive of the identity of the proprietors; and
 - d. legible in the circumstances.
 2. To foster high quality commercial development and to enhance the economic vitality of existing businesses by promoting the reasonable, orderly, and effective display of signs, and to encourage better communication with the public.
 3. To encourage sound, proper display practices and to mitigate the objectionable effects of competition in respect to the size and placement of signs.
 4. To enhance the physical appearance of the City of Waverly by protecting the man-made and natural beauty of the area.
 5. To protect pedestrians and motorists from damage or injury that might result from improper construction, placement, or use of signs.
 6. To protect the public by reducing the obstructions and distractions which might cause traffic accidents.
 7. To preserve the value of private property by assuring the compatibility of signs with nearby land uses.
 8. To protect the physical and mental well being of the general public by recognizing and encouraging a sense of aesthetic appreciation for the visual environment.
 9. To preserve and enhance the natural beauty and unique character of the City of Waverly.
 10. To promote convenience, enjoyment, and free flow of traffic within the City of Waverly.
 11. To protect the public's ability to identify uses and premises without confusion.
- B. Definitions. For the purposes of this Section, certain terms and words pertaining to signs are defined as follows:
1. Accessory Sign. A sign relating only to uses of the premises on which the sign is located, or products are sold, or services offered on the premises on which the sign is located, or indicating the name or address of a building, or the occupants or management of a building of the premises where the sign is located. See "Off-Premise Sign" definition.
 2. Address Sign. A sign posted in conjunction with doorbells or mailboxes showing only the numerical address and/or the occupants of the premises upon which the sign is situated.
 3. Awning. Any retractable structure made of cloth, metal, or other material attached to building; erected to permit raising or retracting to a position against the building when not in use. If the sign is on an awning, then only the awning area covered by the actual lettering or symbol shall be used in calculating the sign area. If the awning is illuminated then the entire lit area shall be included in computing the sign area.
 4. Banner Sign. Any sign of lightweight fabric or similar material that is permanently mounted to a pole or a building by permanent frame at one or more edges.
 5. Bench Sign. A sign painted or attached to a seating bench.

6. **Billboard Sign.** A sign structure designed for the posting of changeable graphics or reading matter advertising a product, place, activity, person, profession, service institution or business located upon property other than the premises on which the sign is located. This definition includes the term 'display board'.
7. **Building Code.** The Uniform Building code promulgated by the International Conference of Building Officials.
8. **Building Official.** The officer or other designated authority charged with the administration and enforcement of the Building Code in the City of Waverly.
9. **Bulletin Board.** A sign used for the temporary posting of meeting or event notices.
10. **Canopy.** A structure (other than an awning) designed to cover or shade windows, entries, or walkways made of cloth, vinyl, canvas, or other similar material with frames.
11. **Combination Sign.** A sign incorporating any combination of the features of freestanding, projecting, and roof signs.
12. **Curbline.** The line at the face of the curb nearest to the street or roadway. In the absence of a curb, the curbline shall be established by the jurisdiction's engineer.
13. **Directional Sign.** A sign designed for the purpose of assisting traffic control, that is located on private property and limited to no more than three (3) feet in height, nor six (6) square feet in area.
14. **Driveway.** A private access to either a private or public street, road, alley, highway, or freeway.
15. **Flag Sign.** Any fabric, banner, or bunting containing distinctive colors, patterns, or symbols used as a symbol of government, political subdivision, or other entity.
16. **Flashing Sign.** A sign containing electrical wiring and lighting where the light produces a flashing or strobe effect. A flashing sign shall be affixed to a permanent structure and shall have at least ten (10) feet of clearance above the sidewalk, street, or ground. This term excludes signs illuminated by an exterior light source.
17. **Freestanding Sign.** A sign that is supported by one (1) or more uprights, columns, pole, pylons, or braces in or upon the ground and not attached to any building or wall. This term shall also apply to those signs having their framework permanently embedded in the ground.
18. **Home Occupation Sign.** A sign or nameplate limited to the display of the occupant and/or the name of the home occupation. The sign shall not exceed two (2) square feet in area, shall not be illuminated, shall be affixed to the main structure, or shall be visible through a window, and shall be limited to one (1) per home.
19. **Legal Setback Line.** A line established by ordinance beyond which a building may not be built. A legal setback line may be a property line.
20. **Marquee Sign.** A sign which is a permanent roofed structure attached to and supported by the building and projecting over public property.
21. **Memorial Sign.** A sign dedicated to an historical event, figure, or person.
22. **Monument Sign.** An identification device permanently embedded in the ground, upon which is affixed only the name and/or symbol of a particular neighborhood, subdivision, municipality, commercial or industrial development.
23. **Mural Sign.** See "Wall Sign" definition.

24. Non-combustible. A term when applied to building construction material means a material which, in the form it is used, is either of the following:
 - a. Material of which no part will ignite and burn when subjected to fire. Any material conforming to the Building Code. Specifically, U. B. C. Standard Number 4-1 shall be considered non-combustible within the meaning of the section.
 - b. Material having a structure base of non-combustible material as defined in "a" above, with a surfacing material not over one-eighth (1/8) inch thick that has flame-spread rating of fifty (50) or less. "Non-combustible" does not apply to surface finish materials.
25. Non-structural Trim. The molding, battens, caps, nailing strips, latticing, cutouts, or letters and walkways that are attached to the sign structure.
26. Off-Premise Sign. A sign displaying or drawing attention to a product, place, activity, person, profession, service institution, or business located upon property other than the premises on which the sign is located. Except for temporary signs advertising special events or projects and government entity signs, off-premise signs are not permitted.
27. Pennant Sign. Any lightweight plastic, fabric, or other material (whether or not containing a message of any kind) suspended from a rope, wire, or string, usually in series, designed to move in the wind.
28. Plastic Material, Approved. Shall be those materials having a self-ignition temperature of six hundred fifty (650) degrees Fahrenheit or greater and a smoke-density rating not greater than four hundred fifty (450) degrees when tested in accordance with U. B. C. Standard Number 55-2. Approved plastics shall be classified and shall meet the requirements for CC1 or CC2 plastic.
29. Pole Sign. See "Freestanding Sign" definition.
30. Political Sign. A political sign means an outdoor sign of a temporary nature erected for the purpose of soliciting votes or support for, or in opposition to, any candidate or any political party under whose designation any candidate is seeking nomination or election or any public question or issue on the ballot in an election held under the laws of the State of Iowa.
31. Portable Sign. Any sign not permanently attached to the ground or other permanent structure, or a sign designed to be transported, including, but not limited to signs designed to be transported by means of wheels; signs converted to "A" or "T" frames; menu and sandwich board signs; umbrellas used for advertising; and signs attached to or painted on vehicles parked and visible from the public right-of-way, unless said vehicle is used in the normal day-to-day operations of the business. Portable signs are not permitted unless specifically authorized for temporary use by the Zoning Manager and/or Building Official. Said sign shall be permitted for ninety (90) days in any consecutive twelve (12) month period.
32. Projecting Sign. A sign supported by a building or other structure which projects over any street, sidewalk, alley, or public way or public easement, or which projects more than twelve (12) inches from the face of the building, structure or supporting wall, excluding canopies, awnings, and marquees. No projecting sign shall project from the face of the building or structure over a street, alley or other public space, beyond a line drawn perpendicular from a line two (2) feet inside the curbline. This definition includes signs and structures that are perpendicular and parallel to the building or

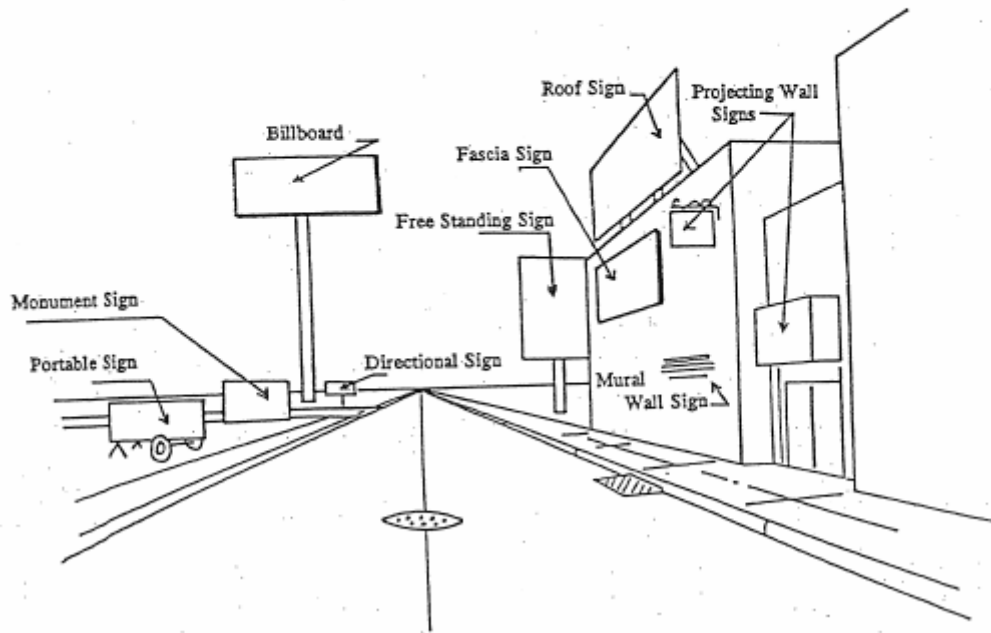
- other supporting structure. Those projecting signs that are perpendicular are limited to twenty (20) square feet in area, while those projecting signs that are parallel shall not exceed twenty-five (25) percent of the surface area of any store wall to which the sign is affixed. In either case, a projecting sign shall have at least ten (10) feet of clearance above the sidewalk, street, or ground.
33. Regulatory Sign. Traffic and other municipal signs, legal notices, railroad crossings, danger, and other such necessary, temporary, emergency, or non-advertising signs.
34. Road or Street.
- a. City Street: Any thoroughway having a public right-of-way which is designed to channel or circulate vehicular and pedestrian traffic. The term "street" may refer to any right-of-way bounded by adjacent property lines or to the paving installed within such right-of-way. The types, or classifications, of streets are defined in Section 100.2.117 in the Waverly Municipal Code.
 - b. County Road: Any road or street owned, operated, and maintained by Bremer County.
 - c. Main-Traveled Way: The portion of the roadway for movement of vehicles on which through traffic is carried exclusive of shoulders and auxiliary lanes. In the case of a divided highway, the main-traveled way includes each of the separated roadways for traffic in opposite directions, exclusive of frontage roads, turning roadways, or parking areas.
 - d. Primary Highway: The entire primary system as officially designated, or as may hereafter be so designated by the State Department of Transportation. United States (U.S.) Highway 218 and State Highway 3 are classified by the State Department of Transportation as "primary highways" within the City of Waverly.
 - e. Private Street. Any privately-owned road, street, or driveway.
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. Said roof sign shall not be larger than forty (40) square feet in area.
36. Sign. An identification, description, illustration, or device that is affixed to, or represented on a building, structure, or parcel of land and that directs attention to a product, place, activity, person, profession, service, institution, or business.
37. Sign Area. That area within a line including the outer extremities of all letters, figures, characteristics or delineations, or within a line including the outer extremities of the framework or background of the sign, whichever line includes the larger area. When the irregularity of a sign shape warrants, such area shall include the extreme points or edges of the sign. The support for the sign background, whether it be columns, pylons, or a building or part thereof, shall not be included in the sign area, unless said building part provides back-lighting for sign lettering and then said back-lit portion will be calculated as part of the sign area. Only one (1) side of a double-faced sign shall be included in the computation of sign area.
38. Sign Structure. Any structure that supports or is capable of supporting a sign as defined in this section. A sign structure may be one or more poles, beams, and/or frames, and may or may not be an integral part of the building.
39. Structure. That which is built or constructed, an edifice or building of any kind, or any piece of work artificially built up or composed of parts jointed together in some definite manner.

40. Temporary Sign. A sign or advertising device intended to be displayed for a limited time period typically identifying construction, community or civic projects, show homes, or other special events on a temporary basis. Said sign shall not exceed thirty-two (32) square feet in area. Said sign shall be permitted for ninety (90) days in any consecutive twelve (12) month period.
41. U.B.C. Standards. The Uniform Building Code Standards volume, promulgated by the International Conference of Building Officials.
42. Wall Sign. A sign other than a roof sign that is supported by a building or wall. Such a sign shall not project, in height, beyond the peak of said building or wall more than one-third (1/3) of the sign's longest dimension. Signs surpassing said peak projections shall be designated as roof signs. Wall signs shall not exceed twenty-five (25) percent of the surface area of any wall to which the sign is affixed.
 - a. Canopy wall sign. Any sign that is a part of or attached to an awning, canopy, or other fabric, plastic, or structure protective cover over a door, entrance, window, or outdoor service area.
 - b. Facial wall sign. A single-faced building or wall sign that is parallel to its supporting wall and not extending more than twelve (12) inches from a building or wall.
 - c. Mural wall sign. A graphic illustration or presentation that is painted or otherwise applied to a building, wall, or facade.
 - d. Projecting wall sign. A sign that is attached to and projects more than twelve (12) inches from the face or wall of a building.

Figure 1.

See Sign Type Sketch (below)

Figure 1. Sign Type Sketch.



43. Zoning Manager. The officer or other designated authority charged with the administration and enforcement of the Zoning Code in the City of Waverly.

C. Signs: General Regulations.

1. All signs permitted herein shall be contained entirely upon private property; set back from existing and proposed public right-of-way.

2. No sign shall be permitted within the line of sight triangles formed at the intersection of a public right-of-way with an access, driveway, or alley; nor shall any sign be permitted within the line of sight triangles formed at the intersection of two (2) rights-of-way, with two (2) sides of the respective triangles being measured in length along the state boundaries measured from their point of intersection, and the third side being a line connecting the ends of the two (2) sides already established. (See Figures 2 and 3).

As defined in this subsection, no advertising device shall be erected or maintained in the triangular area shown below unless said triangular area is occupied by an existing building or structure. In that event, no advertising device shall be erected or maintained closer to the intersection than the building or structure itself. A wall sign that does not protrude more than twelve (12) inches may be attached to said building or structure.

Figure 2 See Intersection of Driveways and Rights-of-way and
Figure 3. Intersection of Right-of-ways (Primary Highways excluded) (below)

Figure 2. Intersection of Driveways and Rights-of-way.

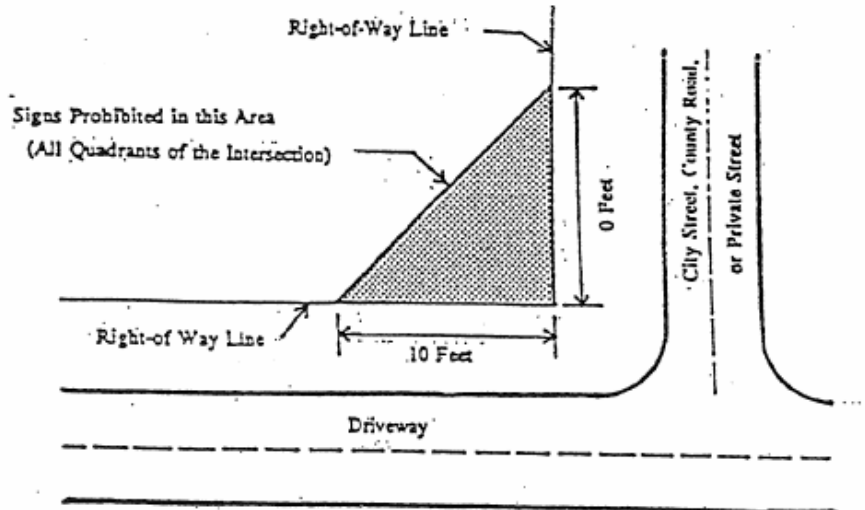
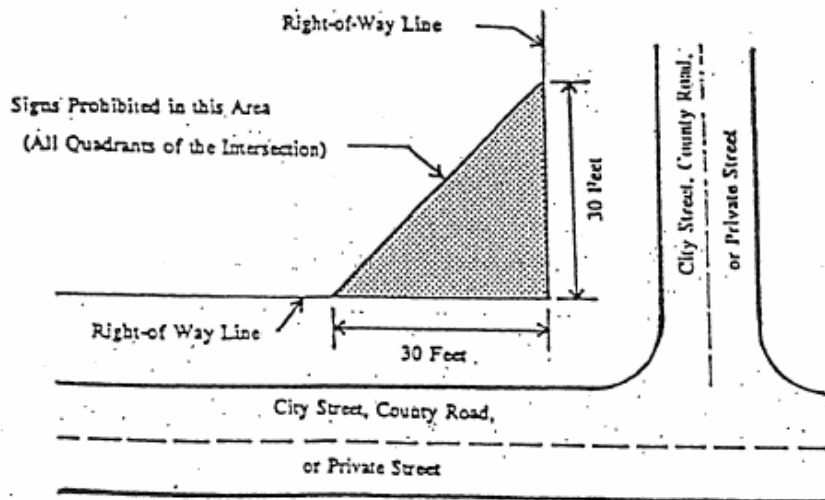


Figure 3. Intersection of Right-of-ways (Primary Highways excluded).



3. No freestanding or roof sign shall be permitted that faces the front side lot line of any lot in a residential "R" District within one hundred (100) feet of such lot lines, unless the subject sign is also permitted within the adjacent "R" District.
4. Any light, exclusive of the sign area itself, used to illuminate any sign shall be situated and arranged as to shine or reflect the light away from adjoining premises, including public right-of-way.
5. Lawful signs, other than portable signs as herein defined, existing on the effective date of this Ordinance amendment, that do not conform to the terms of this Ordinance shall be classified as legal, nonconforming signs and may be maintained as such, yet shall not (except when required by Law) be enlarged, extended, reconstructed, substituted, or structurally altered, unless altered in a nature so as to conform with the written terms of this Ordinance. Any sign in existence at the adoption hereof that was not an authorized nonconforming sign under previous ordinances shall not be authorized to continue as a nonconforming sign pursuant to this Ordinance, or amendments thereto. In the event that nonconforming sign is either removed, replaced, or destroyed, new signs shall thereafter conform to the terms of this Ordinance.
6. Calculation of sign area:
 - a. If a sign is enclosed by a rectangle or an outline, the total area will be the sign area; or if a sign consists of individual letters or figures, the imaginary square or rectangle which would enclose all letters or figures shall be the sign area. For freestanding signs, the sign area shall be the total square footage of all individual signs anchored to the same support structure or the ground.
 - b. Only one (1) side of a double faced sign shall be counted.
 - c. The area of signs of unusual shapes, such as globes, cylinders, pyramids, shall be computed as one-half (1/2) the total of the exposed surfaces.
 - d. In all cases, total allowable sign area for signs attached to buildings shall not exceed twenty-five (25) percent of the total square footage of the front of any building.
 - e. In all cases, total allowable sign area for rear entrances shall not exceed twenty-five (25) percent of the total square footage of the rear facade of any building.
7. Sign height requirements.
Maximum sign heights, per each zoning district, are shown in the following figure.

Figure 4. Sign Height Table (Height is shown in feet and measured from the base of the sign to highest point of the sign.)

| A1 | R1 | R2 | R3 | R4 | RF | S1 | C1 | C2 | C2A | C3 | M1 | M2 | PD | U1 |
|----|----|----|----|----|----|----|----|----|-----|----|----|----|----|----|
| 20 | 10 | 10 | 10 | 10 | 10 | 40 | 30 | 40 | 40 | 30 | 50 | 50 | 10 | 10 |

8. Structural and maintenance requirements:
- a. The wiring of all signs shall be contained and enclosed and shall conform to the provisions of the National Electrical Code.
 - b. Every sign shall be maintained in a safe, neat, and attractive condition by its owner. The sign supports shall be kept painted/treated to prevent rust, deterioration, rotting, or corrosion.
 - c. No sign shall be erected, placed or mounted in such a manner as to interfere with any exit, fire escape, or window in any building.
 - d. If a sign is illuminated, the source of such illumination shall be kept in a state of working order at all times.
 - e. All signs shall be designed to withstand a wind pressure of not less than eighty (80) miles per hour and shall be constructed to receive dead loads as required in the building code or other ordinances of the City of Waverly.
 - f. No signs or sign structures shall have any nails, tacks, wires, or sharp metal edges protruding from them.
 - g. Any glass forming a part of a sign shall be heavy safety glass and a minimum of one-fourth (1/4) inch in thickness. Where any single piece or pane of glass has an area exceeding three (3) square feet, it shall be wired glass.
 - h. No sign shall be erected, placed or mounted in such a manner as to interfere with snow removal or utility maintenance.
 - i. No sign shall be erected, placed, or mounted closer than ten (10) feet to any existing overhead electrical service wire nor closer than five (5) feet from any existing overhead telephone or communication cable.
 - j. All letters, figures, characters, or representations in cut-out or irregular form, maintained in conjunction with, attached to, or superimposed upon any sign shall be safely and securely built or attached to the sign structure.
 - k. Every marquee, freestanding, wall, or projecting sign (including frame, braces and support thereof) shall be securely built, as may be required by the Zoning Manager and/or Building Official.
 - l. All signs shall be mounted in one (1) of the following manners:
 - 1). Flat against a building or wall.
 - 2). Back-to-back in pairs so that the backs of signs will be screened from public view.
 - 3). Otherwise mounted so that the back of all signs or sign structures showing to the public view shall be painted and maintained a neutral color or a color that blends with surrounding environment.
 - m. All signs shall be constructed to not hold water, snow or ice.
 - n. When any sign is found to be hazardous to a person or property, or if any sign shall be unlawfully installed, erected, or maintained in violation of the provisions of this ordinance, the owner thereof, or the person or firm maintaining the same, shall upon written notice of the Zoning Manager and/or Building Official forthwith in the case of immediate danger, and in any case within not more than (10) days, make such sign conform to the provisions of this ordinance or remove it.

- o. Any business that ceases operation or changes location shall remove all signs and sign structures within thirty (30) days. Failure to do so will result in the property owner receiving notification from the City. All associated costs of this provision shall be the responsibility of the owner of the property. An abandoned sign or remaining sign structure thereof, existing at the time of adoption of this ordinance, shall have thirty (30) days to be removed.
 - p. Signs constructed or maintained in violation of the provisions of the ordinance are hereby deemed to constitute a nuisance and are subject to actions and any civil or criminal nuisance violation procedures under the Code of Iowa as well under Chapter 63 of the Waverly Municipal Code.
9. Applications, installation, and licensure.
Any person desiring to engage in the business of erecting or installing signs shall make application for a license to do so, to the Clerk, which application shall set forth the name and business address of the applicant; and if the applicant is a firm or partnership, the names of the partners, and in the case of a corporation, the names of the president and secretary, and the name of the person who will have charge of sign installation within the City.
10. Sign permit.
A sign permit must be obtained from the Zoning Manager and/or Building Official prior to installing or erecting a sign. A one-time fee will be charged for a sign permit; and the City Council shall, by resolution, determine the fee schedule. A copy of the fee schedule shall be located in the Zoning and/or Building Department.
11. Bonds and insurance required.
No license shall be issued until a bond has been filed with the Clerk with sureties approved by said Clerk indemnifying the City against any loss, expense, judgment, or damages which the City might incur or suffer by reason of the granting of a permit to erect or install signs, such bond to be in the amount of five thousand dollars (\$5,000.00) or in such amount as may be determined by the Council. In addition to said bond, the applicant shall file with the City evidence of liability insurance in the amount of fifty thousand dollars (\$50,000.00) to the City that will be in full force and effect during the period the license is issued.
- D. Signs permitted in all zones: Signs hereafter designated shall be permitted in all zoning districts without prior Building Department approval. A sign permit is not required.
- 1. Signs advertising the sale, rental, or lease of the premises, or part of the premises, on which the sign is displayed. One (1) non-illuminated sign, not to exceed six (6) square feet in area, shall be permitted on each premise.
 - 2. Signs advertising the architects, engineers, contractors, occupants, other individuals involved in the construction, reconstruction, or remodeling of a building and/or development project and such signs announcing the character and/or purpose of the site. Total non-illuminated signage, not to exceed forty (40) square feet in area, shall be permitted on each premise. Said signs shall not be erected sooner than thirty (30) days prior to site development, nor continued being displayed longer than thirty (30) days following project completion. Said signs shall be placed in accordance with the regulation in this Section.
 - 3. Signs announcing candidates seeking public political office or pertinent political issues. Said signs shall be confined to private property and shall be subject to

- applicable State and municipal regulations. It shall be lawful to place political signs on private property with permission of the owner or person in charge of the property.
4. Address signs posted in conjunction with doorbells or mailboxes showing only the numerical addresses and/or occupants of the premises upon which the sign is situated.
 5. Home occupation signs that are not illuminated and do not exceed two (2) square feet in area. Said sign shall be attached to the front of the principal building. For the purposes of this subsection, "front" shall be determined by the street from where the address is derived.
 6. Accessory signs identifying hospitals, civic, philanthropic, educational, or religious organizations. All signs must comply with the general regulations found in subsection "C" of this Section. All freestanding, monumental and roof signs exceeding forty (40) square feet in area must be approved by City Council.
 7. Signs that primarily consist of balloons, ribbons, streamers, spinners, or other similarly moving devices. Said signs shall be permitted for ninety (90) days in any consecutive twelve (12) month period.
 8. Flag signs: All flag signs exceeding forty (40) square feet in area must be approved by City Council.
- E. Signs permitted in all zones: Signs hereafter designated shall be permitted in all zoning districts subject to prior Building Department Approval. A sign permit is not required.
1. Traffic and other regulatory, municipal signs, legal notices, railroad crossing, danger and other such necessary, temporary, emergency, or non-advertising signs.
 2. Signs required to be posted and maintained by law or governmental order, rule or regulation, unless specifically prohibited in this Section.
 3. Portable signs, banners pennants, and other temporary advertising devices identifying public events, special promotions, holidays and similar events, providing that specific approval is granted under regulations established by the City Council.
 4. Memorial plaques, cornerstones, historical markers, and similar representations.
 5. Monumental signs intended to identify residential, commercial and/or industrial developments, in accordance with this Section.
 6. Mural wall signs, company logo signs, hand-painted art, or any similar sign that is intended to be painted directly on the existing building facade or wall.
- F. Signs permitted within zoning districts. In order to implement the provisions of this Section, the following signs are hereby permitted in the previously defined zoning districts as follows:
1. "A-1" Agricultural District:
 - a. Signs permitted in and limited as per subsection "D" herein.
 - b. Fascial and mural wall signs used to identify the given name, symbol, and/or occupants of a farmstead located upon the premises. Sign area shall not exceed twenty-five (25) percent of the surface area of the single wall to which the sign is affixed. Signs exceeding forty (40) square feet in area must be approved by City Council.
 - c. Accessory signs, subject to approval of the Building Department, appertaining to any material that is mined, grown, or treated upon the premises; provided, however, that such signs shall be located upon or immediately adjacent to the buildings or in the area in which such materials are treated, grown, processed, or stored. Said sign shall not exceed forty

(40) square feet in area. No more than one (1) such sign shall be permitted per parcel.

2. "R-1" Single Family Residential District:
 - a. Signs permitted in and limited as per subsection "D" herein.
 - b. Residential developments of four (4) or more dwelling units shall be permitted one (1) development complex sign for each public street frontage within the project (or for each entrance in the case of a subdivision project). Said signs may be placed in any location on private property provided the sign complies with the height limitations in this ordinance. The maximum sign area for each sign shall be two (2) square feet, plus one (1) square foot for each dwelling unit or lot, not to exceed twenty-five (25) square feet in area per face of the sign.
 - c. Accessory signs, not to exceed two (2) square feet in area, identifying principal permitted and accessory uses in "R-1" zones other than dwellings and churches. Not more than one (1) sign shall be issued per parcel. All permitted signs must be of the fascia or mural wall type, unless the product, place, activity, person, service, institution, or business being advertised is located within a structure surpassing setback requirements from the lot line being utilized for access. If said setback exceeds Code requirements, one (1) directional sign may be permitted.
 - d. One (1) bulletin board or sign, not exceeding forty (40) square feet in area pertaining to construction, lease, hire, or sale of a building or premises, or sale of land or lots is allowed. The board or sign shall be removed as soon as the premises are leased, hired, sold, or construction is completed.
 - e. Church bulletin boards.
 - f. Home occupation signs, provided that only one (1) non-illuminated sign be attached directly to the front of the principal dwelling. Said sign shall not exceed two (2) square feet in area. For the purposes of this subsection, "front" shall be determined by the street from where the address is derived.
3. "R-2" one and Two Family Residential District:
 - a. Any sign permitted in the "R-1" Single Family Residential District, including a non-illuminated sign not to exceed one (1) square foot for each five (5) feet of frontage of property occupied by the use in question.
4. "R-3" Multiple Family Residential District:
 - a. Any sign permitted in the "R-2" One and Two Family Residential District.
 - b. Directional signs, limited to one (1) per curb cut.
5. "R-4" Multiple Family Residential - Transitional District:
 - a. Signs permitted in and limited as per subsection "E" herein.
 - b. Directional signs, limited to one (1) per curb cut.
 - c. Accessory wall signs having a total sign area not to exceed twenty-five (25) percent of the surface area of the single wall to which the sign is affixed. Said sign shall not exceed forty (40) square feet in area, unless special approval is granted by the City Council.
 - d. Accessory freestanding signs shall be permitted as follows:
 - 1). Upon parcels containing street frontage along any one (1) public street of at least one hundred fifty (150) linear feet.
 - 2). Less than forty (40) square feet in area.

- 3). Limited to a maximum of one (1) sign for each principal permitted structure.
6. "R-FBH" Planned Factory Built Home District:
 - a. The requirements shall be the same as those outlined for the "R-3" Multiple Family Residential District:
7. "S-1" Shopping Center District:
 - a. Signs permitted in and limited as per subsection "E" herein.
 - b. Accessory and projecting wall signs.
 - c. Directional signs, limited to two (2) signs per curb cut.
 - d. Accessory freestanding signs shall be permitted as follows:

In keeping with the intent of the "S-1" District, individual freestanding signs should be limited in number and designed to identify the shopping center and/or the stores contained therein; individual business identification signs are to be discouraged.

To meet this end, one (1) such sign structure shall be permitted for each two hundred fifty (250) linear feet, or fractional part thereof, of frontage on a public street. Said signs shall be no larger than three hundred fifty (350) square feet in area. When separate principal uses are situated on parcels containing less than two hundred fifty (250) feet of street frontage, one (1) freestanding sign may be permitted. Said sign shall be no larger than one hundred (100) square feet in area.
 - e. Roof signs are allowed.
 - f. Flashing signs provide said sign is affixed to a permanent structure and has at least ten (10) feet of clearance above the sidewalk, street, or ground.
 - g. All signs shall be reviewed and approved in accordance with the "S-1" zoning district provisions, regulations, and restrictions.
8. "C-1" Commercial District:
 - a. Signs permitted in and limited as per subsection "E" herein.
 - b. Accessory and projecting wall signs.
 - c. Directional signs, limited to two (2) signs per curb cut.
 - d. Accessory freestanding signs shall be permitted as follows:
 - 1). Said sign shall not be larger than forty (40) square feet in area.
 - 2). Said sign shall be limited to one (1) sign per separate principal permitted business.
 - e. Roof signs are not allowed.
 - f. Flashing signs provided said sign is affixed to a permanent structure and has at least ten (10) feet of clearance above the sidewalk, street, or ground.
9. "C-2" Commercial District:
 - a. Signs permitted in and limited as per subsection "D" herein.
 - b. Accessory and projecting wall signs.
 - c. Directional signs, limited to two (2) signs per curb cut.
 - d. Freestanding signs shall be permitted as follows:
 - 1) The sign area of free standing signs shall be limited by allowing two square foot of sign area per linear foot of street frontage with the following limitations: On parcels up to 499 feet of frontage, the combined square footage of all free standing signs shall not exceed 250 square feet. On parcels with 500 to 999 feet of frontage the

square footage of all free standing signs shall not exceed 300 square feet. On parcels with 1000 linear feet and over the area of all free standing signs shall not exceed 350 square feet.

- 2) Regardless of lineal street frontage, all parcels shall be permitted at least one such sign not to exceed forty (40) square feet in area.
 - e. Roof signs are allowed.
 - f. Flashing signs provided said sign is affixed to a permanent structure and has at least ten (10) feet of clearance above the sidewalk, street, or ground.
10. "C-2A" Commercial District:
- a. Any sign permitted in the "C-2" Commercial District.
 - b. Roof signs are not allowed.
 - c. Flashing signs provided said sign is affixed to a permanent structure and has at least ten (10) feet of clearance above the sidewalk, street, or ground.
11. "C-3" Commercial (Central Business) District:
- a. Accessory and projecting wall signs.
 - b. Roof signs are not allowed.
 - c. Flashing sign provided said sign is affixed to a permanent structure and has at least ten (10) feet of clearance above the sidewalk, street, or ground.
 - d. Accessory freestanding signs shall be permitted as follows:
 - 1) Said sign shall be limited to one (1) sign per separate principal permitted business.
 - 2) Said sign shall be limited by allowing one (1) square foot of sign area per lineal foot of street frontage.
 - 3) Said sign shall not be larger than eighty (80) square feet in area.
 - e. Directional signs, limited to two (2) signs per curb cut.
12. "M-1" Light Industrial District:
- a. Any sign permitted in the "C-2" Commercial District.
 - b. Roof signs are allowed.
 - c. Flashing signs provided said sign is affixed to a permanent structure and has at least ten (10) feet of clearance above the sidewalk, street, or ground.
13. "M-2" Heavy Industrial District:
- a. Any sign permitted in the "C-2" Commercial District.
 - b. Roof signs are allowed.
 - c. Flashing signs provided said sign is affixed to a permanent structure and has at least ten (10) feet of clearance above the sidewalk, street, or ground.
14. "PD" Planned Development District:
- a. Any sign permitted in the "R-4" Multiple Family Residential-Transitional District.
15. "U-1" Environmentally Sensitive Protected District:
- a. Any sign permitted in the "R-1" Multiple Family Residential-Transitional District.
- G. Signs prohibited in all zones: Signs hereinafter designated shall be prohibited in all zoning districts:
1. Signs that advertise a product, place, activity, person, service, institution, or business no longer conducted on the premises on which the sign is located. Said signs and

any supporting sign structures shall be removed in accordance with the provisions of the code of Ordinance of the City of Waverly, Iowa.

2. Signs that are larger than twenty-five (25) percent of the surface area of a wall or forty (40) square feet in area, unless otherwise allowed under this ordinance.
3. Signs erected in a manner as to obstruct free and clear vision of streets, alleys, or driveways or erected, designed, or positioned to interfere with, obstruct, or be confused with any authorized traffic sign, signal or device that may mislead or confuse traffic.
4. Signs posted on public property, including utility poles, lighting fixtures, street signs, benches and similar fixtures.
5. Billboards.
6. Signs that imitate or resemble official traffic control signs, signals, regulatory signs, or devices.
7. Off-premise signs, except for temporary signs advertising special events or projects and government entity signs.

H. Non-Conforming Signs.

Signs existing at the time of the enactment of this ordinance and not conforming to its provision, but which were constructed in compliance with previous regulations and ordinance shall be regarded and non-conforming signs. Non-conforming signs shall not be:

1. Changed to another non-conforming sign.
2. Structurally altered so as to prolong life of the sign.
3. Expanded.
4. Re-established after discontinuance of the sign use for a period of thirty (30) days.
5. Moved in whole or in part to another location unless said sign, and the use thereof, is made to conform to all regulations of this ordinance.
6. Re-established after damage or destruction by any means, including an act of God, exceeding fifty (50) percent of the estimated initial value of the sign, as determined by the Zoning Manager and/or Building Official.

I. Variance Procedure.

A sign owner may request a variance from the terms of this ordinance which will not be contrary to the public interest where, due to special conditions, a literal enforcement of the provisions of this ordinance would result in unnecessary hardship.

1. Application. An application for a variance from the provision of this sign ordinance shall be filed in writing with the Zoning Manager and/or Building Official. The application shall contain the following:
 - a. Name and address of the owner or applicant.
 - b. Address and legal description of the property where the sign is located.
 - c. A statement describing the variance requested and the reasons why a variance is required.
 - d. A map, sketch, or drawing which depicts, with reasonable accuracy, the size, shape and location of the sign and supporting structures and the sign's relationship to other structures.
2. Additional information. The Zoning Manager and/or Building Official may request additional information necessary to enable a complete analysis and evaluation of the variance request and a determination as to whether the circumstances prescribed for the granting of a variance exists.

3. Fee. The application shall be accompanied by payment of a fee established by the City Council.
4. Board of Adjustment. All request for variances from the provisions of this sign ordinance shall be submitted to the Board of Adjustment which shall consider and act upon variance requests under this Chapter in the same matter and applying, generally the same standards, to the extent applicable, as in considering variances from the provision of the Waverly Municipal Zoning Code.

See Figure 5. See **Sign Table** on next page.

Figure 5. Sign Table.

| Sign Type | Zoning District | | | | | | | | | | | | | | | |
|-----------------|-----------------|----|----|----|----|----------|----|----|----|-----|----|----|----|----|----|--|
| | A1 | R1 | R2 | R3 | R4 | RF BH | S1 | C1 | C2 | C2A | C3 | M1 | M2 | PD | U1 | |
| Address | A | A | A | A | A | A | A | A | A | A | A | A | A | A | A | |
| Banner | P | P | P | P | P | P | P | P | P | P | P | P | P | P | P | |
| Billboard | N | N | N | N | N | N | N | N | N | N | N | N | N | N | N | |
| Canopy | N | N | N | N | N | N | S | S | S | S | S | S | S | N | N | |
| Combination | N | N | N | N | N | N | S | S | S | S | S | S | S | N | N | |
| Directional | P | P | P | P | P | P | P | P | P | P | P | P | P | P | P | |
| Flag | A | A | A | A | A | A | A | A | A | A | A | A | A | A | A | |
| Flashing | N | N | N | N | N | N | S | S | S | S | S | S | S | N | N | |
| Freestanding | N | N | N | N | S | N | S | S | S | S | S | S | S | N | N | |
| Home Occupation | A | A | A | A | A | A | A | A | A | A | A | A | A | A | A | |
| Marquee | N | N | N | N | N | N | S | S | S | S | S | S | S | N | N | |
| Memorial | P | P | P | P | P | P | P | P | P | P | P | P | P | P | P | |
| Monument | P | P | P | P | P | P | P | P | P | P | P | P | P | P | P | |
| Mural | N | N | N | N | N | N | P | P | P | P | P | P | P | N | N | |
| Off-Premise | N | N | N | N | N | N | N | N | N | N | N | N | N | N | N | |
| Pennant | P | P | P | P | P | P | P | P | P | P | P | P | P | P | P | |
| Political | A | A | A | A | A | A | A | A | A | A | A | A | A | A | A | |
| Portable | A | A | A | A | A | A | A | A | A | A | A | A | A | A | A | |
| Projecting | N | N | N | N | N | N | S | S | S | S | S | S | S | N | N | |
| Regulatory | P | P | P | P | P | P | P | P | P | P | P | P | P | P | P | |
| Roof | N | N | N | N | N | N | S | N | S | N | N | S | S | N | N | |
| Temporary | A | A | A | A | A | A | A | A | A | A | A | A | A | A | A | |
| Wall | N | N | N | N | N | N | S | S | S | S | S | S | S | N | N | |

Table Key:

- A Sign permitted without Building Department approval. No sign permit required.
- P Sign permitted subject to Building Department approval. No sign permit required.
- S Sign permitted subject to Building Department approval. A sign permit is required.
- N Sign not allowed.