

## **Ordinance No. 1396**

### **Amending the Fridley City Code Chapter 214, Signs**

The City Council of the City of Fridley does ordain, after review, examination and staff recommendation that Chapter 214, Signs, of the Fridley City Code be amended as follows:

Section 1.

That Chapter 214 of the City Code entitled "Signs" be hereby repealed in its entirety and replaced with the language in Section 2 of this Ordinance.

Section 2.

That Chapter 214 of the City Code entitled "Signs" be hereby replaced with the following language:

Fridley City Code  
Chapter 214 Signs

#### 214.01 Purpose

The purpose of this Chapter is to provide a comprehensive and constitutionally-sound ordinance providing for the regulation of signs in the City of Fridley (City). Regulation of signs is necessary to prevent traffic hazards and personal and/or property damage. The purpose of this Chapter is to:

1. Regulate the number, location, size, type, illumination, and other physical characteristics of signs within the City in order to promote the public health, safety, and welfare;
2. Maintain, enhance, and improve the aesthetic environment of the City by preventing visual clutter that is harmful to the appearance of the community;
3. Improve the visual appearance of the City while providing for effective means of communication, consistent with constitutional guarantees and the City's goals of public safety and aesthetics; and
4. Provide for the fair and consistent enforcement of this Chapter.

It is not the purpose or intent of this Chapter to regulate the message displayed on any sign, to regulate any building design or any display not defined as a sign, nor to regulate any sign which cannot be viewed from outside a building.

## 214.02 Definitions

Abandoned Sign: A sign which:

1. Is displayed after expiration of a Sign Permit;
2. Remains after demolition of a principal structure located on the real property where the Sign is located.

Any Sign meeting this definition shall be considered abandoned even if the Sign is legally nonconforming or authorized pursuant to a Special Use Permit or variance.

Address Sign: A Sign consisting of numbers or numbers and a street name, identifying the address of a building and/or property.

Alteration: Any major change to a Sign Structure, a Sign Face, or a Sign Area. Alteration does not include changes to the Sign's message if the message solely is changed without altering the Sign Face, Sign Structure, or the surface of the Sign.

Area Gateway Sign: A permanent, free-standing Sign located near a principal entrance of a residential or commercial property or group of properties sharing a common identity (e.g., plat, neighborhood, development, etc.).

Bench Sign: A Sign which is attached to the front and rear surfaces of a backrest of a bench.

Billboard: A permanent, free-standing Sign with a standard Sign Area of 14 foot by 48 foot.

Changeable Message: A message on a Sign or portion thereof with characters, letters, pictures, panels, or illustrations that can be changed, rearranged, or replaced electronically or manually without altering the Sign Face or the Sign Structure.

Commercial Speech: Speech advertising a business, profession, commodity, service, or entertainment.

Directional Sign: A permanent freestanding sign located no closer than 10 feet to a property line or driveway and situated so as to be readily visible to vehicles and pedestrians accessing the property.

District: A zoning district as defined in Chapter 205 Zoning of the City Code.

Electronic Changeable Message: Programmable electronic message board, and/or programmable illuminated sign.

**Flag:** Any fabric or similar lightweight material attached at one edge or no more than two corners of the material, usually to a staff or pole, to allow movement of the material and which contains distinctive colors, patterns, symbols, or text. If any dimension of a flag is more than three times as long as any other dimension, it shall be regulated as a temporary sign for the purposes of this section.

**Flashing Sign:** A directly or indirectly illuminated sign which exhibits changing light or color effect by any means, to provide the illusion of intermittent flashing light, zooming, twinkling, or sparkling by means of animation.

**Free-Standing Sign:** A sign which is located on the ground and not attached to any part of a building or structure.

**Illuminated Sign:** A sign which contains an element designed to emanate artificial light internally or externally.

**Incidental Sign:** A small sign with a purpose secondary and accessory to the uses on the property on which it is located. No sign with a message legible off the premises shall be considered incidental.

**Institution:** A public or private institution including but not limited to places of worship, schools, hospitals and medical clinics.

**Institutional Sign:** A sign on the premise of an institution.

**Interstate 694 Corridor:** Any real property immediately adjacent to and within 275 feet of the centerline of Interstate 694 right-of-way.

**Interstate 694 Primary Sign:** A permanent, free-standing sign located within the Interstate 694 Corridor, intended to be visible from Interstate 694, and constructed and/or erected pursuant to § 214.15 Interstate 694 Corridor Signage.

**Interstate 694 Secondary Sign:** A permanent, free-standing sign located on real property within the Interstate 694 corridor, intended to be visible from public right-of-way intersecting Interstate 694, and constructed and/or erected pursuant to § 214.15 Interstate 694 Corridor Signage.

**Multiple Use Non-Residential Building:** A building designed for multiple occupancy of non-residential tenants.

**Motion Sign:** A sign which revolves, rotates, has moving parts, or gives the illusion of motion. Motion sign does not include walking signs, or changeable signs or flashing signs if the sole motion is changing lights, illuminance, or the message.

**Mural:** An image painted or applied to the exterior of a building wall or other permanent structure, and for which no more than five percent of the total area covered by the mural, or 100 square feet (whichever is less), consists of text.

**Nonconforming Sign:** A Sign lawfully erected prior to the effective date of this Chapter and which fails to conform to the requirements of this Chapter.

**Non-Commercial Speech:** Speech not classified as Commercial Speech which includes, but is not limited to, messages concerning political, religious, social, ideological, public service, and informational topics.

**Obsolete Sign Copy:** Sign copy that no longer advertises or correctly identifies a use conducted on the property which the sign is located.

**Permanent Sign:** A Sign which is designed to be displayed for an indefinite period of time and is not easily removed or relocated.

**Projecting Sign:** A Sign attached to a wall space that projects perpendicularly from a building or structure.

**Roof:** The exterior surface and its supporting structure on the top of a building or structure.

**Roof Sign:** A Sign erected, placed, and/or constructed on and/or above the Roof of a building, and which is supported by the Roof.

**Sign:** Any letter, word, symbol, poster, picture, reading matter, advertisement, announcement, message, or visual communication, whether painted, posted, printed, affixed, or constructed, which is displayed for informational or communicative purposes, and its Sign Structure. Sign shall not include architectural features or art not intended to communicate information, nor Murals nor Flags as defined by this chapter.

**Sign Area:** The area of a Sign, including the border and the surface which bears the message, but excluding the Sign Structure containing no message. The area of a sign with more than one visible face shall be calculated by the sum of the area of each sign face divided by two. For signs without a frame, the square footage shall be calculated as the area within a plane figure or figures bounded by straight lines connecting at right angles connecting the outermost points of the sign, as illustrated in Exhibit 1 below.

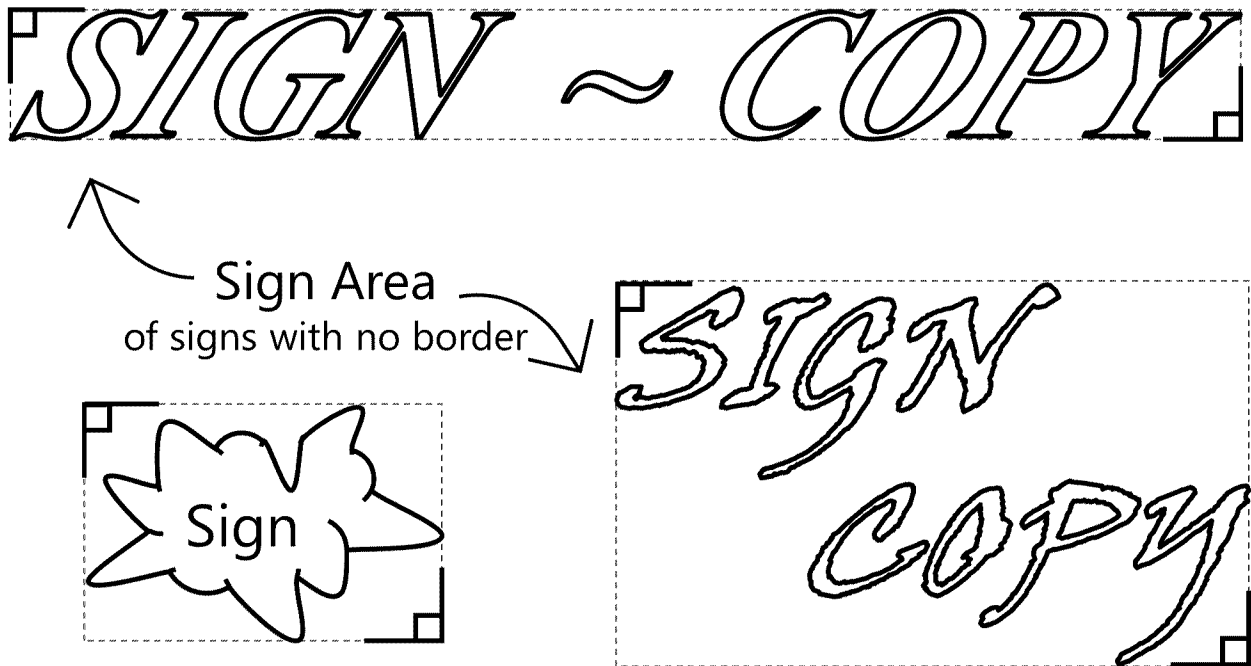


Exhibit 1: Sign Area

**Sign Face:** The surface of a Sign upon, against, and/or through which the message of the Sign is exhibited.

**Sign Permit:** An official document or certificate granting permission to erect a sign.

**Sign Structure:** A structure including the supports, uprights, bracing, and framework which supports or is capable of supporting a Sign.

**Special Use Permit:** A Special Use Permit as defined in Chapter 205 Zoning of the City Code.

**Static Display Area Signage:** A durable, non-moving sign or grouping of signs constructed of plywood, rigid plastic or similar durable weatherproof materials.

**Temporary Sign:** A Sign which is designed to be erected or displayed for a limited period of time, including but not limited to: banners, pennants, beacons, sandwich or curb Signs, Walking Signs, Yard Signs, and balloons or other air or gas filled structures.

**Vision Safety Zone:** The triangular area of a corner lot beginning at the intersection of the street surface edge or curb lines, measuring 40 feet along each curb line and a straight line between the two points, as illustrated in Exhibit 2 below.

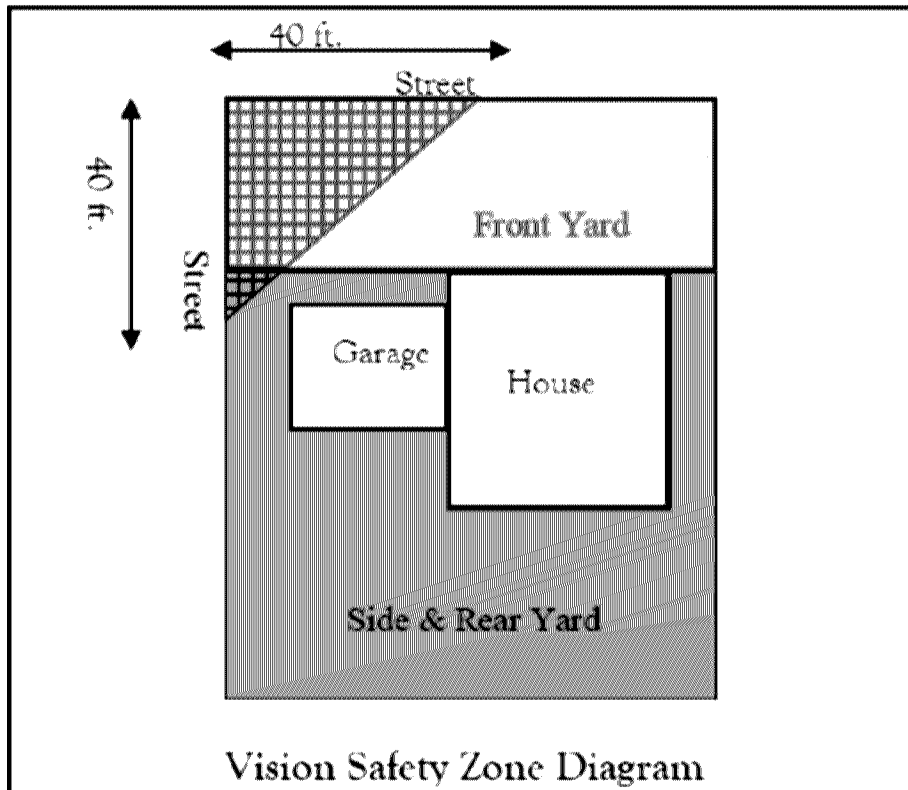


Exhibit 2: Vision Safety Zone

**Wall Sign:** A Sign which is attached to the wall of a building or structure.

**Walking Sign:** A Sign held by or attached to a human being who stands or walks on the premises at a business or event location. A person dressed in costume, both for the purposes of advertising and/or otherwise drawing attention to an individual, business, commodity, service, activity or product is considered a walking sign.

**Window Sign:** A Sign attached to the inside of a window for the purpose of viewing from outside the building. Window Sign does not include merchandise located in a window.

#### 214.03 General Provisions for Signs

1. No Sign shall be erected, constructed, posted, and/or utilized in the City unless the Sign is safe and in compliance with this Chapter and all other provisions of the City Code.
2. No Free-Standing Sign shall be placed closer than 10 feet to any property line or driveway, except Free-Standing Temporary Signs may be placed on sidewalks during the hours that the adjacent property is open to the public, if the sign is located immediately in front of the entrance and the Sign does not violate the Americans with Disabilities Act or otherwise prohibit or impede pedestrian or vehicular traffic.

3. Freestanding Signs located within a Vision Safety Zone must have a minimum height of 10 feet from the bottom of the Sign to the finished ground grade, as illustrated in Exhibit 3 below:

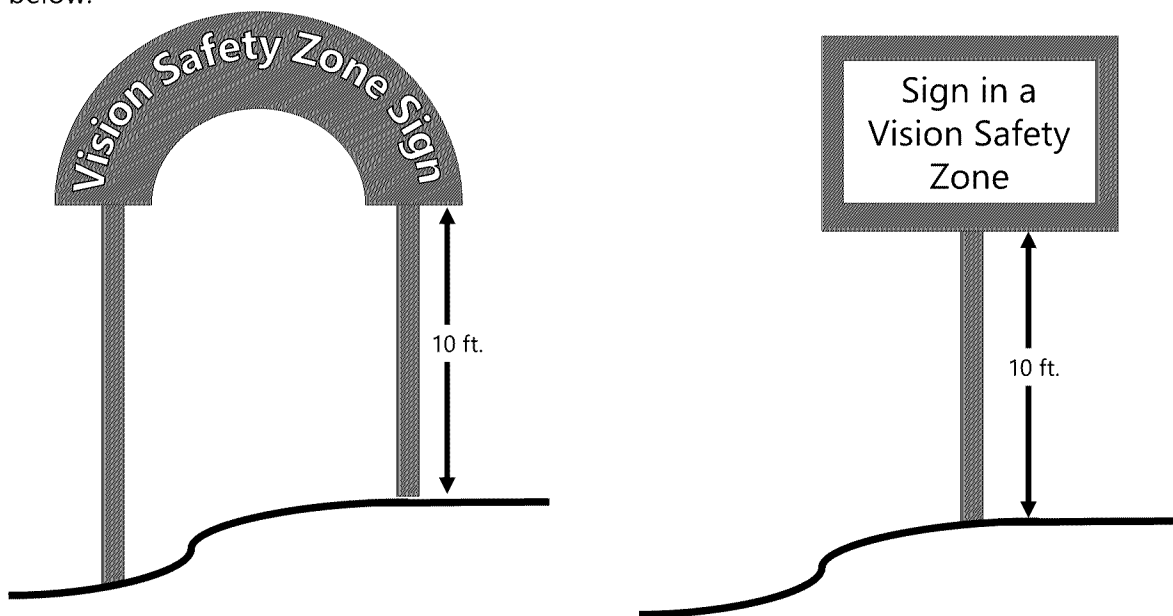


Exhibit 3: Freestanding Sign Height

4. No sign shall create a glare that will impact adjacent properties, drivers, or pedestrians

#### 214.04 Signs Allowed in all Districts

1. Address Signs: Each dwelling, business, or building must have a minimum of one Address Sign, that is a minimum size as prescribed in the Building Code of four inches high and one-half inch wide. The Sign must be illuminated or reflective and visible from the public right-of-way. Where access is by means of a private road and the building address cannot be viewed from the public right of way, a monument, pole, or other sign or means shall be used to identify the structure. No Sign Permit is required for address signs.
2. Bench Signs: Bench Signs may be displayed in all Districts but only at transit stops and may not be any larger than or extend beyond any portion of the bench. A bench sign may only be placed on a bench not larger than 42 inches high or more than 30 inches wide or seven feet long overall. No Sign Permit is required for bench signs.
3. Flags: Non-Commercial flags may be displayed in all Districts in accordance with state and federal law. Any Non-Commercial flag may be displayed in lieu of the United States or State of Minnesota flag. No Sign Permit is required for flags.

4. Permanent Free-Standing Sign: Permanent Free-Standing Signs may be displayed in all Districts, subject to all requirements of the District, including permit requirements.
5. Wall Signs: Wall Signs may be displayed in all Districts but must comply with size and number requirements of the District, including permit requirements.
6. Noncommercial Signs: During a state general election year, there shall be no permit required or restrictions on size or number of Noncommercial Signs beginning 46 days before the state primary until 10 days following the state general election, pursuant to Minnesota Statutes, as may be amended from time to time. Such Signs are subject to all other restrictions for the Sign type and District including all setback requirements.

In the R-1, R-2, R-3, R-4, & S-1 Districts, Noncommercial Signs shall also be allowed at all times as Window Signs, subject to a maximum Sign Area of 40 percent of the window area where the sign is placed.

7. Temporary Signs: All other Temporary Signs may be displayed in all Districts, subject to all requirements of the District, including permit requirements.
8. Window Signs: Window Signs may be displayed in all Districts without a permit, but must comply with all size and number requirements of the District.
9. Signs may be erected within a public right-of-way in any District provided that such Sign is approved by the appropriate governmental agency with authority over the right of way.
10. Incidental Signs: Incidental signs may be displayed without a permit in all Districts, subject to all requirements of the District.
11. Hospital Signs: Notwithstanding any provisions to the contrary, due to the confusion and anxiety that may arise from emergencies, and the necessity of quickly and efficiently finding treatment, the City Council finds that hospital identification and emergency Signs may be larger than other Permanent Free-Standing Signs or Wall Signs for the public to quickly identify a hospital. Consistent with this, a Hospital Sign, including both Free-Standing and Wall Signs, may have a maximum Sign Area of 100 square feet in all Districts. A Sign Permit is required.

#### 214.05 Signs Prohibited in All Districts

1. Signs erected or displayed upon any public right-of-way, as defined in City Code § 205.02.72, or public property, as defined in City Code § 205.02.71, except official or temporary traffic control signs, signals, or devices, at any time the public right-of-way or public property is open for public use, unless otherwise permitted by this Chapter or other applicable law. Any Sign posted in violation of this Section is declared to be abandoned

property. The City may seize the Sign and immediately destroy it. A violation of this Section is a misdemeanor. The City may file a citation and seek the costs of removal.

2. Signs depicting, representing, or constituting obscene material, pursuant to Minnesota Statutes, as may be amended from time to time or other applicable law.
3. Signs which by reason of size, location, movement, content, coloring, or manner of illumination may be confused with the light of an emergency or road equipment vehicle, a traffic sign, signal, or device, or which hides from view any traffic sign, signal, or device.
4. Motion Signs.
5. Flashing Signs.
6. Signs obstructing a Vision Safety Zone.
7. Roof Signs.
8. Abandoned Signs.
9. Obsolete Sign Copy.

#### 214.06 Permit Requirements

1. The following Signs shall not be erected, altered, reconstructed, or moved in the City without first securing a Sign Permit from the City. However, a permit shall not be required for the changing of the display surface or message on a previously approved and erected sign:
  - (a) Permanent, Free-Standing Signs, including but not limited to Area Gateway Signs, Billboards, Institutional Signs, and Interstate 694 Corridor Signs.
  - (b) Wall Signs.
  - (c) Temporary Signs not located in an R-1, R-2, R-4, or S-1 District.
  - (d) Static Display Area Signs.
2. For Signs requiring a Sign Permit, the content of the message or speech displayed on the Sign shall not be reviewed or considered in determining whether to approve or deny a Sign Permit. Application for a Sign Permit shall be made in writing on a form approved by the City and addressed to the City Manager or their designee. Applications shall contain the information necessary to approve the permit request.

3. The City shall approve or deny a Temporary Sign Permit within five business days of receiving a complete application. The City shall approve or deny a Permanent Sign Permit within 60 days of receiving a complete application. If the City denies the Sign Permit, the City shall provide written reasons for the denial at the time the City denies the Sign Permit.
4. A Temporary Sign Permit shall be valid for the time period stated on the approved permit. The time period for a Temporary Sign Permit shall not exceed 30 days.
5. Failure to comply with this Section is a misdemeanor.
  - (a) If a Temporary Sign is posted in violation of the permit requirements, the City may issue a citation to the Sign owner, remove the Sign, and/or invoice the property owner for the cost of the Sign Permit and any penalties as provided by Chapter 11.
  - (b) If a Permanent Sign is posted in violation of the permit requirements, the City may issue a citation to the property owner, and/or seek abatement in accordance with § 214.20, including, but not limited to, removal of the Sign, payment of the Sign Permit and any penalties as provided by Chapter 11, and enforcement costs.
6. A Sign Permit for a permanent sign shall expire if the work has not been substantially initiated within 180 days and substantially completed within one year of the date of the permit's issuance.
7. Any Sign Permit may be revoked upon failure of the holder to comply with any provision of this code or with the terms of the permit at the time of its issuance. A permit holder may appeal a decision to revoke a permit pursuant to the process set forth in § 214.22. The revocation will be stayed pending a decision on an appeal.

#### 214.07 Signs Allowed by District.

The following table represents the allowable signage and area requirements of a single sign (in square feet) by zoning district. "No" indicates the sign type is not allowed in the district. A Sign Permit is required unless otherwise specified in this Chapter:

Sign Type	Maximum Sign Size by Zoning District (in square feet unless otherwise noted)							Number of Signs Allowed	Sign Specific Standards
	R-1, R-2, R-4, & S-1	R-3	CR-1	C-1, C-2	C-3	M-1, M-2	M-3, M-4, S-3		
Area Gateway Sign	24	32	48	80	80	80	80	1 per development	214.07.01
Institutional Sign	32/80/∧	32/80/∧						1 freestanding sign per street frontage	214.07.02
Directional Signs	4	4	4	4	4	4	4	No numeric limit	214.07.03
Wall Signs	3	∧	∧	∧	∧	∧	∧	1 sign in R-1, R-2, R-4, & S-1 2 in M-1, M-2, M-3, M-4, & S-3 & as Institutional Signs 1 per wall in CR-1, C-1, C-2, & C-3	214.07.04
Window Signs (Percentage of Window Size)	40%*	40%*	40%	40%	40%	40%	40%	1 per window	214.07.05
Permanent Freestanding Signs	32; as Institutional Signs only	32	48	80	80	80	80	1 per street frontage	214.07.06
Billboards	No	No	No	No	700	700	No	No numeric limit	214.07.07
I-694 Corridor Signs	No	No	By property size	By property size	By property size	By property size	By property size	1 per frontage	214.07.08
Temporary Signs	6	32	32	32	32	32	32	1 per property in R-1, R-2, R-4, & S-1 1-2 per street frontage in all other Districts	214.07.09
Incidental Signs	2	4	6	6	6	6	6	No numeric limit	214.07.10
Static Display Area Signage	32; as Institutional Signs Only	48	48	48	48	48	48	1 per property	214.07.11
	*Noncommercial signs only								
	∧ Fifteen times the square root of the wall length where the sign is to be located								

1. Area Gateway Signs:

- (a) Maximum of one Area Gateway Sign per development. The development shall include at least six parcels or two acres of land, whichever is less, and all properties that comprise the area shall consent to the placement of the Area Gateway Sign.
- (b) The land upon which the sign is located has been dedicated for such a use by easement, plat or other legal and recordable instrument unless such sign would otherwise be permitted herein.
- (c) A maintenance agreement shall be recorded which, among other things, provides for the long-term responsibility, care, and maintenance of such sign.
- (d) Maximum height of 25 feet above the finished ground grade.
- (e) Maximum sign area of 24 square feet in R-1, R-2, R-4, & S-1 Districts, 32 square feet in the R-3 District, 48 square feet in the CR-1 District, and 80 square feet in the C-1, C-2, C-3, M-1, M-2, M-3, M-4, & S-3 Districts.

2. Institutional Signs:

- (a) In the R-1, R-2, & S-1 Residential Districts, a property which contains a legal nonresidential institutional use authorized by issuance of a Special Use Permit may display the following Institutional Signs:

(1) Permanent freestanding signs shall be allowed as follows:

- ((a)) One per street frontage.
- ((b)) Maximum sign area of 32 square feet, or 80 square feet, if located a minimum distance of 50 feet from any neighboring residential property.
- ((c)) Maximum height of 25 feet above the finished ground grade.

(2) Wall Signs shall be allowed as follows:

- ((a)) Maximum of two walls per Institution.
- ((b)) Maximum Sign Area of 15 times the square root of the wall length on which the Sign is to be placed.

(3) Static Display Area signs shall be allowed as follows:

- ((a)) One per street frontage.

((b)) Maximum size of 32 square feet.

(b) In all other districts, Institutional Signs shall be allowed by District Regulations for applicable sign type (e.g., Wall Signs, Permanent Freestanding Signs, or Static Display Area Signs).

(c) Sign Permits are required for Institutional Signs.

3. Directional Signs.

(a) Maximum Sign Area of four square feet.

(b) Minimum 20 feet in any direction between Directional Signs placed on the same property.

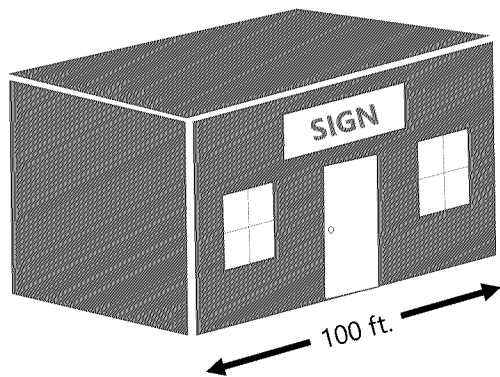
(c) Sign Permits are not required for Directional Signs.

4. Wall Signs.

(a) For residential properties in the R-1, R-2, R-4, & S-1 Districts, the Maximum Wall Sign Size is three square feet.

(b) For Permitted Nonresidential Uses in the R-1, R-2, & S-1 Residential Districts, a property which contains a legal nonresidential institutional use authorized by issuance of a Special Use Permit, two walls may display signs with a Maximum Sign Area of fifteen 15 times the square root of the wall length on which the Sign is to be placed, as illustrated in Exhibit 4 below:

### Formula for area of a wall sign



$$\begin{aligned}\text{Allowed sq ft} &= 15 * \sqrt{\text{(Wall length)}} \\ &= 15 * \sqrt{(100)} \\ &= 15 * 10 \\ &= 150\end{aligned}$$

Exhibit 4: Wall Sign Area

(c) Wall signs with a Maximum Sign Area of fifteen 15 times the square root of the wall length on which the Sign is to be placed may be placed on a maximum of two walls of properties in the M-1, M-2, M-3, M-4, and S-3 Districts, as illustrated in Exhibit 4 above.

(d) Wall signs with a Maximum Sign Area of fifteen 15 times the square root of the wall length on which the Sign is to be placed may be placed in the CR-1, C-1, C-2, and C-3 Districts, as illustrated in Exhibit 4 above.

(d) Sign Permits are required for Wall Signs.

5. Window Signs.

(a) Maximum Sign Area of 40% of the window area.

(b) In the R-1, R-2, R-3, R-4, & S-1 Districts, Noncommercial Window Signs are allowed.

(c) Sign Permits are not required for Window Signs.

6. Permanent Freestanding Signs.

(a) Maximum of one Sign per street frontage, not including Directional Signs, Billboards, Interstate 694 Primary Signs, and Interstate 694 Secondary Signs.

(b) Maximum height of 25 feet above the finished ground grade.

(c) Minimum distance of 50 feet from any R-1, R-2, R-4, & S-1 residential District.

(d) Maximum size of 32 square feet as Institutional Signs in the R-1, R-2, R-4, & S-1 Districts; 32 square feet in the R-3 District; 48 square feet in the CR-1 District; and 80 square feet in the C-1, C-2, C-3, M-1, M-2, M-3, M-4, & S-3 Districts.

(e) May have an electronic changeable message provided:

(1) Message does not change more than once every eight seconds.

(2) Message shall never flash or have motion that may distract vehicular traffic.

(3) Light level shall not exceed 3-foot candles above ambient light as measured from 250 feet.

(f) Sign Permits are required for Permanent Freestanding Signs.

7. Billboards.

- (a) Shall be permitted in the C-3, M-1, & M-2 Districts on real property adjoining the public rights-of-way of Interstate Highway 694.
- (b) Maximum height of 35 feet above the finished ground grade.
- (c) Minimum vertical distance between the bottom of the Billboard and the ground of ten feet.
- (d) Shall not exceed two Sign Faces.
- (e) Billboards with two Sign Faces shall have the Sign Faces attached back-to-back at a horizontal angle not to exceed 45 degrees.
- (f) Distances and Setbacks.
  - (1) Minimum of 1,000 feet linear between Billboards located on the same side of the public right-of-way. Distance shall be measured along the centerline of the right-of-way.
  - (2) Minimum of 2,500 linear feet between Billboards located on the same side or the opposite side of the public right-of-way that have an electronic changeable message. Distance shall be measured along the centerline of the right-of-way.
  - (3) Minimum of 30 feet from any property line abutting a public right-of-way.
  - (4) Minimum of ten feet from any other property line.
  - (5) Minimum of 500 feet from any street, ramp, or merging traffic.
  - (6) Minimum of 500 feet from any residential or public District.
- (g) The Sign Structure shall be all metal and be either painted or treated to prevent deterioration.
- (h) Any lighting will be shielded to prevent beams or rays of light from being directed at any portion of the traveled way of the public rights-of-way, shall not be of such intensity or brilliance as to cause glare or to impair the vision of any motor vehicle operator, shall not otherwise interfere with any driver's operation of a motor vehicle, and shall not create a nuisance on adjoining property.
- (i) Billboards shall be in addition to, and not in lieu of, Permanent Free-Standing Sign allowances.
- (j) Sign Permits are required for Billboards.

8. Interstate 694 Corridor Signage.

(a) Maximum of one Interstate 694 Primary Sign per property zoned CR-1, C-1, C-2, C-3, M-1, M-2, M-3, and S-2 and located within 275 feet of the centerline of Interstate 694.

(b) Where the property abuts a second public right-of-way, the property shall also be allowed an Interstate 694 Secondary Sign on the frontage adjacent to the second public right-of-way.

(c) Height.

(1) For Interstate 694 Primary Signs: 35 feet above the finished ground grade.

(2) For Interstate 694 Secondary Signs: 25 feet above the finished ground grade.

(d) Maximum Sign Area.

(1) For Interstate 694 Primary Signs: maximum Sign Area is determined by the acreage class of the development. The following chart determines the maximum Sign Area:

<u>Acreage Class</u>	<u>Sign Size Permitted</u>
35 acres +	500 square feet
10-35 acres	240 square feet
1-10 acres	120 square feet
Less than one acre	80 square feet

Allowed size by parcel is shown in Exhibit 5/Appendix A below:

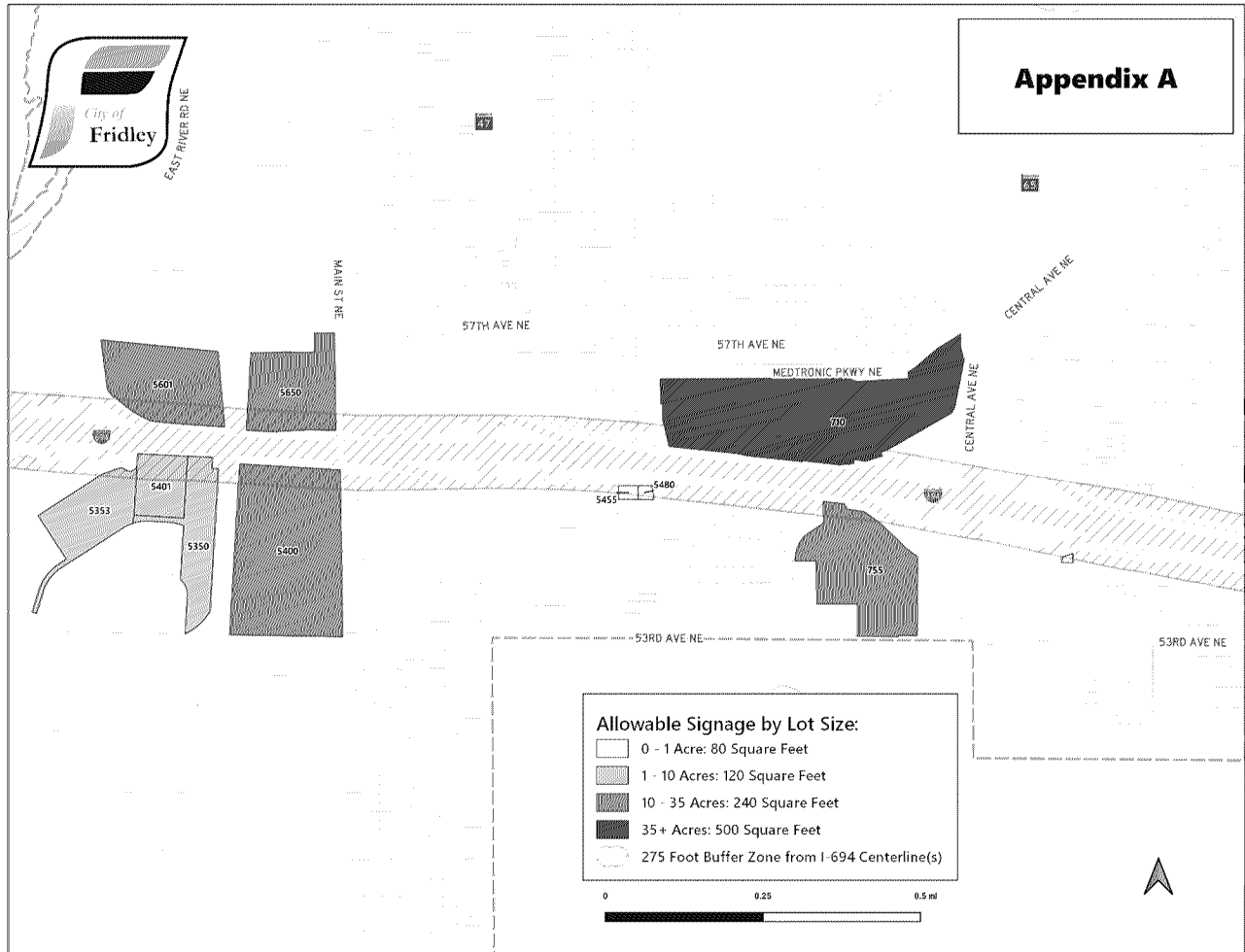


Exhibit 5: I-694 Signage

(2) For Interstate 694 Secondary Signs: maximum Sign Area of 40 square feet. The maximum Sign Area can be increased up to 80 square feet if the Sign Area of the Interstate 694 Primary Sign is reduced by the equivalent number of square feet (e.g., if the Interstate 694 Secondary Sign is 72 square feet, the maximum Sign Area of the Interstate 694 Primary Sign is reduced by 32 square feet).

(e) Setback and Location.

- (1) Interstate 694 Corridor Signage is subject to all setback requirements for Permanent Free-Standing Signs within the District.
- (2) Interstate 694 Primary Signs must be located within the Interstate 694 Corridor.
- (3) Interstate 694 Secondary Signs must be located on frontage adjacent to a public right-of-way intercepting Interstate 694.

- (f) Interstate 694 Primary Signs and Interstate 694 Secondary Signs shall be in addition to, and not in lieu of, Permanent Free-Standing Sign allowances.
- (g) Interstate 694 Primary Signs and Interstate 694 Secondary Signs are subject to all restrictions for Permanent Free-Standing Signs within the District not in conflict with this subsection.
- (h) Sign Permits are required for Interstate 694 Signs.

9. Temporary Signs.

- (a) Free-Standing Temporary Signs may be placed on sidewalks during the hours that the property placing the Temporary Sign is open to the public, if the sign is located immediately in front of the entrance and the Sign does not violate the Americans with Disabilities Act or otherwise prohibit or impede pedestrian or vehicular traffic.
- (b) Shall be limited to one sign per property in the R-1, R-2, R-4, & S-1 Districts and one per street frontage in all other Districts, except properties with more than 100 linear feet of street frontage may have two temporary signs per street frontage exceeding 100 linear feet.
- (c) Maximum size of 6 square feet in the R-1, R-2, R-4, & S-1 Districts and 32 square feet in all other Districts.
- (d) Sign Permits are not required for Temporary Signs in the R-1, R-2, R-4, & S-1 Districts. Sign Permits are required for Temporary Signs in other Districts.

10. Incidental Signs.

- (a) Must be oriented or so designed that the sign message is not legible off the premises where the Sign is displayed.
- (b) The Sign must be accessory to the use(s) on the property on which it is located.
- (c) Maximum size of 2 square feet in the R-1, R-2, R-4, & S-1 Districts, 4 square feet in the R-3 District, and 6 square feet in all other Districts.
- (c) A Sign Permit is not required for incidental signs.

11. Static Display Area Signage.

- (a) A manual Changeable Message may comprise up to 50% of the Static Display Area Signage.

- (b) May not include an Electronic Changeable Message.
- (c) May not be internally illuminated.
- (d) Maximum height of six feet for freestanding Static Display Area Signage.
- (e) Maximum size of 32 square feet as Institutional Signs in the R-1, R-2, R-4, & S-1 Districts and 48 square feet in all other Districts.
- (f) One Static Display Area Signage installation is allowed per street frontage.
- (g) Legal Nonconforming Real Estate Signs and Construction Signs established prior to the effective date of this ordinance shall be included in a property's allowance for Static Display Area Signs.
- (h) Static Display Area Signage shall be allowed in addition to other freestanding or wall signs for a property.

#### 214.08 Sign Erectors' License Requirements

No person, firm, or corporation shall engage in the business of erecting, altering, constructing, moving, or removing Permanent Free-Standing Signs under this Chapter unless a license to do so has been approved by the City. The annual license fee and expiration date shall be as provided in Chapter 11 of the City Code. A license is not required for changes to an existing Sign not constituting Alteration.

#### 214.09 Existing Signs

##### 1. Sign Maintenance.

- (a) The Sign Structure and surfaces of all Signs shall be maintained in a safe and presentable condition at all times, including the replacement of defective parts, painting, repainting, cleaning, and other acts required to prevent the Sign and/or Sign Structure from becoming unsafe or hazardous.
- (b) When any Permanent Sign erected pursuant to a Sign Permit is removed, the City shall be notified, and the entire Sign shall be removed.

##### 2. Nonconforming Signs. Nonconforming signs shall be treated like other nonconforming uses and structures as for provided in City Code § 205.04.3, or as otherwise specified Minnesota Statute as may be amended from time to time. However, Nonconforming Signs may not be continued if the Sign is abandoned.

##### 3. Public Nuisance.

- (a) The following are deemed to be public nuisances:
- (1) Electronic Signs which are non-working, have burnt out bulbs or incoherent messages, or are malfunctioning.
  - (2) Signs which have an incoherent message or missing characters.
  - (3) Signs that due to defective parts or lack of maintenance are deemed unsafe or hazardous.
  - (4) Signs that are dilapidated or damaged.
  - (5) Abandoned Signs.
  - (6) Obsolete sign copy that has not been covered or removed within 30 days after written notification from the City.
  - (7) Signs in violation of this Chapter, including but not limited to, those posted without a necessary Sign Permit, Signs in excess of number limitations, Signs exceeding size limitations, Signs in violation of setback and location requirements, Signs impeding pedestrian or vehicular traffic, Changeable Messages changing more quickly than allowed, Electronic Signs exceeding luminance levels, and Signs that otherwise are a menace to the general health, safety, and welfare of the public.
- (b) If the City determines a Sign is a public nuisance, the City may proceed in accordance with § 214.12 and may bill the costs of enforcement to the property owner.

#### 214.10 Multiple Use Non-Residential Buildings

1. All owners of multiple use non-residential buildings containing three or more non-residential units, if they have not already done so, must submit a comprehensive Sign Plan to the City Manager or their designee for approval.
2. All future Signs erected within the multiple use non-residential building shall conform to the conditions of the Sign Plan.
3. Existing Signs within the multiple use non-residential building which do not meet the requirements of this Chapter and/or Sign Plan, shall be defined as a Nonconforming Sign and shall be subject to the restrictions set forth in § 214.09.02.

#### 214.11 Enforcement

The City Manager or their designee shall be responsible for the enforcement of this Chapter.

#### 214.12 Violations

1. Any Sign that which is unsafe, appears unkempt or neglected, has been constructed or erected in violation of the City Code is a hazard to the health, safety, and/or general welfare of the public or is in violation of any other section of the City Code is hereby declared to be a nuisance and to be in violation of this Chapter.
2. Any person who has erected a Sign without securing the necessary Sign Permit prior to erection, shall, when subsequently securing such Sign Permit, be required to pay an investigation fee equal to the Sign Permit fee and shall be subject to all other penal provisions of this City Code.
3. Notice of violations, hearings, and abatement shall be governed by the provisions in City Code Chapter 128 providing for the abatement of nuisances. Copies of the notice shall be mailed to the property owner. Administrative assessments and penalties may be assessed as provided in Chapter 11 to the property owner.
4. Nothing in this Section or in City Code Chapter 128 shall be deemed to prevent the City from seeking other relief and penalties, including but not limited to, criminal penalties.

#### 214.13 Penalty

Any violation of this Chapter is a misdemeanor and is subject to all penalties provided for such violations under the provisions of Chapter 901 and Chapter 11 of the City Code. Each day the violation continues in existence shall be deemed a separate violation.

#### 214.14 Appeals

1. To provide for a reasonable interpretation of the provisions of this Chapter, any owner, tenant, applicant, or any other person or business aggrieved by any order, requirement, decision, or determination made by the City or its representatives in the enforcement and interpretation of this Chapter may request a hearing before the Planning Commission. Appeals shall be governed by the procedure in City Code § 205.07
2. Any owner, tenant, applicant, or any other person or business aggrieved by a final decision of the Planning Commission, pursuant to the procedure in City Code § 205.07 may seek judicial review within 30 days after the final decision.

#### 214.15 Noncommercial Speech Substitution

Signs containing Noncommercial Speech are permitted anywhere that Signs containing Commercial Speech are permitted, subject to the same regulations applicable to such Signs.

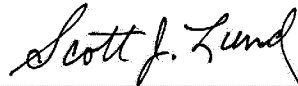
214.16 Variances

Variances to the strict application of this Chapter may be granted under the provisions established under City Code § 205.05.6.

214.17 Severability

If any subsection, sentence, clause, or phrase of this section is for any reason held to be invalid by a court of competent jurisdiction, such decision shall not affect the validity of the remaining portions of this section. The City Council hereby declares that it would have adopted this section in each subsection, sentence, clause or phrase thereof, irrespective of the fact that any one or more subsections, sentences, clauses, or phrases be declared invalid.

**Passed and adopted by the City Council of the City of Fridley on this 22<sup>nd</sup> day of November, 2021.**



\_\_\_\_\_  
Scott J. Lund - Mayor



\_\_\_\_\_  
Melissa Moore - City Clerk

First Reading: November 8, 2021

Second Reading: November 22, 2021

Publication: November 26, 2021