



CITY OF NEWPORT  
2060 1<sup>ST</sup> Avenue  
Newport, MN 55055  
(651) 459-5677  
ci.newport.mn.us

MAYOR: Laurie Elliott  
COUNCIL: Kevin Chapdelaine  
Tom Ingemann  
Marvin Taylor  
Rozlyn Johnson

City Administrator:  
Supt. of Public Works: Matt Yokiel  
Fire Chief: Steven Wiley  
Asst. to the City Admin: Travis Brierley  
Law Enforcement (WCSO): Bill Harrell

**CITY COUNCIL AGENDA  
AUGUST 18, 2022- 5:30 PM**

1. CALL TO ORDER
2. PLEDGE OF ALLEGIANCE
3. ROLL CALL
4. ADOPT AGENDA
5. PUBLIC COMMENTS - Visitors may share their concerns with the City Council on any issue, which is not already on the agenda, under Public Comments. Please give your name, address and your concern or comments. Each person will have 3 minutes to speak. Your comments must be addressed exclusively to the Mayor and City Council, not to any individual Council or staff member. The Mayor reserves the right to limit an individual's presentation if it becomes redundant, repetitive, irrelevant, or overly argumentative. All comments will be taken under advisement by the Council. No action will be taken at this time.
6. ADOPT CONSENT AGENDA – All items listed under this section are considered routine and non-controversial by the Council and will be approved by a single motion. An item may be removed from the consent agenda and discussed if a Council member, staff member, or citizen so requests.
  - A. Minutes- Council Workshop July 21, 2022
  - B. **Resolution No 2022-34-** Accepting Donations
  - C. List of Bills- \$280,785.96
7. WASHINGTON COUNTY SHERIFF'S OFFICE REPORT
8. FIRE CHIEF'S REPORT
9. ENGINEER'S REPORT
10. SUPERINTENDENT OF PUBLIC WORKS REPORT
11. ADMINISTRATION REPORT
  - A. **Ordinance 2022-05-** Signs
12. MAYOR AND COUNCIL REPORTS
13. ADJOURNMENT



**CITY OF NEWPORT  
CITY COUNCIL WORKSHOP MINUTES  
NEWPORT CITY HALL  
July 21, 2022**

**1. CALL TO ORDER**

Mayor Elliott called the City Council Workshop to order at 7:18 p.m. on July 21, 2022.

**2. ROLL CALL**

Present (5): Mayor Laurie Elliott, Council Member Kevin Chapdelaine, Council Member Tom Ingemann, Council Member Marvin Taylor, and Council Member Rozlyn Johnson.

Not Present (0): None.

**3. FOOD TRUCK ORDINANCE**

City Planner Nathan Fuerst stated we have received interest in allowing food trucks in the Newport. Staff reviewed city code and found there are no regulations at this time. Planner Fuerst and Council had a high-level discussion to determine how comfortable Council would be allowing food trucks, where they could be allowed, and how the city could implement.

Anthony Mahmood, residing at 822 High Street, addressed the Council. Mr. Mahmood stated with a food truck you need to be licensed and he is currently licensed through the State of MN health department. Mr. Mahmood explained that if he wants to go to a different county that has their own health department, then you need to purchase a permit through that county. From there, you can go to any city in that county that allows food trucks.

**4. 2023 BUDGET**

**A. Council Pay**

City Administrator Deb Hill stated the last increase for Council pay was back in 2018 and gave comparable Mayor/Council pay with surrounding communities. Council discussed the cost to campaign and feels anyone who would like to get involved with their community should be able to. They recommended an increase of \$500 for the Mayor, and \$400 for the Council.

**B. Fire Department Pay**

Fire Chief Steve Wiley stated they are requesting a pay increase that would bring them to the lowest starting pay for city employees. The hourly rate is \$17.18 per hour and \$1.00 per hour pay difference for each change in rank. The increase would start in October as they move to the new building and complete a hiring drive. Mayor Elliott inquired if there is money in the budget to do this increase on October 1st. Administrator Hill stated they have money in their budget. Council discussed and agreed to move this forward.

**C. 2023 Preliminary Budget**

Administrator Hill presented Council with the very preliminary budget. Administrator Hill stated we are assuming that LGA remains constant, and there will be increases for health insurance, law enforcement, council pay, fire department pay, and staff pay. Most departments will see fuel increases, and it will be hard to estimate the utility and energy costs for the new City Hall / Public Safety building. Public Works will be reviewing line items for the CIP funds.

**5. CITY HALL AND PUBLIC SAFETY BUILDING**

Administrator Hill stated we will hold an open house for the new City Hall / Public Safety building sometime in the fall as our new furniture will not be in right away. Staff put together a list of items and prices that could be handed out during the open house. Council discussed ordering coffee mugs to be used throughout the building. They also discussed ordering pens and notepads for the open house. Administrator Hill discussed the new City Hall plaque and inquired what Council would like the plaque to look like. There are sample plaques in the packet.

**6. FUTURE MEETING AGENDA ITEMS**

Administrator Hill stated future agenda items include the City Hall sale, CIP budget, food truck discussion, and the sign ordinance.

**7. ADJOURNMENT**

Mayor Elliott adjourned the City Council Workshop at 8:42 p.m. on July 21, 2022.

Respectfully Submitted:  
Jill Thiesfeld,  
Administrative Assistant II

Signed: \_\_\_\_\_  
Laurie Elliott, Mayor

City of Newport, MN  
Resolution No. 2022-34  
A Resolution Accepting Donations

**WHEREAS,** The City of Newport, Minnesota is generally authorized to accept donations of real and personal property pursuant to Minnesota Statutes Section 465.03 for the benefit of its citizens, and is specifically authorized to accept gifts and bequests for the benefit of recreational services pursuant to Minnesota Statutes Section 471.17; and

**WHEREAS,** The following persons and entities have offered to contribute the items set forth below to the City:

Individual/Business	Donated Item	Donated Amount
South Suburban	Cash	\$500

**WHEREAS,** The City Council finds that it is appropriate to accept the donations offered.

**NOW, THEREFORE, BE IT RESOLVED,** That the Newport City Council hereby accepts the above donations.

Adopted this 1<sup>st</sup> day of September, 2022 by the Newport City Council.

Motion by: \_\_\_\_\_,

Seconded by: \_\_\_\_\_,

VOTE:

Elliott \_\_\_\_\_  
Chapdelaine \_\_\_\_\_  
Ingemann \_\_\_\_\_  
Taylor \_\_\_\_\_  
Johnson \_\_\_\_\_

Signed: \_\_\_\_\_  
Laurie Elliott, Mayor

Attest: \_\_\_\_\_  
Travis Brierley,  
Assistant to the City Administrator

# Recurring

1989e	COMCAST	24-Aug-22	\$909.35 Rental of phones and equipment
1990e	COMCAST	24-Aug-22	\$176.49 Library Internet & cable
1991e	DELTA DENTAL OF MN	24-Aug-22	\$907.10 Dental insurance
1992e	UNITED STATES TREASURY	24-Aug-22	\$7,630.92 SS, Federal & medicare
1993e	MN REVENUE	24-Aug-22	\$1,293.49 State taxes
1994e	MSRS	24-Aug-22	\$3,348.33 HCSP & voluntary retirement
1995e	UNUM	24-Aug-22	\$527.03 Life & long-term insurance
24865	H & U CONSTRUCTION	18-Aug-22	\$192,947.78 City Hall / Public Safety Building Pay Application #19
24874	JESSICA BENSON	24-Aug-22	\$96.06 Election judge
24875	CAROLINE CLAUSEN	24-Aug-22	\$132.50 Election judge
24876	PENNY DUFF	24-Aug-22	\$293.63 Election judge
24877	DEAN AND/OR VERILLE HANSON	24-Aug-22	\$105.94 Overpayment of final water utility bill
24878	JASON JOA	24-Aug-22	\$270.87 Insurance pay out
24879	ROZLYN JOHNSON	24-Aug-22	\$62.94 Election judge
24880	MICHAEL LAUGHTON	24-Aug-22	\$125.88 Election judge
24881	DAN LUND	24-Aug-22	\$52.27 Overpayment of final utility bill
24882	DONNA MAHMOOD	24-Aug-22	\$221.94 Election judge
24883	DEREK MARSON	24-Aug-22	\$23.08 Phone allowance
24884	PASKI PASKARDEVAN	24-Aug-22	\$132.50 Election judge
24885	PERA	24-Aug-22	\$4,487.45 Retirement
24886	CAROL PETERSEN	24-Aug-22	\$125.88 Election judge
24887	MARLYS SIME	24-Aug-22	\$112.63 Election judge
24888	BILL SUMNER	24-Aug-22	\$100.00 Reimbursement for HPC conference registration fee
24889	VERIZON	24-Aug-22	\$260.80 Hot spots and cell phones
24890	BARBARA WILCZIEK	24-Aug-22	\$221.94 Election judge
24891	ANCHOR SOLAR INVESTMENTS, LL	25-Aug-22	\$372.26 Solar leasing
24892	ATOMIC DATA, LLC	25-Aug-22	\$89.75 SSL Certificate
24893	COMCAST	25-Aug-22	\$371.10 City hall
24894	XCEL ENERGY	25-Aug-22	\$10,170.28 Natrual gas and electricity
	Staff		\$18,840.46

# Non-recurring

24895	BDS LAUNDRY SYSTEMS	01-Sep-22	\$1,374.65 Gear Dryer and extractor move and install in new building
24896	BOLTON & MENK, INC.	01-Sep-22	\$2,595.00 City planning
24897	EMERGENCY SERVICES MARKETIN	01-Sep-22	\$735.00 lam Responding 2022 Subscription
24898	FAIR OFFICE WORLD	01-Sep-22	\$357.77 Office supplies
24899	FIRST IMPRESSION GROUP	01-Sep-22	\$820.00 Fall newsletter
24900	HAWKINS	01-Sep-22	\$30.00 Chlorine cylinder
24901	MACQUEEN EMERGENCY	01-Sep-22	\$4,590.30 Ventilation fan
24902	MENARDS - COTTAGE GROVE	01-Sep-22	\$235.52 Cleaning supplies new city hall
24903	MINUTEMAN PRESS	01-Sep-22	\$200.25 Envelopes/business cards
24904	MINNESOTA DEPARTMENT OF HEA	01-Sep-22	\$2,335.00 Community water supply service connection fee
24905	NCPERS GROUP LIFE INS.	01-Sep-22	\$16.00 Addt. Life insurance
24906	NICHE VISUAL	01-Sep-22	\$13,686.00 Electronic sign for city hall/public safety building
24907	NORTHERN SAFETY TECH. INC.	01-Sep-22	\$138.13 Flashlights for pickup
24908	TENNIS SANITATION LLC	01-Sep-22	\$873.00 Dumpsters for Pionee Park demo
24909	WARNERS STELLIAN CO.	01-Sep-22	\$8,388.69 City hall applicances
			\$280,785.96



Real People. Real Solutions.

12224 Nicollet Avenue  
Burnsville, MN 55337-1649

Ph: (952) 890-0509  
Fax: (952) 890-8065  
Bolton-Menk.com

## MEMORANDUM

**Memo Date:** August 19, 2022  
**Meeting Date:** September 1, 2022  
**To:** Newport City Council  
**From:** Nathan Fuerst, AICP, City Planner  
**Subject:** Zoning Text Amendment – Sign Ordinance

**Action Requested:** Review the request and provide a determination on the zoning text amendment.

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### Overview

**Applicant:** Vollrath

**Request:** Zoning Text Amendment to City Code Section 36-554

**60 Day Period:** August 21, 2022 (Extended 60 days to Oct. 20, 2022)

### Background

Staff received an inquiry from Vollrath, a company operating at 910 Hastings Avenue in the City, for a proposed temporary banner advertising employment opportunities. This banner could not be permitted due to the City's temporary signage regulations which will not allow for the banner size or duration of time proposed by Vollrath. The company is seeking to install a large vinyl banner on the 910 Hastings Avenue industrial building which would be visible from Highway 61.

Specifically, the company is seeking to install a 50' by 63" vinyl banner for 6 (six) months to 1 (one) year. The proposed banner would be approximately 262.5 square feet in area. Staff suggested a zoning text amendment as the only way to permit the sign as proposed.

### Current Code Section

Temporary Signage is defined in City Code Section 36-552 as follows:

*Temporary sign means a sign which is erected or displayed for a limited time. Temporary signs are typically constructed of lightweight, non-permanent materials and structures.*

The existing City Code Section regulating temporary signage (Sec. 36-554.a) in Business and Mixed Use zoning districts is provided on the next page:

a) *Temporary signs. Temporary signs or banners that are a maximum 20 square feet in size are allowed. A maximum of three temporary signs are allowed per parcel on commercial properties in business, commercial, and mixed-use districts. Temporary signs may be displayed for a maximum of 30 consecutive days. No sign permit is required for temporary signs.*

1) *Temporary signs shall include: banners, pennants, portable bulletin signs, freestanding signs, streamers, and sandwich boards. The design and construction of all the signs shall be professional looking and not be allowed to become torn or weathered.*

2) *Temporary signs such as flying signs, air inflated devices, and search lights shall not be allowed at any time in any zoning district.*

### **Zoning Text Amendment Request**

The applicant's stated reason for making this request is as follows:

*Placing a 'now hiring' sign on the building viewable from the highway. Preference is to leave on the building for six months to a year.*

By requesting a 262.5 square foot vinyl banner for 6 or more months, the applicant is effectively requesting two separate amendments.

- To increase allowable sign area from 20 square feet to over 260 square feet.
- To increase the duration of a temporary sign from approximately 30 days to over 180 days.

### **City Consideration**

City Code Section 36-40(e) provides considerations that are intended to guide the City's decision on zoning amendments. Notably, it states that: *No change shall be recommended unless it is required of the public good, is in the interest of the public health, safety, and welfare, and is compatible with the comprehensive plan of the city and any applicable requirements of this article.*

### **Public Hearing**

A public hearing was noticed and held at the Planning Commission's regular meeting on July 12, 2022.

One member of the public provided comment at the public hearing in support of the requested amendment to the City Code.

### **Planning Commission Recommendation**

After discussion, the Planning Commission unanimously voted to recommend the requested amendments to the City Council for approval with several specific revisions. The specific revisions requested by the planning commission were to require a zoning permit for temporary banners, and to ensure that such signage is regulated according to a calendar year. The Planning Commission's discussion included consideration for how the City can track the duration of banners, concern for keeping such banners in good repair, and how this ordinance would impact multi-tenant parcels.

Staff revised the draft ordinance presented with this item to include language satisfying the Planning Commission's recommendation relating to temporary banners.

### **City Council Discussion**

After reviewing the request at its meeting on July 21, 2022, the Newport City Council determined that the requests for both temporary banner size and duration exceeded what was found to be acceptable. Staff were guided to amend the draft ordinance to allow for banners of up to 80 square feet for up to 120 days. Another change discussed was reducing the limitation for temporary banners to allow them in mixed use districts along with business districts. Staff has amended the draft ordinance accordingly.

The City Council Met again on August 17, 2022 to discuss this request and draft ordinance at a workshop meeting. Concerns were discussed relating to code enforcement and impacts that excessive signage could have on the community. The Council was satisfied that the requested changes were implemented into the draft ordinance 2022-05.

### **Draft Ordinance 2022-05**

The following amendments are based on staff review and feedback received from both the Newport Planning Commission and City Council:

1. One Temporary Banner, in addition to any other temporary sign, will be permitted in Business and Mixed Use zoning districts.
2. Banners, specifically when affixed to a façade, shall be allowed up to 80 square feet or 10% of the façade area, whichever is less. When in combination with wall signs, all signage may be no more than 20% of the wall area.
3. Banners be permitted for a maximum duration of no longer than 4 months or 120 days per calendar year.
4. Temporary banners shall require a zoning permit. Other temporary signage shall not require a permit

Staff review also resulted in identification of proposed changes as follows:

1. Improve definition of temporary signage based on language already found in the ordinance.
2. Relocate language prohibiting certain types of temporary signage to a more suitable location in code.

### **City Council Determination**

The City Council is asked to provide a determination about whether to approve or deny this request. The Council should review the text amendment for consistency with the intent of the City's established policies and plans.

Staff have provided an example motion as follows:

**“Move to [adopt/deny] the draft Ordinance 2022-XX, amending City Code Chapter 36, Article 9”**

### **Resources:**

- Application Documents (attached)
- Draft Ordinance 2022-05 (attached)
- City Council Packet 7/21/2022 ([link only](#))
- Planning Commission Packet 7/12/2022 ([link only](#))
- Citywide Zoning Map ([link only](#))
- City Sign Ordinance ([link only](#))





The Vollrath Company, LLC  
1236 N. 18th Street  
Sheboygan, WI 53081  
Phone: 1.800.624.2051  
vollrathcompany.com

July 6, 2022

City of Newport  
Attn: Planning Commission  
596 7<sup>th</sup> Avenue  
Newport, MN 55055

Re: Request for Zoning Amendment for 910 Hastings Ave, Suite 150, Newport, MN 55055

Dear Chairman and Commission Members,

We lease a commercial building at 910 Hastings Ave, Suite 150, Newport, MN 55055. The zoning code limits the size of sign we may place on the building.

We are requesting a zoning amendment because we would like to hang a "now hiring" sign that can be seen from the highway. Anything placed on the ground by our building is only viewable on a low traffic frontage road, not viewable from the highway. Given the large size of the building and plain exterior, we do not think it will have a negative visual impact on the neighborhood or region. The sign will state "Now Hiring" and provide a list of positions open "welders/fabricators, polishers/finishers". It will have our logo "Vollrath" and list our website where positions are posted "vollrathcompany.com/careers". A sign rendering has been provided for your reference to see what the sign will look like.

The sign we are proposing is 50' wide by 63" high. The intention is to have the sign up for as long as we can. We are requesting a minimum of 6 months, but up to a year would be ideal. If approved, it will be printed on heavy duty vinyl and installed securely.

We would like to place the sign as soon as possible and hope the Planning Commission can consider this request at its earliest possible date.

Thank you for your consideration of this matter.

Sincerely,

Tiffany Wieser, Senior Project Manager  
Corporate Communications, Media, and PR  
The Vollrath Company, L.L.C.



# NOW HIRING

VOLLRATHCOMPANY.COM/CAREERS

- › WELDERS/FABRICATORS
- › POLISHERS/FINISHERS

Design - 50' wide x 63" high



Street View Mock



Highway View Mock

City of Newport, MN  
Ordinance No. 2022-05  
An Ordinance Amending Chapter 36, Article IX, Section 554.

**THE CITY COUNCIL OF THE CITY OF NEWPORT DOES ORDAIN THAT** (new material is underlined; deleted material is lined out; sections which are not proposed to be amended are omitted, sections which are only proposed to be re-numbered are only set forth below as to their number and title):

**SECTION 1.** City of Newport City Code, Chapter 36 – Zoning, Article IX- Signs

**Sec. 36-552. Definitions.**

*Temporary sign* means a sign which is erected or displayed for a limited time. Temporary signs are typically constructed of lightweight, non-permanent materials and structures. Temporary signs shall include: banners, pennants, portable bulletin signs, freestanding signs, streamers, and sandwich boards.

**Sec. 36-553. District regulations.**

- (a) All permanent signs shall be constructed in accordance with the current state building code and National Electrical Code. To the extent that any conflict exists between those provisions and the provision of this Code, the more restrictive shall apply. All signs shall be constructed in such a manner and of such material that they shall be safe and substantial, provided that nothing in this Code shall be interpreted as authorizing the erection or construction of any sign not permissible under the current zoning or building codes of the city.
- (b) All permanent signs utilizing electricity shall be subject to the state's current electrical code and electrical wiring shall be buried or concealed.
- (c) All permanent sign structures shall be designed and constructed to withstand a wind pressure of not less than 80 mph, or as determined by the current state building code.
- (d) All billboards and signs along interstates and highways shall comply with applicable federal laws and rules and with M.S.A. §§ 173.13-173.231 and Minn. R. pts. 8810.0200—8810.1400 and successor statutes and rules.
- (e) All sign distances and setbacks required in this article shall be measured from the outer edge of the sign that is closest to the structure or roadway edge from which the setback is required.
- (f) Freestanding and monument signs.
  - (1) Non-accessory freestanding and wall signs are prohibited in all districts, except in areas specially designated for off-premises signs in this article.
  - (2) The base or support structure for freestanding and monument signs shall compliment the design of the building and incorporate 40 percent of brick, stone, decorative block, or similar substantial materials as approved by the city. The base of the sign shall be at least 75 percent of the width of the sign from the ground to the bottom of the sign.
  - (3) Freestanding, on-premises signs along major thoroughfares (I-494 and T.H. 61) shall be subject to a review by the zoning administrator. The focus of the review is to assure the quality of the sign's design and materials and compliance with this code. Furthermore, the zoning administrator will consider the signs' relationship to any architectural theme of existing or proposed structures on the parcel.
  - (4) Any freestanding sign within 25 feet of any intersection of street right-of-way lines or driveway entrances shall have vertical clearance for proper visibility by motorists on all affected roadways.
- (g) No sign other than public traffic controls shall be erected within any street right-of-way or upon any public easements except as permitted in this section.

- (h) A permit for a sign to be located within 50 feet of any street or highway regulatory or warning sign, or of any traffic sign or signal, or of any crossroad or crosswalk, will be issued only if:
  - (1) The sign will not interfere with the ability of drivers and pedestrians to see any street or highway sign, or any traffic sign or signal, or any crossroad or crosswalk.
  - (2) The sign will not distract drivers nor offer any confusion to any street or highway sign, or any traffic sign or signal. The burden of establishing whether a sign configuration will not disturb or confuse drivers will be on the applicant seeking to construct the sign.
  - (3) Campaign yard signs permitted by this section may be placed not less than five feet from the curb, lot line or edge of street in residential, mixed-use, business, and industrial districts.
- (i) Any illuminated sign located within 50 feet of lot line of a residential use or a Residential or Mixed-Use district shall have diffused or indirect illumination so direct rays of light shall not be directed into an adjacent residence. All illuminated signs in Business and Industrial Districts adjacent to Residential and Mixed-Use Districts shall be designed to illuminate the sign and not illuminate residential properties to the extent practicable.
- (j) The building official, in granting permits for illuminated signs, shall specify the hours during which the same may be kept lighted to prevent the creation of a nuisance. All illuminated signs shall have a shielded light source.
- (k) Roof signs shall be prohibited in all districts.
- (l) Billboards shall be prohibited in all districts except as expressly allowed in Section 36-555.
- (m) Campaign yard signs, posted by a bonafide candidate for political office or by a person or group promoting a political issue or a political candidate, may be placed in any district. Such signs may be erected beginning 46 days before the state primary in a state general election year and must be removed no later than ten days following the election. The signs shall be setback a minimum of five feet from the edge of the street and signs shall not visually obstruct motor vehicle operation. Candidates shall be provided a copy of this ordinance upon filing for office.
- (n) Temporary real estate signs may be erected for the purpose of selling or promoting residential development projects provided:
  - (1) Such signs shall not exceed 128 square feet in area.
  - (2) Only one sign shall be permitted per street frontage upon which the property abuts.
  - (3) Such signs shall be removed when the project is 80 percent completed, sold, or leased.
  - (4) Such signs shall be located no closer than 100 feet to any residence not part of the project.
- (o) Temporary signs adjacent to the public right-of-way for the purpose of selling or leasing individual lots or buildings shall be permitted provided:
  - (1) Such signs shall not exceed six square feet in area for residential property and 32 square feet for nonresidential property and multiple-family developments of four or more dwelling units.
  - (2) Only one such sign is permitted per street frontage upon which the property abuts.
  - (3) Such signs shall be removed within seven days following the lease or sale.
- (p) Temporary signs such as flying signs, air inflated devices, and search lights shall not be allowed at any time, in any zoning district, unless otherwise specified in this chapter.
- (p) The total sign area of any multi-faced free-standing or projecting wall sign shall not exceed two times the permitted area of a two-sided sign or three times the area of a three-sided sign. All applications for signs of more than two sides shall be reviewed by the zoning administrator, and at his/her discretion by the planning commission and city council.
- (q) Off-premises signs, except permitted temporary signs and permitted pylon signs and billboards in business, commercial, and industrial districts, are prohibited in all districts.



- (~~f~~s) Bench signs are permitted in all districts at MTC bus stops. Back-lighted signs are permitted on the ends of bus shelters or transit stations.
- (~~s~~t) Church directional signs shall be permitted in all districts provided the total area of such signs shall not exceed four square feet per facing.
- (~~t~~u) Canopies and marquees shall be considered an integral part of the structure to which they are accessory. Signs may be attached to a canopy or marquee but such structure shall not be considered as part of the wall area and thus shall not warrant additional sign area.
- (~~h~~v) Signs advertising garage, yard or similar household sales shall be removed within seven days of the sale.
- (~~w~~u) Signs with moving or changing electronic messages are allowed as part of the total area of a permitted sign.
- (~~w~~x) Signs located in the interior of a building and are not visible from the outside of the building shall be exempt from the provisions of this section and shall not require permits or payment of fees.
- (~~x~~y) No sign shall contain any obscene matter as described by M.S.A § 617.241 or successor statutes.

### **Sec. 36-554. District regulations.**

- (a) In addition to those signs permitted or prohibited in all districts, the following signs are allowed in each specific district and shall be regulated as to size, location, and character according to the requirements set forth:
  - (1) *Residential and mixed-use districts.*
    - a. Non-commercial (election) signs that comply with M.S.A. § 211B.045 or successor statutes.
    - b. Nameplate signs: one for each dwelling unit, not greater than two square feet in area, indicating the name and/or address of the occupant.
    - c. Recreational signs: one sign or bulletin board per street frontage for a park and recreational use in residential districts. Such sign or bulleting board shall not exceed 24 square feet in area nor shall it be placed closer than ten feet to any edge of a street line nor shall it be placed in a location that would interfere with the safe movement of traffic.
    - d. Temporary signs that are a maximum of 20 square feet in size. A maximum of three temporary signs are allowed per parcel in residential districts. Temporary signs may be displayed for a maximum of 14 days, up to two times per year.
    - e. Temporary signs for individual lot or building sales and for sales of residential development projects that comply with section 36-553.
    - f. One permanent sign up to 32 square feet per street frontage shall be allowed by sign permit to identify residential subdivisions and multiple-unit developments. The sign may be a maximum of six feet in height. The sign shall be designed to be architecturally compatible with the building or project with the base of the sign consisting of colors and materials compatible to the building or project.
    - g. The maximum height of freestanding signs in residential districts shall be eight feet.
    - h. Lighting must be indirect or diffused and comply with the requirements of this section.
    - i. Non-residential institutional uses in residential districts and mixed-use districts:
      - 1. Wall signs: one wall sign for each street frontage shall be permitted on a building. The total area of all wall signs affixed to a building wall shall not exceed 20 percent of the total area of that wall. No individual wall sign shall exceed 150 square feet.  
  
A wall sign shall not project more than 18 inches from the wall to which the sign is to be affixed. Furthermore, wall-mounted signs shall not exceed the roofline of any building.

Banners shall be included in the allowance for wall signs. The design and construction of all banners shall be professional looking and not be allowed to become torn or weathered.

2. Free-standing signs: one freestanding sign is permitted for each street frontage. The total area of a free-standing sign for a building having one street frontage shall not exceed 60 square feet. Where a building has two or more street frontages, each permitted free-standing sign in excess of one shall be no greater than one-half the area of the first sign.

No part of a free-standing sign shall be closer than eight feet to the property line or exceed ten feet in height. The height shall be measured from the base of the sign or grade of the nearest adjacent roadway, whichever is lower.

3. Temporary signs: temporary special event signs may be displayed upon issuance of a permit for not more than ten calendar days, and not more than two times each year. Such signs shall include banners, pennants, flying signs, air-inflated devices, search lights, portable bulleting signs, streamers, and other signs approved by the city.

Established churches are exempt from permit requirements, number of days, and frequency guidelines.

4. Electronic message signs: for non-residential institutional uses in residential and mixed-use districts, signs with moving or changing electronic messages are allowed as part of the total area of the permitted sign, with the following standards:

- i. A Conditional use permit is required.
- ii. The sign is allowed as a portion of a free-standing sign.
- iii. The electronic portion of the sign shall not exceed 32 square feet.
- iv. Signs may be square or rectangular and contain all messages within.
- v. Signs must have minimum display duration of 30 seconds.
- vi. No dynamic display electronic sign shall be erected that by reason of position, shape, movement, or color, interferes with the proper function of a traffic sign, signal, or which constitutes a traffic hazard.
- vii. Signs shall not exceed 4,500 Nits between the hours of civil sunrise and civil sunset, as measured from the sign face.
- viii. Electronic portion of the sign may not be illuminated between 10:00 pm and 6:00 am and shall have a maximum of 250 Nits from civil sunset to civil sunrise, as measured from the sign face. The city council may extend the hours of illumination if the proposed sign is located at least 100 feet from all residential property boundaries.
- ix. Signs shall have a fully-functional off switch that automatically shuts the display sign off when the display deteriorates ten percent or greater.
- x. The lamp wattage and luminance level in Nits shall be provided at the time of permit application.
- xi. Public service messages, in addition to messages such as Amber Alerts, are to be provided at no cost to the public.
- xii. Electronic message signs are prohibited as temporary signs.

- j. The following types of signs are not allowed in residential zoning districts or on parcels with residential uses or adjacent to residential uses in all other districts: awning signs, canopy signs, changeable copy signs, dynamic display signs, flashing signs, marquee signs, pole signs, and pylon signs.

(2) *Business districts and business signs in mixed-use districts.*

- a. *Temporary signs.* Temporary signs or banners that are a maximum 20 square feet in size are allowed. A maximum of three temporary signs are allowed per parcel on commercial properties in business, commercial, and mixed-use districts. Temporary signs may be displayed for a maximum of 30 consecutive days. No sign permit is required for temporary signs unless otherwise noted.
  1. ~~Temporary signs shall include: banners, pennants, portable bulletin signs, freestanding signs, streamers, and sandwich boards.~~ The design and construction of ~~all the~~ temporary signs shall be professional looking and not be allowed to become torn or weathered. The City may require removal of a temporary sign if found inconsistent with this requirement.
  2. Temporary signs such as flying signs, air inflated devices, and search lights shall not be allowed at any time in any zoning district as established in Sec. 36.553(p).
  3. One additional banner meeting the requirements established in Sec. 36-554(a)(2)(b) may be allowed with a permit.
- b. *Wall signs.*
  1. One wall sign for each street frontage shall be permitted on a building for each business located within the building. The total area of all wall signs affixed to a building wall shall not exceed 20 percent of the total area of that wall. No individual wall sign shall exceed 150 square feet. The business or property owner shall obtain a sign permit for each wall sign.
  2. A wall sign shall not project more than 18 inches from the wall to which the sign is to be affixed. Furthermore, wall mounted signs shall not exceed the roof line on any building.
  3. ~~Banners shall be included in the allowance for wall signs.~~ The design and construction of all banners shall be professional-looking and not be allowed to become torn or weathered. The City may require removal of a temporary banner if found inconsistent with this requirement.
  4. One temporary banner is allowed in addition to existing wall signs or other temporary signage for a period of up to 120 days per year. Such temporary banners require a permit and must be affixed to a façade.
  5. Temporary banners affixed to a façade shall be limited in size to 80 square feet or 10% of the building facade, whichever is less. When combined on a façade with Wall Signs, the overall sign area shall not exceed 20% of the total area of that wall.
- c. *Permanent freestanding signs.* One permanent freestanding sign is allowed for each building for each street frontage. The business or property owner shall obtain a sign permit for each permanent freestanding sign.
  1. The total area of a freestanding sign for a building having one street frontage shall not exceed 80 square feet. Where a building has two or more street frontages, each permitted freestanding sign in excess of one shall be no greater than one-half the area of the first sign.
  2. No part of a permanent freestanding sign shall be closer than ten feet to the front property line or exceed 25 feet in height. The height shall be measured from the base of the sign or grade of the nearest adjacent roadway, whichever is lower, to the top edge of the sign.
- d. *Portable signs.* One portable message sign up to 40 square feet in area may be displayed only during the merchant's business hours. The business or property owner shall obtain a sign permit for a portable sign if the sign has electrical components. Such signs shall be located within the width of the storefront to which it is related and shall not be placed within the public right-of-way or public easements.
- e. *Multi-tenant monument signs.* One monument sign shall be permitted for each multi-tenant building provided the surface area of the sign does not exceed 100 square feet per side, 25 feet in

height, and is setback in no case less than 20 feet from the property lines. The area may be increased to maximum of 150 square feet per side for developments of over 20 acres.

- f. *Pylon signs.* Retail and service establishments on property abutting an interstate freeway or state highway right-of-way may erect one pylon sign for each building or building owned by a corporate entity or business. The sign shall not exceed 150 square feet of display surface area and shall be in addition to their one freestanding sign or wall sign. The pylon sign must be placed a minimum of 50 feet from the right-of-way of highways or interstate roadways. The maximum allowed height of pylon signs is 35 feet unless the city approves an increase in the height of the sign.
  1. Application may be made to the city for a variance to increase the maximum pylon sign height on a lot having the following characteristics:
    - i. The lot abuts the right-of-way of an interstate freeway or state highway or abuts a frontage road immediately adjacent to an interstate freeway or state highway.
    - ii. The lot does not have and is not allowed to have directional signage on the interstate freeway or state highway directing the public to the subject lot.
  2. To be eligible for a variance to increase sign height, the application shall be accompanied by the following drawings drawn to scale:
    - i. A site plan showing the location of the proposed sign, property lines of the subject property, road alignments of adjacent streets and highways and the locations of any cross-sectional drawings necessary to analyze the request.
    - ii. Cross-sectional drawings necessary to analyze the request showing the entire traveled surface of the freeway or state highway, any retaining walls or fences, any frontage roads, and the proposed sign location.
  3. The zoning administrator may approve an application for a variance to increase pylon sign height above the 35 foot maximum height permitted in this section when the proposed sign plan meets each of the following requirements:
    - i. The sign is no higher than necessary to allow the bottom edge of the sign face to be visible from at least 50 percent of the traveled surface of the interstate or state highway.
    - ii. The top of the sign face is no more than 12 feet above the bottom of the sign face.
    - iii. The location of the sign is such that the increase in sign height is minimized.
    - iv. The sign face shall not exceed 150 square feet.
- g. *Flags.* An individual business and institution may have no more than three flags or 45 square feet of flag surface area displayed at any one time.
- h. *Illuminated signs.* The building inspector and zoning administrator, in granting permits for illuminated signs, shall specify the hours during which the sign may be kept lighted to prevent the creation of a nuisance. All illuminated signs shall have a shielded light source that will prevent the direct view of that light source from any passing roadway or residence at grade. Any illuminated sign located within 50 feet of a lot line of a residential district shall be diffused or indirect so as not to direct rays of light into adjacent residences.
- i. *Electronic dynamic display business signs.* Signs with moving or changing electronic messages are allowed as part of the total area of the permitted sign in business districts or for business uses in mixed-use districts, with the following standards:
  1. Require a sign permit and approval of the city administrator.
  2. Allowed for use with free-standing, wall, and pylon signs.



3. Signs may be square or rectangular and shall contain the entire message within the sign area.
  4. Signs must have a minimum display duration of 30 seconds.
  5. Goods and services described on the sign must be available at the businesses.
  6. No electronic dynamic display business sign shall be erected that by reason of position, shape, movement, or color, interferes with the proper functioning of traffic signs, signals, or which constitutes a safety hazard.
  7. Signs shall not exceed 4,500 Nits between the hours of civil sunrise and civil sunset and shall not exceed 500 Nits between the hours of civil sunset and civil sunrise, as measured from the sign face.
  8. Signs adjacent to residential properties shall be shut off from 10:00 pm to 6:00 am or have a maximum of 250 Nits from civil sunset to civil sunrise.
  9. Signs shall have a fully functional off switch that automatically shuts the display sign off when the display deteriorates ten percent or more.
  10. The lamp wattage and luminance level in Nits shall be provided at the time of permit application.
  11. Public service messages, in addition to messages such as Amber Alerts, are to be provided at no cost to the public.
  12. Electronic dynamic display business signs are prohibited as temporary signs.
- j. Non-commercial (election) signs that comply with M.S.A. § 211B.045 or successor statutes are permitted in Business and Mixed-Use Districts.
- (3) *Industrial districts.*
- a. *Temporary signs.* Temporary signs or banners that are a maximum 20 square feet in size are allowed. A maximum of three temporary signs are allowed per parcel on commercial properties industrial districts. Temporary signs may be displayed for a maximum of 30 consecutive days. No sign permit is required for temporary signs.
    1. Temporary signs shall include: banners, pennants, portable bulletin signs, freestanding signs, streamers, and sandwich boards. The design and construction of all the signs shall be professional looking and not be allowed to become torn or weathered.
    2. Temporary signs such as flying signs, air inflated devices, and search lights shall not be allowed at any time in any zoning district.
  - b. *Free-standing identification signs.* One identification sign is permitted for each building, not to exceed 80 square feet in area.

No part of a freestanding sign shall be closer than ten feet to the front property line or exceed 15 feet in height. The height shall be measured the same as for a freestanding sign in the Commercial Districts.

The maximum height of free-standing signs shall be 20 feet.
  - c. *Wall signs:* One wall sign is permitted for each tenant having a private entry into a multi-tenant building in addition to the free-standing building identification sign. The sign be displayed at or near the tenants' entrance and not to exceed ten percent of the area of the wall to which it is affixed.

No wall sign shall exceed 150 square feet in area. Commercial activities such as motels, restaurants, and similar businesses may have signs according to the standards of the Business and Mixed-Use districts.
  - d. Billboard signs are permitted that comply with section 36-555.

- e. Non-commercial (election) signs that comply with M.S.A. § 211B.045 or successor statutes are permitted in Industrial Districts.

**SECTION 2.** This Ordinance shall take effect following its passage and publication.

Passed by the City Council of Newport, Minnesota this 1st day of September, 2022.

Motion by: \_\_\_\_\_,

Seconded by: \_\_\_\_\_

VOTE:

Elliott	_____
Chapdelaine	_____
Ingemann	_____
Taylor	_____
Johnson	_____

Signed: \_\_\_\_\_  
Laurie Elliott, Mayor

Attest: \_\_\_\_\_  
Travis Brierley,  
Assistant to the City Administrator