

CITY OF TWO HARBORS

522 First Avenue, Two Harbors, MN 55616
(218) 834-5631 · FAX (218) 834-2674

Office of Zoning Administrator Application for Sign Permit

Application is hereby made to: ☐ Use ☐ Erect ☐ Repair ☐ Alter ☐ Extend
☐ Remove ☐ Demolish the sign located at _____
at a cost of \$_____ for the following use: ☐ Residential
☐ Commercial ☐ Other Use (explain below)

Legal description of property: _____
Lot/Section Block/Township Range

Description of the proposed use for this property, for which application is made:

A Plot Plan attached hereto shall also include the following plans and specifications

Type of sign: ☐ Fin ☐ Ground ☐ Pole ☐ Other

Size: _____ x _____ = _____ Height (from grade to top of sign) _____

I hereby certify that I am the owner or authorized agent of the owner of the above property and that all construction will conform with existing State laws and local ordinances.

Signature of Applicant

Address

Date

Phone

Application for Sign Permit

____ Approved _____ Disapproved
Effective _____ 20____

By _____
Title _____

Page | 1

current

ORDINANCE 7, SECOND SERIES

AN ORDINANCE OF THE CITY OF TWO HARBORS, MINNESOTA, REPEALING THE CITY CODE, CHAPTER 11, SECTION 4.40 ENTITLED "SIGN REGULATION" AND REPLACING IT WITH THE FOLLOWING, WHICH SHALL BECOME SECTION 4.40, BEING THE CITY'S SIGN REGULATION

THE CITY COUNCIL OF THE CITY OF TWO HARBORS DOES ORDAIN AS FOLLOWS

SUBDIVISION 1. PURPOSE. The purpose of this ordinance is to promote the health, safety, welfare, orderly development, livability, and economy of Two Harbors by advancing both the opportunity for advertising by businesses and the attractiveness of Two Harbors as a place to live, as a tourism center and as a commercial and industrial center.

The City of Two Harbors recognizes that its general welfare and community attractiveness are interdependent, even more so with tourism as a vital part of the job base and economy. The City intends to improve its overall attractiveness through public improvements, public services, planning, regulation, and enforcement. Therefore, it is the intent of this ordinance to preserve and enhance the natural, historic, and economic setting of Two Harbors as a unique small port town on Lake Superior. The intent of the ordinance is to move toward signage that emphasizes natural materials and colors, subdued lighting and scale that fits the setting and character of the area.

SUBDIVISION 2. DEFINITIONS.

Abandoned Sign - Any sign structure that has ceased to be used for the display of sign copy, or any sign regarding a business or activity on the site of the sign where such business or activity has ceased to be conducted for a period of more than six (6) consecutive months.

Address Sign - A sign communicating the street address and/or the name of the occupant of a property.

Animated Sign - A sign employing actual motion or the illusion of motion. Animated signs, which are differentiated from changeable signs as defined and regulated by this Section, include the following types:

- a) **Environmentally Activated Sign:** Animated signs or devices motivated by wind, thermal changes, or other natural environmental input. Includes spinners, pinwheels, pennant strings, and/or other devices or displays that respond to naturally occurring external motivation.
- b) **Mechanically Activated:** Animated signs characterized by repetitive motion and/or rotation activated by a mechanical system powered by electric motors or other mechanically induced means.
- c) **Electrically Activated:** Animated signs producing the illusion of movement by means of electronic, electrical, or electro-mechanical input and/or illumination capable of simulating movement through employment of the characteristics of one or both of the classifications noted below:
 - i) **Flashing:** Animated signs or animated portions of signs that have artificial light or color that is not maintained at a constant light level or intensity when such sign is in use.
 - ii) **Patterned Illusionary Movement:** Animated signs or animated portions of signs whose illumination is characterized by simulated movement through alternate or sequential activation of various illuminated elements for the purpose of producing repetitive light patterns designed to appear in some form of constant motion.

Awning - An architectural projection or shelter projecting from and supported by the exterior wall of a building and composed of a covering of rigid or non-rigid materials and/or fabric on a supporting framework that may be either permanent or retractable.

Awning Sign - A sign displayed on or attached flat against the surface or surfaces of an awning. Awning signs must meet the same sign area standards as wall and canopy signs.

Balloon - A flexible, non-porous bag inflated with either air or helium that causes it to rise and float in the atmosphere.

Banner - A flexible substrate on which copy or graphics may be displayed. Pennants also meet this definition.

Billboard - See Off-Premise Sign.

Building Elevation - The entire side of a building, from ground level to the roofline, as viewed perpendicular to the walls on that side of the building.

Canopy (Attached) - A multi-sided overhead structure or architectural projection supported by attachment to a building on one or more sides and either cantilevered from such building or also supported by columns at additional points. A marquee is considered a form of an attached canopy.

Canopy (Freestanding) - A multi-sided overhead structure supported by columns, but not enclosed by walls.

Changeable Sign - A sign with the capability of content change by means of manual or remote input, including signs which are:

- a) **Manually Activated** - Changeable sign whose message copy or content can be changed manually.
- b) **Electrically Activated** - Changeable sign whose message copy or content can be changed by means of remote electrically energized on-off switching combinations of alphabetic or pictographic components arranged on a display surface. Illumination may be integral to the components, such as characterized by lamps or other light-emitting devices; or it may be from an external light source designed to reflect off the changeable component display.

Convenience Store/Gas Station - Any building or premises primarily used for dispensing of gasoline or diesel fuel. These facilities also generally sell a variety of consumer goods.

Copy - Those letters, numerals, figures, symbols, logos, and graphic elements comprising the content or message of a sign, excluding numerals identifying street address only.

Development Complex Sign - A freestanding or wall sign identifying a multiple-occupancy development, such as a shopping center or planned industrial park, that contains three or more tenants. The sign may contain the name of the development and/or the tenants within the complex.

Directional Sign - Any sign that is designed and erected for the purpose of providing direction and/or orientation for pedestrian or vehicular traffic.

Directory Sign - A wall sign that identifies individual tenants within a development that do not have their own exclusive exterior entrance.

Double-Faced Sign - A sign with two identical faces that is designed so only one face can be viewed at one time. Only one

display face shall be measured in computing total sign area for this type of sign.

Exterior Sign - Any sign placed outside, or upon the exterior of a building.

Externally Illuminated Sign - A sign characterized by the use of artificial light reflecting off its surface.

Facade - The face of a building from the lowest exposed point to the roof. See Building Elevation.

Flashing Sign - See Animated Sign, Electrically Activated.

Freestanding Sign - A sign principally supported by a structure affixed to the ground, and not supported by a building, including signs supported by one or more columns, poles, or braces placed in or upon the ground.

Frontage (Property) - The length of the property line(s) of any single premise along either a public way or other properties on which it borders.

Frontage (Building) - The length of an exterior building wall or structure of a single premise oriented to the public way or other properties that it faces.

Government Sign - A public sign designed for the control of traffic and other regulated purposes including street signs, warning signs, signs or public service companies. For the purpose of these regulations, a government sign also includes any sign that is located on or off-premise and is specifically designed to provide directions or to identify a public or semi-public facility or area such as City Hall, libraries, schools, parks, and historic sites.

Ground Sign - See Freestanding Sign.

Interior Sign - Any sign placed within a building, but not including Window Signs as defined by this Section, Interior Signs, with the exception of Window Signs as defined in this Section, are not regulated by this ordinance.

Internally Illuminated Sign - A sign characterized by the use of artificial light projecting through its surface.

Mansard - An inclined decorative roof-like projection that is attached to an exterior building facade.

Memorial Sign - A sign attached to a building noting its natural, historic, community or architectural significance.

Menu Board - A freestanding sign oriented to the drive-through lane for a restaurant that advertises the menu items available from the drive-through window, and which has no more than twenty percent (20%) of the total area for such sign utilized for business identification.

Monument Sign - A freestanding sign in which the entire base of the sign structure is in contact with the ground, providing a solid and continuous background for the sign face that is the same width as the sign from the ground to the top of the sign. The base of the sign shall be constructed of a permanent material such as concrete block or stone.

Mullion - A vertical strip separating windowpanes.

Multiple-Faced Sign - A sign containing three (3) or more faces.

Mural - A sign applied with paint to the wall or on flat material attached to the wall of a building consisting of a picture or scenes rather than words, numbers or symbols.

Off-Premise Signs - A sign advertising products, goods, services, or places of business or services offered elsewhere other than upon the zoning lot where the sign is maintained.

On-Premise Sign - A sign erected, maintained or used in the outdoor environment for the purpose of the display of messages pertinent to the use of, products sold on, or the sale or lease of, the property on which it is displayed.

Parapet - The extension of a building facade above the line of the structural roof.

Pennant - See Banner

Permit - A sign permit must be obtained prior to placing a sign within the City of Two Harbors. See Subdivision 3 for requirements for permit application.

Permanent Sign - Any sign that is not temporary. Banners shall not be considered a permanent sign.

Pole Sign - See Freestanding Sign.

Political Sign - A temporary sign intended to advance a political statement, cause, or candidate for office.

Portable Sign - Any sign not permanently attached to the ground or to a building or building surface.

Projecting Sign - A sign attached to a building or extending in whole or part more than eighteen (18) inches and less than six feet beyond the surface of the building to which the sign is attached.

Reader Board Sign - A sign intended to display a message through the use of manually changed letters, that is permanently attached to a freestanding sign or affixed to a wall of the principal building. All other such signs shall be deemed as temporary signs.

Real Estate Sign - A temporary sign advertising the sale, lease, or rental of the property or premises upon which it is located.

Rotating Sign - Any sign that revolves, rotates, or has any moving parts. See also: Animated Sign: Mechanically Activated.

Roof Line - The top edge of a peaked roof or, in the case of an extended facade or parapet, the uppermost point of said facade or parapet.

Roof Sign - A sign mounted on, and supported by, the main roof portion of a building, or above the uppermost edge of a parapet wall of a building and which is wholly or partially supported by such building. Signs mounted on mansard facades, and architectural projections such as canopies or marquees shall not be considered to be roof signs.

Sign - Any device visible from a public right-of-way that displays either commercial or non-commercial messages by means of graphic presentation of alphabetic or pictorial symbols or representations. Non-commercial flags or any flags displayed from flagpoles or staffs will not be considered to be signs.

Sign Area - The area of the board(s) or module(s) containing the sign message, but not including the supporting structure. The area to be calculated is the area within the smallest rectilinear perimeter that contains the entire signboard or module. The area of a sphere shall be computed as the area of a circle.

Sign Copy - Those letters, numerals, figures, symbols, logos, and graphic elements comprising the content or message of a sign, exclusive of numerals identifying street address only.

Sign Face - The surface upon, against or through which the sign copy is displayed or illustrated, not including structural supports, architectural features of a building or sign structure, nonstructural or decorative trim, or any areas that are separated from the background surface upon which the sign copy is displayed by a distinct delineation, such as a reveal or border.

Temporary Sign - A sign intended to display either commercial or non-commercial messages of a transitory or temporary nature. Portable signs or any sign not permanently embedded in the ground, or not permanently affixed to a building or sign structure that is permanently embedded in the ground, are considered temporary signs.

Tenant Space - For the purpose of this Section, a tenant space is considered to be a business area that has its own exclusive interior or exterior entrance within a multiple-occupancy development

V Sign - Signs containing two faces of approximately equal size, erected upon common or separate structures, positioned in a "V" shape with an interior angle between faces of not more than ninety degrees (90) with the distance between the sign faces not exceeding five feet at their closest point. V signs shall be considered to be two signs for the purposes of computing sign area.

Wall or Fascia Sign - A sign that is in any manner affixed to any exterior wall of a building or structure and that projects not more than eighteen (18) inches from the building or structure wall, including signs affixed to architectural projections from a building provided the copy area of such signs remains on a parallel plane to the face of the building facade or to the face or faces of the architectural projection to which it is affixed.

Window Sign - A sign attached to, placed upon, or painted on a window or door of a building, or located within one (1) foot of the interior of a window, that is intended for viewing from the exterior of such building.

Zoning Ordinance - Chapter 11 of the City of Two Harbors or related or succeeding ordinances.

SUBDIVISION 3. PERMITS

1. **Application:** All persons seeking to place a sign within the City limits of the City of Two Harbors and as regulated by the terms of this Section shall obtain a permit. The applicant shall first file an application in writing on a form furnished for that purpose by the Zoning Administrator for the City of Two Harbors. Every such application shall:
 - a.) Identify and describe the work completely including size, height, location, materials, colors and lighting to be used. All applications must include a color rendering thereof.
 - b.) Describe the land on which the proposed sign is to be placed by lot, block, tract, house and street address or similar description that will readily identify and definitely locate the proposed sign.
 - c.) Be accompanied by a photograph of the site.
 - d.) Be accompanied by a site plan and specifications sufficient to determine consistency with this and other applicable laws and ordinances.
 - e.) Be signed by the applicant or authorized agent.
 - f.) Provide such other information as may reasonably be required by the Zoning Administrator.
 - g.) Be accompanied by a fee as established by the City Council.
2. **Sign Permits:** The application, plans and specifications filed by an applicant for a permit shall be checked by the Zoning Administrator. Such plans may also be reviewed by other departments of the City including the Building Inspector to check compliance with the laws and ordinances under their jurisdiction. In addition, certain signs may fall under Subdivision 11, Section 5 (g-h) and require design review by the Planning Commission prior to approval by the Zoning Administrator. If the Zoning Administrator determines that the work described in an application for permit and the plans filed therewith conform to the requirements of this ordinance and other pertinent laws and ordinances, he shall issue a permit. If the Zoning Administrator determines that the application does not conform, the permit shall be denied.
3. **Action on Permit Applications:** Once the Zoning Administrator has determined that the permit application is complete, the application must be approved or denied within sixty (60) days. If no action is taken within such time period the permit application shall be deemed to be approved.
4. **Expiration of Permit:** Every permit issued by the Zoning Administrator under the provisions of this ordinance shall expire by limitation and become null and void if the sign or work authorized by such permit is not completed within 120 days from the date such permit is issued. The Zoning Administrator may grant extensions in the sole discretion of the Zoning Administrator for good cause shown by the applicant.
5. **Right to appeal:**
 - a) Any applicant who files an application for a permit and is denied shall have the right to an appeal before the Board of Zoning Appeals as set forth in Chapter 11 of the City Code, within ten (10) days of receiving notice of the denial of the application. For the purpose of this provision, notice shall be deemed to be complete once the notice of denial of permit is mailed to the applicant's last known mailing address. An applicant who does not file an appeal within ten (10) days of the mailing of such notice shall be deemed to have waived the right to an appeal.
 - b) An owner who files an application and is issued a permit by the Zoning Administrator and then erects a sign or signs which the Zoning Administrator determines is either in conflict with this Section or in conflict with the permit issued in connection with the sign, is entitled to an appeal by the Board of Zoning Appeals as set forth in Chapter 11 of the City Code within ten (10) days of receiving notice of such determination. For the purpose of this provision, notice shall be deemed to be complete once the notice of non-compliance is mailed to the owner's last known mailing address. If the owner of such signs is unknown, the notice shall be mailed to the owner or occupant of the property on which the sign is located. An owner who does not file an appeal within ten (10) days of the mailing of such notice shall be deemed to have waived the right to an appeal and the Zoning Administrator's determination will be final.
6. **Sign Removal:**
 - a) Any signs hereafter constructed in the City without obtaining a permit as required by this Section shall be removed by and at the expense of the owner(s) of the sign. If the owner does not remove such sign(s) within five (5) working days of receiving notice of non-compliance for failure to obtain a permit, the Zoning Administrator may order the immediate removal of all such sign(s). For the purpose of this provision, notice shall be deemed to be complete once the notice of violation of permit is mailed to the owner's last known mailing address. If the owner of the sign(s) is unknown, the notice shall be mailed to the owner or occupant of the property on which the sign is located. All cost associated with the removal of such sign(s) shall be the sole and exclusive responsibility of the owner of the sign(s). If the owner of the sign does not remit payment for such removal within

(60) days after removal of the sign, the City may take whatever actions are allowed by law to collect such amount, including imposing a lien on the property upon which the sign is/was located.

- b) The Zoning Administrator may order the immediate removal of all such sign(s) that are in conflict with this Section or permit. All costs associated with the removal of such sign(s) shall be the sole and exclusive responsibility of the owner of the sign(s). If the owner of the sign does not remit payment for such removal within (60) days after removal of signs, the City may take whatever actions are allowed by law to collect such amount, including imposing a lien on the property upon which the sign is/was located.

7. **Violation and Penalty:** Any person, firm or corporation who violates, disobeys, omits, neglects or refuses to comply with, or who resists the enforcement of any of the provisions of this ordinance, shall be, upon conviction, guilty of a petty misdemeanor. Each day that a separate violation exists shall constitute a separate offense.

SUBDIVISION 4. EXEMPT SIGNS. The following signs shall be exempt from the provisions of the chapter:

1. Official notices authorized by a court, public body or public safety official.
2. Interior window signs in commercial and industrial districts, subject to the following limitations:
 - a) The aggregate area of all such signs shall not exceed twenty-five percent (25%) of the window area on which such signs are displayed. Window panes separated by mullions shall be considered as one continuous window area
 - b) Window signs shall not be counted against the sign area permitted for other sign types.
3. Directional, warning or information signs authorized by federal, state or municipal governments, provided they do not exceed 48 square feet.
4. Pedestrian, vehicular traffic, and parking directional signs in parking lots or on buildings, provided such signs are no more than eight (8) square feet in area and six (6) feet in height. For a parcel, a maximum of one (1) such sign shall be allowed at each access/egress point of a development. No advertising message of any kind is allowed on these signs.
5. Memorial signs on buildings.
6. The flag of a government or noncommercial institution, such as a school.
7. Seasonal decorations within the right-of-way during the appropriate public holiday season.
8. Street address signs, and combination nameplate and street address signs which contain no advertising copy and which do not exceed six (6) square feet in area.
9. Temporary signs for garage and similar sales or events, not more than 4 square feet and in place no longer than 4 days. These may not be placed on public rights-of-way or attached to trees or utility poles.
10. Signs denoting the architect, engineer, or contractor working upon a work site and real estate signs pertaining to the sale, development or rental of the property. Such signs shall be removed within ten (10) days after completion of construction or the sale, lease or development of eighty (80) percent of the property. No more than three (3) such signs will be allowed at one time. Each sign shall not exceed the following size limitations:

PROJECT AREA	RESIDENTIAL	COMMERCIAL/INDUSTRIAL
Under 2.5 acres	8 sq. ft.	32 sq. ft.
1.01 to 10 acres	64 sq. ft.	64 sq. ft.
10.1 to 25 acres	150 sq. ft.	150 sq. ft.
25.1 plus acres	300 sq. ft.	300 sq. ft.

11. Campaign signs of up to eight (8) square feet, 30 days before a primary or special election, or up to 60 days before a general election and ten (10) days after an election. Such signs must be at least five (5) feet away from all property lines.
12. Home occupation signs, non-illuminated, attached to the wall of a dwelling, and not exceeding one (1) square foot in area.
13. Signs temporarily displayed to advertise community events shall be permitted for nonresidential uses in a residential district, and for all commercial and industrial districts subject to the following limitations:
 - a) Such signs shall be limited to one sign per street front.
 - b) Such signs may be displayed for not more than 30 days. The signs shall be erected no more than thirty (30) days prior to the community event, and shall be removed not more than two (2) days after the event or grand opening.
 - c) The total area of all such signs shall not exceed 32 square feet.
14. Government signs in all districts.
15. Signs which are not visible beyond the boundaries of the lot or parcel upon which they are located.

SUBDIVISION 5. PROHIBITED SIGNS. The following devices and locations shall be specifically prohibited:

1. Signs located in such a manner as to obstruct or otherwise interfere with an official traffic sign, signal or device or obstruct or interfere with a driver's view of approaching, merging or intersecting traffic.
2. Except as provided for elsewhere in this ordinance, private signs encroaching upon or overhanging public right-of-way. No sign shall be attached to any utility pole, light standard, street tree or any other public facility located within the public right-of-way.
3. Signs that blink, flash or are animated by lighting in any fashion that would cause such signs to have the appearance of traffic safety signs and lights, or municipal vehicle warnings from a distance.
4. Portable signs except as allowed for temporary signs.
5. Any sign attached to, or placed on, a vehicle or trailer parked on public or private property, except for signs meeting the following conditions:
 - a) The primary purpose of such vehicle or trailer is not the display of signs.
 - b) The signs are magnetic, decals, or painted upon an integral part of the vehicle or equipment as originally designed by the manufacturer, and do not break the silhouette of the vehicle.
 - c) The vehicle or trailer is in operating condition, currently registered and licensed to operate on public streets when

applicable, and actively used or available for use in the daily function of the business to which such signs relate.

6. Vehicles and trailers used primarily as static displays, advertising a product or service, or utilized as storage, shelter or distribution points for commercial products or services for the general public.
7. Inflatable or flying devices such as, but not excluded to, balloons, streamers or pinwheels except those that are permitted temporary signs.
8. Signs erected, painted or drawn upon sidewalks, rocks, trees or natural features.
9. Signs that are structurally unsafe or in disrepair or which create a hazard by their condition, location or lighting.
10. Permanent signs or placards of any size attached or added to any sign beyond that included in the application and permit.
11. Abandoned signs.
12. Animated signs as defined in this ordinance, except flashing signs primarily giving time, date, temperature, weather conditions, or similar public information.
13. Rotating signs as defined in this ordinance.
14. A sign that violates any provision of any law of the State relative to off-premises signs.
15. Temporary signs that advertise a business, product, or service which is not produced or conducted on the zoning lot upon which the sign is located.

SUBDIVISION 6. NON-CONFORMING SIGNS

1. Any sign legally existing at the time of the passage of this ordinance that does not conform in use, location, height, or size with the regulations of the zone in which such sign is located shall be considered a legal non-conforming use or structure and may continue in such status until such time as it is either abandoned or removed by its owner, subject to the following limitations:
 - a) On-premises signs are to be brought into conformance when the message language is changed, when the name of the business is changed, when reconstructed after being destroyed by any means to an extent of more than 50% of value, or when replaced or relocated.
 - b) For on-premises signs, structural alterations or improvements that do not meet the criteria established in Subd. 6(1)a, are permissible only where such alterations will not increase the degree of nonconformity of the signs.
2. In the R1, R2, and R3 districts, existing signs related to permitted non-residential uses and that are nonconforming only due to sign size shall be considered conforming.
3. All existing signs installed without permits as required under this Section are non-conforming. The Zoning Administrator may direct their removal, or that a permit application be filed. A permit will be issued if the previously existing sign is in conformance with this Section, and if a permit is applied for within six (6) months of adoption of this ordinance.

SUBDIVISION 7. GENERAL PROVISIONS

1. **Conformance to Codes.** Any sign hereafter erected shall conform to the provisions of this ordinance and the provisions of the Building Code and of any other ordinance or regulations within the City of Two Harbors.
2. **Projections Over Public Ways.** Signs advertising a special community event may be permitted in or over public rights-of-way, subject to approval by the Building Official as to the size, location and method of erection. The Building Official may not approve any special event signage that would impair the safety and convenience of use of public rights-of-way, or obstruct traffic visibility.
3. **Traffic Visibility.** No sign or sign structure shall be erected at the intersection of any street in such a manner as to obstruct free and clear vision, nor at any location where by its position, shape, or color it may interfere with or obstruct the view of or be confused with any authorized traffic sign, signal, or device.
4. **Formula for Calculating Sign Size.** The formula for calculating the allowable aggregate total size of all business signs on a parcel is to multiply the frontage of the parcel upon which the business is located by the number indicated in the tables that provide the standards for signage in each zoning district. Fifty square feet of sign area is allowable for parcels with less than 40 feet of frontage. The maximum sign area is dependent upon the district in which the property is located. Frontage is the dimension in feet of the parcel upon the street of business mailing address. No alley or side street dimensions are permitted in the calculation of sign size, although signs may be placed on the side of buildings.
5. **Maintenance, Repair and Removal.**
 - a) It shall be the duty of the owner of any sign to maintain the sign constantly in a state of good repair and safety. The Building Inspector or Zoning Administrator, in making an inspection of any sign, may order special repair to be made in order that the appearance and safety of the sign may be maintained. The Building Inspector or Zoning Administrator may order repairs to be done within a set time and in all cases of repairs ordered, the owner shall submit to the City that designated repairs have been made. In all cases where any sign is unsafe, the Building Inspector or Zoning Administrator is authorized forthwith to remove such sign as a public nuisance without any demand for the removal of sign upon the owner or any person maintaining the sign. Notification of such removal action shall be made to the owner or reasonable party within ten (10) days of the action taken. All cost will be borne by the sign owner of the landowner.
 - b) No cloth, paper or advertising matter shall be permitted to hang loose from any sign. It shall be the duty of every person maintaining a sign to keep and preserve the lot or parcel of land on which such sign is erected at all times clean, inoffensive, and free and clear of any garbage, refuse weeds, rubbish, paper or other offensive material of any kind and description, which may be deposited or gathered thereon and to keep the same removed at all times for a space equal to 20 feet from any portion of such sign.
6. **Obsolete Sign Copy.** In addition to the limitations on an Abandoned Sign, an On-Premise sign that no longer advertises or identifies a use conducted on the property on which said sign is erected must have the sign copy covered or removed within thirty (30) days after written notification from the Zoning Administrator; and upon failure to comply with such notice, the Zoning Administrator is hereby authorized to cause removal of such sign copy, and any expense incident thereto shall be paid by the owner of the building, structure, or ground on which the sign is located. If the owner of the sign does not remit payment for such removal within (60) days after removal of signs, the City may take whatever actions are allowed by law to collect such amount, including imposing a lien on the property upon which the sign is located.
7. **Obstructions.** No sign shall be erected, constructed or maintained so as to obstruct any fire escape, required exit-ways,

window or door openings used as a means of egress, or to prevent free passage from one part of a roof to another part thereof or access thereto. Also, no sign shall be attached in any form, shape or manner that will interfere with any opening required for ventilation.

8. **Designation of Ownership.** Every freestanding sign shall be plainly marked with the name and address of the owner of such sign and the permit number.

9. **Lighting.** Except where otherwise stated in this ordinance, signs may be illuminated by artificial light sources, whether it is an integral component of the sign or is intended to direct artificial light upon the sign. Signs shall not be erected or maintained which are not effectively shielded so as to prevent:

- a) beams or rays of light from being directed at any portion of the traveled way of any street or highway, or;
- b) beams of such intensity or brilliance as to cause glare, or impair the vision of the operator of any motor vehicle;
- c) beams or rays of light that cause negative impacts on adjacent properties.

10. **Sign Setbacks.** Unless otherwise stated in this ordinance, all signs shall meet the setback requirements of the land use district in which they are located.

11. **Development Complex Signage.** The following standards apply to signs for development complexes:

- 1) For properties with three or more tenants:
 - a) Except where otherwise described in this ordinance, the maximum individual sign sizes for development complexes and individual uses that may display signs shall not exceed the maximum provisions for structures within the same zoning district.
 - b) Development complexes may display one development complex sign. This sign shall not exceed 125 square feet in area for a freestanding sign or 15% of the building façade (125 square foot maximum) upon which it is displayed for wall signage. Individual freestanding signs identifying the tenants' business shall not be displayed.
 - c) Individual tenants of multiple occupancy structures shall not display separate business signs unless the tenants business has an exclusive exterior entrance. The number of signs shall be limited to one wall sign per entrance, and each sign shall be limited to the maximum wall size permitted in the district. The signs shall be located only on exterior walls that are directly related to the use being identified.
 - d) If there is a development complex with three or more tenants that does not have exclusive exterior entrances; a directory sign shall be permitted for each common public entrance. Each directory sign area shall not exceed a total of 24 square feet and shall be located within 25 feet of the common public entrance being served. The size of individual business identification signage within the directory shall be established during the review process. Attention shall be given to the possible number of tenant or occupancy bays that may be served by the common public entrance for which the directory sign is intended.
- 2) For properties with two tenants, each with an exclusive exterior entrance:
 - a) One wall sign not to exceed 10% of the building façade upon which it located that does not count against the allowable signage for the property. This sign shall be located only on exterior walls that are directly related to the use being identified.

12. **Sign Program.** A sign program shall be required for all development complexes consisting of three or more tenant spaces. The program shall be filed with the project application to construct the center and shall be processed concurrently with the project application. The purpose of the program shall be to integrate signs with building and landscaping design to form a unified architectural statement. This shall be achieved by:

- a) Using the same type of cabinet supports or method of mounting for sign and the same type of construction material for components, such as sign copy, cabinets, returns and supports.
- b) Using the same form of illumination of the signs.
- c) For wall signs, specifying uniform sign positioning for both anchor tenants and minor tenants.

13. **Gas Station/Convenience Stores.** In addition to the total sign area already permitted, gasoline service stations/convenience stores are allowed the following signage. The following types of signage shall count as sign area when considering individual sign sizes.

- a) Lettering and/or logos on pump island canopies. Regardless of the number of pump island canopies on the site, no more than three canopy faces may be signed. The maximum sign surface area of the lettering and/or logos shall not exceed 25 percent of each canopy face. These signs shall not protrude above or below the canopy.
- b) A maximum of 16 square feet of area to indicate gasoline prices. This area may only include the numerals and references to types of gasoline that are not identified with a specific business. Any area for numerals or types of gasoline over 16 feet is counted against the allowable signage on the site.
- c) One sign indicating a special service area such as a car wash no larger than six square feet in area. This sign may contain no advertising messages. The six square feet may not be used on freestanding signs.

SUBDIVISION 8. VARIANCES

1. Adhering to the procedures described in Section 11.81 of the Two Harbors Land Use Regulations, The Board of Zoning Appeals shall have the authority and power to hear and grant variances from the literal provisions of the Sign Ordinance. They may consider a variance for the erection of a new sign in instances where strict enforcement of this Section would cause practical difficulties due to circumstances unique to the individual sign under consideration. The Board of Zoning Appeals shall grant such variance only when it is demonstrated that such action will be in keeping with the spirit and intent of this Section. Variances from the regulation of this Section shall be granted only in accordance with the standards set forth above and may be granted only in the following instances and in no others:

- a) To permit any yard or setback less than a yard or setback required by the sign ordinance.
- b) To permit a sign larger than the sign requirements for the applicable location, but in no event shall the variance allow an increase in the size of the sign more than 15% larger than the maximum allowable size.

- c) To permit a sign at a height greater than the maximum allowable height.
- d) To permit a sign extension from a building greater than the maximum allowable distance as provided herein.
- e) To permit a sign where otherwise not allowed due to unique physical characteristics or conditions as set out in Section 11.81, Subdivision 5 (A-B) in the Two Harbors City Code.

SUBDIVISION 9. OFF-PREMISE SIGNS.

1. New off-premise signs are prohibited.
2. Existing off-premise signs constituting the principal use of a land parcel must be removed prior to a zoning or building permit being issued for construction or reconstruction of a residential, commercial or industrial building, activity or facility on the same land parcel.
3. The following limitations will be applied to existing non-conforming off-premises signs:
 - a) Off-premise advertising signs not lighted in conformance with this Section must be removed or the means of lighting brought into conformance within two (2) years of enactment of this ordinance.
 - b) No other enhancement, enlargement, reconstruction or relocation of non-conforming off-premises signs is allowed, except to bring a sign into conformance with this ordinance.

SUBDIVISION 10. TEMPORARY SIGNS. Temporary use of portable or movable signs shall be allowed in excess of and in addition to the sign limitations of this section.

1. General Provisions.
 - a) Such signs shall comply with setback provisions for freestanding signs in each zoning district.
 - b) Such signs shall only be allowed in B-1, B-1A, B-2, B-3, I-1, I-2, M-A, and I-W zoning districts.
 - c) Such signs shall be limited to thirty-two (32) square feet in area.
 - d) A permit (no fee) shall be obtained from the Zoning Administrator for each location and time period for placement of such signs.
 - e) Temporary signs shall be located on the property that the advertising pertains to.
 - f) All pennants, streamers, banners, and other forms of temporary signs must be maintained and not be frayed, torn, or tattered.
2. The following provisions shall apply for banners, balloons, flags, or posters:
 - a) Any balloon, banner, flag, pennant, poster, or advertising display may be located on a property for a period not to exceed thirty (30) days. No more than two (2) such signs will be allowed at any one time.
 - b) No property shall be allowed more than four (4) such periods in any twelve (12) month period.
3. The following provisions shall apply for freestanding signs, reader boards, and other temporary ground signs:
 - a) Any freestanding sign, or reader board may be located on a property for continuous periods not to exceed thirty (30) days. No more than one (1) such sign will be allowed.
 - b) No property shall be allowed more than four (4) such periods in any twelve (12) month period.

SUBDIVISION 11. SIGN STANDARDS BY DISTRICT.

1. SIGNS PERMITTED IN THE R1, R2, AND R3 ZONING DISTRICTS

- a) For home occupations permitted in residential zoning districts, one sign not to exceed four (4) square feet and not more than four (4) in height is allowed.
- K* b) Clubs, lodges, civic and religious organizations, schools churches, synagogues, or other public or private non-residential uses allowed in residential areas are permitted to have one sign not to exceed 32 feet in size and six (6) feet in height. Signs must be externally illuminated with downward focused lighting.
- c) Apartment buildings, housing developments or subdivisions are permitted one sign, not to exceed 32 square feet or six feet in height. If lit, the sign(s) must be externally illuminated with downward focused lighting.
- d) No other signs are allowed in R1, R2, and R3 districts.

2. SIGNS PERMITTED IN THE PARK AND RECREATION DISTRICT

- a) No signs other than informational and identification signs relating to the facilities, structures or activities related to permitted uses shall be permitted.

3. SIGNS PERMITTED IN THE I1 AND I2 ZONING DISTRICTS

- a) No more than two wall signs are allowed on a property, except where otherwise permitting in this Section.
- b) No more than one monument sign is allowed on a property.
- c) Signs must be externally illuminated with downward focused lighting.
- d) Table of permitted signs and sign area:

Total Signage	Maximum Sign Area Freestanding Canopy, or Marquee	Maximum Sign Area Monument	Maximum Sign Area Freestanding	Maximum Sign Height Monument	Maximum Sign Height	Wall,
2 sq. ft. per lineal foot of frontage (max 200 ft.)	15 of building facade upon which it is located	Not Permitted	75 sq. ft.	Not Permitted	8 feet	

4. SIGNS PERMITTED IN THE IW DISTRICT

- a) Signs as permitted and regulated for the uses in the Residential Districts as set forth above.

5. SIGNS PERMITTED IN THE B1-A DISTRICT

The intent of this section is to encourage and permit signage that supports the "Old Town" nature of this area, that fits the character of individual buildings and businesses, Two Harbors/Lake Superior natural and historic themes, and the mixed highway/historic nature. Certain signage proposals within this district may be reviewed by the Planning Commission in order to ensure the intent of this section is met.

b) Table of permitted signs and sign area:

Total Signage	Maximum Sign Area Freestanding Canopy, or Marquee	Maximum Sign Area Monument	Maximum Sign Area Freestanding	Maximum Sign Height Monument	Maximum Sign Height	Wall,
1.25 sq. ft. per lineal foot of frontage (max 125 ft.)	10% of building facade upon which it is located	10 sq. ft.	25 sq. ft.	10 ft.	6 feet	

- a) Prohibited signs within the B1-A district:
- internally illuminated signs
 - roof signs extending above the peak of the roof
 - Exterior neon signs
- b) No more than two wall signs are allowed for any property, except where otherwise allowed in this Section or by approval of the Planning Commission after design review.
- c) No more than one freestanding sign is allowed for any property, except where otherwise allowed in this Section or by approval of the Planning Commission after design review.
- d) Projecting signs, including canopy signs, shall not project more than six feet from a building and must not be more than eight (8) square feet in area.
- e) Lettering on awning signs is restricted to the side panels or the front drop.
- f) Signs within the B1-A district shall have faces made of metal, wood, or any other solid materials that have the appearance of wood or metal and reflect the intent of the district.
- g) Design Review by Planning Commission: Signs within the B1-A land use district must be reviewed by the Planning Commission if any one of the following is proposed
- Three or more wall signs for a single property
 - Any one wall sign exceeding more than ten (10) percent of the building façade on which it is located.
 - Rooftop signage
 - A freestanding sign greater than ten (10) feet in area.
 - Professionally prepared murals depicting Lake Superior, Two Harbors historical or business scenes, not containing business verbal messages or business names
 - Approval/Denial of Permit: Any sign reviewed by the Planning Commission within the B1-A district shall meet the intent of signage within this zoning district.
 - Once the Zoning Administrator has determined that the permit application is complete and requires design review by the Planning Commission, the Planning Commission must complete its design review and provide its report and recommendation to the Zoning Administrator within forty five (45) days.
 - Upon approval of the design by the Planning Commission, the Zoning Administrator or Building Official shall be responsible for determining if the sign meets all other requirements of this Section.
 - If the proposed sign meets all requirements, the Zoning Administrator shall issue the permit. The Zoning Administrator must approve or deny the permit within sixty (60) days if a determination that the permit application is complete. If no action is taken by the Zoning Administrator within such time period then the permit application shall be deemed to be approved.
 - In the event the Planning Commission recommends against the issuance of a Sign Permit, the Planning Commission shall furnish the applicant and the Zoning Administrator with a copy of recommendations for changes necessary to be made before the Planning Commission will reconsider the application.

- h) Appeal: Any individual having a legal interest in property affected by the Planning Commission's decision pursuant to this Section, shall have a right to appeal the decision to the Board of Zoning Appeals for review pursuant to the provisions to the provisions of Subdivision 3, Section 5 of this Ordinance.

6. SIGNS PERMITTED IN THE B-1 DISTRICT

- a) Table of permitted signs and sign area:

PARCELS ZONED B-1 WITH FRONTAGE ON 7TH AVENUE:

Total Signage	Maximum Sign Area Freestanding Canopy, or Marquee	Maximum Sign Area Monument	Maximum Sign Area Freestanding	Maximum Sign Height Monument	Maximum Sign Height	Wall,
1.5 sq. ft. per lineal foot of frontage (max 150 ft.)	15% of bldg. wall upon which it is located	80 sq. ft.	80 sq. ft.	20 ft.	8 feet	

PARCELS ZONED B-1 WITH NO FRONTAGE ON 7TH AVENUE:

Total Signage	Maximum Sign Area Freestanding Canopy, or Marquee	Maximum Sign Area Monument	Maximum Sign Area Freestanding	Maximum Sign Height Monument	Maximum Sign Height	Wall,
1.5 sq. ft. per lineal foot of frontage (max 150 ft.)	15% of bldg. wall upon which it is located	25 sq. ft.	50 sq. ft.	10 ft.	8 feet	

- b) Projecting signs, including canopy signs, shall not project more than six feet from a building and must not be more than eight (8) square feet in area.
- c) No more than two wall signs are allowed on a property, except where otherwise allowed in this Section.
- d) No more than one freestanding sign is allowed on a property.
- e) Professionally prepared murals depicting Lake Superior, Two Harbors historical or business scenes, not containing business verbal messages or business names are permitted after design review by the Planning Commission.
- f) External and internally-illuminated signs are allowed. External illumination must be downward focused.

7. SIGNS PERMITTED IN THE B2 AND B3 ZONING DISTRICT

It is the intent of this Section to encourage and permit signs that enhance the historic nature of the downtown and of the City, are of natural materials and which fit the character of each business and building.

- a) Table of permitted signs and sign area:

Total Signage	Maximum Sign Area Freestanding Canopy, or Marquee	Maximum Sign Area Monument	Maximum Sign Area Freestanding	Maximum Sign Height Monument	Maximum Sign Height	Wall,
1.25 sq. ft. per lineal foot of frontage (max 125 ft.)	10% of bldg. wall upon which it is located	25 sq. ft.	50 sq. ft.	10 ft.	8 feet	

- b) Projecting signs, including canopy and wall signs, shall not project more than six feet from a building.
- c) No more than two wall signs are allowed on a property, except where otherwise allowed in this Section.
- d) No more than one freestanding sign is allowed on a property.
- e) Professionally prepared murals depicting Lake Superior, Two Harbors historical or business scenes, not containing business verbal messages or business names are permitted after design review by the Planning Commission.
- f) External and internally-illuminated signs are allowed. External illumination must be downward focused.

8. SIGNS PERMITTED IN THE MA ZONING DISTRICT

It is the intent of this district to allow signage that provides necessary information to users of facilities in the district while limiting impact on nearby parks and recreation and residential facilities.

- a) For each major facility, hospital, clinic, care facility, or medical office complex an on-premise system of monument and wall signs totaling not more than 150 square feet calling attention to entrances, emergency rooms, special facilities, and parking locations within the complex are allowed. Monument signs may not exceed eight feet in height. No one sign may exceed 32 square feet. Individual medical services buildings may have one wall mounted sign not exceeding 32 square feet. Illumination must be downward-focused, or when needed for efficient access to major medical facilities may consist of internally-illuminated graphics and message material within an opaque sign module.

8. SIGN PROVISION FOR NEW ZONING DISTRICTS.

- a) In the event that new zoning districts are created, the sign provisions of the districts from which the new district was created shall apply unless sign provisions for the new district are explicitly included within the zoning or sign

ORDINANCES, CITY OF TWO HARBORS, MINN.

HULL & DAY, INC., MINNEAPOLIS, 41082, 1

ordinance.

SUBDIVISION 12. SEPARABILITY.

Should any section, clause or provision of this ordinance be declared by the courts to be invalid, the same shall not affect the validity of the ordinance as a whole or part thereof other than the part so declared to be invalid.

SUBDIVISION 13. REPEAL

All prior ordinances pertaining to the subjects treated in this ordinance shall be deemed repealed from and after the effective date of this Ordinance, except as they are included and re-ordained in whole or in part in this Ordinance; provided, this repeal shall not affect any offense committed or penalty incurred or any right established prior to the effect date of this Ordinance.

SUBDIVISION 14. SHORT TITLE

This ordinance may be cited and referred to as the City of Two Harbors Sign Ordinance.

SUBDIVISION 15. EFFECTIVE DATE AND PUBLICATION

This Ordinance shall be effective (a) thirty (30) days after it is approved by the City Council and signed by the Mayor and (b) its publication once in the legal newspaper of the City of Two Harbors.

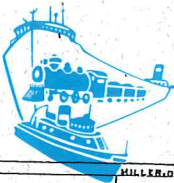
ADOPTED, by the Two Harbors City Council this 10th day of June, 2002.

President, City Council

ATTEST: _____
Administrator

APPROVED, by the Mayor of the City of Two Harbors this 11th day of June, 2002.

Mayor



CITY OF TWO HARBORS

315

ORDINANCES, CITY OF TWO HARBORS, MINN.

522 First Avenue • Two Harbors, MN 55616
(218) 834-5631 • FAX (218) 834-2674

MILLER DAVIS CO., MINNEAPOLIS 55407-1

DAN WALKER
Administrator

ordinance.

SUBDIVISION 12. SEPARABILITY.

Should any section, clause or provision of this ordinance be declared by the courts to be invalid, the same shall not affect the validity of the ordinance as a whole or part thereof other than the part so declared to be invalid.

SUBDIVISION 13. REPEAL

All prior ordinances pertaining to the subjects treated in this ordinance shall be deemed repealed from and after the effective date of this Ordinance, except as they are included and re-ordained in whole or in part in this Ordinance; provided, this repeal shall not affect any offense committed or penalty incurred or any right established prior to the effect date of this Ordinance.

SUBDIVISION 14. SHORT TITLE

This ordinance may be cited and referred to as the City of Two Harbors Sign Ordinance.

SUBDIVISION 15. EFFECTIVE DATE AND PUBLICATION

This Ordinance shall be effective (a) thirty (30) days after it is approved by the City Council and signed by the Mayor and (b) its publication once in the legal newspaper of the City of Two Harbors.

ADOPTED, by the Two Harbors City Council this 10th day of June, 2002.

President, City Council

ATTEST: _____
Administrator

APPROVED, by the Mayor of the City of Two Harbors this 11th day of June, 2002.

Mayor



CITY OF TWO HARBORS

522 First Avenue • Two Harbors, MN 55616

ORDINANCE NO. 34, SECOND SERIES (218) 834-5631 • FAX (218) 834-2674

DAN WALKER
Administrator

AN ORDINANCE OF THE CITY OF TWO HARBORS, MINNESOTA, AMENDING THE CITY CODE, CHAPTER 11, SECTION 4.40 ENTITLED SIGN REGULATION BY AMENDING THE REGULATIONS FOR NON-CONFORMING AND TEMPORARY SIGNS.

THE CITY COUNCIL OF THE CITY OF TWO HARBORS DOES ORDAIN AS FOLLOWS

Section 1. Amendment of Section 4.40, Subdivision 4, Subpart 10. Section 4.40, Subdivision 4, Subpart 10 shall be amended to read as follows:

10. (a) Signs denoting the architect, engineer, or contractor working upon a work site and real estate signs pertaining to the sale, development or rental of the property. Such signs shall be removed within ten (10) days after completion of construction or the sale, lease or development of eighty (80) percent of the property. No more than three (3) such signs will be allowed at one time. Each sign shall not exceed the following size limitations:

PROJECT AREA	RESIDENTIAL	COMMERCIAL/INDUSTRIAL
Under 2.5 acres	8 sq. ft.	32 sq. ft.
1.01 to 10 acres	64 sq. ft.	64 sq. ft.
10.1 to 25 acres	150 sq. ft.	150 sq. ft.
25.1 plus acres	300 sq. ft.	300 sq. ft.

(b) Any other temporary signs announcing construction or development of a project must meet the permitting and design standards set forth in this ordinance for the zone in which the sign is located.

Section 2. Amendment of Section 4.40, Subdivision 6. Section 4.40, Subdivision 6 shall be amended to read as follows:

SUBDIVISION 6. NON-CONFORMING SIGNS

1. Any nonconforming sign existing at the time of the adoption of an additional control under this chapter, may be continued, including through repair, replacement, restoration, maintenance, or improvement, but not including expansion, unless: (1) the nonconformity or occupancy is discontinued for a period of more than one year, or (2) any nonconforming use is destroyed by fire or other peril to the extent of greater than 50 percent of its market value, and no sign permit has been applied for within 180 days of when the property is damaged. In this case, the City may impose reasonable conditions upon a sign permit in order to mitigate any newly created impact on adjacent property. This subdivision does not prohibit the City from enforcing the provisions of the City's Adult-Use Ordinance.



CITY OF TWO HARBORS

522 First Avenue • Two Harbors, MN 55616
(218) 834-5631 • FAX (218) 834-2674

DAN WALKER

Administrator

Section 3. Effective Date. This Ordinance shall be effective: (a) thirty (30) days after (1) its passage and (2) approval by the Mayor, and (b) upon its publication once in the legal newspaper for the City of Two Harbors.

ADOPTED, this 27th day of February, A.D., 2006.

President, City Council

ATTEST: _____
Administrator

APPROVED, by the Mayor of the City of Two Harbors this 28th day of February, 2006.

Mayor

Published: _____

Effective Date: _____

SEC. 4.40. SIGN REGULATION.

Subd. 1. Purpose.

A. The purpose of this Section is to promote the health, safety, welfare, orderly development, livability, and economy of Two Harbors by advancing both the opportunity for advertising by businesses and the attractiveness of Two Harbors as a place to live, as a tourism center and as a commercial and industrial center.

B. The City recognizes that its general welfare and community attractiveness are interdependent, even more so with tourism as a vital part of the job base and economy. The City intends to improve its overall attractiveness through public improvements, public services, planning, regulation, and enforcement. Therefore, it is the intent of this Section to preserve and enhance the natural, historic and economic setting of Two Harbors as a unique small port town on Lake Superior. The intent of the Section is to move toward signage that emphasizes natural materials and colors, subdued lighting and scale that fits the setting and character of the area.

Subd. 2. Definitions. The following terms, as used in this Section, shall have the meanings stated:

1. **"Abandoned Sign"** - Any sign structure that has ceased to be used for the display of sign copy, or any sign regarding a business or activity on the site of the sign where such business or activity has ceased to be conducted for a period of more than six (6) consecutive months.

2. **"Address Sign"** - A sign communicating the street address and/or the name of the occupant of a property.

3. **"Animated Sign"** - A sign employing actual motion or the illusion of motion. Animated signs, which are differentiated from changeable signs as defined and regulated by this Section, include the following types:

(a) **Environmentally Activated Sign:** Animated signs or devices motivated by wind, thermal changes, or other natural environmental input. Includes spinners, pinwheels, pennant strings, and/or other devices or displays that respond to naturally occurring external motivation.

(b) **Mechanically Activated:** Animated signs characterized by repetitive motion and/or rotation activated by a mechanical system powered by electric motors or other mechanically induced means.

(c) **Electrically Activated:** Animated signs producing the illusion of movement by means of electronic, electrical, or electro-mechanical input and/or illumination capable of simulating movement through employment of the characteristics of one (1) or both of the classifications noted below.

i. **Flashing:** Animated signs or animated portions of signs that have artificial light or color that is not maintained at a constant light level or intensity when such sign is in use

or signs that change as a pattern of changing light illumination where the sign illumination alternates suddenly between fully illuminated and fully non-illuminated in a time frame of less than one (1) second.

ii. **Patterned Illusionary Movement:** Animated signs or animated portions of signs whose illumination is characterized by simulated movement through alternate or sequential activation of various illuminated elements for the purpose of producing repetitive light patterns designed to appear in some form of constant motion.

4. **"Awning"** - An architectural projection or shelter projecting from and supported by the exterior wall of a building and composed of a covering of rigid or non-rigid materials and/or fabric on a supporting framework that may be either permanent or retractable.

5. **"Awning Sign"** - A sign displayed on or attached flat against the surface or surfaces of an awning. Awning signs must meet the same sign area standards as wall signs.

6. **"Balloon"** - A flexible, non-porous bag inflated with either air or helium that causes it to rise and float in the atmosphere.

7. **"Banner"** - A flexible substrate on which copy or graphics may be displayed. Pennants also meet this definition.

8. **"Billboard"** - See Off-Premise Sign.

9. **"Building Elevation"** - The entire side of a building, from ground level to the roofline, as viewed perpendicular to the walls on that side of the building.

10. **"Canopy (Attached)"** - A multi-sided overhead structure or architectural projection supported by attachment to a building on one (1) or more sides and either cantilevered from such a building or also supported by columns at additional points. A marquee is considered a form of an attached canopy.

11. **"Canopy (Freestanding)"** - A multi-sided overhead structure supported by columns, but not enclosed by walls.

12. **"Changeable Sign"** - A sign with the capability of content change by means of manual or remote input including signs that are:

(a) **Manually Activated** - Changeable sign whose message copy or content can be changed manually.

(b) **Electrically Activated** - Changeable sign whose message copy or content can be changed by means of remote electrically energized on-off switching combinations of alphabetic or pictographic components arranged on a display surface. Illumination may be integral to the components, such as characterized by lamps or other light-emitting devices; or it may be from an external light source designed to reflect off the changeable component display.

13. "Convenience Store/Gas Station" - Any building or premises primarily used for the dispensing of gasoline or diesel fuel. These facilities also generally sell a variety of consumer goods.

14. "Copy" - Those letters, numerals, figures, symbols, logos, and graphic elements comprising the content or message of a sign, excluding numerals identifying street address only.

15. "Development Complex Sign" - A freestanding or wall sign identifying a multiple-occupancy development, such as a shopping center or planned industrial park, that contains three (3) or more tenants. The sign may contain the name of the development and/or the tenants within the complex.

16. "Directional Sign" - Any sign that is designed and erected for the purpose of providing direction and/or orientation for pedestrian or vehicular traffic.

17. "Directory Sign" - A wall sign that identifies individual tenants within a development that do not have their own exclusive exterior entrance.

18. "Double-Faced Sign" - A sign with two (2) identical faces that is designed so only one (1) face can be viewed at one (1) time. Only one (1) display face shall be measured in computing total sign area for this type of sign.

19. "Exterior Sign" - Any sign placed outside, or upon the exterior of a building.

20. "Externally Illuminated Sign" - A sign characterized by the use of artificial light reflecting off its surface.

21. "Façade" - The face of a building from the lowest exposed point to the roof. See Building Elevation.

22. "Flashing Sign" - See Animated Sign, Electrically Activated.

23. "Freestanding Sign" - A sign principally supported by a structure affixed to the ground, and not supported by a building, including signs supported by one (1) or more columns, poles, or braces placed in or upon the ground.

24. "Frontage (Property)" - The length of the property line(s) of any single premise along either a public way or other properties on which it borders.

25. "Frontage (Building)" - The length of an exterior building wall or structure of a single premise oriented to the public way or other properties that it faces.

26. "Government Sign" - A public sign designed for the control of traffic and other regulated purposes including street signs, warning signs, signs or public service companies. For the purpose of these regulations, a government sign also includes any sign that is located on or off-premise and

is specifically designed to provide directions or to identify a public or semi-public facility or area such as City Hall, libraries, schools, parks, and historic sites.

27. "Ground Sign" - See Freestanding Sign.

28. "Interior Sign" - Any sign placed within a building, but not including window signs as defined by this Section. Interior signs, with the exception of window signs as defined in this Section, are not regulated by this Section.

29. "Internally Illuminated Sign" - A sign characterized by the use of artificial light projecting through its surface.

30. "Mansard" - An inclined decorative roof-like projection that is attached to an exterior building façade.

31. "Memorial Sign" - A sign attached to a building noting its natural, historic, community or architectural significance.

32. "Menu Board" - A freestanding sign oriented to the drive-through lane for a restaurant that advertises the menu items available from the drive-through window, and which has no more than twenty percent (20%) of the total area for such sign utilized for business identification.

33. "Monument Sign" - A freestanding sign in which the entire base of the sign structure is in contact with the ground, providing a solid and continuous background for the sign face that is the same width as the sign from the ground to the top of the sign. The base of the sign shall be constructed of a permanent material such as concrete block or stone.

34. "Mullion" - A vertical strip separating windowpanes.

35. "Multiple-Faced Sign" - A sign containing three (3) or more faces.

36. "Mural" - A sign applied with paint to the wall or on flat material attached to the wall of a building consisting of a picture or scenes rather than words, numbers or symbols.

37. "Off-Premise Signs" - A sign advertising products, goods, or places of business or services offered elsewhere other than upon the zoning lot where the sign is maintained.

38. "On-Premise Electronic Message Centers" - An on-premise sign that can be changed or altered by electronic means on a fixed display screen composed of a series of lights including light emitting diodes (LEDs), fiber optics, lights bulbs, or other illumination devices within the display area where the message is displayed that is controlled by a programmable computer. The owners of such signs shall provide written certification from the manufacturers of such sign, prior to permitting approval, that light intensity has been programmed to appropriately adjust to ambient light conditions via an automatic photo cell or other control device and that the intensity level is protected from end-user manipulation by password-protected software.

39. **"On-Premise Sign"** - A sign erected, maintained or used in the outdoor environment for the purpose of the display of messages pertinent to the use of, products sold on, or the sale or lease of, the property on which it is displayed.

40. **"Parapet"** - The extension of a building façade above the line of the structural roof.

41. **"Pennant"** - See Banner.

42. **"Permit"** - A sign permit must be obtained prior to placing a sign within the City. See Subd. 3 for requirements for permit application.

43. **"Permanent Sign"** - Any sign that is not temporary. Banners shall not be considered a permanent sign.

44. **"Pole Sign"** - See Freestanding Sign.

45. **"Political Sign"** - A temporary sign intended to advance a political statement, cause, or candidate for office.

46. **"Portable Sign"** - Any sign not permanently attached to the ground or to a building or building surface.

47. **"Projecting Sign"** - A sign attached to a building or extending in whole or part more than eighteen (18) inches and less than six (6) feet beyond the surface of the building to which the sign is attached.

48. **"Reader Board Sign"** - A sign intended to display a message through the use of manually changed letters that is permanently attached to a freestanding sign or affixed to a wall of the principal building. All other such signs shall be deemed as temporary signs.

49. **"Real Estate Sign"** - A temporary sign advertising the sale, lease, or rental of the property or premises upon which it is located.

50. **"Rotating Sign"** - Any sign that revolves, rotates, or has any moving parts. See also: Animated Sign; Mechanically Activated.

51. **"Roof Line"** - The top edge of a peaked roof or, in the case of an extended façade or parapet, the uppermost point of said façade or parapet.

52. **"Roof Sign"** - A sign mounted on, and supported by, the main roof portion of a building, or above the uppermost edge of a parapet wall of a building and which is wholly or partially supported by such building. Signs mounted on mansard façades, and architectural projections such as canopies or marquees shall not be considered to be roof signs.

53. **"Sign"** - Any device visible from a public right-of-way that displays either commercial or non-commercial messages by means of graphic presentation of alphabetic or pictorial symbols or representations. Non-commercial flags or any flags displayed from flagpoles or staffs will not be considered a sign.

54. **"Sign Area"** - The area of the board(s) or module(s) containing the sign message, but not including the supporting structure. The area to be calculated is the area within the smallest rectilinear perimeter that contains the entire signboard or module. The area of a sphere shall be computed as the area of a circle.

55. **"Sign Copy"** - Those letters, numerals, figures, symbols, logos, and graphic elements comprising the content or message of a sign, exclusive of numerals identifying street address only.

56. **"Sign Face"** - The surface upon, against or through which the sign copy is displayed or illustrated, not including structural supports, architectural features of a building or sign structure, nonstructural or decorative trim, or any areas that are separated from the background surface upon which the sign copy is displayed by a distinct delineation, such as a reveal or border.

57. **"Temporary Sign"** - A sign intended to display either commercial or non-commercial messages of a transitory or temporary nature. Portable signs or any sign not permanently embedded in the ground, or not permanently affixed to a building or sign structure that is permanently embedded in the ground, are considered temporary signs.

58. **"Tenant Space"** - For the purpose of this Section, a tenant space is considered to be a business area that has its own exclusive interior or exterior entrance within a multiple-occupancy development.

59. **"V Sign"** - Signs containing two (2) faces of approximately equal size, erected upon common or separate structures, positioned in a "V" shape with an interior angle between faces of not more than ninety (90) degrees with the distance between the sign faces not exceeding five (5) feet at their closest point. V-signs shall be considered to be two (2) signs for the purposes of computing sign area.

60. **"Wall or Fascia Sign"** - A sign that is in any manner affixed to any exterior wall of a building or structure and that projects not more than eighteen (18) inches from the building or structure wall, including signs affixed to architectural projections from a building provided the copy area of such signs remains on a parallel plane to the face of the building façade or to the face or faces of the architectural projection to which it is affixed.

61. **"Window Sign"** - A sign attached to, placed upon, or painted on a window or door of a building, or located within one (1) foot of the interior of a window, that is intended for viewing from the exterior of such building.

62. **"Zoning Ordinance"** - Chapter 11 of the City Code or related or succeeding ordinances.

Subd. 3. Permit.

A. Application. All persons seeking to place a sign within the City limits of the City of Two Harbors and as regulated by the terms of this Section shall obtain a permit. The applicant shall first file an application in writing on a form furnished for that purpose by the Zoning Administrator for the City of Two Harbors. Every such application shall:

1. Identify and describe the work completely including size, height, location, materials, colors and lighting to be used. All applications must include a color rendering thereof.
2. Describe the land on which the proposed sign is to be placed by lot, block, tract, house and street address or similar description that will readily identify and definitely locate the proposed sign.
3. Be accompanied by a photograph of the site.
4. Be accompanied by a site plan and specifications sufficient to determine consistency with this and other applicable laws and ordinances.
5. Be signed by the applicant or authorized agent.
6. Provide such other information as may reasonably be required by the Zoning Administrator.
7. Be accompanied by a fee as established by the City Council.

B. Sign Permits. The application, plans and specifications filed by an applicant for a permit shall be checked by the Zoning Administrator. Such plans may also be reviewed by other departments of the City including the Building Inspector to check compliance with the laws and ordinances under their jurisdiction. In addition, certain signs may fall under Subd. 11, Subsection E.7. and 8. and require design review by the Planning Commission prior to approval by the Zoning Administrator. If the Zoning Administrator determines that the work described in an application for permit and the plans filed therewith conform to the requirements of this Section and other pertinent laws and ordinances, he shall issue a permit. If the Zoning Administrator determines that the application does not conform, the permit shall be denied.

C. Action on Permit Applications. Once the Zoning Administrator has determined that the permit application is complete, the application must be approved or denied within sixty (60) days. If no action is taken within such time period the permit application shall be deemed to be approved.

D. Expiration of Permit. Every permit by the Zoning Administrator under the provisions of this Section shall expire by limitation and become null and void if the sign or work authorized by such permit is not completed within one hundred twenty (120) days from the date such permit is issued. The Zoning Administrator may grant extensions in the sole discretion of the Zoning Administrator for good cause shown by the applicant.

E. Right to Appeal.

1. Any applicant who files an application for a permit and is denied shall have the right to an appeal before the Board of Zoning Appeals as set forth in Chapter 11 of the City Code, within ten (10) days of receiving notice of the denial of the application. For the purpose of this provision, notice shall be deemed to be complete once the notice of denial of permit is mailed to the applicant's last known mailing address. An applicant who does not file an appeal within ten (10) days of the mailing of such notice shall be deemed to have waived the right to an appeal.

2. An owner who files an application and is issued a permit by the Zoning Administrator and then erects a sign or signs which the Zoning Administrator determines is neither in conflict with this Section or in conflict with the permit issued in connection with the sign, is entitled to an appeal by the Board of Zoning Appeals as set forth in Chapter 11 of the City Code within ten (10) days of receiving notice of such determination. For the purpose of this provision, notice shall be deemed to be complete once the notice of non-compliance is mailed to the owners' last known mailing address. If the owner of such signs is unknown, the notice shall be mailed to the owner or occupant of the property on which the sign is located. An owner who does not file an appeal within ten (10) days of the mailing of such notice shall be deemed to have waived the right to an appeal and the Zoning Administrator's determination will be final.

F. Sign Removal.

1. Any signs hereafter constructed in the City without obtaining a permit as required by this Section shall be removed by and at the expense of the owner(s) of the sign. If the owner does not remove such sign(s) with five (5) working days of receiving notice of non-compliance for failure to obtain a permit, the Zoning Administrator may order the immediate removal of all such sign(s). For the purpose of this provision, notice shall be deemed to be complete once the notice of violation of permit is mailed to the owner's last known mailing address. If the owner of the sign(s) is unknown, the notice shall be mailed to the owner or occupant of the property on which the sign is located. All costs associated with the removal of such sign(s) shall be the sole and exclusive responsibility of the owner of the sign(s). If the owner of the sign does not remit payment for such removal within sixty (60) days after removal of the sign, the City may take whatever actions are allowed by law to collect such amount, including imposing a lien on the property upon which the sign is/was located.

2. The Zoning Administrator may order the immediate removal of all such sign(s) that are in conflict with this Section or permit. All costs associated with the removal of such sign(s) shall be the sole and exclusive responsibility of the owner of the sign(s). If the owner of the sign does not remit payment for such removal within sixty (60) days after removal of signs, the City may take whatever actions are allowed by law to collect such amount, including imposing a lien on the property upon which the sign is/was located.

G. Violation and Penalty. Any person, firm or corporation who violates, disobeys, omits, neglects or refuses to comply with, or who resists the enforcement of any of the provisions of this Section, shall be, upon conviction, guilty of a petty misdemeanor. Each day that a separate violation exists shall constitute a separate offense.

Subd. 4. Exempt Signs. The following signs shall be exempt from the provisions of the chapter:

- A. Official notices authorized by a court, public body or public safety official.
- B. Interior window signs in commercial and industrial districts, subject to the following limitations:
 - 1. The aggregate area of all such signs shall not exceed twenty-five percent (25%) of the window area on which such signs are displayed. Window panes separated by mullions shall be considered as one (1) continuous window area.
 - 2. Window signs shall not be counted against the sign area permitted for other sign types.
- C. Directional, warning or information signs authorized by Federal, State or Municipal governments provided they do not exceed forty-eight (48) square feet.
- D. Pedestrian, vehicular traffic, and parking directional signs in parking lots or on buildings, provided such signs are no more than eight (8) square feet in area and six (6) feet in height. For a parcel, a maximum of one (1) such sign shall be allowed at each access/egress point of a development. No advertising message of any kind is allowed on these signs.
- E. Memorial signs on buildings.
- F. The flag of a government or noncommercial institution, such as a school.
- G. Seasonal decorations within the right-of-way during the appropriate public holiday season.
- H. Street address signs, and combination nameplate and street address signs which contain no advertising copy and which do not exceed six (6) square feet in area.
- I. Temporary signs for garage and similar sales or events, not more than four (4) square feet and in place no longer than four (4) days. These may not be placed on public rights-of-way or attached to trees or utility poles.
- J. 1. Signs denoting the architect, engineer, or contractor working upon a work site and real estate signs pertaining to the sale, development or rental of the property. Such signs shall be removed within ten (10) days after completion of construction or the sale, lease or development of eighty percent (80%) of the property. No more than three (3) such signs will be allowed at one (1) time. Each sign shall not exceed the following size limitations:

<i>PROJECT AREA</i>	<i>RESIDENTIAL</i>	<i>COMMERCIAL/INDUSTRIAL</i>
Under 2.5 acres	8 sq. ft.	32 sq. ft.
1.01 to 10 acres	64 sq. ft.	64 sq. ft.
10.1 to 25 acres	150 sq. ft.	150 sq. ft.
25.1 acres	300 sq. ft.	300 sq. ft.

2. Any other temporary signs announcing construction or development of a project must meet the permitting and design standards set forth in this Section for the zone in which the sign is located.

K. Campaign and political signs of any size may be posted in any number from August 1 in a state general election year, thirty (30) days before a primary or special election, until ten (10) days following the state general election, primary, or special election. Such signs must be at least five (5) feet away from all property lines.

L. Home occupation signs, non-illuminated, attached to the wall of a dwelling, and not exceeding one (1) square foot in area.

M. Signs temporarily displayed to advertise community events shall be permitted for nonresidential uses in a residential district, and for all commercial and industrial districts subject to the following limitations:

1. Such signs shall be limited to one (1) sign per street front.
2. Such signs may be displayed for not more than thirty (30) days. The signs shall be erected no more than thirty (30) days prior to the community event, and shall be removed not more than two (2) days after the event or grand opening.
3. The total area of all such signs shall not exceed thirty-two (32) square feet.

N. Government signs in all districts.

O. Signs that are not visible beyond the boundaries of the lot or parcel upon which they are located.

Subd. 5. Prohibited Signs. The following devices and locations shall be specifically prohibited:

A. Signs located in such a manner as to obstruct or otherwise interfere with an official traffic sign, signal or device or obstruct or interfere with a driver's view of approaching, merging, or intersecting traffic.

B. Except as provided for elsewhere in this Section, private signs encroaching upon or overhanging public right-of-way. No sign shall be attached to any utility pole, light standard, street tree or any other public facility located within the public right-of-way.

C. Signs that blink, flash or are animated by lighting in any fashion that would cause such signs to have the appearance of traffic safety signs and lights, or municipal vehicle warnings from a distance.

D. Portable signs except as allowed for temporary signs.

E. Any sign attached to, or placed on, a vehicle or trailer parked on public or private property, except for signs meeting the following conditions:

1. The primary purpose of such vehicle or trailer is not the display of signs.

2. The signs are magnetic, decals, or painted upon an integral part of the vehicle or equipment as originally designed by the manufacturer, and do not break the silhouette of the vehicle.

3. The vehicle or trailer is in operating condition, currently registered and licensed to operate on public streets when applicable, and actively used or available for use in the daily function of the business to which such signs relate.

F. Vehicles and trailers used primarily as static displays, advertising a product or service, or utilized as storage, shelter or distribution points for commercial products or services for the general public.

G. Inflatable or flying devices such as, but not excluded to, balloons, streamers or pinwheels except those that are permitted temporary signs.

H. Signs erected, painted or drawn upon sidewalks, rocks, trees or natural features.

I. Signs that are structurally unsafe or in disrepair or which create a hazard by their condition, location or lighting.

J. Permanent signs or placards of any size attached or added to any sign beyond that included in the application and permit.

K. Abandoned signs.

L. Rotating signs as defined in this Section.

M. A sign that violates any provision of any law of the State relative to off-premises signs.

N. Temporary signs that advertise a business, product, or service, which is not produced or conducted on the zoning lot upon which the sign is located.

Subd. 6. Non-Conforming Signs. Any nonconforming sign existing at the time of adoption of an additional control under this chapter, may be continued, including through repair, replacement, restoration, maintenance, or improvement, but not including expansion, unless: (1) the nonconformity or occupancy is discontinued for a period of more than one (1) year, or (2) any nonconforming use is destroyed by fire or other peril to the extent of greater than fifty percent (50%) of its market value, and no sign permit has been applied for within one hundred eighty (180) days of when the property is damaged. In this case, the City may impose reasonable conditions upon a sign permit in order to mitigate any newly created impact on adjacent property. This subdivision does not prohibit the City from enforcing the provisions of the City's Adult-Use Ordinance.

Subd. 7. General Provisions.

A. Conformance to Codes. Any sign hereafter erected shall conform to the provisions of this Section and the provisions of the Building Code and of any other ordinance or regulations within the City of Two Harbors.

B. Projections Over Public Ways. Signs advertising a special community event may be permitted in or over public rights-of-way, subject to approval by the Building Official as to the size, location and method of erection. The Building Official may not approve any special event signage that would impair the safety and convenience of use of public rights-of-way, or obstruct traffic visibility.

C. Traffic Visibility. No sign or sign structure shall be erected at the intersection of any street in such a manner as to obstruct free and clear vision, nor at any location where by its position, shape, or color it may interfere with or obstruct the view of or be confused with any authorized traffic sign, signal, or device.

D. Formula for Calculating Sign Size. The formula for calculating the allowable aggregate total size of all business signs on a parcel is to multiply the frontage of the parcel upon which the business is located by the number indicated in the tables that provide the standards for signage in each zoning district. Fifty (50) square feet of sign area is allowable for parcels with less than forty (40) feet of frontage. The maximum sign area is dependant upon the district in which the property is located. Frontage is the dimension in feet of the parcel upon the street of business mailing address. No alley or side street dimensions are permitted in the calculation of sign size, although signs may be placed on the side of buildings.

E. Maintenance, Repair and Removal.

1. It shall be the duty of the owner of any sign to maintain the sign constantly in a state of good repair and safety. The Building Inspector or Zoning Administrator, in making an inspection of any sign, may order special repair to be made in order that the appearance and safety of the sign may be maintained. The Building Inspector or Zoning Administrator may order repairs to be done within a set time and in all cases of repairs ordered, the owner shall submit to the City that designated repairs have been made. In all cases where any sign is unsafe, the Building Inspector or Zoning Administrator is authorized forthwith to remove such sign as a public nuisance without any demand for the removal of sign upon the owner or any person maintaining the sign. Notification of such removal action shall be made to the owner

or reasonable party within ten (10) days of the action taken. All cost will be borne by the sign owner or the landowner.

2. No cloth, paper or advertising matter shall be permitted to hang loose from any sign. It shall be the duty of every person maintaining a sign to keep and preserve the lot or parcel of land on which such sign is erected at all times clean, inoffensive, and free and clear of any garbage, refuse weeds, rubbish, paper or other offensive material of any kind and description, which may be deposited or gathered thereon and to keep the same removed at all times for a space equal to twenty (20) feet from any portion of such sign.

F. Obsolete Sign Copy. In addition to the limitations on an abandoned sign, an on-premise sign that no longer advertises or identifies a use conducted on the property on which said sign is erected must have the sign copy covered or removed within thirty (30) days after written notification from the Zoning Administrator; and upon failure to comply with such notice, the Zoning Administrator is hereby authorized to cause removal of such sign copy, and any expense incident thereto shall be paid by the owner of the building, structure, or ground on which the sign is located. If the owner of the sign does not remit payment for such removal within sixty (60) days after removal of signs, the City may take whatever actions are allowed by law to collect such amount, including imposing a lien on the property upon which the sign is located.

G. Obstructions. No sign shall be erected, constructed or maintained so as to obstruct any fire escape, required exit-ways, window or door openings used as a means of egress, or to prevent free passage from one (1) part of a roof to another part thereof or access thereto. Also, no sign shall be attached in any form, shape or manner that will interfere with any opening required for ventilation.

H. Designation of Ownership. Every freestanding sign shall be plainly marked with the name and address of the owner of such sign and the permit number.

I. Lighting. Except where otherwise stated in this Section, signs may be illuminated by artificial light sources, whether it is an integral component of the sign or is intended to direct artificial light upon the sign. Signs shall not be erected or maintained which are not effectively shielded so as to prevent:

1. Beams or rays of light from being directed at any portion of the traveled way or any street or highway;
2. Beams of such intensity or brilliance as to cause glare, or impair the vision of the operator of any motor vehicle; or
3. Beams or rays of light that cause negative impacts on adjacent properties.

J. Sign Setbacks. Unless otherwise stated in this Section, all signs shall meet the setback requirements of the land use district in which they are located.

K. Development Complex Signage. The following standards apply to signs for development complexes:

1. For properties with three (3) or more tenants:

(a) Except where otherwise described in this Section, the maximum individual sign sizes for development complexes and individual uses that may display signs shall not exceed the maximum provisions for structures within the same zoning district.

(b) Development complexes may display one (1) development complex sign. This sign shall not exceed one hundred twenty-five (125) square feet in area for a freestanding sign or fifteen percent (15%) of the building façade (one hundred twenty-five (125) square foot maximum) upon which it is displayed for wall signage. Individual freestanding signs identifying the tenants' business shall not be displayed.

(c) Individual tenants of multiple occupancy structures shall not display separate business signs unless the tenant's business has an exclusive exterior entrance. The number of signs shall be limited to one (1) wall sign per entrance, and each sign shall be limited to the maximum wall size permitted in the district. The signs shall be located only on exterior walls that are directly related to the use being identified.

(d) If there is a development complex with three (3) or more tenants that does not have exclusive exterior entrances; a directory sign shall be permitted for each common public entrance. Each directory sign area shall not exceed a total of twenty-four (24) square feet and shall be located within twenty-five (25) feet of the common public entrance being served. The size of individual business identification signing within the directory shall be established during the review process. Attention shall be given to the possible number of tenant or occupancy bays that may be served by the common public entrance for which the directory sign is intended.

2. For properties with two (2) tenants, each with an exclusive exterior entrance: One (1) wall sign not to exceed ten percent (10%) of the building façade upon which it is located that does not count against the allowable signage for the property. This sign shall be located only on exterior walls that are directly related to the use being identified.

L. Sign Program. A sign program shall be required for all development complexes consisting of three (3) or more tenant spaces. The program shall be filed with the project application to construct the center and shall be processed concurrently with the project application. The purpose of the program shall be to integrate signs with building and landscaping design to form a unified architectural statement. This shall be achieved by:

1. Using the same type of cabinet supports or method or mounting for sign and the same type of construction material for components, such as sign copy, cabinets, returns and supports.

2. Using the same form of illumination of the signs.

3. For wall signs, specifying uniform sign positioning for both anchor tenants and minor tenants.

M. Gas Station/Convenience Stores. In addition to the total sign area already permitted, gasoline service stations/convenience stores are allowed the following signage. The following types of signage shall count as sign area when considering individual sign sizes:

1. Lettering and/or logos on pump island canopies. Regardless of the number of pump island canopies on the site, no more than three (3) canopy faces may be signed. The maximum sign surface area of the lettering and/or logos shall not exceed twenty-five percent (25%) of each canopy face. These signs shall not protrude above or below the canopy.

2. A maximum of sixteen (16) square feet of area to indicate gasoline prices. This area may only include the numerals and references to types of gasoline that are not identified with a specific business. Any area for numerals or types of gasoline over sixteen (16) feet is counted against the allowable signage on the site.

3. One (1) sign indicating a special service area such as a car wash no larger than six (6) square feet in area. This sign may contain no advertising messages. The six (6) square feet may not be used on freestanding signs.

4. Electronic signs in the B-1A District which statically displays fuel prices. The maximum allowable electronic signage for fuel prices shall be fifteen (15) square feet.

Subd. 8. Variances.

A. The Board of Zoning Appeals shall have the authority and power to hear and grant variances from the literal provision of this Section 4.40 in accordance with the procedures described in Section 11.81 of Chapter 11. The Board may consider a variance where there would be practical difficulties from complying with the terms of this Section. Variances from the regulations of this Section 4.40 shall be granted only in accordance with the standards set forth in Section 11.81 and (i) only if such variance will be in keeping with the spirit and intent of this Section 4.40 and (ii) may be granted only in the following instances and no others:

1. To permit any setback less than a setback required by this Section.

2. To permit a sign larger than the maximum sign allowed for the applicable location, but in no event shall the variance allow an increase in the size of the sign more than fifteen percent (15%) larger than the maximum allowable size.

3. To permit a sign at a height greater than the maximum allowable height as provided herein.

4. To permit a sign extension from a building greater than the maximum allowable distance as provided herein.

5. To permit a sign where otherwise not allowed due to unique physical characteristics or conditions as set out in Section 11.81, Subd. 5.

Subd. 9. Off-Premise Signs.

A. Off-Premises Directional Sign Program.

1. Purpose. New off-premises way-finding signs will be allowed as part of an official City Off-site Directional Sign Program ("Program"). The purpose of the Program is to provide a comprehensive system of vehicular and pedestrian way finding for public and private destinations throughout the City; project a consistent community identity; reduce driver and pedestrian confusion/frustration, improve roadway safety, and support the City's businesses and cultural sites as destinations.

2. Program.

(a) Eligibility. Public and private destinations that are potential high traffic destinations for tourists, shoppers, and other travelers are eligible to participate. Private destinations can be retail, business, shopping, hospitality, restaurant, manufacturing, or other private activities that would benefit from having an off-premises directional sign. Signs can display the name of the business and a logo. Names of products or services offered may not be displayed.

(i) The City will own, design, erect, and maintain Program sign structures and panels.

(ii) Major destinations areas, such as the Waterfront Business District and Marina and Public Landing, will have reserved sign panels at the 6th and 7th Street intersections with 7th Avenue.

(b) Leases.

(i) Sign panel leases will be initially awarded in March of 2012 and renewed in each succeeding March. Existing lease holders shall have first right to continue their existing sign location, provided the lessee is in full compliance with the lessee's lease and the Program.

(ii) Lessees will be chosen randomly if there are more eligible participants than sign panels available.

(iii) Leases shall be accompanied by an annual fee as established from time to time by resolution of the City Council.

(iv) Lease holders shall also be responsible for the actual cost incurred by the City for the production and installation of their sign panels.

(c) Design and Location. Sign structures and sign panels will be designed and erected in accordance with the Off-Site Directional Sign Program design guidelines and shall be established from time to time by resolution of the City Council.

B. Existing off-premise signs constituting the principal use of a land parcel must be removed prior to a zoning or building permit being issued for construction or reconstruction of a residential, commercial or industrial building, activity or facility on the same land parcel.

C. The following limitations will apply to existing non-conforming off-premises signs:

1. Off-premise advertising signs not lighted in conformance with this Section must be removed or the means of lighting brought into conformance within two (2) years of enactment of this Section.

2. No other enhancement, enlargement, reconstruction or relocation of non-conforming off-premises signs are allowed, except to bring a sign into conformance with this Section.

D. Lake County Trailblazer signs shall be allowed along County State Aid Highways within the City.

E. Business park entrance signs: One (1) monument-style brick or masonry entrance sign shall be permitted at the main entrance to a designated business park only in I1, I2, and B1 Districts. If the business park is in a B1 District it must have frontage along a State Highway or County State Aid Highway. The maximum area of each entrance sign is eighty (80) square feet per sign face and may be double sided. Entrance signs may only feature tenants of the designated business park. Entrance signs are only permitted at the entrance to the designated business park. Entrance signs must be set back from the right-of-way a distance of ten (10) feet, and cannot block traffic sight lines. The maximum height of an entrance sign is ten (10) feet.

F. No other new off-premises signs shall be allowed.

Subd. 10. Temporary Signs. Temporary use of portable or movable signs shall be allowed in excess of and in addition to the sign limitations of this Section.

A. General Provisions.

1. Such signs shall comply with setback provisions for freestanding signs in each zoning district.

2. Such signs shall only be allowed in B-1, B-1A, B-2, MUW, I-1, I-2, M-A, and I-W zoning districts.

3. Such signs shall be limited to thirty-two (32) square feet in area.

4. A permit (no fee) shall be obtained from the Zoning Administrator for each location and time period for placement of such signs.

5. Temporary signs shall be located on the property that the advertising pertains to.

6. All pennants, streamers, banners, and other forms of temporary signs must be maintained and not be frayed, torn, or tattered.

7. No more than two temporary signs of any type including balloon, banner, flag, pennant, poster, free standing, and sandwich board, or other advertising display may be located on a property at one time.

8. Temporary signs shall not be allowed as a primary sign display for a property, unless approved by the Planning Commission and in no case shall a temporary sign be used as the primary sign display for a property for more than one hundred eighty-five (185) days in a twelve (12) month period.

B. The following provisions shall apply for banners, balloons, flags, or posters:

1. A balloon, banner, flag, pennant, poster, or advertising display affixed to a structure may be located on a property for a period not to exceed one hundred eighty-five (185) days from the date the permit is issued.

2. The display period may be extended to one year in sixty (60) day increments by application and issuance of a regular sign permit for each sixty (60) day period.

C. The following provisions shall apply for freestanding signs, reader boards, and other temporary ground signs:

1. Any freestanding sign, or reader board, not including sandwich board signs and similar small reader board signs, may be located on a property for continuous periods not to exceed thirty (30) days from the issuance of the permit. No more than one (1) such sign will be allowed at a time.

2. No property shall be allowed more than four (4) such periods in any twelve (12) calendar year.

D. Self-supporting freestanding temporary signs with permanent and changeable message areas such as chalk board and white board, including but not limited to sandwich boards shall be allowed by temporary permit in the B-1, B-1A, B-2, and MUW Districts.

1. One (1) self-supporting freestanding temporary sign with only two (2) visible sides that are situated adjacent to a business, typically on a sidewalk that contains commercial speech are allowed per business with a temporary sign permit.

2. Permits are valid for one (1) calendar year beginning January 1, and ending December 31.

3. The maximum area of a sign shall be no more than six (6) square feet per side of sign with the maximum height being forty-two (42) inches.

4. If the sign is to be located within the public right-of-way, business owners shall sign a concurrent use permit that indemnifies the City of any liability for use of said public right-of-way.

5. Signs shall not be placed more than six (6) feet from the front primary entrance of the business.

6. Signs shall not be placed so as to cause the width of the sidewalk to be reduced below four (4) feet in width, nor shall they be erected or maintained in a manner that prevents free ingress or egress from any door, window or fire escape.

7. Attaching signs to structures, poles, objects, signs, etc. by means of chains, cords, rope, wire, cable, etc. is prohibited.

8. Signs shall be removed from public sidewalks if there is any snow accumulation (the sign may not be displayed until the snow is removed) except those sidewalks located on private property.

9. Signs shall only be displayed during business operating hours.

10. Signs shall not be illuminated, nor shall they contain moving parts or have balloons, streamers, pennants, or similar adornment attached to them.

11. Signs placed in violation of this Section will result in immediate removal of the sign. Signs within the public right-of-way may be moved/removed by the City for municipal purposes (i.e. code enforcement, snow removal, traffic issues, maintenance, etc.). Right-of-way along Highway 61/7th Avenue is under the jurisdiction of the Minnesota Department of Transportation.

Subd. 11. Sign Standards by District.

A. Signs Permitted in the R1, R2, and R3 Zoning Districts.

1. For home occupations permitted in residential zoning districts, one (1) sign not to exceed four (4) square feet and not more than four (4) feet in height is allowed.
2. Clubs, lodges, civic and religious organizations, schools, churches, synagogues, or other public or private non-residential uses allowed in residential areas are permitted to have one (1) sign not to exceed thirty-two (32) feet in size and six (6) feet in height. Signs must be externally illuminated with downward focused lighting.
3. Apartment buildings, housing developments or subdivisions are permitted one (1) sign, not to exceed thirty-two (32) square feet or six (6) feet in height. If lit, the sign(s) must be externally illuminated with downward focused lighting.
4. No other signs are allowed in R1, R2, and R3 Districts.
5. On-premise electronic message centers shall be prohibited in R1, R2, and R3 Districts.
6. Permanent and temporary electronic scoreboards may be allowed in recreation areas where athletic events occur upon approval by the Planning Commission and are to be used only during athletic and other organized events.

B. Signs Permitted in the Parks and Recreation and Park Preserve Districts.

1. No signs other than informational and identification signs relating to the facilities, structures or activities related to permitted uses shall be permitted.
2. On-premise electronic message centers advertising commercial products or services shall be prohibited in the PR and PP Districts.
3. Permanent and temporary electronic scoreboards may be allowed in the Parks and Recreation District upon approval by the Planning Commission and are to be used only during athletic and other organized events.

C. Signs Permitted in the I1 and I2 Zoning Districts.

1. No more than two (2) wall signs are allowed on a property, except where otherwise permitted in this Section.
2. No more than one (1) monument sign is allowed on a property.
3. Signs must be externally illuminated with downward focused lighting.

4. On-premise electronic message centers shall be allowed in the I1 and I2 Districts. On-premise electronic message centers shall be limited to fifteen (15) square feet or thirty percent (30%) of total signage whichever is lesser.

5. Table of permitted signs and sign area:

<i>Total Signage</i>	<i>Maximum Sign Area Wall, Canopy</i>	<i>Maximum Sign Area Freestanding</i>	<i>Maximum Sign Area Monument</i>	<i>Maximum Sign Height Freestanding</i>	<i>Maximum Sign Height Monument</i>
2 sq. ft. per lineal foot of frontage (max 200 ft.)	15% of building facade upon which it is located	Not permitted	75 sq. ft.	Not permitted	8 ft.

D. Signs Permitted in the IW District. Signs as permitted and regulated for the uses in the Industrial Districts as set forth above.

E. Signs Permitted in the B1-A District.

1. The intent of this Section is to encourage and permit signage that supports the "Old Town" nature of this area, that fits the character of individual buildings and businesses, Two Harbors/Lake Superior natural and historic themes, and the mixed highway/historic nature. Certain signage proposals within this district may be reviewed by the Planning Commission in order to ensure the intent of this Section is met.

2. Table of permitted signs and sign area:

<i>Total Signage</i>	<i>Maximum Sign Area Wall, Canopy, or Marquee</i>	<i>Maximum Sign Area Freestanding</i>	<i>Maximum Sign Area Monument</i>	<i>Maximum Sign Height Freestanding</i>	<i>Maximum Sign Height Monument</i>
1.25 sq. ft. per lineal foot of frontage (max 125 ft.)	10% of building facade upon which it is located	25 sq. ft.	25 sq. ft.	10 ft.	6 ft.

3. Prohibited signs within the B1-A district:

- (a) Internally illuminated signs;
- (b) Roof signs extending above the peak of the roof; or
- (c) Exterior neon signs.

4. No more than two (2) wall signs are allowed for any property, except where otherwise allowed in this Section or by approval of the Planning Commission after design review.

5. No more than one (1) freestanding sign is allowed for any property, except where otherwise allowed in this Section or by approval of the Planning Commission after design review.

6. Projecting signs shall not project more than six (6) feet from a building and must not be more than eight (8) square feet in area.

7. Lettering on awning signs is restricted to the side panels or the front drop.

8. Signs within the B1-A District shall have faces made of metal, wood, or any other solid materials that have the appearance of wood or metal and reflect the intent of the district.

9. On-premise electronic message centers shall be prohibited in the B1-A District except where provided for gas stations under Subd. 7. Subsection M.4.

10. Design Review by Planning Commission. Signs within the B1-A land use district must be reviewed by the Planning Commission if any one (1) of the following is proposed:

(a) Three (3) or more wall signs for a single property;

(b) Any one (1) wall sign exceeding more than ten percent (10%) of the building façade on which it is located.

(c) Rooftop signage;

(d) A freestanding sign greater than ten (10) feet in area; or

(e) Professionally prepared murals depicting Lake Superior, Two Harbors historical or business scenes, not containing business verbal messages or business names.

11. Approval/Denial of Permit. Any sign reviewed by the Planning Commission within the B1-A District shall meet the intent of signage within this zoning district.

(a) Once the Zoning Administrator has determined that the permit application is complete and requires design review by the Planning Commission, the Planning Commission must complete its design review and provide its report and recommendation to the Zoning Administrator within forty-five (45) days.

(b) Upon approval of the design by the Planning Commission, the Zoning Administrator or Building Official shall be responsible for determining if the sign meets all other requirements of this Section.

(c) If the proposed sign meets all requirements, the Zoning Administrator shall issue the permit. The Zoning Administrator must approve or deny the permit within sixty (60) days if a determination that the permit application is complete. If the Zoning Administrator takes no action within such time period then the permit application shall be deemed to be approved.

(d) In the event the Planning Commission recommends against the issuance of a Sign Permit, the Planning Commission shall furnish the applicant and the Zoning Administrator with a copy of recommendations for changes necessary to be made before the Planning Commission will reconsider the application.

12. Appeal. Any individual having a legal interest in property affected by the Planning Commission's decision pursuant to this Section shall have a right to appeal the decision to the Board of Zoning Appeals for review pursuant to provisions of Subd. 3, Subsection E. of this Section.

F. Signs Permitted in the B-1 District.

1. Table of permitted signs and sign area:

Parcels zoned B-1 with frontage on 7th Avenue:

<i>Total Signage</i>	<i>Maximum Sign Area Wall, Canopy, or Marquee</i>	<i>Maximum Sign Area Freestanding</i>	<i>Maximum Sign Area Monument</i>	<i>Maximum Sign Height Freestanding</i>	<i>Maximum Sign Height Monument</i>
1.5 sq. ft. per lineal foot of frontage (max 150 ft.)	15% of building wall upon which it is located	80 sq. ft.	80 sq. ft.	20 ft.	8 ft.

Parcels zoned B-1 with no frontage on 7th Avenue:

<i>Total Signage</i>	<i>Maximum Sign Area Wall, Canopy, or Marquee</i>	<i>Maximum Sign Area Freestanding</i>	<i>Maximum Sign Area Monument</i>	<i>Maximum Sign Height Freestanding</i>	<i>Maximum Sign Height Monument</i>
1.5 sq. ft. per lineal foot of frontage (max 150 ft.)	15% of building wall upon which it is located	25 sq. ft.	50 sq. ft.	10 ft.	8 ft.

2. Projecting signs shall not project more than six (6) feet from a building and must not be more than eight (8) square feet in area.

3. No more than two (2) wall signs are allowed on a property, except where otherwise allowed in this Section.

4. No more than one (1) freestanding sign is allowed on a property.

5. Professionally prepared murals depicting Lake Superior, Two Harbors history or business scenes, not containing business verbal messages or business names are permitted after design review by the Planning Commission.

6. External and internally illuminated signs are allowed. External illumination must be downward focused.

7. On-premise electronic message centers shall be allowed in the B-1 District. On-premise electronic message centers shall be limited to forty (40) square feet or fifty percent (50%) of total signage, whichever is lesser.

G. Signs Permitted in the B2 and MUW Zoning District.

1. It is the intent of this Section to encourage and permit signs that enhance the historic nature of the downtown and of the City, are of natural materials and which fit the character of each business and building.

2. Table of permitted signs and sign area:

<i>Total Signage</i>	<i>Maximum Sign Area Wall, Canopy, or Marquee</i>	<i>Maximum Sign Area Freestanding</i>	<i>Maximum Sign Area Monument</i>	<i>Maximum Sign Height Freestanding</i>	<i>Maximum Sign Height Monument</i>
1.25 sq. ft. per lineal foot of frontage (max 125 ft.)	10% of building wall upon which it is located	25 sq. ft.	50 sq. ft.	10 ft.	8 ft.

3. Projecting signs, including canopy and wall signs, shall not project more than six (6) feet from a building.

4. No more than two (2) wall signs are allowed on a property, except where otherwise allowed in this Section.

5. No more than one (1) freestanding sign is allowed on a property.

6. Professionally prepared murals depicting Lake Superior, Two Harbors history or business scenes, not containing business verbal messages or business names are permitted after design review by the Planning Commission.

7. External and internally illuminated signs are allowed. External illumination must be downward focused.

8. On-premise electronic message centers shall be allowed in the B2 District. On-premise electronic message centers shall be limited to fifteen (15) square feet or thirty percent (30%) of signage whichever is lesser.

9. On-premise electronic message centers may be allowed in the MUW District upon approval by the Planning Commission. New MUW developments shall include on-premise electronic message centers in the original conditional use permit application. Additions to existing on-premise electronic message centers may be approved by Planning Commission review. On-premise electronic message centers shall be limited to fifteen (15) square feet or thirty percent (30%) of signage whichever is lesser.

H. Signs Permitted in the MA Zoning District.

1. It is the intent of this district to allow signage that provides necessary information to users of facilities in the district while limiting impact on nearby parks and recreation and residential facilities.

2. On-premise electronic message centers shall be prohibited in the MA District.

3. For each major facility, hospital, clinic, care facility, or medical office complex an on-premise system of monument and wall signs totaling not more than one hundred fifty (150) square feet calling attention to entrances, emergency rooms, special facilities, and parking locations within the complex are allowed. Monument signs may not exceed eight (8) feet in height. For properties with two (2) tenants: One (1) wall sign per tenant identifying the name of the tenant's business or operations not to exceed thirty-two (32) square feet. Informational and directional signage is not included in this size calculation. External and internal illuminated signs are allowed. External illumination must be downward focused.

I. Sign Provision for New Zoning Districts. In the event that new zoning districts are created, the sign provisions of the districts from which the new district was created shall apply unless sign provisions for the new district are explicitly included within the zoning or sign ordinance.

Subd. 12. Separability. Should any section, clause or provision of this Section be declared by the courts to be invalid, the same shall not affect the validity of the Section as a whole or part thereof other than the part so declared to be invalid.

Source: City Code
Effective Date: 06-01-2000

Source: Ordinance No. 3
Effective Date: 06-13-2001

Source: Ordinance No. 7
Effective Date: 07-10-2007

Source: Ordinance No. 34
Effective Date: 03-29-2006

Source: Ordinance No. 48
Effective Date: 02-06-2009

Source: Ordinance No. 69
Effective Date: 01-18-2012

Source: Ordinance No. 70
Effective Date: 03-14-2012

Source: Ordinance No. 71
Effective Date: 03-14-2012

