

CHAPTER 11

SIGNS

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SECTION 1100. Purpose of Ordinance

A. Signs constitute a separate and distinct use of the land upon which they are placed and affect the use of adjacent streets, sidewalks and other public places and adjacent private places open to the public. The unregulated construction, placement and display of signs constitute a public nuisance detrimental to the health, safety, convenience and welfare of the residents of the city.

B. The purpose of this ordinance is to establish reasonable and impartial regulations for all exterior signs and those interior signs designed to attract the attention of persons located outdoors in order to: reduce traffic hazards caused by such unregulated signs which may distract and confuse, and impair the visibility of, motorists and pedestrians; ensure the effectiveness of public traffic signs and signals; protect property values by ensuring the compatibility of property with that surrounding it; provide an attractive visual environment throughout the city; protect the character and appearance of the various neighborhoods in the city; attract tourists to the city; protect the public investment in streets, highways, and other public improvements; and protect and improve the public health, safety, and general welfare.

C. The regulations contained in this ordinance advance these significant government interests and are the minimum amounts of regulation necessary to achieve them.

SECTION 1101. APPLICABILITY

All signs not specifically exempted herein shall comply with the provisions of this Chapter and all other applicable provisions of other regulations of the City.

SECTION 1102. SIGN PERMIT REQUIRED

- A. Unless otherwise provided in this Chapter, it shall be unlawful to construct, modify or relocate any sign without first obtaining a sign permit.
- B. No sign shall be constructed unless it complies with all applicable ordinances and codes, including, but not limited to the Electrical and Building Codes.
- C. A sign permitted as a business sign shall not be changed to an outdoor advertising sign.
- D. Permits are not required for:
 - 1) Removal of a sign
 - 2) Maintenance of a sign, including changing the face or content of the sign provided the size, shape, orientation, or height are not changed; and any change does not increase the signs nonconformance with these regulations
 - 3) Temporary Signs per Section 1107
 - 4) Exempted Signs per Section 1108, except that bench signs shall require a permit.
- E. Sign Permits shall expire within 90 days. Any permit issued prior to the adoption of this ordinance shall expire within the earlier of 90 days from adoption or per Section 1802.3

SECTION 1103. DEFINITIONS

As used in this ordinance and in the interpretation and enforcement thereof, the following words or phrases mean:

(a) Sign. An identification, description, illustration, or device which is affixed to or represented directly or indirectly upon a building, structure, or land and which directs attention to a product, place, activity, person, institution or business.

(b) Advertising Devices. Banners or streamers affixed to poles, wires, or ropes, wind operated devices, flashing lights, and other similar contrivances.

(c) Back-to-Back Sign. An advertising structure with two closely located signs with faces in opposing directions, spaced less than ten (10) feet apart at the point of shortest measurement.

(d) Banner sign. A sign with characters, letters, or illustrations applied to a flexible material intended to be hung, suspended, or otherwise attached without a rigid framework.

(e) Bench Sign. A sign incorporated into the seat or back of a bench which is intended

to be sat on by customers. Signs typically include one or more off-premise advertisements.

(e) Business Sign. Any display, device, figure, plaque, poster, billboard or sign maintained or used to advertise or to inform or to direct the attention of the public to a business or activity conducted upon the premises upon which such sign is located or to a product or service sold or rendered thereon.

(f) Outdoor Advertising Sign. Any display, device, figure, plaque, poster, billboard or sign maintained or used to advertise, promote or direct attention of the public to a business or activity other from that conducted upon the premises upon with such sign is located.

(g) Face. That area of a business sign containing the advertising information, painting, drawing or message intended or used to advise or inform, and excluding trim and supports.

(h) Face of Building. The total area of the main wall of a building, including windows, doors and openings, that abuts the front yard of a building or walls that are located on the front property line. On corner lots the face of the building shall include main walls facing the front yard and side yard or main walls fronting on all front and side property lines.

(i) Flashing Signs. Any sign, the illumination of which is not constant in intensity when in use except illuminated signs which indicate the date, time or temperature, or other public service information displayed by or at the direct request of city, county, state or federal agency shall not be considered a flashing sign.

(j) Street or Highway Frontage. The distance along any one side of any public street or highway, street or alley, measured along the right-of-way line or parallel to the normal right-of-way line where the right-of-way line is not fixed.

(k) Marquee Sign. Any sign affixed to a marquee over the entrance or on the face of a building and supported from the building.

(l) Moving Sign. Any sign which moves or has moving parts other than parts which indicate time, temperature; or other than moving devices which provide needed public service information.

(m) Off-Premise Sign. A business sign which directs the attention of the public to a business or activity conducted or product or service sold or offered at a location not on the same premises where such business sign is located.

(n) Post Sign. Any business sign which is not attached to a building but is supported by braces, post, or by any other means than by attachment to a building support.

(o) Premises. An area under a single ownership or a single lease, no part of which is separated from the other by any land under a different ownership or lease agreement.

(p) Project Sign. A sign or signs displaying the name of a shopping center and/or tenants occupying space within a shopping center.

(q) Projecting Sign. Any sign which is firmly attached to a building and extends outward therefrom.

(r) Roof Sign. Any sign painted, erected, constructed, or maintained upon the roof of any building.

(s) Sign Area. The entire area of the actual message or copy area. It shall include decorative trim or embellishments but shall not include structural elements outside the limits of such display surface and not forming an integral part of the display. On all signs, all faces shall be counted in computing the sign area.

(t) Wall Sign. Any sign which is painted on or firmly attached to a wall of any building and which does not extend beyond the building more than twelve (12) inches.

SECTION 1104. PROHIBITED SIGNS

The following signs are hereby prohibited within the City of Claremore:

1. Off-premise signs; except:
 - a) Copy changeable digital display signs may include off-premise advertising if:
 - i) 25% of the total sign face shall be a permanent display sign (i.e. non-digital display) and advertise the on-premise business; or,
 - ii) 50% of the content (by time) in the changeable messages shall be used for on premise advertising.
 - b) as allowed by other provisions contained in these regulations
2. Signs erected in violation of the City's building, electrical or sign codes, or other applicable local regulations.
3. Signs erected in violation of federal or state law.
4. Portable signs, except those portable signs allowed herein.
5. Roof signs.
6. Signs placed on any utility pole except for utility identification purposes, nor shall any sign be painted on any tree or rock.
7. Any sign that is attached to a utility pole, curb, sidewalk, lamppost, hydrant, bridge, highway marker, highway regulatory sign or mailbox on public property except official notices.
8. Animated signs, flashing signs, signs with scrolling images, signs that revolve or

rotate, have moving parts, have the illusion of motion, or in anyway change the appearance of the sign or advertisement. Nothing contained herein shall be constructed to prohibit time and temperature or other public interest electronic message signs which otherwise conform to the provisions of the Sign Code. Other digital displays may be permitted only if the images remain constant for a period of time not less than 8 seconds and the transitions appear instantaneous.

9. Signs illuminated to such intensity or brilliance as to cause glare or impair vision. Lighting shall be shielded upward to prevent beams or rays from being directed at any portion of a traveled roadway or an occupied residential area. This requirement shall not apply to internally lit signs with a lighting intensity of less than 100 foot lamberts. No illuminated sign shall be erected within 50 feet of other property in an R District or PUD Designated Residential Development Area if visible from such District or Area.

10. Signs erected in, projecting into, or otherwise located or placed in the public right-of-way, except those placed by agencies of government or those that may be allowed in the CBD District.

11. Signs on vehicles used or intended to be used as an on-premise sign. It shall be prima facie evidence that a sign is used as an on-premise sign if a vehicle is parked on site for a continuous period exceeding seventy-two (72) hours.

12. "V" type signs with a face that protrudes from the opposite face at an interior angle greater than twenty-five (25) degrees. This restriction shall not be construed to prohibit oval, cylindrical or box type signs.

13. Signs with sign structures larger than is reasonably necessary to support the sign.

14. Outdoor Advertising Signs, including billboards.

15. Banner Signs, except as allowed per Section 1107 Temporary Signs

16. Any sign which may interfere with the view of or be confused with any traffic control sign, signal or devise, or any sign which may interfere with, mislead or confuse traffic, or reduce visibility at any street intersection, change in alignment or driveway entrance or exit.

17. Any sign obstructing the view within the Sight Distance Triangle. (See Section 212 and Figure 2-1).

18. Any real estate sign advertising property for uses other than for which the property is zoned or incorrectly states the zoning of the property.

SECTION 1105. Nonconforming Signs

For regulations pertaining to an existing sign that would be prohibited by this ordinance, see Section 1703, Nonconforming Signs.

SECTION 1106. General Use Conditions for Business Signs

On Premises Signs; Business Signs

A. The number of signs, total area of all sign faces, location and design standards, on any lot or any street frontage must adhere to the restrictions established herein.

B. Display Surface Area

1. Ground and Projecting Signs

The Display Surface Area of a ground or projecting sign shall include the area enclosed by the minimum imaginary rectangles which fully contains all extremities of the sign, exclusive of its supports. This rectangle is to be calculated from an orthographic projection of the sign viewed horizontally. A view point for this projection is to be taken which gives the largest rectangle of that kind as the viewpoint is rotated horizontally around the sign. If elements of the sign are movable or flexible, the measurement shall be taken when the elements are fully extended and parallel to the plane of view.

2. Wall Signs

The Display Surface Area of a Wall Sign is the sum of the area of the minimum imaginary rectangles enclosing each word attached to any particular façade.

3. Double or Multi-faced Signs

Unless otherwise specified only one (1) side of a Double faced Sign shall be included in a calculation of sign area. However, each additional sign face shall be calculated as another sign.

4. Projecting Signs

- a. No Projecting Sign shall project over a public right-of-way, except in the CBD District;
- b. No Projecting Sign shall extend closer than two (2) feet to the curb line or edge of pavement; and,
- c. No Horizontal Projecting Sign shall exceed 50 square feet in display surface area.

5. Multiple Signs on a Single Structure

When a business has more than one (1) sign on a single structure, the sign area

is to be calculated by individual geometric shapes of each sign.

6. Display Surface Area Computation Based on Lineal Footage

In computing permitted Display Surface Area for signs, the lineal footage of an abutting non-arterial street shall not be combined with the lineal footage of any abutting arterial street, freeway or freeway service road which is included in the computation of the permitted Display Surface Area.

7. Maximum Display Surface Area per Zoning District

A. Except for wall signs and exempt signs, the total surface area of all business signs on each tract of ownership shall not exceed the following limits;

1. 0.5 square feet of sign area per lineal foot of street frontage for all lots zoned RS, RM, RT, AG, CS, IL not to be restricted less than 32 square feet nor exceed 54 sq. ft.
2. 1.0 square feet of sign area per lineal foot of street frontage for all lots zoned CG and CH not to be restricted less than 32 square feet nor exceed 75 sq. ft.
3. 2.0 square feet of sign area per lineal foot of street frontage for all lots zoned IM and IH, not to be restricted less than 32 square feet nor exceed 75 sq. ft.
4. 50 square feet of display area per sign in Parking or Office Districts
5. Shopping Centers shall not exceed 1.25 sq. ft. of signage for every 1000-sq.ft. of Gross Leasable Area (GLA) within the shopping center.

B. Wall signs shall not exceed an aggregate Display Surface Area of two (2) square feet per each lineal foot of building wall to which the sign or signs is attached.

C. Maximum Number of Signs

Except for wall signs and exempt signs, the maximum number of business signs per lot of record shall be as follows:

1. **Individual Lot/Single Business:** Only one (1) ground sign shall be permitted per tract ownership, except:
 - a. when there is a single ownership fronting on two (2) streets, not to include alleys or driveways; one (1) additional sign may be permitted if spaced at least 300-ft apart

- b. or when there is a single ownership on a contiguous lot with frontage in excess of 600-ft., one (1) additional sign shall be permitted with at least 300-ft. minimum separation between signs.
- 2. **Shopping Centers:** A building or group of buildings which share a common parking facility and/or drive approaches shall place signs on a common Project Sign(s). Only one (1) Project Sign shall be allowed except:
 - a. when there is a frontage on two (2) streets, not to include alleys or driveways; one (1) additional sign may be permitted if spaced at least 300-ft apart
 - b. or when there frontage in excess of 600-ft., one (1) additional sign shall be permitted with at least 300-ft. minimum separation between signs.
- 3. **Free Standing Single Tenant At Shopping Centers:**
 - a. When free-standing buildings are located at shopping center locations, either as individually owned properties, or lease sites, the free standing buildings shall be considered part of the group of buildings in the shopping center. Ground signs for these occupancies may be permitted on the shopping center project sign.
 - b. There shall be only one (1) sign per free standing single tenant building per occupancy or ownership.

D. Maximum Sign Height and Location

- 1. The maximum permitted sign height shall be measured from the average level of the grade below the sign to the topmost point of the sign or sign structure.
- 2. Except or unless otherwise provided herein no sign or sign structure shall exceed the following heights:
 - a. The maximum permitted height is 20 feet in AG, R, O, CS, or SR Districts.
 - b. The maximum permitted height is 25 feet in CG, CH, CBD, IL, IM or I H Districts.
- 3. Any sign or sign structure located within 165 feet of the right-of-way line of a State Highway, US Highway, Interstate Highway or other toll road or freeway may be erected to a height of not more than 45 35 feet above grade level of such thoroughfare at the point thereon nearest such sign or

structure.

4. No sign or structure shall be erected to a height greater than the horizontal distance from such structure to the nearest other property in an AG, R or O District.
5. Business signs, including projecting signs and ground signs, must maintain a minimum separation of 30 feet from other business signs.

E. Setbacks

1. Signs and all parts thereof must be setback from the centerline of an abutting street one-half (1/2) of the right-of-way width designated on the Major Street Plan or 25 feet if the street is not designated on the Major Street Plan.
2. Signs, other than those permitted in an AR or R District, if visible from such District other than a street, highway or freeway right-of-way, or if visible from a PUD Designated Residential Development Area, must be set back from such District or Area a minimum distance of 150 feet.
3. Signs with a Display Surface Area larger than 300 square feet, which are visible from an AR or R district other than a street, highway or freeway right-of-way or if visible from a Designated Residential Development Area, must be set back at least 300 feet from such District or Area.
4. Signs shall be setback a minimum distance of ten (10) feet from a freeway right-of-way.
5. Wind operated signs shall be setback from the curb 1 foot for every one foot of height.

SECTION 1107. TEMPORARY SIGNS

Temporary signs, shall not require a sign permit and will be allowed as follows:

- A. Temporary decorative flags.
- B. Temporary public interest signs, including portable signs, inflatables, wind operated devices and banners, announcing activities or other events of a public, civic, philanthropic or religious organization, subject to the following:
 1. Signs shall be a maximum size of forty (40) square feet.
 2. Only one (1) such sign shall be allowed per tract ownership per street frontage.
 3. No piggy-backing of signs is allowed.

4. No temporary sign shall be located within 100 feet of another temporary sign.
 5. Temporary signs shall be permitted for a maximum period of thirty (30) days. Upon expiration, the sign along with any straps, ties, stakes, t-posts, or any other items installed for the placement of the sign must be removed.
 6. Temporary signs must meet all requirements of the Sign Code.
- C. Temporary on-premise signs, including inflatables, wind operated devices, portable signs and banners, subject to the following:
1. Signs shall be a maximum size of forty (40) square feet.
 2. Only one (1) such sign shall be allowed per business, not to exceed two (2) signs per tract ownership; provided that on tracts with more than 300 feet of street frontage, one (1) sign shall be allowed per business, not to exceed three (3) signs.
 3. No piggy-backing of signs is allowed.
 4. No temporary sign shall be located within 100 feet of another temporary sign.
 5. Temporary signs shall be permitted for a maximum period of thirty (30) days, and no additional temporary sign shall be permitted on the same tract for a period of thirty (30) days after removal of the previous sign. Upon expiration, the sign along with any straps, ties, stakes, t-posts, or any other items installed for the placement of the sign must be removed.
 6. Temporary signs must meet all requirements of the Sign Code.

SECTION 1108. Exempted Signs

1. Temporary signs per Section 1107.
2. Street names and number signs.
3. Signs which are attached as labels of a commodity offered for sale
4. Signs not exceeding nine (9) square feet of display area and used for warning, security and directional signs for parking, restrooms, etc.
5. Government signs, flags, insignia, legal notices or informational, directional or traffic signs.

6. Political Signs erected solely for and pertaining to a public election, subject to the following restrictions:
 - a. Said signs shall not exceed more than sixty (60) days prior to any primary run off or general election to which the sign pertains.
 - b. Said signs shall be removed within thirty (30) days after the general or run-off election to which the sign pertains.
7. Signs in windows.
8. One nameplate attached to the face of a wall and not exceeding four (4) square feet in surface area.
9. Tablets built into the wall of a building or other structure and used for inscriptions, memorial tablets or for similar purposes.
10. Legal notices.
11. All signs not visible from off the property.
12. Off-Premise Home For Sale and Open House signs, subject to the following:
 - a. Open House signs shall not be placed more than 24 hours in advance and shall be removed immediately following the event.
 - b. Signs shall not exceed twenty-four (24) inches by thirty (30) inches in size, nor shall they be installed more than four (4) feet above grade.
 - c. Signs shall have a minimum separation of twenty-five (25) feet and signs for any one advertiser must be at least 200 feet apart.
 - d. Signs shall not be located in public right-of-way.
 - e. Signs shall not be located more than three (3) miles from the subject property.
 - f. Signs shall be rigid, two-dimensional displays that advertise only one-and two-family properties for sale.
 - g. Written permission shall be obtained from owners of property where the sign is located. Only one directional sign shall be allowed on any property.
13. Subdivision directional signs, subject to the following:
 - a. Signs shall be a maximum size of thirty-two (32) square feet.

- b. Signs must be placed upon unimproved property with the permission of the owner.
 - c. Signs must be placed at least 100 feet from any other subdivision or developer signs.
 - d. Signs may be erected for a maximum of one (1) year unless additional one-year approval is given by the Board of Adjustment. A maximum of two (2) one-year approvals shall be permitted by the Board of Adjustment.
 - e. Signs shall meet all requirements of the Sign Code, including permitting requirements.
14. On-premise development signs (signs identifying a developer's property and sales office/model home sites), subject to the following:
- A. Sales Office/Model Homes:
 - 1. Signs shall be a maximum size of thirty-two (32) square feet.
 - 2. Signs shall be a maximum height of fifteen (15) feet.
 - 3. No sign shall be illuminated between the hours of 10:00 p.m. and 7:00 a.m.
 - 4. Only one (1) sign per developer or builder is permitted.
 - 5. Sign must be located on the site of the model home.
 - 6. No sign may be erected for more than two (2) years.
 - 7. Signs shall meet all requirements of the Sign Code, including permitting requirements.
 - B. A developer's sign with a maximum area of thirty-two (32) square feet may be installed within a subdivision being developed, subject to the following regulations:
 - 1. Such signs shall be located at major intersections or upon properties reserved for commercial use within the subdivision.
 - 2. A developer's sign may include the names of active builders who are building within the subdivision.
 - 3. Signs shall meet all requirements of the Sign Code, including permitting requirements.
15. Street address signs not exceeding one (1) square foot in area.

16. One (1) non-illuminated real estate sign, temporary in nature, advertising the sale or lease of real property on which the sign is located or announcing contemplated improvements of real property on which the sign is located, provided, however, that said sign shall not exceed eight (8) square feet in any one-or two-family dwelling district and shall not exceed thirty-two (32) square feet in any other district;
17. Signs on vehicles, provided, however, signs on vehicles used or intended to be used as on-premise signs are prohibited.
18. Bench Sign subject to the following regulations
 - a. One off-premise bench sign shall be allowed per business, not to exceed three per tract ownership
 - b. No bench sign shall be placed within 100 feet of another bench sign
 - c. Bench signs shall be located against the building; they may not be allowed to stand alone in the parking lot, by the curb or in the yard of the business.
19. Signs used to advertise sponsors or services provided that they are located upon the property, or any structure located on the property of a publically (City, school, or University) owned sports complex or parks and recreation amenity or facility.

SECTION 1109. SIGN ADMINISTRATION AND ENFORCEMENT

Violations and Penalties. Any person who shall violate any provision of this ordinance shall be guilty of a misdemeanor and shall, upon conviction thereof, be punished by a fine of not less than \$150.00 and not more than \$200.00 for each violation. Each day in which any violation shall occur shall constitute a separate offense.

In addition, the City Attorney is hereby authorized to take all actions, both legal and equitable, necessary to assure compliance with this ordinance.

Severability: It is hereby declared to be the intention of the City Council that the sections, paragraphs, sentences, clauses and phrases of this ordinance shall be declared unconstitutional by the valid judgment or decree of any court of competent jurisdiction, such unconstitutionality shall not affect any of the remaining phrases, clauses, sentences, paragraphs and sections of this ordinance, since the same would have been enacted by the City Council without the incorporation in this ordinance of any such unconstitutional phrase, clause, sentence, paragraph or section.