

## ARTICLE 11 SIGN REGULATIONS

### 11-1101. SIGN REGULATIONS, PURPOSE AND INTENT

The sign regulations contained herein are intended to control the use of publicly visible displays in order to:

- a. Equitably regulate the privilege of displaying signs and advertising structures.
- b. Safeguard the public use and nature of public property and rights of way.
- c. Regulate and define the visual environment of the City.

In their interpretation and application, the provisions of this chapter shall be held to be minimum requirements adopted for the promotion of the public health, safety and general welfare. Wherever the requirements of this article are at variance with the requirements of any other ordinances, the highest or most restrictive shall apply.

### 11-1102. SIGN REGULATIONS, DEFINITIONS

For the purposes of these regulations the following words shall have the meanings listed hereafter.

1. "Agricultural Product Sign": A sign displayed on any farm or ranch by the owner or other operator for the purpose of identifying such farm or ranch or advertising the products thereon.
2. "Advertising Structure": Any structure which supports or is capable of supporting any sign or advertising message as identified in this code, and may be a single pole or composed of parts joined together in some definite manner.
3. "Attached": A sign which is affixed to and totally supported by a building, and may be face mounted or projecting.
4. "Attention Attracting Device": A sign or device that flashes, blinks, revolves, rotates, swings, undulates, or otherwise attracts or is designed to attract attention through electronic changes. This definition shall not include time and temperature or electronic word message signs.
5. "Awning": A structure made of cloth, metal, or other material affixed to a building in such a manner that the structure may be raised or retracted to a position against the building.
6. "Banner": A sign intended to be hung either with or without a frame, possessing characters, letters, illustrations, or ornamentations applied to paper, plastic, or fabric of any kind, excluding flags, emblems and insignia displayed for non-commercial purposes.
7. "Billboard or Poster Board Signs": A sign mounted on a semi-permanent structure and usually depicting information not directly related to the property upon which it is placed, and generally referred to as "outdoor advertising sign".
8. "Canopy": A structure, other than an awning, affixed to a building, on a horizontal plane in a non-retractable manner, and may or may not be carried by a frame which is supported by the ground.
9. "Contractor": A person, firm, individual, corporation or business engaged in the erection or repair of signs and licensed with the city as such.
10. "Detached Sign": A free-standing sign which is part of a completely self-supporting structure. The supporting structure shall be set firmly in or below the ground surface and shall not be attached to any building or other structure whether portable or stationary. This definition shall not include mobile signs.
11. "Directional Sign": A sign, providing no commercial message of any kind, which provides direction or instruction to guide persons to facilities to serve the public, including but not limited to those signs identifying restrooms, public telephones, public parks, museums, hospitals, auto parking areas and similar facilities.
12. "Erect": Shall mean to build, construct, attach, place, hang, suspend or affix and shall include the painting of wall signs.
13. "Illuminated Sign": A sign which uses an artificial source of light in connection with the display of such sign.. Artificial light sources include:
  - (a) Bare Bulb: Illumination of signs using unshielded bulbs.

- (b) Direct Illumination: Illumination of signs through flood lights whose luminous surface is visible to the normally located observer.
  - (c) Flame: Use of open flame or torches.
  - (d) Flashing: Use of an intermittent light source, including the illusion of intermittence through animation or other external light sources. Electronic information signs are excluded from this definition, except for any flashing mode of these signs.
  - (e) Indirect: Use of light source whose luminous surface is not visible to the normally located observer.
  - (f) Internal: Use of a light source concealed or contained within the sign, and visible by shining through a translucent surface.
  - (g) Neon or gas tube: Use of a light source supplied by passing electricity through a tube containing neon or other gas, bent to form letters, symbols and other shapes.
14. "Gross Surface Area": The total surface area of a sign visible from the public way or area from which the sign is to be viewed and shall include only one sign face when the display faces are perpendicular to the roadway or are designed to be visible from only one side at a time.
  15. "Home Occupation Sign": A non-illuminated sign allowed in association with a permitted home occupation conducted on the premises within a dwelling unit occupied by the operator of the business.
  16. "Face Mounted Sign": A sign which is erected or placed in the same manner as a "Wall Sign" as hereinafter defined.
  17. "Mansard": A roof projection that has an angle of more than forty-five degrees and is supported by the building wall. A mansard generally will, but may not always, extend the full length of a front building wall and may also be on a side wall.
  18. "Mansard Sign": A sign which is placed parallel with the surface of a mansard roof of a building or canopy and which is a face mounted sign extending not more than twelve inches horizontally from the bottom of the roof or canopy on which it is mounted.
  19. "Marquee": A permanent roof-like structure extending from the wall of a building but not actually a part of the building itself and is generally projecting on a horizontal plane.
  20. "Marquee Sign": A sign attached flat against or suspended under or over the marquee or canopy of a building, but extending downward less than twelve inches therefrom.
  21. "Non-conforming Sign": A non-conforming sign is a sign which was not in complete compliance with all existing laws and regulations prior to the time of adoption of these regulations and which does not adhere to one or more of the provisions of this ordinance.
  22. "Off-site Sign": A sign which directs attention to a business, profession, activity, commodity, service or entertainment other than one sold, conducted, or offered upon the site or premises where such sign is located. Also referred to as off-premise sign.
  23. "On-site Sign": A sign which directs attention to a business, profession, activity, commodity, service, entertainment, or attraction sold, conducted or offered on the same site where such sign is located. Also referred to as on-premise sign.
  24. "Permit": Authorization issued by the municipality to an applicant to erect and maintain a conforming sign. Permit may include an initial construction permit, annual permit and electrical permit as required by Municipal Code and Electrical Laws of the State of Nebraska.
  25. "Person": Any individual, firm, partnership, association, corporation, company or organization of any kind.
  26. "Portable Sign": A sign not permanently affixed to the ground, building, or other permanent structure, which may be moved from place to place. Portable sign shall include what is commonly called swinger, "A" frame, sandwich, trailer mounted or free-standing signs of a temporary nature.
  27. "Projecting Sign": A sign which is affixed to a building or wall and extends beyond the wall line of such building or wall at a perpendicular angle from the building or wall on which it is mounted.
  28. "Real Estate Sign": A sign used to offer for sale, lease or rent the premises upon which the sign is affixed.
  29. "Roof Sign": A sign erected in whole or part upon, against, or directly above the roof or parapet wall of a building.

30. "Sign": This term shall mean and include every device containing any identification, description, illustration, emblem, painting, banner, pennant or placard, illuminated or non-illuminated, which is visible to the general public and directs attention to a product, service, place, activity, person, institution, business or information.
31. "Street Intersection Vision Triangle": The triangle on a corner lot at the intersection of two streets or avenues bounded by the front and side street lot lines and a line diagonally across the corner of the lot from a point twenty-five (25) feet along each lot line from the front lot corner. The minimum clearance under a sign in this triangle shall be eight (8) feet above adjoining grade and sign supports shall be designed to minimize vision obstruction.
32. "Temporary Sign": Any sign, banner, valance or advertising display constructed of cloth; canvas, cardboard, light fabric, wallboard, or other light materials, with or without a frame, intended to be displayed for only a limited or specific period of time or event.
33. "Wall Sign": A sign attached directly to an exterior wall of a building or dependent upon a building for support with the exposed face of the sign located parallel to such exterior of the building wall to which the sign is attached or supported. Wall sign shall also include any signs as included within these regulations, which may be painted on the wall of a building or structure.
34. "A-frame or Sandwich Signs": Portable signs which may not exceed 30 inches in width and 54 inches in height, which may be displayed between the hours of sunrise and sunset, and which may be placed in a manner as not to impede pedestrian traffic.

#### 11-1103. SIGN REGULATIONS, GENERAL PROVISIONS

##### 11-1103.01. SIGN REGULATIONS, REGULATING FACTOR

The display of signs within the city is hereby regulated on the basis of the following factors.

- a. The type of sign
- b. The area of the sign
- c. The height of the sign
- d. The location of the sign.
- e. The zoning of the sign site.
- f. The classification of the business or activity.

In addition, certain signs may be regulated on additional factors contained within these regulations.

##### 11-1103.02. SIGN REGULATIONS, CONTRACTOR LICENSE REQUIREMENT

No person, firm or corporation, with the exception of the property owner, lessee or occupant shall erect, construct, repair, paint, or replace any sign within the Corporate Limits or the zoning jurisdiction of the municipality unless such person, firm, or corporation possesses a valid Sign Contractor, General Contractor or Repair and Maintenance Contractor License issued by the City Clerk. Application for said license shall be made upon forms provided by the City and shall be accompanied by payment of a license fee in the amount which shall be set from time to time by resolution of the City Council. No such license shall be issued unless the applicant first presents to the City Clerk a certificate of insurance, demonstrating that the applicant and his employees are covered by liability insurance with policy limits of no less than \$300,000.00, for the period of the license. The licensee shall ensure that all of his employees, agents, and subcontractors are covered by liability insurance of no less than \$300,000.00.

##### 11-1103.03. SIGN REGULATIONS, SIGN CONSTRUCTION PERMITS

Signs not legally existing or in place on the effective date of these regulations shall not hereafter be displayed, nor shall any existing sign be enlarged, relocated, changed or modified until a "sign construction permit" for the same has been issued by the City. A fee for such permit shall be paid by the applicant at the time of permit issuance, such fee to be as set by the City Council resolution. Applicants shall include the size, installed cost, design, information to be displayed, location, owner or lessee of said sign and owner of the property if not the same as the sign owner. If said sign has electrical wiring or equipment for lighting or control purposes, a separate electrical permit is required and all electrical work shall be accomplished by a licensed electrician as required by Municipal Code and State Law.

Normal sign maintenance such as electrical light relamping, repainting or cleaning shall not require a permit, nor shall a permit be required for copy changes on a sign designed for such changes without changing the sign face.

Off-site signs require State of Nebraska permits in addition to City of Kimball permits if such signs are located adjacent to or visible from the State or Federal Highway System.

#### 11-1103.04. SIGN REGULATIONS, INFORMATION AFFIXED TO SIGNS

All signs erected after the effective date of these regulations shall have stamped, or be identified with an affixed label, in a conspicuous place thereon, the permit number, date of erection and the installing firm.

#### 11-1103.05. SIGN REGULATIONS, GLARE

All signs shall be located, designed or shielded so as to prevent the casting of glare or direct light upon adjacent dedicated roadways or surrounding property.

#### 11-1103.06. SIGN REGULATIONS, NOT TO CONSTITUTE A TRAFFIC HAZARD

No sign or advertising structure shall be erected or continued to be displayed at the intersection of any street in such a manner as to obstruct free and clear vision of the Street Intersection Vision Triangle, as defined in the definition section of these regulations, or at any location where by reason of the position, shape, or color it may interfere with, obstruct the view of, or be confused with any authorized traffic sign.

Off-site signs regulated by the Federal Beautification Act and the State Department of Roads Rules and Regulations for the Control of Outdoor Advertising must comply with the fifty (50) foot setback requirement for those signs located at the intersection of a side street and a State or Federal Highway. The fifty foot setback is measured in each direction from the intersecting property line of the two streets.

#### 11-1103.07. SIGN REGULATIONS, SIGNS ON PUBLIC PROPERTY OR RIGHT-OF-WAY

No signs other than signs placed by agencies of government shall be erected on any public property except for directional signs for traffic control or other information deemed beneficial and relating to the public safety, health or welfare, unless otherwise allowed in this ordinance. On streets that are a part of the State Highway System the only signs that may be erected in the public right of way are those official signs owned and erected by the City of Kimball or the Nebraska Department of Roads.

A-frame or sandwich signs may be placed on public property or rights-of-way only in zoning districts designated as commercial or industrial, provided these signs do not impede pedestrian traffic, and otherwise comply with the Kimball Municipal Code, ordinances, resolutions and regulations.

City streets which are part of the state highway system or the federal highway system are subject to separate and additional regulation, and this section gives not state or federal permission to place such signs.

No signs shall be placed on any utility pole except for identification purposes of the utility and no sign shall be placed upon trees within the right of way of any road or street.

Exception: An existing on-site sign which extends over the right of way of any street or avenue may be maintained and a permit may be issued for construction of an on-site sign which so extends only if the sign meets the following requirements as determined by the Zoning Administrator:

- a. The sign is attached only to, and supported only by, a building that is located on a lot or tract of land zoned C-1 or where the existing building setback, at the point of the sign attachment, abuts the street or avenue right of way line.
- b. The sign is situated so that no part of the sign extends more than two-thirds (2/3) the distance between the right of way line and the rear line of the curb, or if no curb is existing, to the point where curb would be installed in compliance with adopted street or curb line if extended shall in no case be less than three (3) feet. No part of such sign shall be less than eight (8) feet above the sidewalk, provided however, that minor signs, such as address or store

identification tags, not larger in area than six (6) square feet, may be attached to the lower edge of awnings, marquees or canopies providing they shall not extend to less than seven (7) feet above the sidewalk.

- c. That the sign is or will be safe and secure and will not constitute a hazard to persons or vehicles on the street, avenue or sidewalk.
- d. Any new signs installed under these exceptions shall be subject to final approval by the State Department of Roads and Federal Highway Administration approval if projecting over State or Federal Highway right of way.

#### 11-1103.08. SIGN REGULATIONS, CLEARANCE

Clearance From Electrical Power Lines, Communications Lines, and Other Surface and Underground Facilities: All signs and their supporting structures shall be located in such a way that they maintain horizontal and vertical clearance from all electrical power lines, communications lines, and surface and underground conduits for water, sewage, gas, electricity or communications lines. Such clearance from electrical lines shall be as required in the National Electrical Code or National Electrical Safety Code, whichever is the most restrictive. Other clearances shall be as deemed sufficient by the operating utility.

#### 11-1104. SIGN REGULATIONS, PROHIBITED SIGNS

The following signs are hereby expressly prohibited for erection, construction, repair, alteration or relocation within the municipality and shall be removed within ninety (90) days of the adoption of these regulations:

1. "A" frame or "sandwich sign", except as may be permitted for temporary signs.
2. Signs which imitate traffic control devices or carry the word "Stop" or those which can be confused with traffic control devices, and international or universal informational signs or symbols.
3. Portable or wheeled signs are prohibited from being located or maintained within street or avenue rights-of-way and the triangle vision area formed by the intersection of streets avenues, as defined in the definition section of these regulations.
4. Signs which are placed on or affixed to vehicles or trailers which are parked so as to be visible where the apparent purpose is to advertise a product or direct people to a business or activity located on the same or nearby property. This provision shall not include the normal lettering on trucks or other vehicles where the sign is incidental to the primary use of the vehicle.
5. Any sign that violates any provision of any law of the State of Nebraska relative to outdoor advertising.
6. Any sign which encroaches over or into any street right of way, except as permitted within these regulations.

#### 11-1105. SIGN REGULATIONS, DAMAGED, UNSAFE, UNLAWFUL ETC. SIGNS

If the Zoning Administrator finds that any sign or other advertising structure regulated herein is unsafe or insecure, is a menace to the public, is abandoned or kept in a dilapidated condition, or has been constructed or is being maintained in violation of the provisions of this chapter, he shall give written notice of such finding to the owner or permittee, by certified mail return receipt requested, stating the conditions found and reasons for finding of such violation. Such notice shall include a specified time in which corrections shall be made to bring the sign or structure into compliance. Should the permittee or owner fail to comply with such notice within the specified time stated in the notice, and if no appeal has been filed within the time so specified for an appeal, such sign or advertising structure may be removed or altered by the Zoning Administrator so as to comply. Any expense incidental to such removal or alteration shall be charged to the owner of the property on which the sign or structure is located and shall constitute a lien against said property.

A legal non-conforming sign, one which lawfully existed on the effective date of these regulations but does not fully comply with these regulations in every provisions, may be continued in operation and maintained indefinitely unless of a prohibited category, in which case it shall be removed within the prescribed ninety (90) days.

#### 11-1106. SIGN REGULATIONS, EXEMPT SIGNS

The following types or categories of signs are exempt from the permit provisions of these regulations but shall comply with the general rules pertaining to traffic hazards, intersection vision, right of way placement or other provisions which may pertain to the public welfare and safety:

- a. Directional or instructional signs which provide direction or instruction to guide persons to public facilities but contain no commercial advertising.
- b. Governmental signs for control of traffic and other regulatory purposes and signs of public service companies indicating danger and aids to service or safety.
- c. Holiday decorations or signs temporarily displayed on traditionally accepted civic, patriotic or religious holidays, providing such sign shall be removed within a reasonable time, but not exceeding thirty (30) days.
- d. Public notice signs required by governmental bodies authorized for a specific public purpose by any law or ordinance and posted by public officers or employees in their line of duty.
- e. Temporary real estate signs advertising the sale, lease or rent of the premises upon which the sign is posted. In residential areas the area of such signs shall be limited to eight (8) square feet per sign face. Such signs may be located in the street right of way between the curb and property line, provided such signs are not located within the required sight triangle on corner lots. Any sign placed in the street right of way may be removed immediately and without further notice by any City Department for utility construction or safety purposes.
- f. Temporary event signs announcing a campaign, drive, activity, or event of a civic, philanthropic, educational, or religious organization for non-commercial purposes shall be permitted subject to the provisions relative to right of way and vision obstruction and shall be removed within seven (7) days after the conclusion of the event.
- g. Temporary political signs announcing political candidates seeking public office, political parties, and or political issues contained on a ballot for an election may be located only on private property, not sooner than sixty (60) days prior to, and shall be removed within seven (7) days following the election.

#### 11-1107. SIGN REGULATIONS, ZONING DISTRICT REGULATIONS

In addition to the general provisions of these regulations signs in the following zoning districts shall be regulated as provided in this section.

##### 11-1107.01. AGRICULTURAL (A) DISTRICT

- a. Signs as provided in 11-1107.03.
- b. One non-illuminated sign listing products, activities or services offered on the premises shall be permitted providing that such sign shall not be more than fifty (50) square feet in area of each side.
- c. Maximum height, thirty (30) feet.

##### 11-1107.02. RURAL RESIDENTIAL (RR) DISTRICT

- a. Signs as provided in 11-1107.03.
- b. One non-illuminated sign listing products for sale which are produced on the site provided that any such sign be limited to twenty (20) square feet in area of each side.
- c. Maximum height, twenty (20) feet.

##### 11-1107.03. RESIDENTIAL ZONES (R-1 and R-2)

- a. One non-illuminated sign per building, not more than five (5) square feet in area, mounted flat against the wall of the building housing a permitted home occupation.
- b. Not more than two (2) real estate for sale or rent signs, each not containing more than eight (8) square feet of sign area per side.
- c. One illuminated, or non-illuminated sign per church or school, not more than fifty (50) square feet in area, on the premises, indicating services or activities therein provided.

- d. One non-illuminated sign per building, not more than thirty-two (32) square feet in area, showing the names of architects, engineers, builders, or contractors involved in the construction of the premises being constructed, provided such sign shall be removed within ten (10) days after completion of the structure.
- e. Maximum height for signs in these districts for other than face mounted signs shall be ten (10) feet.
- f. No permanent sign shall be installed within the site triangle of a corner lot.

11-1107.04. SIGN REGULATIONS, MULTI-FAMILY RESIDENTIAL (R-3)

- a. Signs shall be permitted as allowed in 11-1107.03.
- b. One non-illuminated sign, not more than eight (8) square feet in area shall be permitted at each major building entrance, provided such sign shall be mounted flat against the wall of said building and projecting not more than twelve (12) inches therefrom, and shall be for premise identification only.
- c. For each complex or cluster of multi-family dwellings, there shall be permitted one major identification sign not more than fifty (50) square feet in area. Such sign may be detached from the building but must conform to the setback requirement of the above residential district.
- d. Maximum height for signs in this district except for face mounted signs shall be ten (10) feet.
- e. No permanent sign shall be installed within the site triangle of a corner lot.

11-1107.05. MOBILE HOME PARKS (R-4) DISTRICT

- a. Signs shall be permitted as allowed in 11-1107.03.
- b. Mobile Home park identification sign shall be permitted as allowed in the R-3 Zone above, with the same setback requirement as the complex or cluster sign.
- c. The Mobile Home Park office must be identified with a sign limited to a total area of each side of not more than thirty-two (32) square feet.
- d. Maximum height in this district shall be ten (10) feet.
- e. No permanent sign shall be installed within the site triangle of a corner lot.

11-1107.06. SIGN REGULATIONS, C-1 CENTRAL BUSINESS DISTRICT

- a. In these districts signs of all types are permitted, subject to a maximum height of 30 feet.
- b. Signs in the C-1 district shall be subject to the street intersection vision triangle setback, as defined in the definition section of these regulations, for all signs not located a minimum of eight (8) feet above the sidewalk or grade level. Sign supports in this triangle area shall be reviewed by the City Inspector and may be approved or disapproved on the basis of traffic safety. In the C-1 district it is highly desirable to retain clear vision in the intersection vision triangle for the safety of pedestrians and motorists.
- c. Signs in the Central Business District (C-1) may also be regulated and controlled by regulations of a Downtown Improvement Board, subject to approval of the City Council as provided in the City Zoning Regulations.
- d. Signs in the Central Business District may extend over the property line as long as the sign is a minimum of eight (8) feet above sidewalk level and meets the limitations for sign overhang contained in the general provisions section of these regulations. Placement of A-frame or sandwich signs as may be otherwise allowed pursuant to the Kimball Municipal Code at Chapter 11, Section 1103.07 or elsewhere, is not prohibited by this section.
- e. The surface area on one face of any sign may not exceed 150 square feet.
- f. The total surface area of all signage shall not exceed 500 square feet.

11-1107.07. SIGN REGULATIONS, C-2 LIGHT COMMERCIAL DISTRICT

- a. In these districts signs of all types are permitted, subject to a maximum height of 30 feet.
- b. Signs in the C-2 district shall be subject to the street intersection vision triangle setback, as defined in the definition section of these regulations, for all signs not located a minimum of

eight (8) feet above the sidewalk or grade level. Sign supports in this triangle area shall be reviewed by the City Inspector and may be approved or disapproved on the basis of traffic safety. In the C-2 district it is highly desirable to retain clear vision in the intersection vision triangle for the safety of pedestrians and motorists.

- c. The surface area on one face of any sign may not exceed 150 square feet.
- d. The total surface area of all signage shall not exceed 500 square feet.

#### 11-1107.08. SIGN REGULATIONS, C-3 NEIGHBORHOOD COMMERCIAL DISTRICT

- a. Signs shall be permitted as allowed in 11-1107.03.
- b. Not more than two (2) illuminated signs, not more than twelve (12) square feet in area each, shall be permitted on each office building, provided such sign shall be attached flat against the wall of said building, projecting not more than twelve (12) inches therefrom, and shall indicate only the name of the building or the establishments housed within and shall bear no commercial message.
- c. Maximum height in this district is controlled by building height as all signs must be face mounted on the building.
- d. One non-illuminated yard sign, not more than twelve (12) square feet in area, indicating only the name of the building or establishments housed within and bearing no commercial message may be located in the front or side yard. The maximum height of such sign shall not exceed six (6) feet.
- e. No permanent sign shall be installed within the site triangle of a corner lot.

#### 11-1107.09. SIGN REGULATIONS, C-4 TRAVELER SERVICES, C-5 HEAVY COMMERCIAL, C-6 EMPLOYMENT CENTER, I-1 LIGHT INDUSTRIAL and I-2 HEAVY INDUSTRIAL DISTRICTS

- a. In these districts signs of all types are permitted, subject to a maximum height of 50 feet, **provided, however, that signs in the C-4 Travelers Services District shall have a maximum height of 100 feet. (Amended by Ordinance 624 6-7-2005)**
- b. Signs in the C-4 and C-6 districts shall be subject to the street intersection vision triangle setback, as defined in the definition section of these regulations, for all signs not located a minimum of eight (8) feet above the sidewalk or grade level. Sign supports in this triangle area shall be reviewed by the City Inspector and may be approved or disapproved on the basis of traffic safety. In the C-4 and C-6 districts it is highly desirable to retain clear vision in the intersection vision triangle for the safety of pedestrians and motorists.
- c. The surface area on one face of any sign may not exceed 200 square feet, **provided, however, the face of any sign located in C-4 Travelers Services District shall not exceed 300 square feet in surface area. (Amended by Ordinance 624 6-7-2005)**
- d. The total surface area of all signage shall not exceed 600 square feet.

#### 11-1108. SIGN REGULATIONS, REGULATORY SIGNS

- a. Regulatory signs or signs of a public safety nature such as traffic and directional signs installed and maintained by a governmental agency shall be permitted in any district.

#### 11-1109. BOARD OF SIGN APPEALS

The City Board of Adjustment is hereby affirmed as a Sign Appeals board and all appeals shall be filed, processed and heard before the board the same as other appeals from zoning regulations.



The board shall have all authority granted under the laws establishing and regulating appeals and their disposition except the board shall have no authority to grant an appeal for occupancy or projection over a street or avenue right of way where such occupancy or projection is prohibited. Any appeal granted by the board shall not be considered final until approved by the State Department of Roads and Federal Highway Administration if such an appeal involves a sign adjacent to or visible from a road or street designated as part of the State or Federal Highway system.

#### 11-1110. VIOLATIONS AND PENALTY

The following shall be considered violations of these regulations and shall constitute a misdemeanor and upon conviction shall be subject to a fine of up to one hundred (100) dollars. Each day such violation continues shall be considered as a separate offense:

- a. The erection, alteration, relocation or repair of a sign for another as a Sign Contractor without first obtaining or possessing a valid Sign Contractors License.
- b. The erection, alteration, relocation or repair of a sign without first obtaining the required sign construction permit or the failure to renew such permit within the requirements specified within these regulations.
- c. The erection, alteration, relocation or repair of a sign which does not comply with the requirements of these regulations.

In addition to all other remedies, the City may institute any appropriate action or proceeding to prevent, restrain, correct, or abate any violation of this article.