

**CITY OF MEDICINE LAKE
ORDINANCE NO. 130**

**AN ORDINANCE REPEALING AND REPLACING SECTION 2000 SIGNS AND
AMENDING SECTION 200.2 DEFINITIONS OF THE ZONING CODE**

THE CITY OF MEDICINE LAKE ORDAINS:

Section 1: **Title:** City of Medicine Lake Zoning Code Section 2000 Signs

Section 2: **Definitions:** Section 200.2 of the Zoning Code shall be amended by adding the following definitions as the pertain to the sign code:

- (1) Holiday Decorations - See ‘Seasonal Decorations’
- (2) Lighting, Unshielded - Any fixture that allows light to be emitted above the horizontal plane directly from the lamp or indirectly from the fixture or a reflector.
- (3) Seasonal Decorations - Noncommercial signs or other materials temporarily displayed on traditionally accepted civic, patriotic, and/or religious holidays.
- (4) Sight Visibility Triangle - The triangular area formed by a diagonal line connecting two points located on intersecting street right of way lines (or a right-of-way line and the curb or edge of a driveway)
- (5) Sign - A name, identification, description, display, illustration, or device which is affixed to or represented directly or indirectly upon a building, structure or land in view of the general public and which directs attention to a product, place, activity, person, institution, or business.
- (6) Sign, Abandoned - Any sign that advertises a business, lessor, owner, product, service, or activity that is no longer located on the premises where the sign is displayed.
- (7) Sign, Advertising - A sign which directs attention to a business, commodity, service, activity or entertainment not necessarily conducted, sold, or offered upon the premises where such sign is located.
- (8) Sign, Animated - Any sign or part of a sign that changes physical position by any movement or rotation or that gives the visual impression of such movement.
- (9) Sign Area – The entire area within a continuous perimeter enclosing the extreme limits of a sign.
- (10) Sign, Attached - A sign attached to or painted on a building
- (11) Sign, Billboard - A sign that directs attention to a business, commodity, service, or entertainment conducted, sold or offered at a location other than the premises on which the sign is located.

- (12) Sign, Construction - A temporary sign providing information about future development or current construction on a site and the parties involved in the project.
- (13) Sign Copy Area - The area of a sign that is used for display purposes excluding the minimum frame and supports. In relation to signs that do not have a frame or separate background, sign area shall be computed on the basis of the least rectangle, triangle, circle, or other applicable shape large enough to frame the display.
- (14) Sign, Directional - Any on-premises sign that includes information assisting in the flow of pedestrian or vehicular traffic, such as enter, exit, and one-way.
- (15) Sign, Discontinued-See 'Sign, Abandoned'
- (16) Sign Face - The area or display surface used for a message or visual representation.
- (17) Sign, Fence- A sign attached to or painted on a fence.
- (18) Sign, Freestanding – A sign anchored directly to the ground or supported by one or more posts, columns, or other vertical structures or supports, and not attached to or dependent for support from any building.
- (19) Sign, Flashing – An illuminated sign which has a light source not constant in intensity or color at all times while the sign is in use.
- (20) Sign, Garage Sale - A sign with a message advertising the resale of personal property that has been used by the resident.
- (21) Sign, Holiday - A temporary sign, in the nature of decorations, clearly customary and commonly associated with federal, state, local, or religious holidays and contains no commercial message.
- (22) Sign, Identification - A sign giving the nature, logo, trademark, or other identifying symbol; address; or any combination of the name, symbol, and address of a building, business, development, or establishment on the premises where it is located.
- (23) Sign, Illuminated - Any sign directly lighted by any electrical light source, internal or external, except light sources specifically and clearly operated for the purpose of lighting the general area in which the sign is located rather than the sign itself.
- (24) Sign, Information - A sign that provides a service, direction, or courtesy information intended to assist the public and is not displayed for the general purpose of advertising products or services. Information signs shall include the location of business facilities (e.g., store entrances, walk-up windows, self-service operations) and courtesy information (hours of operation, menus, credit cards accepted, restrooms, “no solicitors”). Information signs shall not include fuel price signs or traffic directional signs, nor shall they be part of any sign whose primary function is business identification.

- (25) Sign, Internally Illuminated – A sign whose light source is located in the interior of the sign so that the rays go through the face of the sign, or light source which is attached to the face of the sign and is perceived as a design element of the sign.
- (26) Sign, Monument - A freestanding sign supported primarily by an internal structural framework or integrated into landscaping or other solid structural features other than support poles.
- (27) Sign, Noncommercial – A sign which has no commercial content.
- (28) Sign, Off-Premise - Any sign advertising goods, products, or services, not located or sold on the premises on which the sign is located.
- (29) Sign, On-Premise - Any sign identifying or advertising a business, person, activity, goods, products, or services, located on the premises where the sign is installed and maintained.
- (30) Sign, Permanent - A sign constructed of durable materials and intended to exist for the duration of time that the use or occupant is located on the premises.
- (31) Sign, Political – A temporary sign identifying and urging voter support for a particular election issue, political party, or candidate.
- (32) Sign, Public Information - Any sign erected and maintained by public officials or public agencies, or approved and authorized for use by state or local governmental authorities.
- (33) Sign, Real Estate - A temporary sign that relates to the advertising of a subdivision or major development or construction activities on a site.
- (34) Sign, Revolving – See ‘Sign, Rotating’
- (35) Sign, Roof- A sign erected upon and above a roof structure and wholly supported by the roof structure placed upon a roof.
- (36) Sign, Rotating - A sign which in its entirety or in part moves in a revolving or similar manner. Such motion does not include methods of changing copy.
- (37) Sign, Sandwich Board - A sign which is a self-supporting A-shaped or freestanding temporary sign with two visible sides that are typically situated adjacent to a business.
- (38) Sign, Temporary - A sign not intended or designed for permanent display.
- (39) Sign, Warning – A sign which warns the public of a danger or hazard in the immediate vicinity and is obviously not intended for advertising.

Section 3: Repeal and Replace: Section 2000 of the Medicine Lake Zoning Code shall be repealed in its entirety and replaced as follows:

§2000 - SIGNS

§2000.1 Purpose

The purpose of this sign ordinance is to maintain public safety and an attractive built environment by encouraging appropriate design, scale, and placement of signs. The regulations encourage the orderly placement of signs, to assure information displayed on any sign is clearly visible for its intended purpose, and to allow the fair and consistent enforcement of sign regulations by the City of Medicine Lake.

§2000.2 Exceptions

These provisions of this ordinance shall apply to all signs except:

- (a) Inside Signs, including signs visible through windows or transparent doors
- (b) Temporary holiday signs and related decorations
- (c) Temporary holiday lights that are projecting lights and are only projected on the property or buildings they are located on.
- (d) Signs erected by or as required by a governmental unit.

§2000.3 Permit Required

No sign shall be erected, altered, reconstructed, maintained or moved in the City without first securing a permit from the City. The speech content of the sign shall not be considered when approving or denying a sign permit; however, the content must be submitted to properly evaluate the signage area, design and placement. A proposed sign with a structure requiring a building permit or electrical permit must obtain those permits in addition to a sign permit.

- (a) Exemptions - The following types of signs are allowed without a permit but otherwise subject to the regulations of this chapter.
 - (1) Signs which are associated with public and quasi-public organization functions which are clearly of a temporary nature.
 - (2) Signs not exceeding two (2) square feet in copy area and bearing only property numbers, postal box numbers or names of occupants of premises.
 - (3) Legal notices, identification, public information or directional signs erected by governmental bodies.
 - (4) Temporary special event signs
 - (5) Sandwich board signs
 - (6) Temporary signs painted or mounted to the interior or exterior of the windows.
 - (7) Temporary real estate signs.
 - (8) Political signs.

- (9) Garage Sale signs.
- (10) Construction signs.

§2000.4 General Provisions

- (a) Location and setbacks: Freestanding signs shall be allowed in the B-1 district or by Planned Unit Development. All freestanding signs shall be set back a minimum of 10 feet from the greater of either a property line or edge of pavement of an existing street or trail. No private sign, other than public utility signs, is allowed within or suspended above or affixed to:
 - (1) The public right-of-way of any street,
 - (40) Other property, or
 - (41) Utility or telephone poles.
- (e) Number of Free Standing signs: Parcels shall be limited to one free standing sign per driveway access.
- (f) Size. No individual single-faced sign shall exceed 15 square feet in total copy area. The maximum sign copy area of a double-faced sign shall not exceed two (2) times the allowed square footage of a single faced sign. Total square footage of cumulative sign copy area for a parcel shall not exceed 60 square feet.
- (g) Height. No sign shall measure more than 7 feet from the average grade at the base of the sign to its upper most point of the structure. (grade shall not be raised with fill or other material in order to increase the height of the sign structure.)
- (h) Safety. No sign shall be allowed that hinders the safety of persons. Specifically, no sign is allowed that prevents egress or ingress from any door, window or fire escape no sign is allowed that interferes with the proper functioning of traffic or which constitutes a traffic hazard; no sign is allowed within a sight distance triangle which is structurally unsafe or which endangers life or property.
- (i) Lighting.
 - (1) Internally illuminated signs shall be allowed within the City of Medicine Lake provided they are set to a timer that controls illumination to be limited to the hours between dusk and 11:00 p.m. and 6:00 a.m. to dawn. All internal illuminated lighting shall be dark sky compliant per manufactures specifications.
 - (2) Illuminated sign lighting shall be diffused or indirect so as not to direct rays of light into adjacent property or into any public street or right-of-way. All lights aimed at a sign must minimize the amount of light missing the sign (lights may be equipped with shields/hoods if needed), and should shine from above instead of from below when practical. The lights should be LED and have a correlated color temperature (CCT) of 3,000 Kelvin (K) or lower.
- (j) Pre-Existing Non-Conforming Signs. All non-conforming signs in existence prior to the enactment of this ordinance shall be allowed to be replaced, restored, or rebuilt as necessary to remain the same

as they were before enactment of the ordinance. But any change beyond the established structural dimensions shall be in compliance with the requirements of this ordinance, unless a variance is granted.

- (k) Address Signs. In all zoning districts, one (1) sign shall be required for each business or residence which states the name and/or address of the business, industry, or occupant of the site and is attached to the building, site, sign, and/or mailbox.
- (l) Political Signs. Political signs are allowed in any district on private property with consent of the property owner, subject to the following restrictions:
 - (1) Pursuant to [Minn. Stats. § 211B.045](#), all noncommercial signs of any size may be posted in any number from 46 days before the state primary in a state general election year until ten days following the state election.
 - (42) Political signs shall be removed and/or replaced as they become torn, faded, or otherwise damaged.
 - (43) Political signs shall be removed within ten days following the election.
- (m) Temporary Special Event Signs. Temporary special event signs will be permitted in conjunction with the events happening on private property. Such signs shall be exempt from permits and fees but shall be subject to the following:
 - (1) Directional off-premises event signs can be placed on private property providing that the property owners consent is obtained prior to the placement of such signs.
 - (44) Temporary special event signs placed in the right-of-way (ROW) shall be placed a minimum of five feet from the street pavement or curb and shall not obstruct visibility at intersections.
 - (45) Temporary special event signs shall be removed as soon as possible following the event or no later than 24 hours following the event.
- (n) Garage Sale Signs. Signs for garage sales, Boutiques, craft sales, and other sales events of handcrafted or non-handcrafted merchandise taking place on private property shall be subject to all temporary special event signage provisions mentioned in subsection (m) of this section.
- (o) Sandwich Board Signs. Sandwich board signs are permitted subject to the following regulations:
 - (1) The maximum sign copy area shall be 12 square feet per side with the maximum height being four feet.
 - (46) No more than two signs may be placed by any single owner or tenant at any given time.
 - (47) Sandwich board signs shall not be illuminated, shall not contain moving parts, and (unless located on private property) only be displayed during business operating hours or events.
 - (48) Signs of this type must be placed in a location where they will not impede foot traffic or free ingress or egress from any door, window or fire escape.

- (p) Real Estate Development Sale Signs. A real estate development project sign advertising lots, or property for sale, shall be located on premises by permit, and sign shall be removed within one week upon the closing of the sale of the property. The sign copy area shall be a maximum of seventy-five (32) square feet each side, located at the site of the subdivision, set back ten (10) feet from the lot lines, and not within right-of-way.
- (q) Traffic Hazard - Signs shall not:
- (1) Be erected at the intersection of any streets or driveways in such manner as to obstruct free and clear vision; 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, signal device, or
 - (49) Make use of the words "Stop," "Drive-in," "Danger," or any other words, phrases, symbol or character in such a manner as to interfere with, mislead, or confuse vehicle operators.
- (r) Signs in Disrepair. The City may order the maintenance/repair, modification, or removal of any sign that is not maintained in accordance with the requirements of these regulations. Upon failure to comply with such order within the time specified, the City Council may declare the sign a public nuisance and direct that the nuisance be abated.

§2000.5 Prohibited Signs

The following signs and sign-types are prohibited within the city limits and shall not be erected. Any lawfully existing permanent sign or sign-type which is among the prohibited signs and sign-types listed below shall be deemed a nonconforming sign.

- (a) Billboards.
- (s) Revolving signs; rotating signs.
- (t) Flashing signs.
- (u) Animated signs.
- (v) Roof signs.
- (w) Abandoned- and discontinued signs.
- (x) Signs that emit sound, vapor, smoke, odor, particles or gaseous matter.
- (y) Signs that have unshielded illuminating devices.
- (z) Signs that obstruct, conceal, hide or otherwise obscure from view any official traffic or governmental sign, signal or device.
- (aa) Any sign attached to a building or wall surface.
- (bb) Any sign prohibited by state or federal law.
- (cc) Any sign located on real property without the permission of the property owner.

(dd) Any sign which displays nudity, profanity, or other (reasonably) offensive material.

(ee) Advertising or permanent signs painted on or affixed to outside of windows.

(ff) Holiday lights or seasonal decorations that are projecting off of the property they are installed on.

Section 4: Severability. If any provision of this ordinance is found to be invalid for any reason by a court of competent jurisdiction, the validity of the remaining provisions shall not be affected.

Section 5: Effective Date. This ordinance becomes effective on the date of its publication, or upon the publication of a summary of the ordinance.

Adopted by the City Council of Medicine Lake this 3rd day of August, 2020.

Scott Marks, Mayor

ATTEST: Nancy Pauly, City Clerk