

## **CHAPTER 3-5 SIGNS AND OUTDOOR ADVERTISING**

### **3-5-1 DEFINITIONS**

The word "sign" as used in this chapter shall mean any device or surface on which letters, illustrations, designs, figures or any other symbols are painted, stamped, raised, or in any manner outlined or attached and used for advertising or display, except:

1. Any sign placed on the inside of a building
2. Any sign painted or lettered directly on the surface of any window or door of a building or structure
3. Any sign having an area less than three square feet
4. Any sign less than one foot in thickness and installed flat against the wall of a building, fronting or abutting upon any public street, provided that the top of such sign does not extend more than ten feet above the sidewalk grade any point
5. Any sign that is painted directly on the outside wall of any building or structure
6. The replacement of removable display panels
7. The taking down, repairing, or painting and replacing of any sign without any change
8. Official traffic or warning signs
9. Bulletin boards for public, charitable, or religious institutions when located on the premises of such institutions
10. Any sign which is embedded or set into a building or so constructed and erected as to become a part of the building
11. Any sign announcing the names of the architect, engineers or contractors of a building under construction, alteration or repair, and any sign announcing the character of the building enterprise or the purpose for which the building was intended; provided such signs are placed on the premises where the building is under construction and shall be removed within ten days after the construction, alteration or repair is finished
12. Temporary awning or canopy signs, providing the lowest point of such sign or banner shall be not less than seven feet above the sidewalk and shall not remain in such place longer than thirty days.

The word "electric sign" as used in this chapter, shall mean any sign, the letter or figures of which are outlined as incandescent electric lamps placed in grooves or channels forming such letter or figures, or studded directly into the faces of such letters or figures, or on which light from incandescent electric lamps or other artificial light is transmitted, or signs that display faces of which are made of glass and which are illuminated by artificial lights placed in such manner as to shine through from the inside, or any sign on which is mounted any neon tubing. Signs on which the letters or figures are printed, placed or

raised and illuminated by lamps placed exterior thereto, shall not be “electric signs” within the meaning of this chapter.

**3-5-2 PERMIT**

No sign, covered by this chapter, shall be erected until a permit therefore has been issued by the Building Inspector and the sign shall be erected except in conformity with this chapter.

**3-5-3 APPLICATION FOR PERMIT**

No permit to erect a sign shall be granted until an application in form prescribed by the Building Inspector, showing the plans and specifications, including dimensions, material design of construction, and other required information shall be filed with the Finance Officer and a copy with the Building Inspector, not until the prescribed fee is paid. Such application shall be signed by the owner or agent of the premises in front of which it is desired to construct or maintain said sign, and shall, in addition to the information hereinbefore required, give the name in full of the person by whom such sign is being hung.

In case of an electric sign, compliance with the Electrical Code must be shown and no permit shall be issued therefore until approved by the Electrical Superintendent and all requirements of said Electrical Code have been fulfilled. The fee for every permit to erect a sign covered by this chapter shall be \$15.00 to be paid at the time of making the application.

**3-5-4 PROJECTING SIGNS; DEFINITIONS**

Projecting signs, as regulated by this chapter shall include any sign which is attached to a Building or other structure and extends beyond the line of the said building or structure or beyond the surface of that portion of the building or structure to which it is attached.

**3-5-5 WALL SIGNS**

Wall signs, as regulated by this chapter shall include all flat signs of solid face construction which are placed against a building or other structure and attached to the exterior front, rear or side wall of any building or structure.

**3-5-6 CONSTRUCTION**

Every projecting sign or wall sign, including the frames, braces, and supports thereof, shall be designed by a Structural Engineer or Manufacturer and shall be approved by the Building Inspector as in compliance with the Building Code of the City, and by the Electric Superintendent, if an electric sign, as in compliance with the Electric Code of the City and shall be constructed in the case of electric signs, of wholly non-combustible materials.

**3-5-7 PROJECTING SIGNS – REQUIREMENTS**

1. Projecting signs exceeding ten square feet in area or fifty pounds in weight shall not be attached to nor supported by neither frame buildings nor the wooden

framework of a building. Said signs shall be attached to masonry walls with galvanized expansion bolts at least 3/8 inch diameter, shall be fixed in the wall by means of bolts extending through the wall, shall contain proper size metal washer or plate on the inside of the wall, and shall comply with all building regulations of the City.

2. Anchorage with wire, etc. prohibited. No projecting sign shall be secured with wire, strips of wood or nails, nor shall any projecting sign be hung or secured to any other sign

### 3-5-8 PROJECTING SIGNS – HEIGHT AND LENGTH

No sign or electric sign shall be lower than ten feet from the sidewalk and shall not extend over the sidewalk to a point more than six inches inside the curb lines, measured in a horizontal direction from the building to which the sign is attached.

### 3-5-9 UNSAFE AND ILLEGAL SIGNS

If the Building Inspector shall find that any sign or other advertising structure regulated herein is unsafe or insecure, or is a menace to the public, or has been constructed or erected or is being maintained in violation of the provisions of this chapter, he shall give written notice to the permittee thereof. If the permittee fails to remove or alter the structure so as to comply with the standards herein set forth within ten days after such notice, such sign or other advertising structure may be removed or altered to comply, by the Building Inspector at the expense of the permittee or the owner of the property upon which it is located. The Building Inspector shall refuse to issue a permit to any permittee or owner who refuses to pay costs so assessed. The Building Inspector may cause any sign or other advertising structure which is in immediate peril to persons or property to be removed summarily and without notice.

See also: SDCL 9-30-3