

ORDINANCE #2206-14

**AN ORDINANCE OF THE CITY OF WOODBURY AMENDING
CHAPTER 202. ZONING, ARTICLE XV. SIGNS OF
THE CODE OF THE CITY OF WOODBURY**

WHEREAS, the City of Woodbury's Land Use Board pursuant to N.J.S.A. 40:55D-26 has recommended that the Mayor and Council of the City of Woodbury amend its Ordinances to replace the current ¶202-82 through ¶202-88 in the entirety with the Signage Ordinance attached hereto as Exhibit A and has determined that no provisions of the proposed Ordinance revision or amendment are inconsistent with the Master Plan; and

WHEREAS, the Mayor and Council of the City of Woodbury have determined that adoption of the attached signage ordinance will promote economic development while protecting and preserving the aesthetics of the City and is in the best interest of the health and welfare of its residents and visitors.

NOW, THEREFORE, BE IT ORDAINED by the Mayor and Council of the City of Woodbury that Woodbury Municipal Code Chapter 202. Zoning, Article XV. Signs, ¶202-82 through ¶202-88 is hereby amended and shall henceforth read in its entirety as set forth in Exhibit A.

THE FOREGOING was introduced by the City Council of the City of Woodbury at a regular meeting held on May 27, 2014. This Ordinance will be considered for adoption at final reading and public hearing to be held on June 10, 2014 at 7:30 p.m. or at such time as may be determined and announced, in City Hall, Council Chambers, 33 Delaware Street, Woodbury, New Jersey, at which time and place all persons interested will be given the opportunity to be

heard concerning said Ordinance. During the time prior to and up to and including the date of such meeting, copies of said Ordinance will be made available at the City Clerk's Office to the members of the general public who may request same.

CITY OF WOODBURY


By: ~~WILLIAM H. FLEMING, JR.~~ *David Trovato*
President of Council
^A
Pro Tempore

ATTEST:


ROY A. DUFFIELD, Clerk

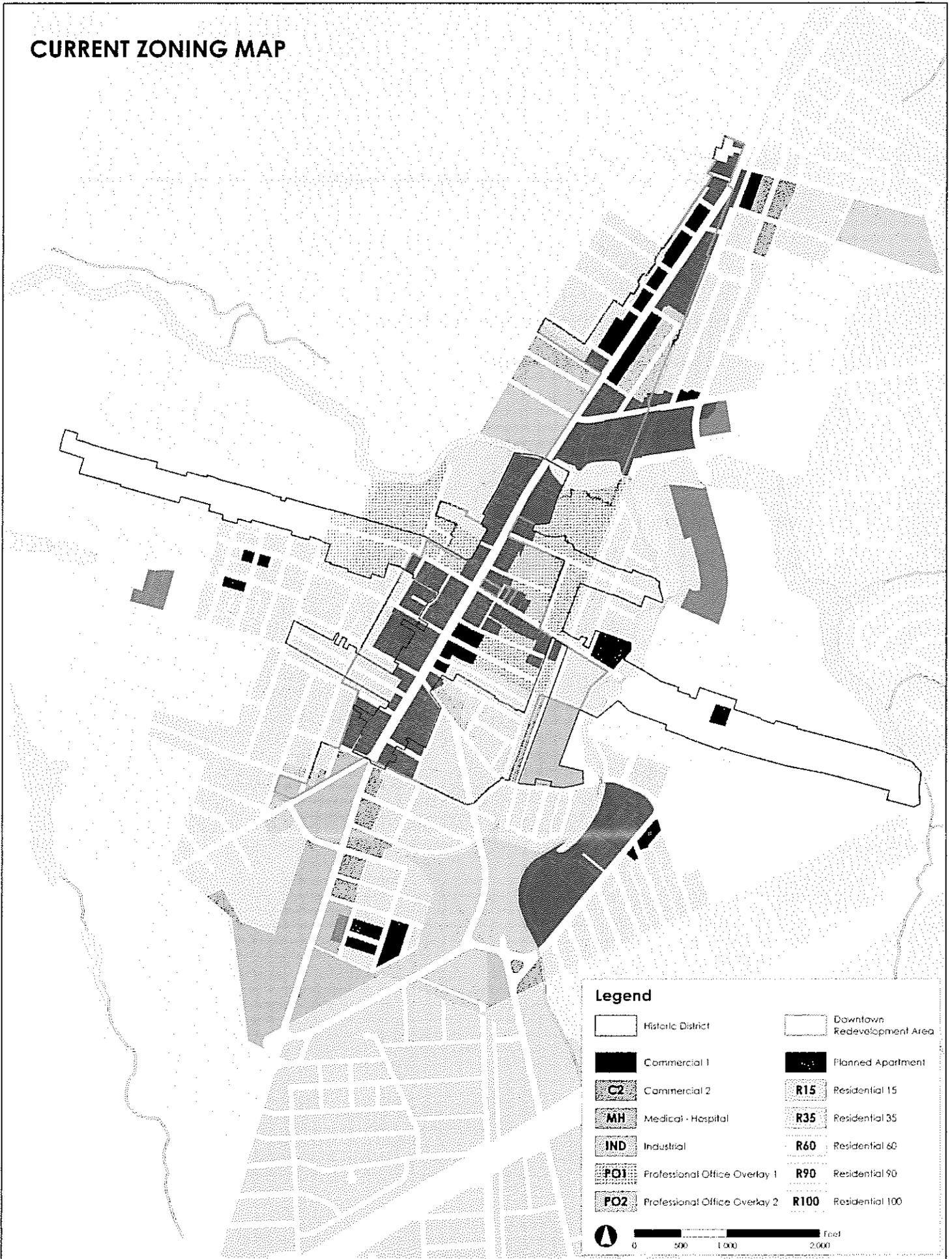
Approved:


WILLIAM J. VOLK, Mayor

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CURRENT ZONING MAP



Legend

	Historic District		Downtown Redevelopment Area
	Commercial 1		Planned Apartment
	Commercial 2		Residential 15
	Medical - Hospital		Residential 35
	Industrial		Residential 60
	Professional Office Overlay 1		Residential 90
	Professional Office Overlay 2		Residential 100

I Purpose

The purpose of this article is to encourage the effective use of signs as a means of communication, to maintain and enhance the aesthetic environment and support the City's ability to attract and retain economic development and growth, to improve pedestrian and vehicular safety, to minimize the possible adverse effects of signs on nearby public and private property and to enable the fair and consistent enforcement of the regulations of this article. This article is not designed to limit or prohibit speech, but to regulate the conduct of the message. The City of Woodbury's sign regulations are content-neutral.

II Definitions

See City of Woodbury Code Section 202-4 Definitions and word usage.

III Sign Approval & Enforcement Procedures

- A. Application for a sign permit shall be made to the administrative officer on the forms provided by the City.
- B. The application shall be accompanied by an accurate plot plan of the lot, scaled not greater than one inch equals 10 feet nor less than one inch equals 50 feet, that indicates the location of buildings, parking lots, driveways, landscaped areas and other pertinent data. On the plot plan shall be drawn the location of each existing or proposed sign. A color photograph, not less than three inches by five inches nor larger than eight inches by ten inches, shall be submitted for each sign presently existing on the site. A drawing to scale of each proposed sign, including the dimensions, colors, materials and method of attachment, shall be submitted.
- C. Signs within a Historic Preservation District or on a historic site not within a district shall require an application for and approval of a certificate of appropriateness from the Planning Board upon recommendation of the Historic Preservation Commission in accordance with this article and Article XIII of this chapter.
- D. If the sign permit applied for complies with the requirements of this article and has received a certificate of appropriateness, if so required, the administrative officer shall issue such permit within 7 days of application.
- E. Minor changes, modifications, or repairs to the spelling, wording, font type or size, or material or paint used for lettering or graphics, of a previously approved and installed sign that conforms to all applicable codes shall be considered updates and will not require the submission of a new sign permit application or review by the Zoning Board.

IV Computation Of Sign Area

For the purposes of this article, "sign area" shall mean the area, expressed in square feet, within a rectangle enclosing the extreme limits of writing, symbols, logos, letters, figures, emblems or other representations, plus all material or color forming an integral part of the sign or used to differentiate the sign from the background against which it is placed, provided that:

- A. In the event a sign is designed with more than one face, the area shall be computed by including only the maximum surface display area visible from any one point, provided that the message is the same on each face.
- B. The supports, uprights or other structure on which any sign is attached shall not be included in the calculation of sign area unless such structure is designed in such a manner as to form an integral part of the sign's message or otherwise conveys meaning.
- C. The area of lamps, neon tubing or other artificial illumination visible on a sign shall be counted as part of the total allowable sign area.

V General Regulations

- A. PERMITTING
 - 1) Signs shall be permitted as accessory uses in all zoning districts, provided that any sign hereafter erected in the City of Woodbury conforms to the provisions of this article and any other ordinance or regulation of the municipality or the state or federal government relating to the erection, alteration or maintenance of signs. In the event of conflicting regulations, the most restrictive shall apply.

- 2) A permit shall be required for the installation of all signs, unless exempted from such requirements under Subsection "IV: Signs exempt from permits" of this section. The structural safety requirements governing construction and erection of all signs and the issuance of permits therefor shall be controlled by Chapter 73, Construction Codes, Uniform, of the Code of the City of Woodbury, but this chapter shall supersede Chapter 73 with respect to areas wherein signs are erected, their location, size, design and illumination and all the characteristics which relate to the subject of zoning.
- 3) Unless otherwise noted in this article, all signs shall be on the same site as the product or service being advertised and shall front the primary street(s) of the property.

B. MAINTENANCE

- 1) All signs shall be kept in a proper state of repair, in accordance with the requirements of Article I of Chapter 144, Maintenance of Commercial Property; Chapter 73, Construction Codes, Uniform; or other property maintenance codes as may be promulgated by the City Council of the City of Woodbury, and other pertinent regulations. Signs which fall into such a state of disrepair as to become unsightly or to pose a threat to public safety may be removed by the City 30 days following notice by certified mail to the owner of record, and the City shall have the right to recover from said owner the full costs of the removal and disposal of such signs.
- 2) After a tenant has vacated the premises, the Lessor shall be responsible for the removal of all prior tenant signage and restoration of areas where such signage was located to the original conditions, including painting and patching, if necessary.
- 3) Burned out lamps, failing ballasts or other necessary electrical components shall be replaced within two weeks.

C. MOUNTING & INSTALLATION

- 1) All signs shall be securely attached to the building by means of metal anchors, bolts or expansion screws, subject to any required review or approval by the City Construction Office.

- 2) No sign shall be placed, posted or affixed to any roof, tree, fence and fence post, utility pole or similar structure.
- 3) To the maximum extent possible, all wiring associated with signs shall be installed and maintained so as not to be in view of the public. Wiring shall under no circumstances be installed within conduit attached to the face of any building.

D. CONTENT

- 1) No sign shall be erected that is of such character, form, shape or color that it imitates or resembles any official traffic sign, signal or device or that has any characteristics which are likely to confuse or dangerously distract the attention of the operator of a motor vehicle on a public street.
- 2) No sign shall be erected containing a message that states or implies that a property may be used for any purpose not permitted in the zoning district in which said sign is located under the provisions of this article.

- E. Sculptural iconographic elements contextual to the storefront design are permitted.

VI Illumination

A. PERMITTED TIME PERIODS

- 1) Any illuminated sign within 50 feet of a residential zone shall not be illuminated between the hours of 11:00 pm and 7:00 am.

B. EXTERIOR ILLUMINATION STANDARDS

- 1) Illumination by indirect source of light is encouraged. Individual channel letter signs with translucent faces and reverse channel letter type signs are permitted. The use of light emitting diodes (LEDs) for such signs is encouraged.
- 2) External light sources shall be directed and shielded to limit direct illumination of any object other than the sign.
- 3) Externally illuminated signs shall be lit only by downward pointing shielded fixtures where 90 percent of the light emitted from such fixtures is shone directly on the face of the sign.

- 4) Flood lighting of signs or storefronts shall not be permitted.

C. INTERIOR ILLUMINATION STANDARDS

- 1) Reverse channel letters with halo illumination, opaque letter-sides and faces and non-reflective background are permitted.
- 2) Internally illuminated individual channel letters with acrylic faces individually mounted on the façade are permitted.
- 3) Internally illuminated individual channel letters with acrylic faces individually mounted on a raceway are permitted provided the raceway matches the color of the façade.
- 4) Exposed neon is permitted.
- 5) Box or cabinet type signs are permitted.

VII Changeable Copy

- A. Manual. Signs whose alphabetic, pictographic, or symbolic informational content can be changed or altered by manual means.
- B. Digital. The following pertain to Digital Message Boards (DMBs) that incorporate electronic sign components.
 - 1) Location. The face of an electronic sign shall be a minimum of two hundred and fifty (250) feet away from a residential zone, and shall be arranged to prevent direct glare onto any adjacent properties.
 - 2) Static Images Only. The DMB shall display static images only. Sign content and messages shall not consist of video and shall not move, blink, animate, flash, or behave in any other way which constitutes or implies motion.
 - 3) Transitions. There shall be no animation, traveling, scrolling, fades, or dissolves between displayed messages. Transitions between content and messages shall be instantaneous.
 - 4) Length of Display. DMBs displaying multiple messages are permitted to change their message no more than once every ten (10) seconds, exception signs devoted solely to displaying time and temperature are permitted to change their message no more than once every five (5) seconds.

- 5) Automatic Dimming. DMBs displaying multiple messages shall be equipped with light sensing devices or a scheduled dimming time which automatically dims the intensity of the light emitted by the sign during ambient low-light and nighttime (dusk to dawn) conditions.

VIII Materials

Sign materials shall be of the highest quality and shall be compatible with the design of the facade where they are placed. The selected materials shall contribute to the legibility of the sign. For example, glossy finishes are often difficult to read because of glare and reflections. Sign materials shall be selected to maximize their useful life and minimize routine maintenance. Acceptable signage materials include:

- A. Brick
- B. Cast Stone
- C. Stone and manufactured veneer
- D. Wood (carved, sandblasted, etched, routed or incised and properly sealed, primed and painted, or stained).
- E. Metal (formed, etched, cast, engraved, and properly primed and painted or factory coated to protect against corrosion).
- F. Aluminum, tubular steel, and galvanized steel.
- G. Sand blasted glass.
- H. High density pre-formed foam or other similar material.
- I. Canvas.
- J. Plex with translucent vinyl overlay.
- K. New and other natural solid surface materials may be appropriate if properly designed in a manner consistent with these standards, and painted or otherwise finished to compliment building architecture.

IX Signs Requiring A Permit

The following outlines the standards for signs that require a permit by zoning district.

A. Freestanding Signs

Any sign supported by permanent structures or supports that are placed on or anchored in the ground and that are independent from any building or other structure. Signs shall be of a monument design and have a solid architectural base (not individual columns) with the message panel directly attached.

	Residential Districts (R15, R35, R60, R90, R100, PA)	Professional Office Districts (PO-1, PO-2)	Commercial / Industrial / Medical Districts (C1, C2, MH, IND)	Commercial within Historic District
1. Allowed in Zone	Permitted only for multi-family or institutional uses	Permitted	Permitted	Not permitted
2. Maximum Quantity	1 per lot	1 per frontage	1 per frontage	
3. Maximum Area	32 sqft	32 sqft	2 sqft per linear foot of lot frontage, or 60 max sqft, whichever is the lesser	
4. Maximum Sign Height	5 ft	5 ft	15 ft	
5. Maximum Sign Width	--	--	--	
6. Maximum Letter Height	--	--	--	
7. Minimum Frontyard Setback	10 ft from front property line	10 ft from front property line	15 ft from front property line	
8. Minimum Sideyard Setback	25 ft	25 ft	50 ft	
9. Minimum Mounting Height	--	--	--	
10. Maximum Mounting Height	--	--	--	
11. External Lighting	Permitted only for multi-family or institutional use	Permitted	Permitted	
12. Internal Lighting	Not permitted	Not Permitted	Permitted	
13. Changeable Copy	Only manual permitted	Only manual permitted	Digital & manual permitted	

B. Facade Signs

A sign fastened to or painted on the exterior facade of a building or structure in such manner that the facade becomes the supporting structure for or forms the background surface of the sign and which does not project more than 12 inches from such building or structure.

	Residential Districts (R15, R35, R60, R90, R100, PA)	Professional Office Districts (PO-1, PO-2)	Commercial / Industrial / Medical Districts (C1, C2, MH, IND)	Commercial within Historic District
1. Allowed in Zone	Not permitted	Permitted	Permitted	Permitted
2. Maximum Quantity		1 per frontage	1 per frontage	1 per frontage
3. Maximum Area		2 sqft per linear foot of front building facade, not to exceed 48 sqft total	2 sqft per linear foot of front building facade, not to exceed 60 sqft total	2 sqft per linear foot of front building facade, not to exceed 48 sqft total
4. Maximum Sign Height		--	--	--
5. Maximum Sign Width		--	--	--
6. Maximum Letter Height		--	--	--
7. Minimum Frontyard Setback		--	--	--
8. Minimum Sideyard Setback		--	--	--
9. Minimum Mounting Height		The top of the primary entranceway, or the top of the glass portion of the storefront that also faces a public R.O.W., whichever is the highest.	The top of the primary entranceway, or the top of the glass portion of the storefront that also faces a public R.O.W., whichever is the highest.	The top of the primary entranceway, or the top of the glass portion of the storefront that also faces a public R.O.W., whichever is the highest.
10. Maximum Mounting Height		The lower of 1 ft below the roofline or 6 inches below the 2nd floor windowsill.	The lower of 1 ft below the roofline or 6 inches below the 2nd floor windowsill.	The lower of 1 ft below the roofline or 6 inches below the 2nd floor windowsill.
11. External Lighting		Permitted	Permitted	Permitted
12. Internal Lighting		Not Permitted	Permitted	Permitted
13. Changeable Copy		Not permitted	Not permitted	Not permitted

C. Directory Signs

A sign fastened on the exterior facade of a building that lists the name and address of a single home-based business, the tenants in a multi-use building, principals and associates of a firm, or indicates the location of buildings and uses in a business or industrial complex.

	Residential Districts (R15, R35, R60, R90, R100, PA)	Professional Office Districts (PO-1, PO-2)	Commercial / Industrial / Medical Districts (C1, C2, MH, IND)	Commercial within Historic District
1. Allowed in Zone	Permitted only for commercial uses	Permitted	Permitted	Permitted
2. Maximum Quantity	1 per lot	1 per entrance	1 per entrance	1 per entrance
3. Maximum Area	2 sqft	6 sqft	6 sqft	6 sqft
4. Maximum Sign Height	--	--	--	--
5. Maximum Sign Width	--	--	--	--
6. Maximum Letter Height	3 inches	3 inches	3 inches	3 inches
7. Minimum Frontyard Setback	Mounted to wall at building entrance			
8. Minimum Sideyard Setback				
9. Minimum Mounting Height	--	--	--	--
10. Maximum Mounting Height	--	--	--	--
11. External Lighting	Not permitted	Permitted	Permitted	Permitted
12. Internal Lighting	Not permitted	Not permitted	Not permitted	Not permitted
13. Changeable Copy	Not permitted	Not permitted	Not permitted	Not permitted

D. Canopy/Awning Signs

A sign that is attached to, affixed to, or printed on an awning or canopy located over a window, door, or entrance of a building.

	Residential Districts (R15, R35, R60, R90, R100, PA)	Professional Office Districts (PO-1, PO-2)	Commercial / Industrial / Medical Districts (C1, C2, MH, IND)	Commercial within Historic District
1. Allowed in Zone	Not permitted	Permitted	Permitted	Permitted
2. Maximum Quantity		1 per ground floor awning	1 per ground floor awning	1 per ground floor awning
3. Maximum Area		20 sqft	20 sqft	20 sqft
4. Maximum Sign Height		--	--	--
5. Maximum Sign Width		--	--	--
6. Maximum Letter Height		8 inches if located on the fascia or valance, 2 feet if located on the sloped portion of the awning	8 inches if located on the fascia or valance, 2 feet if located on the sloped portion of the awning	8 inches if located on the fascia or valance, 2 feet if located on the sloped portion of the awning
7. Minimum Frontyard Setback		none	none	none
8. Minimum Sideyard Setback		none	none	none
9. Minimum Mounting Height		8 ft	8 ft	8 ft
10. Maximum Mounting Height		none	none	none
11. External Lighting		Permitted	Permitted	Permitted
12. Internal Lighting		Not permitted	Not permitted	Not permitted
13. Changeable Copy		Not permitted	Not permitted	Not permitted

E. Sidewalk Signs (Formerly called portable signs)

Any sign not permanently attached to the ground or other permanent structure; or a sign designed to be transported, including but not limited to signs designed to be transported by means of wheels; signs converted to A or T frames; and menu and sandwich board signs.

	Residential Districts (R15, R35, R60, R90, R100, PA)	Professional Office Districts (PO-1, PO-2)	Commercial / Industrial / Medical Districts (C1, C2, MH, IND)	Commercial within Historic District
1. Allowed in Zone	Not permitted	Not permitted	Permitted only for Retail Uses; Only permitted during retail hours	Permitted only for Retail Uses; Only permitted during retail hours
2. Maximum Quantity			1 in front of retail business that has direct pedestrian access to the sidewalk	1 in front of retail business that has direct pedestrian access to the sidewalk
3. Maximum Area			12 sqft	12 sqft
4. Maximum Sign Height			4 ft	4 ft
5. Maximum Sign Width			3 ft	3 ft
6. Location			shall not block or impede the free flow of pedestrian traffic	shall not block or impede the free flow of pedestrian traffic
7. External Lighting			Not permitted	Not permitted
8. Internal Lighting			Not permitted	Not Permitted
9. Changeable Copy			Manual only	Manual only

F. Projecting Signs

A sign attached to and projecting out from the exterior facade or wall of a building at a 90 degree angle in such a manner that it is located completely in the public right-of-way, partially in the right-of-way or completely on private property. Internal illumination of a projecting sign is prohibited.

	Residential Districts (R15, R35, R60, R90, R100, PA)	Professional Office Districts (PO-1, PO-2)	Commercial / Industrial / Medical Districts2 (C1, C2, MH, IND)	Commercial within Historic District
1. Allowed in Zone	Not permitted	Not permitted	Permitted	Permitted
2. Maximum Quantity			1 per public street facing frontage	1 per public street facing frontage
3. Maximum Area			15 sqft	15 sqft
4. Maximum Sign Height			The lesser of not more than 1/3 of the building height, or no more than 15 ft	The lesser of not more than 1/3 of the building height, or no more than 15 ft
5. Maximum Projection in public R.O.W.			4 ft (including supports)	4 ft (including supports)
6. Orientation			Perpendicular to building frontage and oriented towards pedestrian traffic, may overhang public R.O.W.	Perpendicular to building frontage and oriented towards pedestrian traffic, may overhang public R.O.W.
7. Minimum Height above Sidewalk			8 ft above sidewalk	8 ft above sidewalk
8. Maximum Mounting Height			The lower of the roofline or 3rd floor windowsill	The lower of the roofline or 3rd floor windowsill
9. External Lighting			Permitted	Permitted
10. Internal Lighting			Permitted	Permitted
11. Changeable Copy			Not permitted	Not permitted

G. Window Signs

A permanent sign that is posted, painted, etched, placed, or affixed in or on the interior of a window for public view.

	Residential Districts (R15, R35, R60, R90, R100, PA)	Professional Office Districts (PO-1, PO-2)	Commercial / Industrial / Medical Districts (C1, C2, MH, IND)	Commercial within Historic District
1. Allowed in Zone	Not permitted	Not permitted	Permitted	Permitted
2. Maximum Quantity			--	--
3. Maximum Area			Up to 25% of the total first floor storefront window area	Up to 25% of the total first floor storefront window area
4. Maximum Sign Height			--	--
5. Maximum Sign Width			--	--
6. Maximum Letter Height			--	--
7. Minimum Frontyard Setback			--	--
8. Minimum Sideyard Setback			--	--
9. Minimum Mounting Height			--	--
10. Maximum Mounting Height			--	--
11. External Lighting			Permitted	Permitted
12. Internal Lighting			Permitted	Permitted
13. Changeable Copy			Manual only	Manual only

X Signs Exempt From Permits

A. PERMANENT SIGNS

- 1) Flags and emblems. Flags and emblems of a government organization or of a political, civil, philanthropic, educational, medical or religious organization. (From Woodbury Redevelopment)
- 2) Historical Markers. Building markers that may contain the building name, date of construction, restoration award, historical data or other pertinent information, provided that such marker does not exceed two square feet and is made of cast, cut or etched masonry, metal or similar durable material approved by the Historical Preservation Commission.
- 3) Trespassing. Signs that relate to the control of trespassing on property, provided that they do not exceed two square feet in area nor are spaced closer than 50 feet to each other.
- 4) Private/Reserved Parking. Public notice signs in private parking lots for the purpose of indicating private, reserved, or otherwise restricted parking. Private/reserved parking signs shall indicate the type of restriction, the name of the owner of the parking space, applicable hours of the day, applicable days of the week, and applicable warnings to unauthorized vehicles.
- 5) Emergency. Emergency warning signs erected by a governmental agency, public utility, pipeline company or contractor doing such work authorized or permitted by such agency, utility or company. Such signs may be illuminated.
- 6) Public notice. Any public notice required by a valid and applicable federal, state or local law, regulation or ordinance.
- 7) Customary Storefront Window Signs. Signs customary to the normal operation of business that are posted on the interior of a window for public view, provided that individually or combined with other window signs, shall not exceed 25% of the glass area of the window in which placed. Customary storefront window signs typically may

indicate whether a business is open or closed, hours of operation, availability of ATM's, credit cards accepted, or posted menu signs.

- 8) Directional Signs. Signs limited to directional messages and that do not contain a commercial message, principally for directing pedestrian and vehicular traffic, such as "one-way", "entrance", and "exit". Directional signs may not exceed three (3) square feet in area, and are not permitted in residential districts.
- 9) Interior Signs. Any sign within a building, not attached to a window or door that is not legible from the lot line on which is located said building.

B. TEMPORARY SIGNS. The following temporary signs only shall be permitted.

- 1) Banners. Banners, provided that they are temporary in nature and erected by a governmental authority or have been approved by such authority for nonprofit or charitable organizations. Banners may project over a right-of-way. A banner shall not be displayed for more than 10 consecutive days at any one time and for no more than a total of 30 days during the course of a year.
- 2) Election signs. Such signs may not exceed 32 square feet in area; may not be erected more than 45 days prior to the date of the election, referendum or other plebiscite; and shall be removed within seven days after such election, referendum or other plebiscite. No more than two signs per street frontage shall be permitted on any one property.
- 3) Real estate and contracting. Temporary real estate signs and signs of contractors, mechanics, painters, paperhangers and/or artisans, on the lot on which the real estate for rent or sale is located, or the lot on which the contracting work is being performed, shall be permitted. Said signs shall not be larger than six square feet in area nor more than four feet high in residential zones and not larger than 16 square feet in area nor more than eight feet high in commercial, institutional and industrial areas. They shall be removed within seven days of the completion of the sale or rental of the premises or completion of the work to which the sign relates.

- 4) Project development. Project development signs shall be permitted where final approval of a site plan or subdivision has been granted by a board of competent jurisdiction and which may indicate the name of the development, developer, financier or major contractor. Such signs shall not exceed 32 square feet in sign area or eight feet in height. No more than two such signs per project shall be permitted. All such signs shall be removed within 14 days of the issuance of a conditional certificate of occupancy that permits the occupation of a building, in the case of a nonresidential development, or when 75% of the dwelling units in a residential development have been issued certificate of occupancy.
- 5) Holiday decorations. Window painting or decorations for holidays such as Halloween, Thanksgiving or Christmas shall be permitted and exempt from window sign standards. However, such painting and decorations shall be strictly limited to reference to the applicable holiday and shall not include reference to any sales, promotions, merchandise, goods or services. In addition, all such decorations shall be removed within ten days of the end of the applicable holiday.
- 6) Temporary window signs. The total area of all temporary window signs shall not exceed 25% of the glass area of the window in which placed. No temporary window sign with the same message shall be displayed for more than 30 days. Temporary window signs must have the quality of a commercially or professionally prepared sign.
- 7) Temporary sale signs. The total area of all temporary sale signs, individually or combined with other window signs, shall not exceed 25% of the glass area of the window in which placed. No temporary sale signs with the same message shall be displayed for more than 30 days. Temporary sale signs must have the quality of a commercially or professionally prepared sign.
- 8) Grand opening, new ownership or management and going-out-of-business signs. Businesses which depend on a high volume of customer activity, including retail sales and retail services [as included

in Article XI, C-1 Commercial District, §202-57, Use regulations, Subsection A(8) and (9)], may utilize temporary grand opening, new ownership or management and going-out-of-business signs in accordance with the following standards:

- a) Signs for grand openings for new or relocated businesses, new ownership or management signs, going-out-of-business signs and for sales during those periods may be displayed once for a maximum of 30 days.
- b) Signs for such occasions may be paper, cloth, cardboard or other lightweight material but must have the quality of a commercially or professionally prepared permanent sign. They must be securely attached to a structure and kept in good condition. Window signs as regulated by Subsection "VI.6.B.6: Temporary window signs" may also be used for this purpose.
- c) Façade, freestanding and banner presentations may be used. Banners may not cross a street, alley or property line and may not be attached to trees, other landscaping or public property. All signs must be mounted in a way to avoid interfering with visibility needed by motorists or pedestrians.
- d) Signs shall indicate the starting and ending dates for the grand opening or special event and must be displayed on the premises in a manner easily visible from the street and the location where the sign is installed.

XI Prohibited Signs

Any sign that is not permitted by the provisions of this article is hereby prohibited, with the following signs specifically prohibited.

- A. Flashing, blinking, twinkling, animated, moving, smoking, or projected signs of any type, with the exception of time and temperature displays as otherwise permitted except as modified herein.
- B. Banners, pennants, streams, or similar devices constructed of cloth, light fabric, or cardboard, except as modified herein.

- C. Balloon or inflated signs.
- D. Searchlights.
- E. Any sign so erected, constructed, or maintained as to obstruct any fire escape, window, door or other opening used as a means of ingress and egress.
- F. Any signs that emit smoke, vapor, vibration, sound, music, or noise.
- G. Trucks, trailers or other vehicles, moving or non-moving, not used for normal day-to-day operations of the business, or not regularly moved for business related purposes shall be prohibited from use as a sign.
- H. Permanent signs that advertise continuous sales, special prices, etc. are prohibited.

XII Non-Conforming Signs

- A. All signs erected prior to the enactment of this article which do not conform with its provisions shall be deemed Pre-Existing Nonconforming Signs. Pre-Existing Nonconforming Signs may continue, provided that such signs comply with the maintenance standards of Subsection III: General Regulations.
- B. Any change in a sign installed prior to the enactment of this article, either conforming or nonconforming, shall be made in strict compliance with the provisions of this article.

XIII Abandoned Signs

- A. No person shall maintain or permit to be maintained on any premises owned or controlled by him or her, a sign which has been abandoned. An abandoned sign for the purpose of this article is a sign located on and/or related to the use of a property which becomes vacant and unoccupied; any sign which was erected for an occupant or business unrelated to the present occupant or business; or any sign which related to a time, event or purpose which is past. Any such sign shall be abated by the owner or person controlling the property within 30 days of the date of abandonment as herein defined. Any sign identifying an abandoned use, as provided for by this article, shall itself be considered to be abandoned.

XIV Violations and Penalties

- A. As per City of Woodbury Code Section 202-100 Violations and Penalties: "Any person who shall violate this chapter or do any act or thing prohibited, or refuse or fail to do any act or thing required to be done, or refuse or fail to comply with an order of the Zoning Administrative Officer or an order of the Board of Adjustment or the Board of Health of the City of Woodbury in respect hereto, shall, upon conviction thereof before any judicial officer authorized to hear and determine the matter, be subject to one or more of the following: a fine not exceeding \$1,000; imprisonment for a term not exceeding 90 days; or a period of community service not exceeding 90 days. Whenever such person shall have been officially notified by the Zoning Administrative Officer or by service of a summons in a prosecution, or in any other official manner, that he or she is committing a violation, each day's continuance of such violation after such notification shall constitute a separate offense, punishable by a like fine or penalty."