

CHAPTER 410: SIGN REGULATIONS

SECTION 410.010: INTENT AND PURPOSE

The regulation and control of signs in the Village of Wardsville is intended to promote the public health, safety and general welfare through a comprehensive system of reasonable, consistent and non-discriminatory standards and requirements of sign size, location, erection, number and maintenance. These regulations are specifically designed to allow for the conduct of commerce, to protect the public from the dangers of unsafe signs, to identify places of residence, and to provide for a desirable and attractive living environment for the Village of Wardsville.

SECTION 410.020: DEFINITIONS

As used in this Chapter, the following terms shall have these prescribed meanings:

BOARD OF ADJUSTMENT: The Board of Adjustment of the Village.

BOARD OF TRUSTEES: The Board of Trustees of the Village.

BUILDING CODES: The duly adopted Building Code of the Village as set forth in [Section 500.010](#) of the Municipal Code of the Village of Wardsville, Missouri.

ERECT: To build, construct, attach, hang, rehang, place, affix or relocate, including the painting and repainting of permanent window signs.

FLAG: Any fabric, bunting, banner, streamer or pennant containing distinctive colors, patterns, symbols or message which is made of flexible materials and designed to move with the wind.

FRONTAGE: The length of the lot along the street side. The front of a lot bordering more than one (1) street is considered separate for each street.

HEIGHT: Unless otherwise specified in this Chapter, the vertical distance above the average ground level of the original, undisturbed grade at the sign supports measured to the highest point of the sign.

PLANNING AND ZONING COMMISSION: The Planning and Zoning Commission of the Village.

PREMISES: That portion of a lot or building occupied by a single occupant, exclusive of common area, if any, shared with adjacent occupants.

PRINCIPAL BUILDING: A building or, where the context so indicates, a group of buildings in or on which is conducted the principal use of the lot on which such building is located.

PRINCIPAL USE: The primary use of land or buildings, as distinguished from an accessory or incidental use.

SIGN: Any device, fixture, placard, flag or structure that uses any color, form, graphic, illumination, symbol or writing to communicate information of any kind to the public and including any sign structure, sign supports, lighting system and any attachments, ornaments or appurtenances.

SIGN, ANIMATED: A sign which involves motion or rotation of any part by mechanical or artificial means or which displays flashing or intermittent lights.

SIGN AREA: The area of a sign that is used for display purposes, excluding the minimum frame and supports. In computing the sign area, only one (1) side of back-to-back signs covering the same subject shall be computed when the signs are parallel or diverge from a common edge by an angle of not more than forty-five degrees (45°). In relation to signs that do not have a frame or a separate background, sign area shall be computed on the basis of the least rectangle, triangle or circle large enough to frame the display.

SIGN, ATTACHED: A wall sign or projecting sign attached to a building wall or the generally vertical plane of a mansard type roof.

SIGN, BANNER: A commercial display on a temporary basis, advertising a product, service or employment opportunity.

SIGN, BILLBOARD: A sign which directs the attention to a business, commodity, service or entertainment not necessarily sold or offered upon the premises where such sign is located or to which it is attached or any other outdoor advertising subject to regulation pursuant to Sections 226.500 through 226.600 and Section 71.288, RSMo., 1994, as amended.

SIGN, CONSTRUCTION: A temporary sign used during construction of new buildings or reconstruction of or additions to existing buildings, such as those identifying the project and denoting the owner, architect, engineer, contractor and/or financing institutions of the project.

SIGN, DIRECTIONAL: A sign which is limited to indicating a direction for vehicular or pedestrian traffic or other movement.

SIGN FACING OR SURFACE: Any surface of a sign upon, against or through which the advertising message is displayed or illustrated, including structural trim, which displays or upon which is displayed any color, message, name or symbol of any kind for the

purpose of advertising, announcing, directing or attracting attention from persons located outside of a building and which can be seen from a single location on an adjacent street provided that the ends, or thickness, of a sign shall not be counted as a separate sign face unless an advertising message is conveyed thereon.

SIGN, FLASHING: An illuminated sign on which artificial or reflected light is not steady or on which colors change.

SIGN, FLOODLIGHTED: A sign made legible in the absence of daylight by devices which reflect or project light upon it.

SIGN, FLUTTERING: A sign which flutters or is made of flexible materials which moves with the wind or by some other artificial means, including, but not limited to pennants, banners, balloons, whirligigs, streamers and flags other than governmental and trademark flags as defined elsewhere in this Section.

SIGN, GROUND: A sign supported by a fixed permanent frame of support in the ground.

SIGN, ILLUMINATED: Any sign which is illuminated by light sources mounted on or in the sign or at some other location.

SIGN, MESSAGE BALLOON: A replica of a hot air balloon with a message attached.

SIGN, MOVING: A sign, all or any part of which moves or is so designed or constructed as to facilitate movement of all or any portion thereof by means of any mechanical, electric, pneumatic, hydraulic or other natural or artificial force.

SIGN, PERMANENT: A sign firmly attached to the ground, wall or other portion of a building and not designed or intended to be readily removed or relocated.

SIGN, PERSONAL: A sign which has a purpose secondary or incidental to the principal use of the lot on which the sign is located such as "no parking", "no trespassing", "loading only", "entrance" and similar and including identification information such as house or building numbers typically used by postal services and public safety officials to locate properties.

SIGN, POLE: Any detached sign located on the same lot or parcel as the use it advertises which is supported by one (1) or more stationary poles longer than two (2) feet above the mean grade line of the ground at its base provided that this shall not include a permitted ground sign as set forth herein.

SIGN, POLITICAL: A temporary sign advocating or opposing any political proposition or candidate for public office.

SIGN, PORTABLE: A sign that is not permanently affixed to a building, structure or ground, and that may be readily moved or relocated. This includes signs placed on trucks, trailers or other transportable devices.

SIGN, PROJECTING: A sign attached to a building or other structure and extending in whole or in part more than eighteen (18) inches beyond any wall of the building or structure.

SIGN, REAL ESTATE: A sign pertaining to the prospective rental, lease or sale of property.

SIGN, ROOF: A sign erected partly or wholly on or over the roof of a building but not including ground signs that rest on or overlap a roof twelve (12) inches or less.

SIGN STRUCTURE: The sign and all parts associated with its construction.

SIGN SUPPORTS: All structures by which a sign is held up, including, for example, poles, braces, guys and anchors.

SIGN, TEMPORARY: Any sign that is not permanently mounted or affixed and constructed of non-durable materials and is designed or intended to be displayed for a period of limited duration.

SIGN, WALL: A sign erected or attached against the wall of any building with the plane of the face parallel to the plane of the wall below the roof line.

SIGN, WINDOW, PERMANENT: A sign that is permanently affixed to either side of the glass of an exterior door or window, or suspended in anyway within eighteen (18) inches of a window allowing advertising to project outward.

SIGN, WINDOW, TEMPORARY: A temporary sign affixed to the inside of an exterior window or glass door.

SIGN, YARD: Any temporary sign that is located in a front yard of a lot located in an "A" Single-Family Residence District or a "B" Single-Family Attached Residence District.

SECTION 410.030: SIGNS PERMITTED IN ZONE "A" AND "B" RESIDENTIAL DISTRICTS

Subject to limitations hereinafter set forth, only the following types of signs shall be permitted in Zone "A" Single-Family Residential Dwelling District and Zone "B" Single-Family Attached Dwelling District in accordance with the regulations hereinafter prescribed. Regulations pertaining to size, height and number represent maximums allowed.

| Type | Regulations | |
|---------------------------|--------------|---|
| A. Permanent | | |
| 1. <i>Identification*</i> | Information: | Name of subdivision, church, government, school, institution, etc. |
| | Size: | 24 square feet. |
| | Height: | 6 ft. for ground mount, 10 ft. for wall mount. |
| | Number: | 1 per lot frontage. |
| | Location: | Wall mount or ground mount not less than 10 ft. from curb line. |
| | Colors: | Not more than 3. |
| | Special: | Ground mount must have plantings within 3 ft. of base and no more than 2 ft. of supporting poles visible. |
| 2. <i>Directional*</i> | Information: | Entrance, Exit, One Way, Loading, Handicapped, etc. |
| | Size: | 6 square feet |
| | Height: | 3½ ft. for ground mount, 6 ft. for wall mount. |
| | Number: | 2 per entrance. |
| | Location: | Ground or wall mount. |
| | Colors: | Not more than 3. |
| | Special: | a) Ground type must have address attached thereto when adjacent to street. b) Can be used only for churches, schools, government buildings, and institutions. c) Logos allowed only if no more than 25% of total sign area. |
| 3. <i>Flag</i> | Information: | Governmental or ornamental flags. |

| | | |
|----------------------------|--------------|---|
| | Size: | Maximum 5 ft. by 8 ft. (each) for governmental or 3 ft. by 5 ft. (each) for ornamental. |
| | Height: | 25 ft. |
| | Number: | 3 flags per pole. |
| | Location: | At least 10 ft. from curb line. |
| | Colors: | No limit. |
| | Special: | 1 pole per lot. |
| 4. <i>Informational</i> | Information: | No Trespassing, Private, Keep Out, Beware of Dog, etc. |
| | Size: | 2 sq. ft. |
| | Height: | 3½ ft. for ground, fence mount, 6 ft. for wall mount. |
| | Number: | 4 per lot, but not more than 1 per lot side. |
| | Location: | Ground, wall or fence mount. |
| | Colors: | Not more than 3. |
| B. <i>Temporary</i> | | |
| 1. <i>Real Estate</i> | Information: | For Sale, Rent, Lease. |
| | Size: | 6 sq. ft. for single lot, 24 sq. ft. for subdivisions. |
| | Height: | 3½ ft. for a single lot, 7 ft. for subdivisions. |
| | Number: | 1 per street frontage. |
| | Location: | Not less than 10 ft. from curb line. |
| | Colors: | Not more than 3. |
| | Special: | None. |
| 2. <i>Construction</i> | Information: | Contractor, architect, engineer, or financier's name, address and phone. |
| | Size: | 6 sq. ft. |

| | | |
|----------------------------|--------------|--|
| | Height: | 3½ ft. |
| | Number: | 1 per street frontage. |
| | Location: | Not less than 10 ft. away from curb line. |
| | Colors: | Not more than 3. |
| 3. <i>Political</i> | Information: | Candidate or issue to support or oppose. |
| | Size: | 6 sq. ft. |
| | Height: | 3½ ft. |
| | Number: | 2 per lot. |
| | Location: | Ground mount on private property. |
| | Colors: | Not more than 3. |
| | Special: | Posted only for 30 days. |
| 4. <i>Special display</i> | Information: | Special event for church, school, government, institution, or not-for-profit agency, garage sale, etc. |
| | Size: | 6 sq. ft. |
| | Height: | 3½ ft. |
| | Number: | 2 |
| | Location: | Ground mount not less than 10 ft. away from curb line. |
| | Colors: | Not more than 3. |
| | Special: | a) Maximum display time 15 days. b) No more than 1 display every 90 days. |
| * Denotes Permit Required. | | |

SECTION 410.040: SIGNS PROHIBITED IN ZONE "A" AND "B" RESIDENTIAL DISTRICTS

Except as may be otherwise prescribed by ordinance, the following signs shall be prohibited in residential districts:

1. Advertising.
2. Banners.
3. Billboards.
4. Flashing lights or those that appear to move (except seasonal holiday decorations).
5. Moving signs.
6. Roof signs.
7. Signs on public street right-of-way (other than public notices).
8. Signs that are in disrepair or hazardous.
9. Signs having more than two (2) faces or two (2) sides.
10. Projecting.
11. Signs directly painted on any wall or any wall of any structure.
12. Signs in excess of one (1) square foot drawing attention to or advertising a "Home Occupation".
13. Signs erected at the intersection of streets so as to obstruct free and clear vision, or located within the direct line of vision of any traffic control sign or signal, signs having red, green or amber illumination which may be confused with or construed as a traffic control device.

SECTION 410.050: SIGNS PERMITTED IN "C" PLANNED SHOPPING CENTER DISTRICTS

A. Subject to Master Common Signage Plan provisions set forth in Subsection (B) of this Section, the following types of signs shall be permitted in a "C" Planned Shopping Center District. Regulations pertaining to size, height and number shall represent the maximums allowed per lot or premises, as applicable.

| Sign Type | Regulations |
|-----------|-------------|
|-----------|-------------|

| 1. Permanent Signs (permit required) | | |
|---|-------------|--|
| a. <i>Wall Sign</i> | Size: | Five percent (5%) of the area of the wall to which attached, but in no instance greater than one hundred fifty (150) square feet each. |
| | Height: | Bottom of sign shall be at least eight (8) feet above the finish grade if travel underneath the sign is intended and in no instance greater than thirty-five (35) feet in height. |
| | Number: | Not more than one (1) per main entrance of a principal building or premises. |
| | Location: | Sign shall face a street or be located above main entrance. |
| | Projection: | Sign shall not extend or project more than two (2) feet above the roof line nor more than eighteen (18) inches from the wall to which mounted or affixed. |
| | Colors: | Not more than three (3); white letters only when illuminated. |
| b. <i>Ground Sign</i> | Size: | Thirty (30) square feet for lots of three (3) acres or less; fifty (50) square feet for lots greater than three (3) but less than ten (10) acres; one hundred (100) square feet for lots of ten (10) acres or greater. |
| | Height: | Top of sign shall not exceed four (4) feet in height and not more than two (2) feet of sign support shall be visible. |
| | Number: | Not more than one (1) per lot. |
| | Location: | Minimum three (3) feet behind a curb line. |
| | Projection: | Not more than two (2) feet of the sign support shall be visible above finished grade. |
| | Colors: | Not more than three (3); white letters on black background or black letters on white background when illuminated. |
| | Special: | Areas within three (3) feet of sign supports or foundation shall be planted and landscaped. |
| c. <i>Window Sign</i> | Size: | Not more than four (4) square feet. |
| | Height: | Not more than ten (10) feet above finish grade. |
| | Number: | Not more than one (1) per window, three (3) per premises. |
| | Location: | Each sign shall face a street or be located above a main entrance. |

| | | |
|---|-------------|---|
| | Projection: | None. |
| | Colors: | Not more than three (3). |
| | Special: | No electric signs shall be affixed to a door. |
| d. <i>Directional sign (ground mounted)</i> | Size: | Not more than six (6) square feet. |
| | Height: | Not more than three and one-half (3½) feet above finish grade. |
| | Number: | Not more than one (1) per entrance or exit lane. |
| | Location: | Each sign shall be located at least three (3) feet inside the lot line. |
| | Projection: | None. |
| | Colors: | Not more than three (3). |
| | Special: | Drive-through operations may additionally have one twelve (12) square foot menu/instruction board per drive through lane, approved on a development plan or limited development plan. |
| e. <i>Directional sign: (wall-mounted)</i> | Size: | Not more than six (6) square feet. |
| | Height: | Not more than ten (10) feet above finish grade. |
| | Number: | Not more than one (1) per drive-up lane. |
| | Projection: | Six (6) inches. |
| | Colors: | Not more than three (3). |
| | Special: | Drive-through operations may additionally have one twelve (12) square foot menu/instruction board per drive through lane, approved on a development plan or limited development plan. |
| 2. Temporary Signs (permit required) | | |
| a. <i>Flag</i> | Size: | Eight (8) foot by ten (10) foot. |
| | Height: | Not more than thirty-five (35) feet. |
| | Number: | Three (3) poles and three (3) flags per premises. |
| b. <i>Message balloon</i> | Size: | Twenty-three (23) feet in diameter at the widest point; seven (7) feet in diameter at the base. |

| | | |
|-----------------------|-------------|---|
| | Height: | Ten (10) feet minimum; twenty (20) feet maximum above finish grade. |
| | Number: | Not more than one (1) per lot at any time. |
| | Location: | On premises (may be attached to premises roof); sign shall not be located in any right-of-way or parking area. |
| | Projection: | Not more than three (3). |
| | Colors: | Displayed for not more than fifteen (15) days. |
| <i>c. Yard sign</i> | Size: | Twenty-four (24) square feet. |
| | Height: | Not more than seven (7) feet above finish grade. |
| | Number: | Not more than two (2) per lot. |
| | Location: | Minimum ten (10) feet behind a curb line. |
| | Colors: | Not more than three (3). |
| | Special: | May be illuminated, if limited to single floodlight; no interior illumination. |
| <i>d. Window sign</i> | Size: | Not more than twenty-five percent (25%) of window area. |
| | Height: | Not more than ten (10) feet above finish grade. |
| | Number: | Not more than one (1) per window. |
| | Location: | Each sign shall face a street or be located at a main entrance. |
| | Projection: | None. |
| | Colors: | Not more than three (3). |
| | Special: | Displayed for not more than thirty (30) days per calendar quarter; constructed of paper or plastic material only. |
| <i>e. Banners</i> | Size: | Thirty (30) square feet. |
| | Height: | Not more than ten (10) feet above grade. |
| | Number: | One (1). |
| | Location: | On business premises. |

| | | |
|--|-------------|---|
| | Projection: | None. |
| | Special: | Limited to one (1) per thirty (30) consecutive day period per calendar quarter. |

B. As an alternative to the regulation and permitting requirements of Subsection (A) above, the owners or developers of two (2) or more contiguous (disregarding intervening streets or rights-of-way) lots or the owners or developers of a single lot with more than one (1) existing or proposed principal building may submit a master common signage plan as part of a development plan process review and approval for such lot or lots as set forth in [Section 400.320](#) of the Village Zoning Code. The Board of Trustees shall have authority to vary the size, height, number, location, projection and color requirements set forth in Subsection (A) above; provided that nothing in this Subsection (B) shall be deemed to authorize any sign prohibited by Sections [410.070](#) and [410.080](#) of the sign regulations; and provided further that the Board of Trustees determines:

1. That the proposed Master Common Signage Plan will result in a visual impression of unity and quality in terms of size, proportion, materials, lettering or graphic style, lighting, location, color and mix of signage types;
2. That the proposed Master Common Signage Plan is consistent with, supportive of and will enhance the associated Development Plan in terms of architectural and design quality; and
3. That the proposed Master Common Signage Plan will have no deleterious impact on surrounding existing uses, signage and architectural quality.

In addition to the sign types permitted under Subsection (A) above, the Board of Trustees, in cases of multi-user or multi-tenant developments for which a Master Common Signage Plan has been submitted and approved as set forth above, shall have the further authority as part of and subject to the Development Plan Process to contemporaneously approve the location of one (1) sign identifying the development or the users or tenants to be located at the development. The size, height, design, colors and materials of such sign shall be as approved by the Board of Trustees consistent with findings and determinations required for approval of the Master Common Signage Plan for the development.

C. Any Master Common Signage Plan previously approved under Subsection (B) above may be amended subject to and in accordance with Limited Development Plan process provisions set forth in [Section 400.320\(B\)](#) of the Village Zoning Code.

SECTION 410.060: BILLBOARD SIGNS

A. *Additional Definitions.* The definitions of words and phrases contained in Section 226.510, RSMo., 1994, as amended, are hereby adopted and incorporated by reference and shall apply whenever such word or phrase is used within this Section.

The phrase "*Missouri Billboards Act*" shall mean Sections 226.500 through 226.600, RSMo., 1994, as amended.

B. *Billboard Signs Permitted By The Missouri Billboards Act.* Billboard signs may be erected within six hundred sixty (660) feet of the nearest right-of-way of any primary highway in any area zoned "C" (commercial) as permitted by the Missouri Billboards Act and subject to the regulations hereinafter set forth:

1. *Lighting.*

a. No revolving or rotating beam or beacon of light that simulates any emergency light or device shall be permitted as part of any sign. No flashing, intermittent or moving light or lights will be permitted except scoreboards and other illuminated signs designating public service information, such as time, date, temperature or similar information, will be allowed.

b. External lighting such as floodlights, thin line and gooseneck reflectors are permitted, provided the light source is directed upon the face of the sign and is effectively shielded so as to prevent beams or rays of light from being directed into any portion of the main traveled way of any highway and the lights are not of such intensity so as to cause glare, impair the vision of the driver of a motor vehicle, or otherwise interfere with a driver's operation of a motor vehicle.

c. No sign shall be so illuminated that it interferes with the effectiveness of, or obscures, any official traffic sign, device or signal, nor shall the illumination be directed toward any residential area.

d. The maximum average lighting intensity level for such sign shall be twenty (20) foot-candle as measured at any point on the surface of such sign.

2. *Size of signs.*

a. The maximum area for any one (1) sign shall be four hundred (400) square feet with maximum height of thirty (30) feet and a maximum length of thirty (30) feet, inclusive of border and trim but excluding the base or apron, supports and other structural members. The area shall be measured as established in rules promulgated by the Commission.

b. The maximum size limitations shall apply to each side of a sign structure, and signs may be placed back to back, double-faced or in V-type construction with not more than one (1) display to each facing.

3. *Spacing of signs.*

a. No billboard sign shall be erected within one thousand five hundred (1,500) feet of an existing billboard sign on the same side of the highway.

b. No billboard sign shall be erected within one thousand (1,000) feet of an existing freestanding, ground or commercial center identification sign.

c. The spacing between structure provisions of Subsection (3) of this Section do not apply to signs which are separated by buildings, natural surroundings or other obstructions in such a manner that only one (1) sign facing located within such distance is visible at any one time. Directional or other official signs or those advertising the sale or lease of the property on which they are located, or, except as provided in Subsection (3)(b), those which advertise activities on the property on which they are located, including products sold, shall not be counted, nor shall measurements be made from them for the purpose of compliance with spacing provisions.

d. No sign shall be located in such a manner as to obstruct or otherwise physically interfere with the effectiveness of any official traffic sign, signal, or device or obstruct or physically interfere with a motor vehicle operator's view of approaching, merging or intersecting traffic.

e. The measurement in this Section shall be minimum distances between sign structures measured along the nearest edge of the pavement between points directly opposite the signs along each side of the highway and shall apply only to billboard sign structures located on the same side of the highway involved.

4. *Setbacks, safety clearances and heights.* In order to provide a safety zone to prevent injury or property damage from collapse of billboard caused by acts of God or other causes, each billboard sign shall have minimum setbacks of the following:

a. At least ninety (90) feet from its nearest edge to the right-of-way of any highway, and

b. At least ninety (90) feet from all property lines and from all roofed structures, from all points of the billboard sign.

In order to further provide a safety zone to prevent injury or property damage from collapse of billboards caused by acts of God or other causes, each billboard sign shall have a maximum height, measured from the ground to the highest point of such billboard sign, of thirty-five (35) feet. In addition, the applicant for permit shall present documentation to the reasonable satisfaction of the Village Administrator that the applicant has secured the legally enforceable right to prevent the erection of structures within the setback zones. No Village building permit shall be issued for construction of any building within the setback/clearance zone for any billboard sign.

5. *Setbacks at highway intersections.* No billboard sign shall be located adjacent to or within one thousand (1,000) feet of any interchange, existing or approved for construction by the Missouri Department of Transportation, intersection at grade, or safety rest area. Said one thousand (1,000) feet shall be measured from the beginning or ending of the pavement widening at the exit from or entrance to the main traveled way.

6. *Setbacks from residential and public activity areas.* No billboard sign shall be located within one thousand (1,000) feet of land zoned for residential or public activity uses. Said one thousand (1,000) feet shall be measured from the nearest property line of any property zoned for residential or public activity uses whether or not said property is within the corporate limits of the Village.

7. *Landscaping, lighting and fencing.* Before a permit is issued, the applicant shall receive approval for a plan for landscaping, billboard lighting and fencing around the proposed billboard sign to ensure that the structure will be aesthetically compatible with its surroundings and the aesthetic standard of the community and neighboring property, insofar as may be practicable, as well as safe and secure from trespassers or vandals. Such plans shall be reviewed and approved by the Planning and Zoning Commission. In determining whether the landscaping plan is reasonably suitable, the Planning and Zoning Commission shall take into consideration the nature of the location, the impact on surrounding properties, the safety and security of the proposed billboard sign, and the relative cost of the landscaping, lighting and fencing to the applicant in relationship to the overall impact upon the property values in the immediate area which would be caused by a lack of such landscaping, lighting and fencing for the proposed billboard sign.

8. *Nuisances.* Any billboard sign which because of lack of maintenance, upkeep, vandalism, accumulation of litter, refuse or debris, or the deterioration of landscaping, lighting or fencing becomes unsightly or unsafe is hereby declared to be a nuisance and shall be subject to abatement by the Village in the same manner as all other nuisances on private property.

9. *Service drives.* Direct access to billboard signs from curb cuts along a State highway or service road shall be prohibited. Direct access shall be gained through paved roads and drives which are private and internal to a lot or parcel. All vehicles, equipment and people used to build, service, maintain and repair such signs must confine their activity so as not to interfere with pedestrian or vehicular traffic on public roads.

10. *Permits.*

a. The Village shall not issue a permit for any new billboard sign without a permit having first been issued by the Missouri Department of Transportation.

b. The Village shall charge a permit fee equal in amount to its building permit fee for other signs or similar structures to assure compliance with the Village wind load and electrical requirements when the sign is first erected, but shall not charge any subsequent permit or inspection fee for such sign.

c. Before a permit is issued, the applicant shall submit the following certification from the appropriate licensed professional regarding the following:

1. Certification from a licensed engineer that the soil and subsoil surface is capable of accepting the projected loads.

2. Certification from an electrical engineer as to the electrical portion of the sign.

3. Certification from a structural engineer as to the structural strength of the sign and certified boundary survey of the site and its setback/clearance zone.

d. Before a permit is issued, the applicant shall submit a sign survey to indicate the relative vertical and horizontal distances between the proposed billboard sign and all other ground and commercial center identification signs within five thousand two hundred eighty (5,280) feet. If by reason of height, size or spacing the proposed sign creates a significant disharmony with pole mounted signs within one thousand (1,000) feet or unreasonably detracts from the visibility of other neighboring signs or properties, the Village Administrator may require reasonable modification of the sign's dimensions to cure such deficiencies as a condition to granting a permit.

11. *Annual inspection.* Owners of all billboard signs erected after this date (January 7, 1998) shall be required to submit an inspection report from a Missouri licensed engineer as to the structural integrity of the sign(s). Such certification shall be done on or before June first (1st) of each year. Failure to submit a report shall result in the immediate revocation of the sign's permit.

SECTION 410.070: SIGNS PROHIBITED IN ZONE "C" PLANNED SHOPPING CENTER DISTRICT OR COMMERCIAL DISTRICTS

Except as may be otherwise prescribed by ordinance, the following signs shall be prohibited in Planned Shopping Center Districts or Commercial Districts:

1. Fluttering devices such as pennants, whirligigs, balloons, inflated devices, etc.
2. Flashing or intermittent lights, strings of light, or those that appear to move (except seasonal holiday decorations).
3. Moving signs.
4. Roof signs.
5. Signs on public street right-of-way (other than public notices).
6. Signs that are in disrepair or hazardous.
7. Signs that advertise an activity, business, product or service not conducted on the premises upon which the sign is located.

8. Signs erected at the intersection of streets so as to obstruct free and clear vision, or located within the direct line of vision of any traffic control sign or signal, signs having red, green or amber illumination which may be confused with or construed as a traffic control device.

9. Signs directly painted on any wall or any wall of any structure.

SECTION 410.080: PORTABLE SIGNS IN ZONE "C" PLANNED SHOPPING CENTER DISTRICT OR COMMERCIAL DISTRICTS

A. Portable signs may not be placed upon any lot, building or structure or any portion thereof in any planned shopping center district or commercial district in the Village of Wardsville, Missouri, except that signs which are less than twenty-four (24) inches in horizontal or vertical distance and are permanently painted on motor vehicles shall not be prohibited.

B. Signs in excess of twenty-four (24) inches measured either horizontally or vertically permanently attached or adhered in any manner to any motor vehicle or construction trailer may not be displayed in any planned shopping center district or commercial district in the Village of Wardsville except under the following conditions:

1. During the course of travel upon any roadway;

2. While the device to which it is attached or by which it is being moved is stopped or parked for the purpose of loading or unloading persons or materials, but only for so long as is reasonably required to achieve such loading or unloading;

3. During construction, reconstruction or remodeling of any property or premises for which a building permit has been lawfully issued construction equipment, storage trailers, offices and other mobile devices displaying signs may be located on or adjacent to the property on which the work is being performed provided:

a. Such equipment is located in an area designated by the Zoning Enforcement Officer after consideration of traffic patterns and line-of-sight requirements for nearby traffic; and

b. Such equipment may be so located only during and within thirty (30) days before the actual construction work reflected on the building permit relating to the premises.

SECTION 410.090: MAINTENANCE AND SAFETY

A. All signs shall be maintained in good repair so as to prevent rust, peeling, flaking or fading. Broken panels, missing letters, flaking or peeling paint, delamination of wood, malfunctioning lights, and other visual damage to a sign shall be repaired within forty-five (45) days of the occurrence or within thirty (30) days of notification by notification from the Zoning Enforcement Officer either by United States Postal Service or posting such notice upon the premises or the sign.

B. Any sign and its supporting frame, which advertises a business no longer conducted or a product no longer sold on the premises or lot, shall be removed by the owner, agent or person having beneficial use of the premises or lot upon which the sign is erected within thirty (30) days after the business or product is no longer present.

C. Any sign which is structurally unsafe or hazardous or endanger a building or premises, pedestrian or vehicular traffic (including but not limited to being hazardous by reason of obstruction of walkways or fire access or exit lanes, by restricting site distances or being located in such close proximity to travel lanes or parking areas that it may be struck by maneuvering vehicles) shall be relocated, removed or otherwise protected within fifteen (15) days of notification that such danger or nuisance exists by notification from the Zoning Enforcement Officer either by United States Postal Service or posting such notice upon the premises or the sign.

SECTION 410.100: NON-CONFORMING SIGNS

Any sign existing on the effective date of this Chapter or the effective date of any amendment hereto shall be exempt from the provisions of this Chapter, according to the following:

1. Existing permanent signs in residential districts shall not be affected by these regulations except that should said signs be removed, replaced or substantially altered they shall be brought into conformity with this Chapter.

2. *Permanent signs in commercial districts.*

a. Any permanent sign in commercial districts for which legal permits have been issued which are larger than allowed, or which do not conform to color requirements, or are of a type not allowed or improperly located as required by these regulations, shall be brought into compliance within ten (10) years (10-20-2009).

b. The provisions of Subparagraph (a) above notwithstanding, pole signs possessing permits but no longer authorized by these regulations shall be allowed to remain in place until a change in the ownership or business holding the permits or until they are damaged or altered by more than forty percent (40%), whichever shall first occur.

3. Any permanent sign in planned shopping center districts or commercial districts which do not conform to the color requirements shall be allowed to remain until such time as they are removed, replaced, damaged or altered by more than forty percent (40%) but in no case longer than ten (10) years.

4. Any permanent window signs in planned shopping center districts or commercial districts for which permits were not issued must be brought into compliance within ninety (90) days.

5. Existing temporary signs shall have thirty (30) days after the effective date of this Chapter or the effective date of any amendment hereto be brought into compliance.

6. Notwithstanding any other provisions hereof to the contrary, any condominium complex in excess of seventy-five (75) units and any church with a square footage in the main sanctuary of twenty-three thousand (23,000) square feet or more shall be allowed to erect a sign which exceeds these provisions by one hundred percent (100%).

SECTION 410.110: DESIGN AND ILLUMINATION

A. All signs erected in Zone "C" Planned Shopping Center District or Commercial Districts shall be located and designed so as to create a visual impression of unity in terms of size, material, color, method of construction, etc. Earth tone color (i.e. shades of tan or brown) and similar lettering size and style shall be utilized in keeping with existing quality development within a given shopping center.

B. No sign shall be erected or maintained so that its position, shape, wording, device or color might interfere with, obstruct the view of, or be confused with any authorized traffic sign, signal or warning device.

C. Reserved.

D. No sign shall make use of any profane language or other words offensive to persons of reasonable sensitivity.

E. Permanent signs in residential areas shall be restricted to three (3) colors (black, white and one (1) other color). Wood stains of earth tone types shall not be considered as colors.

F. All signs shall be constructed and erected in accordance with the Building Codes for the Village of Wardsville.

G. Reserved.

H. All sign illumination shall be oriented to prevent undue glare onto adjacent streets or residential properties. The illumination of any sign located within fifty (50)

feet of a residential zone lot line shall be diffused or indirect and designed so as not to reflect direct rays of light onto adjacent residential districts. Illumination of all signs shall be so arranged that there will be no direct rays of light reflected into any public way. No business sign may be erected within fifty (50) feet of any residential district without prior written approval of the Board of Trustees.

I. All electrical illumination devices shall be designed to be weather resistant and shatterproof.

J. All sign faces that are backlit shall be considered to be a portion of the sign for purposes of computing the allowable sign area.

SECTION 410.120: PERMITS AND LICENSE FEES

A. *Permits Required.* Unless otherwise provided in these regulations, it shall be unlawful for any person, partnership, corporation, agent or employee thereof to erect, repair, paint, replace, alter, relocate or otherwise change, other than normal maintenance, within the Village of Wardsville any sign as defined in this Chapter without first obtaining approval and a permit from the Village of Wardsville and making payment of the fee as herein required. Before any permit is granted for the erection of a sign or outdoor display, structure, four (4) sets of final plans and specifications shall be filed with the Village of Wardsville showing the location of the proposed sign and the dimensions, materials and required details of construction, including calculated dimensions approved by an engineer registered in the State of Missouri if required by the Zoning Enforcement Officer in the interest of public safety. If the work authorized under a permit is not completed within six (6) months after such permit was authorized, it shall become null and void.

B. Reserved.

C. *Permit Fees.* Every applicant before being granted a permit shall pay to the Village Clerk the permit fees for such sign or other advertising structure regulated by this Chapter as indicated below:

| | |
|-----------------------------------|----------|
| Signs up to 25 square feet | \$ 5.00 |
| Signs from 25 to 100 square feet | \$ 10.00 |
| Signs from 100 to 200 square feet | \$ 15.00 |
| Signs from 200 to 250 square feet | \$ 20.00 |

SECTION 410.130: EXEMPTIONS

The following signs are exempt from the provisions of this Chapter:

1. The Village of Wardsville, Cole County, the State of Missouri and any political subdivision thereof together with any agency of any of the foregoing; and
2. Personal signs not larger than one (1) square foot in area.

SECTION 410.135: AMENDMENTS

The Board of Trustees may from time to time, on its own motion or on petition of the Planning and Zoning Commission or any person having an interest in the property involved, amend, supplement, change, modify or repeal by ordinance the regulations herein or subsequently established. Any proposed amendment, supplement, change, modification or repeal shall first be submitted to the Planning and Zoning Commission for its recommendation and report. If the Planning and Zoning Commission makes no report within forty-five (45) days, it shall be considered to have made a report approving the proposed amendment, supplement, modification or change. Upon receipt of the report by the Planning and Zoning Commission, the Board of Trustees shall hold a public hearing, fifteen (15) days' notice of the time and place of which shall have been given by publication in a newspaper having general circulation within the Village. In case of written protest against any proposed amendment, supplement, change, modification or repeal signed and acknowledged by the owners of thirty percent (30%) or more, either of the area of the land (exclusive of streets and places) included in such proposed amendment, supplement, change, modification or repeal or within an area determined by lines drawn parallel to and one hundred eighty-five (185) feet distant from the boundaries of the district proposed to be changed, is received by the Board of Trustees, such amendment shall not become effective except by the favorable vote of two-thirds (2/3) of all members of the Board of Trustees.

SECTION 410.138: APPEALS

The Board of Adjustment shall have the power and duty to hear and decide appeals where it is alleged there is error in any order, requirement, decision or determination made by an administrative official in the enforcement of this Chapter. Procedures for appeal shall be as set forth in Sections [400.540](#) and [400.550](#) of the Zoning Code.

SECTION 410.140: SEVERABILITY

If any Section, sentence, clause or phrase or portion of this Chapter is for any reason held invalid or unconstitutional by any court of competent jurisdiction such portion shall be deemed a separate, distinct and independent provision and such holding shall not affect the validity of the remaining portions of this Chapter.

SECTION 410.150: PENALTY

In addition to or in lieu of those general penalty provisions contained in [Section 400.470](#) of this Title IV, any person found to have violated the provisions of this Chapter shall be guilty of a misdemeanor and, upon conviction thereof, shall be fined on a graduated basis, as follows: twenty-five dollars (\$25.00) for a first (1st) offense; one hundred dollars (\$100.00) for a second (2nd) offense; five hundred dollars (\$500.00) for a third (3rd) or subsequent offenses.