

## SIGNS

### § 153.090 PURPOSE AND INTENT.

This subchapter is established to protect health, safety, general welfare, and order within the city through the establishment of a comprehensive and impartial series of standards, regulations, and procedures governing the type, numbers, size, structure, location, height, lighting, erection, use, and display of devices, signs, or symbols serving as visual communication media to persons situated within or upon public rights-of-way or properties. The provisions of this subchapter are intended to encourage opportunity for effective, orderly communication by reducing confusion and hazards resulting from unnecessary or indiscriminate use of communication facilities.

(1997 Code, § 25.11) (Ord. passed 11-14-1994)

### § 153.091 REGULATIONS AND STANDARDS; PERMITS.

(A) No sign permitted by this subchapter shall, by reason of its location, color, or intensity, create a hazard to the safe, efficient movement of vehicular or pedestrian traffic or otherwise create a hazard to the health, safety, or welfare of the public. No private sign shall contain words which might be construed as traffic controls, such as "Stop," "Caution," "Warning," and the like, unless the sign is intended to direct traffic on the premises.

(B) All signs and sign structures posted more than 120 hours in any eight-day period shall be properly maintained and shall be kept in a safe, orderly condition. In addition, all parts and supports shall be properly painted. Any sign or sign structure which is rotted, unsafe, deteriorated, defaced, or otherwise altered, shall be repainted, repaired, or replaced by the licensee, owner, or agent of the owner of the property upon which the sign stands, upon written notice of the Administrator.

(C) No sign shall be attached to or hung from any building until all necessary attachments have been approved by the city official.

(D) No sign, nor any guy, stay, or attachment thereto shall be erected, placed, or maintained by any person on any rock, fence, or tree, nor on or in such a manner as to interfere with any electric light, power, telephone, or telegraph wire, or pole, or any support thereof.

(E) When electrical signs are installed, the installation shall be subject to the State Electrical Code as may be amended and approved by the Electrical Inspector.

(F) (1) No sign other than bench signs at public transit stops and governmental traffic safety or roadway information signs shall be permanently or temporarily erected within any street right-of-way or upon any public easement except as may be authorized below.

(2) Any sign other than governmental signs remaining on such property in excess of 120 hours in any eight-day period, or placed for any length of time in violation of division (A) above, may be summarily removed by the city or other governmental agency owning the public right-of-way or easement and, at its discretion, destroyed.

(G) The temporary use of banners, pennants, search lights, signs, trailers, trucks, and similar

devices shall require a permit, the fee for which is set forth by Council resolution.

(1) The permit shall be valid for ten consecutive days and shall be prominently displayed during the period of its validity.

(2) Permits shall be available only for business proprietors at their place of business and shall be available at the frequency of two permits per proprietorship during any 12-month period. However, where more than one proprietorship or business uses the same building or parcel, no more than one temporary sign device shall be in place at any one time.

(3) Devices such as banners and pennants shall not exceed 40 square feet.

(4) Violations of this division (G) shall be resolved as follows.

(a) The Administrator shall notify in writing the permit holder or, if none, the person he or she believes to be responsible for the temporary sign, setting forth the violation, corrections required, and a 24-hour time limit for compliance. Failure to notify the Administrator of a change in permit information, the failure to apply for a permit, or the failure of the Administrator to correctly identify the person responsible for the temporary sign shall not be a defense to a violation of this division (G), or an impediment to the procedures set forth below.

(b) If any violation remains uncorrected at the end of the 24-hour period the Administrator may, at the expense of the person(s) described in division (G)(4)(a) above, cause the temporary sign to be dismantled, removed, or otherwise rendered in compliance without further notice and in a manner reasonably calculated to allow its proper placement.

(c) The permit holder or person responsible for the temporary sign may appeal the Administrator's notice to the City Council, in writing, by filing the appeal with the Administrator-Clerk-Treasurer within five days of the Administrator's notice. The appeal shall be placed before the City Council at its next regular meeting.

(d) Before the appeal is heard and decided, the temporary sign device which is the subject of the Administrator's notice shall be dismantled, removed, or otherwise rendered in compliance.

(e) The Council shall hear all testimony and receive all evidence offered by the Administrator. After considering all the evidence and testimony submitted, the Council may order action as it, in its sole discretion, deems appropriate.

(f) In addition or in the alternative the city may pursue any other civil or criminal proceeding available to it to enforce this division (G).

(H) With the exception of lawful political signs and any sign posted no more than 120 hours in any eight-day period, no part of a sign or sign structure shall be placed closer to any lot line than a distance equal to one-half the minimum front yard setback for the district in which the sign is located.

(I) A minimum of one address sign shall be required on each building in all districts. The sign shall contain numerals of a sufficient size to be legible from the nearest street yet shall not exceed two square feet in area. The numerals shall be metal, glass, plastic, or durable material and shall not be less than three and one-half inches in height and shall be in a contrasting color to the base. The numerals shall be light or made of some reflective material and so placed to be easily seen from the street.

(J) No sign or sign structure shall be erected or maintained so as to prevent free ingress or egress from any door, window, or fire escape. No sign or sign structure shall be attached to a standpipe or fire

escape.

(K) Permanent window signage shall not exceed 25% of the total area of the window in which displayed. Lettering used in permanent window signage exceeding three and one-half inches in height shall be debited against the total number of items of signage permitted on that side of the building.

(L) All signs as required by state and federal occupational safety and health acts shall be permitted in all districts.

(M) Every person shall obtain a permit from the city before erecting, replacing, rebuilding, reconstructing, enlarging, or relocating any sign which is not specifically exempted by these regulations from this permit requirement pursuant to division (A) of this section, or otherwise, and shall pay the required fee set forth by Council resolution.

(1) All signs mounted on a raceway, cabinet signs, flat wallboard signs, and freestanding signs shall meet all requirements of the State Building Code.

(2) All illuminated signs shall require an electrical permit.

(N) If a freestanding sign or sign structure is constructed so the faces are not back to back, the angle shall not exceed ten degrees. If the angle is greater than ten degrees, the total area of both sides added together shall not exceed the maximum allowable sign area for that district.

(O) No person shall park any vehicle or trailer on a public right-of-way or public property, or on private property so as to be visible from a public right-of-way, which has attached thereto or located thereon any sign or advertising device for the basic purpose of directing people to a business or activity located on the same or nearby property or any other premises.

(P) Businesses that utilize permanent, legal outdoor sales, (such as lumber yards, nurseries, and the like) shall be allowed generic product identification signs for customer convenience, and to assist in traffic movement. These signs shall not exceed 36 square feet in area, nor exceed eight feet in height, and may be illuminated. These signs shall be allowed for orientation information purposes only and must not be visible from public streets. These product identification signs shall be set back 50 feet or more from all public streets.

(Q) Architectural building extensions such as awnings or canopies, other than vehicular service canopies, primarily built as shelter for entrances or for aesthetic purposes, shall be allowed to display signage. These signs shall be considered as wall signs for the purpose of determination of the maximum allowable sign area.

(R) Vehicular service canopy signs shall be limited to a business logo and graphic design not to exceed 10% of each canopy face area or ten square feet on each canopy face, whichever is smaller. Service station canopy signs shall be restricted to two faces of the canopy and shall not be located above or below the canopy area.

(S) Service stations may advertise gasoline prices on reader boards attached to a permitted freestanding sign or attached to canopy supports. If attached to the canopy supports, these signs shall be no larger than 15 square feet in area. In no case shall a freestanding sign be constructed for the sole purpose of advertising prices. Service stations may have gas pump tapper signs advertising products for sale on the premises, not to exceed two square feet per gas pump.

(T) No sign except bench signs and billboards shall, in its entirety, separately advertise a product, commodity, service, or contain other miscellaneous language that is not directly related to the business

name.

(U) A product identification sign may be integrated into a permitted freestanding, monument, or wall business sign and shall be included as part of the maximum allowable sign area. Product identification sign area shall not exceed 10% of the maximum allowable sign area.

(V) A parked vehicle carrying advertising shall be considered a sign unless in operable condition, carrying a current, valid license tag, and unless the vehicle does not remain parked at the same location for 72 continuous hours.

(1997 Code, § 25.11) (Ord. passed 11-14-1994) Penalty, see § 10.99

## **§ 153.092 PERMITTED AND PROHIBITED SIGNS.**

(A) *Permitted signs.* The following signs are allowed without a permit, but shall comply with all other applicable provisions of this subchapter:

(1) *Public signs.* Signs of a public, non-commercial nature to include safety signs, danger signs, trespassing signs, traffic signs, signs indicating scenic or historical points of interest, memorial plaques, and the like, when the signs are erected by or on order of a public officer or employee in the performance of official duty;

(2) *Identification signs.* Signs which identify the business, owner, manager, or resident, not exceeding two square feet in area, and set forth the address of the premises where the sign is located and which contain no other material;

(3) *Directional signs, on-site.* On-site directional signs, not exceeding two square feet in area, intended to facilitate the movement of pedestrians and vehicles within the site upon which the signs are located;

(4) *Integral signs.* Names on buildings, date of construction, commemorative tablets, and the like, which are of a permanent type of construction and which are an integral part of the building or the structure;

(5) *Political campaign signs.* Signs or posters announcing candidates seeking political office, political issues, and data pertinent thereto shall be allowed in all zoning districts, subject to the following:

(a) Every campaign sign must contain the name and address of person(s) responsible for the sign, and the person(s) shall be responsible for its removal;

(b) The signs or posters shall remain in place for no longer than 90 days before and ten days after the election for which they are intended, or in the case of general state elections, from the August 1 preceding the election until ten days after the election, unless otherwise provided pursuant to M.S. § 211B.045, as it may be amended from time to time;

(c) All signs or posters of this type shall be confined to private property;

(d) Notwithstanding any other provisions of this division (A)(5), no sign or poster of this type shall be within any polling place or within 100 feet of the building in which any polling place is situated on the date of any public election held within the city; and

(e) Any sign or poster of this type which the city believes to be in violation of division (A)(5) may be, at the expense of the person(s) described in division (A)(5) above, summarily dismantled or otherwise rendered in compliance by the city without notice and left, as nearly as is reasonably possible, at its location and in a condition for proper placement by any such person(s).

(6) *Holiday signs.* Signs or displays which contain or depict a message pertaining to a national or state holiday and no other matter, and which are displayed for a period not to exceed 30 days;

(7) *Construction signs.* In the zoning districts CBD, C-2, and M, a non-illuminated sign announcing the names of architects, engineers, contractors, or other individuals or firms involved with construction, alteration, or repair of a building (but not including any advertisement of any product) or announcing the character of the building enterprise or the purpose for which the building is intended.

(a) Signs of this type shall be confined to the site of the construction, alteration, or repair and shall be removed within two years of the date of issuance of the first building permit or when the particular project is completed, whichever is sooner.

(b) One sign shall be permitted for each street that serves as a boundary for the project.

(c) No sign may exceed 50 square feet in the area.

(8) *Individual property sale, lease, or rental signs.* Any on-premise sign announcing the name of the owner, manager, realtor, or other person directly involved in the sale or rental of the property or announcing the purpose for which it is being offered.

(a) Signs must be removed within ten days after sale or rental of property.

(b) Signs may not measure more than four square feet in R-1 and R-2, not more than 32 square feet in CBD and C-2, and not more than 50 square feet in the M zoning district.

(c) There shall be only one sign per property. Corner properties, however, may contain two signs, one per frontage.

(9) *Rummage (garage) sale signs.*

(a) Rummage sales may be held and signs displayed therefor, provided that:

1. The exchange or sale of merchandise is conducted in the garage and up to one-half a driveway's length from the street;

2. The number of sales per year does not exceed four;

3. The duration of the sale does not exceed three consecutive days; and

4. All related signs are placed only with the permission of the owner, occupant, or other person having control of any private property on which any related sign is posted.

(b) All related signs shall conform to the applicable provisions of this subchapter, and the person holding or advertising the sale shall cause all these signs to be removed no later than 120 hours after posting.

(B) *Prohibited signs.* The following signs are specifically prohibited by this subchapter:



(1) Any sign which obstructs the vision of drivers or pedestrians or detracts from the visibility of any official traffic-control device;

(2) Any sign which contains or imitates an official traffic sign or signal, except for private, on-premise directional signs;

(3) Advertising signs.

(a) Signs which advertise non-profit organizations are excepted from this provision; and

(b) Excepted signs shall be limited to the size and restrictions imposed within the zoning district in which the use is located.

(4) Any sign which moves or rotates;

(5) No sign shall display any moving parts, nor shall it be illuminated with any flashing or intermittent lights (except a sign designed to display the time and temperature), nor shall any sign be animated.

(a) All displays shall be shielded to prevent any light from being directed at oncoming traffic in such brilliance as to impair the vision of any driver.

(b) No device shall be illuminated in a manner so as to interfere with or obscure any official traffic sign or signal.

(c) This includes indoor signs which are visible from public streets.

(6) Projecting signs;

(7) Roof signs;

(8) Any sign which contains or consists of banners, pennants, ribbons, streamers, string of light bulbs, spinners, or similar devices, except as allowed pursuant to § 153.091(G) of this code;

(9) Signs or posters which are tacked on trees, fences, utility poles, or other permanent supports of this type, except for those signs found on fences (inside) of baseball parks;

(10) Signs painted directly on building walls (wall graphics);

(11) Signs which advertise an activity, business, product, or service no longer produced or conducted on the premises upon which the sign is located. Where the owner or lessor of the premises is seeking a new tenant, these signs may remain in place for not more than 30 days from the date of vacancy;

(12) Temporary window signs used for the purpose of advertising goods and services, which signs occupy more than 25% of the window space of the premises displaying the sign; and

(13) Changeable copy signs, except signs which advertise non-profit organizations. Excepted signs shall be limited by the provisions for the applicable zone district.

(a) *R-1, R-2, and CBD*. Prohibited.

(b) *C-2 and M*.

1. The permit shall be valid for ten consecutive days and shall be prominently displayed during the time of validity.

2. Permits shall be available only for business proprietors at their place of business and shall be available at the frequency of two permits per proprietorship during any 12-month period.

(1997 Code, § 25.11) (Ord. passed 11-14-1994) Penalty, see § 10.99

### § 153.093 NON-CONFORMING SIGNS.

(A) *Non-conforming signs.* The following are non-conforming signs:

- (1) Off-premise signs, except signs located inside ballparks;
- (2) Prohibited signs; and
- (3) All other signs not prohibited that do not conform to the provisions of this subchapter.

(B) *Restrictions on non-conforming signs.* A non-conforming sign may not be:

- (1) Changed to another non-conforming sign;
- (2) Structurally altered except to bring it into compliance with the provisions of this subchapter;
- (3) Expanded;
- (4) Re-established after its discontinuance for more than one year; or

(C) *Change of ownership.* If any property use or business changes ownership, all signs on that property, including any sign identifying a business no longer in existence, shall be brought into conformance within 30 days.

(D) *Pre-existing non-conforming signs.* Except as otherwise provided herein, the provisions of this subchapter are not intended to alter, diminish, increase, or otherwise modify any rights or liabilities imposed upon non-conforming or prohibited signs existing prior to November 23, 1994. Any act done, offense committed, or rights accruing or accrued, or liability, or penalty incurred or imposed prior to November 23, 1994 is not affected by its enactment.

(E) *Maintenance and repair.* Nothing in this subchapter shall be construed as relieving the owner or user of a legal non-conforming sign or owner of the property on which the legal non-conforming sign is located from the provisions of this subchapter regarding safety, maintenance, and repair of signs contained in § 153.096(A) of this code. Provided, however, that any repainting, cleaning, and other normal maintenance or repair of the sign or sign structure shall not modify the sign structure or copy in any way which makes it more non-conforming, or the sign shall lose its legal non-conforming status.

(F) *Non-conforming uses.* In cases where a use is legally non-conforming based upon this zoning chapter, all existing or proposed signs shall be considered conforming if they are in compliance with the sign provisions for the most restrictive zoning district in which the use is allowed.

(G) *Restoration.* A non-conforming sign which is damaged by fire or other cause to an extent of more than 50% of its market value shall not be restored except in conformity with the regulations of this chapter. However, if a building permit has been applied for within 180 days of when the sign is

damaged, then the sign may be restored to its pre-damage non-conforming status subject to the applicability of the Minnesota State Building Code and other requirements of the Osseo Code of Ordinances.

(1997 Code, § 25.11) (Ord. passed 11-14-1994; Am. Ord. 2006-3, passed 5-8-2006) Penalty, see § 10.99

#### **§ 153.094 DISTRICT REGULATIONS; OCCUPANT AND AREA IDENTIFICATION SIGNS.**

(A) *Summary of district regulations.* District regulations relating to occupant identification and area identification signs are summarized in the table in Appendix C of this chapter.

(B) *Signs in the residential (R-1 and R-2) districts.* Within residential districts, the following signs are permitted.

(1) *Nameplates.*

(a) One nameplate sign for each dwelling, and that sign shall not exceed two square feet in area per surface, and no sign shall be so constructed as to have more than two surfaces;

(b) One nameplate sign for each dwelling group of six or more units, and that sign shall not exceed six square feet in area per surface, and no sign shall be so constructed as to have more than two surfaces; or

(c) One nameplate sign for each permitted use or use by conditional permit other than residential, and that sign shall not exceed 12 square feet in area surface.

(2) *Setbacks.* Any sign over one-half square foot shall be set back at least five feet from any property line. No sign shall exceed six feet in height above the average grade level. Signs may be illuminated, but the lighting shall be diffused or indirect.

(C) *Signs in the central business district (CBD).* Within the central business district, the following signs are permitted.

(1) *Wall sign.* Within the CBD, wall signs may be permitted a maximum of 1 square foot per linear foot of building wall on which the sign is located. No individual sign shall exceed 50 square feet in area.

(2) *Overhang signs.* Buildings that are permitted to be constructed with no setback from property lines and are constructed without setback are permitted to have mounted signs that overhang street rights-of-way a maximum of one and one-half feet. Sign area of overhang signs shall be subtracted from the allowable wall sign square footage.

(3) *Height above building.* Signs shall not extend more than three feet in height above the outside wall of buildings to which they are attached.

(4) *Freestanding/monument signs.* Signs that are freestanding are required to be set back a minimum of two feet from property lines and may be double-face signs with a maximum of 50 square feet in sign area per face and a maximum height of eight feet above the surface.

(5) *Sandwich board signs.* Sandwich board signs are permitted, provided the following provisions are followed:



(a) Maximum allowable size:

1. Height: three feet;
2. Width: two feet; and
3. Depth: two feet.

(b) Quality shall be professional craftsmanship only;

(c) Signs are allowed as a permanent portable sign. Each sign must be removed when the business is not open.

(d) Only one sign per business shall be permitted.

(e) Signs shall not be placed so as to obstruct pedestrian or vehicular traffic.

(f) Signs shall be placed only on the business property or on sidewalks directly abutting the business property.

(g) Signs shall not be placed on any vehicle.

(h) Signs require an annual permit with a permit fee as established from time to time by Council resolution.

(i) Applicant shall, at the time a permit is to be issued, provide a certificate of general liability insurance with minimum coverage of \$300,000 naming the city as an additional insured.

(j) In addition to any other penalty provisions of this chapter, failure to comply with any of the provisions of this section shall cause a revocation of the permit.

(D) *Signs in the highway commercial (C-2) and manufacturing and industrial (M) districts.* Within the C-2 and M districts, the following signs are permitted.

(1) Wall sign. Wall signs may be permitted a maximum of 2 square feet per linear foot of building wall on which the sign is to be located. No individual sign shall exceed 200 square feet in area.

(2) Freestanding/monument sign. Freestanding signs with up to two faces and a maximum of 75 square feet of sign area per side and a maximum height of 15 feet may be permitted.

(3) Pylon signs. One freestanding sign with up to two faces and a maximum of 75 square feet of sign area per side and a maximum height of 15 feet may be permitted on the premises of the business in which it is advertising.

(4) Sandwich board signs. Under all the provisions as set forth in § 153.094(C)(5) above, are permitted in the Highway Commercial (C-2) District.

(1997 Code, Penalty, see § 10.99

## § 153.095 MOTOR FUEL STATION SIGNS.

Motor fuel stations may display signs which identify current fuel prices and car wash facilities. The

total area for all signs of this type at any one station shall be limited to a maximum of 16 square feet. Freestanding price and car wash signs shall be incorporated into a freestanding occupant identification sign. The area of price and car wash signs shall be counted against the total sign area allowed for the site, which includes both freestanding and wall signs.

(1997 Code, § 25.11) (Ord. passed 11-14-1994)

### **§ 153.096 MAINTENANCE AND INSPECTION.**

(A) *Maintenance.* All signs requiring a permit, together with all of their supports, braces, guys, and anchors, shall be kept in repair and in proper state of preservation. The display surfaces of all signs shall be kept neatly painted or posted at all times. Every sign and the immediate surrounding premises shall be maintained by the owner or person in charge thereof in a clean, sanitary, and inoffensive condition and free and clear of all obnoxious substances, rubbish, and weeds. Notice shall be given to the Administrator of any change in sign user, sign owner, or owner of the property on which the sign is located.

(B) *Inspection.* All signs for which a permit is required shall be subject to inspection by the Administrator. The Administrator or his or her designated agent is hereby authorized to enter upon any property or premises to ascertain whether the provisions of this subchapter are being obeyed. This entrance shall be made during business hours unless an emergency exists. The Administrator may order the removal of any sign that is not maintained in accordance with the maintenance provisions of this subchapter.

(1997 Code, § 25.11) (Ord. passed 11-14-1994)

### **§ 153.097 PERMIT AND APPLICATION; VARIANCES.**

(A) *Sign permit application.* The following information for a sign permit must be supplied by an applicant:

- (1) The name, address, and telephone number of the person making the application;
- (2) The name, address, and telephone number of the person owning the sign;
- (3) A site plan to scale showing the location of lot lines, buildings, structures, parking areas, existing and proposed signs, and any other physical features;
- (4) Plans, location, and specifications, and method of construction and attachment to the building or placement method in the ground;
- (5) A copy of stress sheets and calculations showing that the structure is designed for dead load and wind pressure in any direction in the amount required by this and all other laws and ordinances of the city;
- (6) Written consent of the owner or lessee of any site on which the sign is to be erected;
- (7) Any electrical permit required and issued for the sign;
- (8) Proof of the contract purchase price; and

(9) Other information as the Administrator shall require to show full compliance with this and all other laws and ordinances of the city. The Administrator may waive divisions (A)(4) and (A)(5) above.

(B) *Permit issuance.* It shall be the duty of the Administrator upon the filing of an application for a permit to examine the plans, specifications, and other data, and the premises upon which it is proposed to erect the sign. If it shall appear that the proposed structure is in compliance with all the requirements of this subchapter and all other laws and ordinances of the city, the permit shall then be issued. If the work authorized under a permit has not been completed within 60 days after the date of issuance, the permit shall be null and void.

(C) *Variances.*

(1) In order to provide additional flexibility in the enforcement of this subchapter and to alleviate hardship and injustice, upon application, the Planning Commission may recommend to the City Council that a variation from the terms of this subchapter be granted. Upon application therefor from the person seeking a permit for the erection or installation of a sign, the request for variance shall be processed in accordance with applicable provisions of this zoning chapter, as it may be amended.

(2) Additionally, the Planning Commission shall make findings of fact that an undue hardship or injustice exists if a variance were not granted and therefore may recommend to the City Council that a variance be granted, based upon consideration of the following:

(a) The particular physical surroundings, shape, or topographical conditions of the specific parcel of land involved;

(b) The condition involved is unique to the particular parcel of land involved;

(c) The purpose of the variation is not based exclusively upon a desire to increase the value or income potential of the business involved;

(d) The alleged difficulty or hardship is caused by this subchapter and has not been created by any person presently having an interest in the parcel;

(e) The granting of the variation will not be detrimental to the public welfare or injurious to other land or improvements in the neighborhood; and

(f) The proposed variation will not impair an adequate supply of light and air to adjacent property, or substantially increase the congestion of the public streets, or interfere with the function of the Police and Fire Departments of the city.

(D) *Fees.* Fees for the review and processing of sign permit applications and variance requests shall be charged as set by Council resolution.

(1997 Code, § 25.11) (Ord. passed 11-14-1994)

## **§ 153.098 SIGN HANGERS; PROOF OF INSURANCE.**

The city has the discretion to require sign hangers to present or show proof of insurance at any time.

(1997 Code, § 25.11) (Ord. passed 11-14-1994)

## § 153.099 MORATORIUM ON OFF-SITE, FREESTANDING SIGNS.

(A) *Authority.* Pursuant to M.S. § 462.355, Subd. 4, the city is authorized to establish interim ordinances to regulate, restrict or prohibit any use or development in all or part of the city while the city is conducting studies, or has authorized a study to be conducted, or has scheduled a hearing to consider adoption or amendment of the comprehensive plan or official zoning controls. In furtherance of this statutory authority, the city has adopted Chapter 153, the zoning ordinance, including § 153.152 governing amendment of the zoning ordinance. The city declares that this interim section is adopted pursuant to M.S. § 462.355, Subd. 4, and the applicable provisions of Osseo Code of Ordinances, Chapter 153.

(B) *Findings and purpose.* There is a need to study signage within the existing ordinances of the city so as to address the location, construction, altering, development, erection, placement, reconstruction, or enlargement of off-site, freestanding signs; and to determine these and other issues so as to realistically assess the manner of regulatory controls that may need to be adopted by the city affecting the location, deployment, and use of such signage; and to provide for the public health, safety, and welfare of all individuals. The City Council will be studying all such related issues through the City Planner and Planning Commission. A moratorium is required in order to protect this planning process.

(C) *Moratorium established and scope.* In accordance with the findings set forth within this section and pursuant to the authority of M.S. § 462.355, Subd. 4, there is hereby established a moratorium on the location, construction, altering, development, erection, placement, reconstruction, or enlargement of any signage or like structures within the city. During the period of time of the moratorium application for sign permits for off-site, freestanding signage and all other permits and approvals related to such work shall not be accepted by the city.

(D) *Applicability.* The moratorium shall be applied upon real property designated within all zoning districts of the city.

(E) *Hardship.* In a case of hardship, any person having a legal or equitable interest in land and aggrieved by the provisions of this interim section may apply to the City Council for a waiver of all or a portion of the applicable restrictions as provided herein. A waiver may be granted where the City Council finds substantial hardship caused by the restrictions and finds that a waiver will not unduly affect the integrity of the planning process or the purposes for which the interim section is enacted.

(F) *Penalty.* Any person, corporation or other entity that constructs, erects, reconstructs, enlarges locates or expands a sign structure or related facility in violation of this section shall be guilty of a misdemeanor and shall be subject to any legal and/or equitable remedies available to the city.

(G) *Effective date.* This section shall be in full force and effect from and after its passage and publication according to law and shall remain effective until August 31, 2010, unless shortened or further extended by order of the City Council.

(Ord. 2008-8, passed 9-8-2008; Am. Res. 2009-53, passed 8-24-2009)

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