



City of  
**SUMMERSET**  
A GREAT PLACE TO CALL HOME

**SIGN PERMIT APPLICATION/SPECIFICATIONS**

**Please submit a clear and legible drawing of the proposed sign to scale with description showing construction type and lighting, placement of sign and building dimensions if the sign is to be placed on a structure. Include sight plan showing the location and setbacks on the property where sign is to be located.**

Applicant Name \_\_\_\_\_ Date \_\_\_\_\_

Mailing Address \_\_\_\_\_

Email \_\_\_\_\_ Phone \_\_\_\_\_

Sign Location \_\_\_\_\_

Landowner's Name \_\_\_\_\_ Phone \_\_\_\_\_

Landowner's Mailing Address \_\_\_\_\_

Contractor's Name \_\_\_\_\_ Phone \_\_\_\_\_

Excise Tax License # \_\_\_\_\_

Contractor's Mailing Address \_\_\_\_\_

Electrician's Name \_\_\_\_\_ Phone \_\_\_\_\_

Electrician's Mailing Address \_\_\_\_\_

**SIGN SPECIFICATIONS:**

Sign Value \$ \_\_\_\_\_

- Permanent (IBC Table 100-A)  Temporary (\$35)  
 Other (see fee schedule, page 2)

1. The Undersigned Hereby Applies to:  Build  Move  
 On-Premise Sign  Off-Premise sign  Other (see fee schedule, Appendix A)  
 Lighted  Un-lighted  
 Single Face  Double Face  V Face  
 Wood  Metal

2. Address of Location \_\_\_\_\_

Legal Description: Lot \_\_\_\_\_ Block \_\_\_\_\_ Subdivision \_\_\_\_\_

Located in: Section \_\_\_\_\_ Township \_\_\_\_\_ Range \_\_\_\_\_

3. Zoning: C \_\_\_\_\_ HS \_\_\_\_\_ R \_\_\_\_\_ HI \_\_\_\_\_ Other \_\_\_\_\_

4. Acreage \_\_\_\_\_

5. Visible from:

City Street \_\_\_\_\_

State Road \_\_\_\_\_

County Road \_\_\_\_\_

6. DOT Permit Required?  Yes  No

Approved/Issued DOT Permit received \_\_\_\_\_ (Date)

7. Square Footage/Sign Face:

Side 1: \_\_\_\_\_ x \_\_\_\_\_ = \_\_\_\_\_ Direction \_\_\_\_\_

Side 2: \_\_\_\_\_ x \_\_\_\_\_ = \_\_\_\_\_ Direction \_\_\_\_\_

Total Square Footage = \_\_\_\_\_

**ALL ELECTRICAL WORK SHALL COMPLY WITH STATE CODES; ELECTRICAL INSPECTION IS REQUIRED BY THE STATE INSPECTOR. \* Commercial signs require a footings inspection only (605) 718-4940**

Sign Building Permit Fees for signs shall be regulated by the current building code tables (IBC Ordinance Table 100-A) as adopted by the City.

**ORD 2.30.110 PERMITS AND FEES**

1. Permits and fees for signs are as follows:

- a. New Sign Permit: per IBC Ordinance Table 100-A
- b. Temporary Sign Permit: \$35.00
- c. Off-Premise Sign Permit Renewal: \$100.00
- d. Annual Banner Sign Renewal: \$100.00

By my signature, I acknowledge that payment of the sign permit application fee does not constitute issuance of this sign permit. I further agree that construction covered by this permit application shall not be commenced until I have received a copy of this application form signed by the Zoning Administrator and stamped, "APPROVED."

**Notice: Placement of sign Poles constitutes start of construction**

PERMIT IS VOID IF: Construction does not comply with specifications 1-7 set forth above and in accordance with the codes/ordinances of the City of Summerset and the State of South Dakota and if work is not commenced within 60 days or is not completed within 120 days of the date of issue.

SIGN LOCATION: Provide a site plan which indicates the exact site on the property on which the sign will be placed in relationship to lot lines and setback requirements.

SIGN CONFIGURATION: To-scale drawing of the proposed sign to include dimensions of all faces (height/length), design of complete sign, height from ground to bottom of sign, height from ground to top of sign. Please attach to application.

Landowner's Signature \_\_\_\_\_ Date \_\_\_\_\_

Applicant's Signature \_\_\_\_\_ Date \_\_\_\_\_  
*(requires owner authorization)*

Signature \_\_\_\_\_ Date \_\_\_\_\_  
Building Official

**FOR OFFICE USE ONLY**

Permit Fee Amt _____	Date Paid _____	Payment Type: <input type="checkbox"/> Cash	<input type="checkbox"/> Check	<input type="checkbox"/> Credit Card
Issue Date _____	Permit Number _____			

## **TITLE 2 CITY OF SUMMERSET ZONING ORDINANCES**

These regulations shall be known and may be cited as “The Zoning Ordinance of the City of Summerset, South Dakota”.

### **CHAPTER 2.30 SIGN REGULATIONS**

#### **2.30.010 Authority**

The City of Summerset’s authority to regulate signs, billboards and other advertising structures is specified in South Dakota Codified Law Ch. 31-29.

#### **2.30.020 Intent**

The purpose of this Section shall be to establish effective local regulation of outdoor advertising so as to promote the health, safety, and general welfare of those persons using and residing adjacent to public right-of-ways.

The following regulations are intended to promote and preserve the natural aesthetics of The City of Summerset while providing for the convenience of the traveling public, for the promotion of locally available facilities, goods, and services, and to minimize negative impacts on property adjacent to public right-of-ways. It is, therefore, the intent of these regulations to achieve the following:

- A. Safety. To promote the safety of persons and property by requiring that signs:
  - 1. Do not create a hazard due to collapse, fire, collision, decay or abandonment;
  - 2. Do not create traffic hazards by distracting or confusing motorists, impairing a driver's ability to see pedestrians, obstacles, or other vehicles or to see and interpret any official traffic sign, signal or device.
  
- B. Communication. To promote the efficient transfer of information by providing that:
  - 1. Business and services may identify themselves;
  - 2. Customers and other persons may locate a business or service;
  - 3. No business, service, person or group is arbitrarily denied the use of sight lines on a public right-of-way for communication purposes.
  
- C. Preservation of the natural landscape. To protect the public welfare and to maintain and enhance the appearance and economic value of the landscape by providing that signs:
  - 1. Do not create a nuisance to persons using the public right-of-way;
  - 2. Do not constitute a nuisance to the occupancy or use of adjacent property as a result of their size, height, brightness or movement;
  - 3. Are constructed and installed in a manner which is in harmony with buildings, neighborhoods or other signs in the area.

#### **2.30.030 Compliance and Applicability**

In any zoning district where signs are allowed, a City of Summerset Sign Permit shall be required unless otherwise stated. In addition to all applicable state and federal regulations, any sign erected within the City of Summerset shall be required to conform to the following regulations:

- A. To require a permit for certain types of signs subject to the standards and procedures of this division;

- B. To allow certain signs that are small, unobtrusive and incidental to the principal use of the parcel on which they are located, subject to the requirements of this chapter but without a requirement for a permit;
- C. To provide for temporary signs in limited circumstances, and
- D. To prohibit all signs not expressly permitted by this chapter.

### **2.30.040 Definitions**

*“Abandoned sign”* means a sign or sign structure that is blank, obliterated or displays obsolete advertising material for a period in excess of ninety (90) days. The ninety (90) day period for determining if a sign is abandoned commences upon notification of violation to the offender.

*“Back-to-back sign”* means an off-premise or on-premise sign consisting of two sign facings oriented in the opposite direction with not more than one face per side.

*“Banner sign”* means an on-premise sign which is composed of lightweight material either enclosed or not enclosed in a rigid frame, secured or mounted so as to allow movement of the sign caused by movement of the atmosphere. For the purpose of this Chapter, a banner sign can only be used as a wall sign.

*“Directional sign”* means a sign erected for the convenience of the public, such as directing traffic movement, parking or identifying restrooms, public telephones, walkways and other similar features or facilities and bearing no advertising in the message.

*“Double faced sign”* means an off-premise or on-premise sign with two adjacent faces oriented in the same direction and not more than 10-feet apart at the nearest point between the two faces.

*“Sign Facing”* means that portion of a sign structure upon which advertising is affixed or painted and visible in one direction at one time.

*“Freestanding Sign”* means a sign on a frame, pole, or other support structure not attached to any building.

*“Highway”* means every way or place of whatever nature open to the public, as a matter of right, for purposes of vehicular travel, is a highway. The term "highway" shall also include private access easements and roadways.

*“Off-premise sign”* means a sign/billboard that advertises goods or services not available at the location of the billboard or advertising sign.

*“On-premise sign”* means a sign identifying an establishment's activities, products or services conducted or available on the property upon which it is located and signs advertising the sale or lease of the property upon which they are located.

*“Signs”* mean any sign defined in this ordinance which displays or conveys any identification, description, illustration, or device illuminated or non-illuminated, which directs attention to a product, service, business activity, institution, business or solicitation, including any permanently installed or situated

merchandise, or any emblem, painting, banner, pennant or placard designed to advertise, identify or convey information, with the exception of window displays.

*“Sign structure”* means the sign face and support members that are permanently affixed to the ground or attached to a structure. Sign structure does not include the sign frame.

**“Sign Area”** means the entire area within a single continuous perimeter enclosing the extreme limits of the actual sign surface, but excluding any structural or supporting elements such as upright, aprons, poles, beams or standards. In the case of lettering on an awning or other undefined structure or space, a perimeter shall be determined by adding (2) inches around the whole of the lettering, using unbroken parallel lines. Logos shall not be included in square footage, but must be subordinate to the sign. A logo that consists only of words with or without a symbol shall be included in the sign square footage. Logos attached to walls shall not exceed (20) square feet.

*“Sign types”* Sign types are canopy, ground/pole, projecting wall, roof, wall, and wall/roof. Sign type pertains to the location of a sign on a property or structure, and the method of support or attachment.

- A. Canopy sign. Includes awnings and marquees. An overhead covering projecting from and attached to a building, and the attachments thereto.
- B. Ground/Pole sign. A sign that is structurally self-supporting and not attached to any other structure.
- C. Projection wall sign. A sign attached to and supported by a building, projecting more than 12 inches from the wall to which it is attached. A projecting wall sign shall not extend above the roofline.
- D. Roof sign. A sign attached to roof of a building
- E. Wall sign. A sign affixed to an exterior wall of a building and which projects 12 or fewer inches from the wall.
- F. Wall/roof sign. A projecting wall sign which projects above the roofline of a building and which is wholly supported by the building.

*“Sign Use”* refers to the way in which a sign is used based on the function of the sign and/or its relationship to the property on which it is located.

- A. Area identification sign. A sign erected to identify a group of five or more commercial or industrial activities located either within a single structure by identifying the structure or the area. The structure or area must be identifiable as a unit through common ownership or management of the building, utilities and/or common facilities (i.e., parking, open space, mall, etc.).
- B. Business sign. An on-premise sign or signs used to identify a commercial or industrial activity.
- C. Construction sign. A temporary sign erected to identify the contractors, designers and/or financial institutions involved in a major construction project.
- D. Home occupation sign. A sign erected to identify a home occupation
- E. Institutional sign. A sign erected to identify an institutional activity.
- F. Residential identification sign. A sign that is showing the address and/or name of the occupant(s) of a residential building.
- G. Residential development sign. A sign identifying a unique development or apartment complex being actively developed as evidenced by buildings under construction or constructed, and/or streets opened.

*“Specialty Signs”* possess unique characteristics that require special treatment or control. The following are included in the kinds of specialty signs:

- A. Painted wall sign. An on-premise sign painted directly upon a wall or similar structure.

- B. Parasitic sign. A sign affixed to a permanent supporting structure that is in addition to signs specifically designed for said supporting structure.
- C. Temporary/Portable sign. A sign not affixed to a permanent supporting structure but which is designed to be moved from location to location.
- D. Mural: A pictorial representation not identifying goods or services offered by a business.
- E. Changeable copy sign/reader board: A sign or portion thereof with characters, letters or illustrations that can be changed or rearranged without altering the face of the surface of the sign. A sign on which the message changes more than eight times per day shall be considered an animated sign and not a changeable copy sign for purposes of this chapter. A sign on which the only copy that changes is an electronic or mechanical indication of time or temperature shall be considered a "time and temperature" portion of a sign and not a changeable copy sign for purposes of this chapter.
- F. Animated sign: Any sign that uses movement, electric message or change of lighting, either natural or artificial, to depict action or create a special effect or scene.
- G. Pennant/banner sign: Any lightweight plastic, fabric, or other material, whether or not containing a message of any kind, attached to a pole or lighting standard, usually in series, that promotes the community or a community event.

### **2.30.050 Exemptions**

The following signs shall be exempt from regulation under this chapter.

#### **A. Exemptions:**

1. Changing the sign face or the copy or message on signs specifically designed for the use of replaceable copy.
2. Painting, repainting, cleaning or minor maintenance of a sign provided no structural alteration is made.
3. Window signs, real estate signs and like signs of a temporary nature.

#### **B. Exempted Signs:**

1. Governmental regulatory, directional, information and warning signs; governmental agency flags, emblems and insignia; and temporary signs placed for the purpose of public safety.
2. Commemorative plaques placed by recognized historical agencies and commissions.
3. Signs which can be viewed only from within the confines of a structure or other clearly defined space.
4. Instructional or identification signs less than (2) square feet, such as parking information.
5. Political election signs, not exceeding (6) square feet and removed within one week after the election.

#### **C. Prohibited Signs:**

All signs not expressly permitted under this chapter are prohibited in the city. The following signs shall not be permitted, erected or maintained in any district, notwithstanding anything else contained in this chapter. Signs in section shall be removed or brought into conformity with the provisions of this chapter within thirty (30) days after receiving written notice from the City. Such signs include, but are not limited:

1. Signs attached or applied to trees, utility poles, vending machines, boxes, benches and other unapproved supporting structures.
2. Signs encroaching on a public right-of-way or extending beyond a property line unless specifically authorized.

3. Illuminated signs containing flashing, intermitting or moving light, that interfere with the traveled way of streets or obscure traffic signs or devices.
4. Wall or protruding signs that project above the wall upon which they are attached.
5. Signs that constitute pedestrian or vehicular traffic hazards or which could be confused with any governmental regulatory, directional or warning sign.
6. Moving signs.
7. Off-premise advertising signs painted on building structures.
8. Tethered, airborne devices advertising a business, product or service.
9. Signs not complying with Section 2.30.060.
10. Searchlights, pennants, spinners, and streamers except for occasions such as grand openings. Use shall be limited to a fifteen (15) day period.
11. Signs placed on vehicles or trailers which are parked or located for the primary purpose of displaying said signs.
12. Flags displaying an advertising message, except flags of any nation, state, political subdivision or corporate flag.

### **2.30.060 New Signs**

A Sign Permit shall be required for any new on-premise or off-premise sign installation, including temporary signs. At the time of installation, the new sign must conform to all requirements of this Chapter at the time of installation.

#### **A. General Provisions:**

1. All signs shall be placed or erected in conformity with all applicable side and rear yard setback requirements for structures. The minimum front yard setback requirement for signs shall be five (5) feet from any property line.
2. No sign, including political signs are allowed to be located in any public right-of-way, public or private access easement. All signs issued by the City of Summerset for public notice of proposed land use changes are exempt from this requirement.
3. There shall be a 250-foot separation between a new ground/pole on- premise sign and an existing ground/pole on-premise sign.
4. All sign structures shall be painted and maintained in muted colors as to blend into the natural surroundings. Colors shall include, but not be limited to, brown, black, or tan. Wood sign structure may remain unpainted and allowed to have a natural patina. At no time shall bright or neon colors be used for either wood or metal sign structures.
5. No debris, including but not necessarily limited to, wood material, posts, metal, paper, plastic, cardboard or other materials from the construction or maintenance of a sign shall be left at the location or vicinity of a sign. Any violation of this section is hereby declared a nuisance and subject to abatement.
6. No sign shall be constructed which resembles any official marker erected by a governmental entity or which by reason of position, shape or color would conflict with the proper functioning of any official traffic control device, sign or marker.
7. No sign shall exceed two (2) sides. Signs shall have no more than one frontal face (front) and one back face (back) as viewed from one static position.
8. Design and Construction: Sign and sign structure design shall be reviewed and inspected by the Building Official for compliance with the following:
  - a. Building Code, as adopted.
  - b. Electric Code, as adopted.



B. Off-Premise Sign Requirements:

All off-premise sign shall require a conditional use permit and shall meet all the provisions of Chapter 2.36. In addition, due consideration shall be given to the relationship between the sign(s) and the natural horizon/view shed in the area of the proposed sign location. In addition to the general provisions of this chapter, the following regulations shall apply to all off-premise signs:

1. No off-premise sign shall be erected or placed closer than 500 feet from any residential district and/or dwelling unit
2. Off-premise signs shall be located no closer than 1500 feet from all other off-premise signs.
3. No illuminated sign shall be permitted within 1500-feet of any dwelling unit or residential district without an approved Conditional Use Permit. All illuminated signs shall be installed and maintained in accordance with Section 2.26.100 so as to minimize spillage of light outside of the sign face.
4. Off-premise signs shall not exceed a height of 40-feet. Height shall be measured from grade level directly below the face of the sign to the highest part of the sign.
5. The maximum display area of any off-premise sign located adjacent to a two or more lane street or highway shall not exceed 250 square feet on each face. The maximum display area of any off-premise sign located on the interstate shall not exceed 400 square feet on each face.
6. All off-premise signs shall be placed or erected in conformity with all applicable side and rear yard setback requirements for structures. The minimum front yard setback requirement for on-premise or off-premise signs shall be five (5) feet from any property line.
7. A vehicle or trailer of any form or type, whether licensed or not or in working condition or not, intended to be used as or in conjunction with an on-premise or off-premise sign, shall not be located adjacent to any public right-of-way or on private or public property so as to be visible from the public right-of-way. Vehicles or trailers whose primary use is other than outdoor advertising shall be exempt from this section.

C. On-Premise Sign Requirements:

1. Number of signs per premise. Notwithstanding anything else in this section, no more than two (2) signs may be erected or maintained on any one premise at any one time; except that when a premise is located on a corner lot and has public entrances on two or more public ways, or that a building has both a front and rear public entrance, one (1) additional sign may be erected and maintained. In calculating the total number of signs on a premise, both permanent and temporary signs shall be combined in the total. A multi-faced sign shall count as a single sign. Signs enumerated in Section 2.30.050 shall not be counted in calculating the total.
2. Sign Area. Notwithstanding anything else in this section, the total sign area per premise, including both permanent and temporary signs, shall not exceed the following:
  - a. Wall, roof, canopy, and projecting signs:
  - b. The total square feet of all walls, roof, and/or projecting signs shall be a sign area of two square feet for each one lineal foot of street frontage shall be allowed not to exceed two hundred fifty (250) square feet. Every premise shall be allowed a minimum of fifty (50) square feet of sign area. Allowable sign area is not transferable from one frontage to another. An additional fifty (50) square feet of sign area shall be allowed for every one hundred (100) feet of street frontage over first, two hundred fifty (250) feet of street frontage. On corner lots, each frontage shall be considered unique and separate in calculation sign area. Multi-faced signs shall be computed as one sign if the signs are parallel and are part of the same sign structure.
  - c. Ground/Pole Signs: The total square feet of all ground/pole signs shall be a sign area of one square foot for each one lineal foot of street frontage shall be allowed not to exceed two hundred fifty (250) square feet. Every premise shall be allowed a minimum of fifty (50)

square feet of sign area. Allowable sign area is not transferable from one frontage to another. On corner lots, each frontage shall be considered unique and separate in calculation sign area. Multi-faced signs shall be computed as one sign if the signs are parallel and are part of the same sign structure.

3. Sign Height: Ground/pole signs shall not exceed a height of 30-feet. Height shall be measured from grade level directly below the face of the sign to the highest part of the sign.
4. Projecting Signs: In addition to the other provisions of this chapter, the following regulations shall apply to all projecting signs:
  - a. No projecting sign shall project more than seven (7) feet beyond the property line in the direction of the street. No portion of any projecting sign shall be closer than three (3) feet to the face of the street curb or curb line as measured by a horizontal line from the curb or curb line to a vertical line parallel to the most projected portion of the sign. In the central commercial district (C1), sign may project over the state highway and in all other zoning district, no signs shall project over state highway rights-of-way, unless written permission is given by the appropriate state agency.
  - b. No portion of any projecting sign shall be less than fourteen (14) feet above grade level if it is projecting over public a right-of way.
  - c. No single face of a projecting sign shall exceed thirty two (32) square feet in area.
  - d. No projecting sign shall have a vertical dimension greater than six (6) feet.
  - e. There shall be no more than one (1) projecting sign for any premise unless the premise is located on a corner lot and has public entrances on two or more public streets, in which case one (1) projecting sign may be erected and maintained for and toward each public way.
5. Wall Signs: In addition to the other provisions of this chapter, the following regulations shall apply to all wall signs:
  - a. No wall sign shall extend above the top of the wall upon which it is placed.
  - b. No wall sign, or any part thereof, shall project more than twelve (12) inches from the wall upon which it is mounted.
  - c. No wall sign shall extend beyond the vertical extremities of the wall to which it is attached.
  - d. Refer to Section 2.30.060.C.2 for limits on sign area.
  - e. Banners sign shall be considered as wall sign. An annual permit shall be obtained for each banner sign. The banner may be changed as long it does not exceed the square footage of the approved sign permit.
6. Roof Signs: In addition to the other provisions of this chapter, the following regulations shall apply to all roof signs:
  - a. No more than one (1) roof sign may be erected or maintained on a single premise.
  - b. All roof signs must be set back a distance of at least four feet from all the outside walls of the building on or over which they are located. It is the intention of this provision to provide a clear passageway around the sign.
7. Ground/Pole Signs: In addition to the other provisions of this chapter, the following regulations shall apply to all ground-pole signs:
  - a. Ground/pole signs shall be limited to one per street frontage except that businesses on frontages of 250 feet or more may erect two ground/pole signs with a minimum of 250 foot spacing between signs. However, the total sign area of both signs may not exceed that allowed for the street frontage.

- D. Miscellaneous Signs: In addition to the other provisions of this chapter, the following regulations shall apply to all miscellaneous signs:
1. In any commercial or industrial district, an area identification sign may be placed and shall not apply to the limits set forth in Section "Sign Area". All other provision of this chapter shall apply to any area identification sign.
  2. In any commercial or industrial district, a parasitic sign may be on a sign structure. The use of a parasitic sign shall be limited to thirty days. A parasitic sign may not be an off-premise sign.
  3. In any commercial or industrial zoning district, portable signs may only be displayed for 15 permit days per calendar year at any one business location. A separate permit shall be required for each sign. Permits for no more than two portable signs may be issued at a particular business location if the permits are of equal duration and run concurrently. Portable signs shall be secured against overturning.
  4. Each subdivision that has been approved in accordance with the regulations of the Subdivision Ordinance shall be allowed one (1) on-premise sign per entrance, not exceeding 75-square feet in area, advertising the name of such subdivision. The subdivision sign shall be set back at least five (5) feet from the property line. The signs should be aesthetically pleasing and blend into the surroundings.
  5. Approved temporary signs related to a community event are only allowed to be erected 30 days prior to the event and must be removed within 10 days of the conclusion of the event. Temporary signs shall be approved by the Planning Official for size and location and must substantially conform to the regulations of this ordinance. All non-event temporary sign permits are issued for thirty (30) days, renewable twice for a maximum of ninety (90) days. The temporary sign must be removed following the expiration of the temporary sign permit.
  6. Home occupation signs shall not exceed six (6) square feet in area, and shall be limited to one (1) such sign per approved home occupation. A home occupation shall be allowed to have one (1) wall sign or one (1) free standing sign. The freestanding sign shall be located at least five (5) feet from the property line and have a maximum height of five (5) feet.

The following signs shall be allowed without a permit but must comply with the criteria set forth below:

7. Real estate sale, political campaign and other noncommercial speech signs that do not exceed nine (9) square feet in total and, if free standing, five (5) feet in height. No more than one such sign per street frontage. Political campaign signs may be erected sixty (60) days prior to the scheduled date of the primary election and must be removed not later than seven (7) days after the candidate is unsuccessful, withdraw, or the general election, whichever comes first.
8. Businesses working at a residentially zoned lot, such as landscapers or window treatment installers, may post an identifying sign only when they are physically at the residence, and the sign shall be removed immediately when the working party leaves the property. Such sign shall not exceed nine (9) square feet in total area and, if free standing, shall not exceed five (5) feet in height. No more than one such sign per street frontage per lot is allowed.
9. Parking area signs: For each permitted or required parking area that has a capacity of more than four cars, one (1) sign, not exceeding four (4) square feet in area, may be allowed at each entrance to or exit from such parking area. In addition, one (1) sign, not exceeding nine (9) square feet in area, is allowed for identifying or designating the conditions of use of such parking area.
10. "For Sale" or "For Rent" signs: Not more than one (1) non-illuminated "For Sale" or "For Rent" sign is allowed for the purpose of advertising the sale, rental or lease of the premises on which

the sign is located. Such sign shall not exceed nine (9) square feet in size, shall be no more than five (5) feet high and shall be at least five (5) feet from the property line.

11. "Under Construction" signs: For construction on or development of lots, not more than three (3) signs with a combined total area of 70-square feet, stating the names of contractors, engineers or architects, is allowed during the time that construction or development is actively underway.
12. "Emergency 911" signs: Residential locator or E-911 signs.
13. "Directional" signs: Directional signs shall not exceed 20 square feet.

### **2.30.070 Applications and Permitting**

Every sign permit issued by the zoning administrator or designee shall expire by limitation, and become null and void, if the construction does not commence within 60 days from date of permit, and shall expire by limitation in 120 days from the date of permit. For good cause, the director may extend the time limitations for another 120 days. Any extension granted shall be accompanied by a fee equal to one-half of the original permit fee paid to the city.

Applications for a Sign Permit shall be made in writing upon forms furnished by the City of Summerset. At a minimum, the following complete information shall be provided before an application is considered:

- A. Name and address of the sign owner and the contractor.
- B. Name and address of the property owner where the sign is to be located.
- C. The legal description of the proposed sign location.
- D. Clear and legible drawing of the proposed sign to scale with description of the sign showing construction type and lighting.
- E. Site plan showing the location and setbacks on the property where the sign is to be located.
- F. The property owner's signature.
- G. Other such data and information deemed necessary by the zoning administrator or designee

### **2.30.080 Outdoor Lighting for Outdoor Advertising**

- A. All lighted outdoor advertising signs/billboards shall meet or exceed the requirements outline in Section 2.26.100.
- B. Signs may be illuminated subject to the following restrictions:
  1. Signs that contain, include, or are illuminated by any flashing, intermittent (less than six seconds) moving light(s) are prohibited.
  2. Electronic variable message signs giving public information such as, but not limited to, time, date, temperature, weather, or other similar information, and commercial electric variable-message signs which function in the same manner as multiple-face signs are permitted, provided such signs do not interfere with traffic safety, do not change messages less than every six seconds and do not resemble or simulate traffic control or safety devices or signs.
  3. Signs must be effectively shielded to prevent beams or rays from being directed toward any portion of the traveled ways, and must not be of such intensity or brilliance to cause glare or impair the vision of the driver of any motor vehicle or otherwise interfere with any driver's operation of a motor vehicle.

### **2.30.090 Sign Maintenance**

- A. Any sign existing on the date of adoption of this ordinance which does not conform with the provisions of this code, is eligible for characterization as a “legal nonconforming sign” and is permitted to remain except as follows:
  - 1. the sign has been removed, relocated or destroyed;
  - 2. the sign has been brought into compliance with this chapter;
  - 3. the sign is abandoned;
  - 4. the sign may be repaired if the expense of ordinary and customary maintenance does not exceed fifty percent of the depreciated value of the sign or if the same has not been damaged beyond fifty percent of its depreciated value by an act of God unless special circumstances warrant a variance by the Board of Adjustment, such as, but not necessarily limited to acts of vandalism or an accident.
  
- B. Signs shall be maintained in a safe and legible condition at all times, including the replacement of defective or damaged parts, painting, repainting, cleaning, and other services required for maintenance of said signs. Signs requiring basic maintenance as deemed by the planning official shall be brought into compliance within 30 days upon written notice.
  
- C. Signs deemed to be unsafe by the planning official shall be removed or brought into compliance within 24 hours upon written notice. Prior to the planning official deeming a sign unsafe, he or she shall obtain a professional opinion from an engineer licensed in the state of South Dakota stating that, in the best interest of public safety, said sign ought to be removed or otherwise brought into compliance.

### **2.30.100 Enforcement of Sign Ordinance**

- A. In addition to any and all remedies allowed under the laws of the State of South Dakota and this ordinance, a violation of any requirement of this ordinance shall also be subject to the penalties as outlined in Chapter 2.42.
  
- B. Unlawful Signs
  - 1. Whenever it shall be determined by the zoning administrator that any sign or sign structure has been constructed or erected or is being maintained in violation of the terms of this title or has been abandoned, said sign or sign structure is hereby declared to be unlawful.
  - 2. Any sign or sign structure found to be unlawful shall be made to conform to all applicable laws and regulations or shall be removed at the expense of the sign owner or landowner (if the sign owner is unknown and reasonable efforts have been made to locate the sign owner with no success).
  
- 1. Removal of Signs
  - 1. The zoning administrator may cause to be removed any unlawful sign or sign structure. The City of Summerset shall prepare a written notice which shall describe the sign and specify the violation involved and shall state that if the sign is not removed or the violation or condition is not corrected within 30 calendar days from the date of the notice, the sign shall be removed in accordance with the provision of this ordinance at the expense to the sign owner or landowner (if the sign owner is unknown and reasonable efforts have been made to locate the sign owner with no success).
  - 2. Service of the notice shall be made upon the sign owner and landowner by mailing a copy of such notice by certified mail, postage prepaid, return receipt requested. If service is made upon the

landowner, service shall be to the landowner at their address as it appears on the last equalized assessment role of Meade County.

3. Any person receiving notice may challenge the determination of the zoning administrator. The person(s) receiving the initial notice will have fourteen (14) days to file a written notice of appeal to the Board of Adjustments. Failure by any person to appeal the notice within that time period shall constitute a waiver of right to an administrative hearing.
4. The sign owner or landowner, if the sign owner is unknown, shall have ninety (90) days to remove advertisements for establishments that are no longer in business.

#### **2.30.110 Permits and Fees**

1. Permits and fees for signs are as follows:
  - a. New Sign Permit: per IBC Ordinance Table 100-A
  - b. Temporary Sign Permit: \$35.00
  - c. Off-Premise Sign Permit Renewal: \$100.00
  - d. Annual Banner Sign Renewal: \$100.00