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SIGN REGULATIONS OF THE CITY OF HAVEN, KANSAS  
PREPARED BY THE HAVEN PLANNING COMMISSION  
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Section:	Page:
A. Scope, Objectives, Purpose	1
B. Definitions	2
C. General Sign Requirements	5
D. Procedural Requirements	7
E. Design and Constructions Standards	9
F. District Regulations	10
G. Non Conforming Signs	12

Sign Regulations

A. SCOPE, OBJECTIVES, PURPOSE. The provisions of this Article shall govern the placement, use and structural quality of privately owned outdoor signs and other advertising and identification devices together with their appurtenant and auxiliary apparatus. After the effective date of this Code, no sign shall be erected, constructed, reconstructed or otherwise altered without first obtaining a separate sign permit. Such sign permit shall be legally issued only when in compliance with the regulations set forth in this Article. The Sign Regulations are found to be necessary and proper to the following objectives:

1. To protect the general public from damages and injury which may be caused by the faulty and unregulated construction of signs;
2. To prevent the obstruction of traffic visibility and confusion with traffic control devices resulting from improperly placed and designed signs;
3. To ensure the visual quality of signs and preserve and promote aesthetic quality in the City of Haven;
4. To eliminate potential hazards to motorists and pedestrians using the public streets, sidewalks, and rights-of-way;
5. To safeguard and enhance private investment and property values;
6. To control public nuisances;
7. To protect City investments in public buildings, streets, sidewalks, traffic control and utility devices, parks, and open spaces;
8. To encourage signs which by their design are integrated with and harmonious to the surrounding environment and the buildings and sites they occupy.

B. DEFINITIONS. For the purpose of this Article, certain terms, phrases and words used throughout this Article shall have the meaning assigned them in this section.

1. GENERAL

- a. ABANDONED SIGN: Any sign, including off-premises signs unless owned and operated by a bona fide billboard company, which no longer directs a potential customer to or exhorts any person, or advertises a bona fide business, project, product, service or activity.
- b. DAMAGED SIGN: Any sign, including off-premise signs, damaged by any means, more than fifty percent (50%) of its value.
- c. ELECTRONIC CHANGEABLE COPY SIGN: A sign or portion thereof that displays electronic, non-pictorial, text information in which each alphanumeric character, graphic, or symbol is defined by a small number of matrix elements using different combinations of light emitting diodes (LEDs), fiber optics, light bulbs or other illumination devices within the display area. Electronic changeable copy signs include computer programmable, microprocessor controlled electronic displays.
- d. ELECTRONIC GRAPHIC DISPLAY SIGN: A sign or portion thereof that displays electronic, static images, static graphics or static pictures, with or without information, defined by a small number of matrix elements using different combinations of LEDs, fiber optics, light bulbs or other illumination devices within the display area where the message change sequence is accomplished immediately or by means of fade, repixelization or dissolve modes. Electronic graphic display signs include computer programmable, microprocessor controlled electronic or digital displays. Electronic graphic display signs include projected images or messages with these characteristics projected onto buildings or other objects.
- e. FACADE: The entire exterior surface of a particular side of a structure or establishment to be considered in the calculation of the maximum gross surface area of a wall, roof or projecting sign or signs.
- f. FLASHING SIGN: A directly or indirectly illuminated sign or portion thereof that exhibits changing light or color effect by any means, so as to provide intermittent illumination that changes light intensity in sudden transitory bursts and creates the illusion of intermittent flashing light by streaming, graphic bursts showing movement, or any mode of lighting which resembles zooming, twinkling, or sparkling.
- g. ILLUMINATED SIGN: Any sign which contains an element designed to emanate artificial light internally or externally.
- h. INDIRECTLY ILLUMINATED SIGN: Any sign which is partially or completely illuminated at any time by a light source separate from the sign housing which is so shielded as to not be visible at eye level.
- i. MARQUEE: A permanent roofed structure attached to and supported by the building and projecting over public property.
- j. OFF-PREMISES SIGN: A sign delivering a message or advertisement other than the name, occupation or nature of the activities conducted on the premises or the products sold or manufactured thereon, and shall include all billboard signs and political signs with a gross surface area of more than thirty-two (32) square feet.
- k. ON-PREMISES SIGN: A sign which carries only advertisement that is incidental to a lawful use of the premises on which it is located, including signs or sign devices indicating the business transacted, services rendered, goods sold or produced on the premises, the rental or lease of products or building space and or name of the person, firm or corporation occupying the premises.
- l. OWNER: Any person(s), firm(s), corporations(s), or any other legal entity having legal title to or sufficient proprietary interest in a tract of land.
- m. SEMI-ILLUMINATED SIGN: Any sign located on a building which building face is uniformly illuminated over its entire area, including the area of the sign, by use of electricity or other artificial light. Semi-illuminated signs shall be permitted in any location where illuminated signs are permitted.
- n. SHIMMERING SIGN: A sign which reflects an oscillating sometimes distorted visual image.

- o. SIGN: Any advertising device or surface placed out-of-doors, on or off premises, or placed indoors, when in view of the general public, which conveys information or identification. Included in the definition of "sign" shall be any structure used for said display and all sign supports.
- p. SIGN, GROSS SURFACE AREA OF: The gross surface area of a sign shall be the sum of all surface areas of the sign faces, except that ground or pole signs designed as double-faced signs, with both faces, parallel and when the distance between the faces does not exceed two (2) feet, then only one face of the sign shall be considered in determining the sign area. In determining the gross surface area of a sign, each face of a sign may be broken down into not more than three areas. Each surface area shall include the total area within a single continuous perimeter enclosing the extreme limits of the sign elements. Such perimeters need not include any structural elements lying outside of the limits of such signs when they do not form an integral part of the display, nor shall it include architectural embellishments when such do not contain any advertising or printed copy, and are not lighted and do not exceed ten percent (10%) of the permitted sign area.
- q. SIGN AREA, MAXIMUM TOTAL GROSS SURFACE AREA: Maximum allowed square footage of sign area permitted per zoning lot.
- r. SIGN, HEIGHT: Sign height shall be measured from ground level at the foundation of the sign to the highest element of the sign.
- t. SIGN STRUCTURE: An element or assemblage of elements which support or is capable of supporting a sign. A sign structure may be free-standing, attached to a building, an integral part of the building or combination thereof.
- u. STRUCTURAL MEMBER: A component part of a structural system required to carry the primary supportive stresses of the building to the ground, as opposed to members carrying little or no supportive stresses other than their own weight, and functioning as an in-fill or nonstructural enclosure.
- v. UNIFIED SHOPPING CENTER: A group of retail stores and/or service establishments designed to serve a community or neighborhood.

## 2. FUNCTIONAL CLASSIFICATIONS OF SIGNS

- a. ADVERTISING SIGN: A sign which directs the attention of the public to a business, commodity, service or entertainment conducted, sold, or furnished at a location OTHER than the premises on which the sign is located or to which it is affixed.
- b. ADVERTISING DECORATION: Any sign which has attached various sign materials used for temporary display and decoration, including streamers, banners, pennants, pinwheels, commercial flags, bunting, and similar devices.
- c. BILLBOARD: An off-premises sign, or portion thereof, consisting of outdoor signs which advertise, promote, or otherwise disseminate information pertaining to goods, products, or services, including charitable services, political services or appeals, not related to goods, products, or services which comprise a primary use on the premises where the sign is located such signs include:
  - 1) Poster panels or bulletins normally mounted on a building wall or freestanding structure with advertising copy in the form of paper, vinyl or other material attached to the structure.
  - 2) Multi-prism signs, which are poster panels or bulletins normally mounted on a building wall or freestanding structure with advertising copy in the form of paper, vinyl or other material and alternating advertising message on one (1) display area.
  - 3) Painted bulletins, where the advertiser's message is painted directly on the background of a wall-mounted or freestanding display area.
- d. BULLETIN BOARD SIGN: An on-premises sign containing the name of the institution or organization, which may include names of persons connected with it, announcing persons,

- events or activities occurring at the institution or organization. Such signs may also present a greeting or similar message.
- e. BUSINESS DIRECTIONAL SIGN: An off-premises sign which provides directions to the location of a business.
  - f. BUSINESS SIGN: A sign which directs attention to a business or profession conducted, or to a commodity or service sold, offered or manufactured, or to an entertainment offered on the premises where the sign is located.
  - g. CONSTRUCTION SIGN: A temporary on-premises sign indicating the names of architects, engineers, landscape architects, contractors, similar artisans, and financiers involved in the design and construction of a structure or project during the period of construction.
  - h. DIRECTIONAL SIGN: An on-premises sign containing words or symbols indicating an entrance to, or exit from, a building as well as the location of parking, loading, restrooms, and emergency entrances which are for the convenience of the public.
  - i. FARM/RANCH DIRECTIONAL SIGN: A sign which provides direction to the headquarters of the farm or ranch.
  - j. FIRST AMENDMENT SIGN: A sign which gives a non-commercial opinion of the sign owner and which is located on the property owned or occupied by the owner of the sign.
  - k. IDENTIFICATION SIGN: A sign giving the name and address of a building, business, development or establishment.
  - l. NAMEPLATE SIGN: A sign giving the name and/or address of the owner or occupant of a building or premises on which it is located and, where applicable, a professional title.
  - m. OFFICIAL SIGN: A sign erected, maintained and owned by a public entity within its own jurisdiction or, for a city or affiliated entity within the zoned area of the city.
  - n. POLITICAL SIGN: A sign pertaining to the announcement of an individual being a candidate for an elective political office. Any such sign exceeding thirty-two (32) square feet of gross surface area shall be classified as an off-premises sign and regulated accordingly.
  - o. PROJECT DIRECTORY SIGN: An on-premises sign containing the names and locations, in list or map form, of the individual components making up a planned unit development, shopping center, or similar project.
  - p. PROJECT TITLE SIGN: An on-premises sign which carries the overall name of a residential subdivision, shopping center, industrial park, medical complex, planned unit development, mobile home park, or similar project.
  - q. REAL ESTATE SIGN: An on-premises sign displayed for the purpose of offering real property for sale, lease or rent.
  - r. SERVICE SIGN: A sign which is owned by and displays information on a non-profit, service, charitable and/or religious organization or group.
  - s. SPECIAL SIGN: Any sign classified as a farm/ranch directional sign, rural business sign and/or a service sign. These signs are permitted only so long as they remain allowable under the Kansas Highway Advertising Control Act as administered by the Kansas Department of Transportation.
  - t. TEMPORARY SIGN: Any on-premises sign, including, but not limited to signs of lightweight cardboard, airborne, plastic or paper material, intended to be displayed for not more than sixty (60) days.
3. STRUCTURAL CLASSIFICATIONS OF SIGNS
- a. ARCH SIGN: Any sign located at the drive entrance to a residence or business either adjacent or or arched over the drive entrance.
  - b. AWNING SIGN: Any sign affixed directly on, painted on or attached to an awning.
  - c. CANOPY SIGN: Any sign affixed directly on, painted on or attached to a canopy.
  - d. COMMERCIAL BALLOON SIGN: An on-premise temporary sign that is inflated and exceeds five (5) square feet in area, as measured at the largest cross-section, on which advertising copy, logos, symbols or emblems may or may not be printed, painted or attached. Commercial balloon signs may be tethered or mounted to a structure on the ground.

- e. GROUND SIGN: A sign placed upon, or supported by, the ground independently of any building or structure on the property. This includes a sign supported on poles or posts, the base of the face which is less than six (6) feet above ground level.
- f. MARQUEE SIGN: Any sign mounted on, painted on or supported by a marquee.
- g. POLE SIGN: A sign whose base of the face of which is more than six (6) feet above ground level and is supported by poles or posts.
- h. PORTABLE SIGN: An on-premises sign designed in such a manner to be readily movable and not permanently attached to the property. Any non-permanent sign not classed as a temporary sign shall be deemed to be a portable sign.
- i. PROJECTING SIGN: Any sign that is wholly or partially attached to and dependent upon a building for support and which projects more than 1 foot beyond the face of said building.
- j. ROOF SIGN: A sign mounted and supported wholly upon or over the roof of any structure.
- k. VIDEO DISPLAY SIGN: A sign that changes its message or background in a manner or method of display characterized by motion or pictorial imagery, which may or may not include text and depicts action or a special effect to imitate movement, the presentation of pictorials or graphics displayed in a progression of frames which give the illusion of motion, including but not limited to the illusion of moving objects, moving patterns or bands of light, or expanding or contracting shapes, not including electronic changeable copy signs. Video display signs include projected images or messages with these characteristics projected onto buildings or other objects.
- l. WALL SIGN: A sign attached to or painted on a wall in such a manner that the exposed face of the sign is in a plane approximately parallel to the plane of the wall.

C. GENERAL SIGN REQUIREMENTS. The following shall apply to all signs within the zoned area of the City of Haven, Kansas.

- 1. TRAFFIC SAFETY. No sign shall be maintained at any location where it may obstruct the view of, interfere with, mislead, or confuse traffic. Signs shall not be erected or maintained which contain, include, or are illuminated by any flashing light, electronic change in messages, electronic change in background colors, electronic change in light intensity, or electronic video display, except those giving highway public service information such as lane closures, road closures, and detours; those giving time, date, and temperature; and electronic messaging signs as authorized below.
- 2. CLEARANCE FROM ELECTRICAL POWER LINES. No ground sign shall be located within eight (8) feet vertically or eight feet horizontally of electrical wire or conductors in free air carrying more than 48 volts, without regard to whether or not such wires or conductors are insulated or otherwise protected.
- 3. ILLUMINATED SIGNS. Signs shall be shaded wherever necessary to avoid casting light upon property located in any residential district or upon any public street or park.
- 4. SPOTLIGHTS AND FLOODLIGHTS. Signs shall not be erected or maintained which are not effectively shielded so as to prevent:
  - a. Beams or rays of light from being directed at any portion of a roadway, or
  - b. Beams of light of such intensity or brilliance as to cause glare or impair vision of the operator of any motor vehicle.
- 5. ELECTRONIC MESSAGING SIGNS. Electronic messaging signs are subject to the following provisions and requirements:
  - a. The size and location of the sign shall be consistent with all other requirements of these Regulations.
  - b. The electronic display background color tones, lettering, logos, pictures, illustrations, symbols, and any other electronic graphic or video display shall not blink, flash, rotate, scroll, change in illumination intensity, or otherwise change in outward appearance, except when the electronic message or display is changed to another message or display, and as otherwise provided herein.
  - c. The electronic display background color tones, lettering, logos, pictures, illustrations, symbols and any other electronic graphic or video display for on-premises advertising signs shall not change at intervals less than eight seconds, except that on-premises advertising signs twenty (20) square feet or less in area shall be exempt from an intervals between changes in messages.

- d. The electronic display background color tones, lettering logos, pictures, illustrations, symbols and any other electronic graphic or video display for off-premises advertising signs shall not change at intervals less than eight seconds.
- e. The maximum duration of the transition of the electronic image or message shall be no more than two seconds.
- f. All electronic messaging signs must be equipped with a default mechanism that will stop the messaging or freeze the image in one position when a malfunction in electronic programming occurs.
- g. Electronic messaging signs must not exceed a maximum illumination of 8,000 nits (candelas per square meter) during daylight hours and a maximum illumination of 2,000 nits between dusk and dawn as measured from the signs face at maximum brightness.
- h. Electronic messaging signs must have an automatic dimmer control to produce a distinct illumination change from a higher illumination level to a lower level for the time period between one half-hour before sunset and one half-hour after sunrise.
- i. Audio speakers are not allowed with any electronic messaging sign, except as provided in subsection k. below.
- j. Any form of pyrotechnics is prohibited in association with any electronic messaging sign.
- k. Permitted electronic messaging signs, not facing public roads or residential properties and used in drive-through restaurants, gasoline stations, and similar establishments serving motorists, shall be exempt from provisions a. through e. of this subsection, provided the electronic messaging sign area does not exceed eight inches in height or four feet in width or extend more than five feet above the ground. Audio speakers used in connection with signs permitted in this subsection shall not be audible beyond the property on which the sign is located.
- l. The following are prohibited activities regarding the electronic messaging signs:
  - 1) No sign shall be permitted which includes or displays explosives, fireworks, or any other pyrotechnical devices.
  - 2) No sign shall be permitted which includes flashing signs, except as specifically permitted herein.
  - 3) No sign shall be permitted which includes shimmering signs, except as specifically permitted herein.
  - 4) No sign shall be permitted which includes audio devices, except as specifically permitted herein.
  - 5) No sign shall be permitted which revolves, pivots, or otherwise moves from a normal stationary or fixed position, except as specifically permitted herein.
6. **SIGNS NOT TO BE LOCATED WITHIN PUBLIC RIGHT-OF-WAY.** Any signs and supports which are located upon or over the public right-of-way, including streets, alleys and parkways, shall be prohibited; provided, however, the following exceptions shall be allowed:
  - a. Signs and supports required by governmental authority.
  - b. Signs on commercial vehicles or commercial trailers which denote the name and address of a bona fide business which owns or leases said vehicle when these vehicles are lawfully operated or parked and not used expressly for the purpose of advertising a product, service or activity.
  - c. A temporary sign located on public property used to announce a special event or activity when written or verbal authorization is granted by the Zoning Administrator that the sign will not constitute a traffic hazard or attractive nuisance, and the sign is located in a proper zone. The Zoning Administrator may utilize the opinions of both the Police Chief and the City Engineer in making a determination under this provision.
7. **OBSTRUCTION TO EXIT.** No sign shall be erected so as to obstruct any fire escape, required exit, window, or door opening intended as a means of egress.
8. **OBSTRUCTION TO VENTILATION.** No sign shall be erected which interferes with any opening required for ventilation.
9. **SIGNS ON TREES OR UTILITY POLES.** No signs shall be permanently attached to a tree or utility pole whether on public or private property.

10. CORNER AND THROUGH LOTS. On corner and through lots, each lot line that abuts a street or highway shall be considered a separate street frontage. On corner and through lots, restrictions that are phrased in terms of "signs per zoning lot" shall be deemed to permit the allowable number of signs facing each street or highway that abuts the lot.
11. MAINTENANCE REQUIRED. Signs shall be maintained so as to be structurally sound and in a safe condition, and shall be kept in a state of undeteriorated appearance by means of painting, sealing or coating and repair or replacement of damaged parts, panels or lights.
12. CLEARANCE DROP ZONE FOR POLE SIGNS. Pole signs shall be located so as to provide a clearance drop zone in all directions such that the pole sign would fall on the property on which it is located. This requires that the pole sign be setback from all property lines a minimum distance equal to the height of the pole sign.
13. CLASSIFICATION OF SIGNS. see Section B. DEFINITIONS

#### D. PROCEDURAL REQUIREMENTS

1. PERMIT. All signs shall require a sign permit from the Zoning Administrator, except for signs listed in in Section D. 6. herein, prior to being painted, constructed, erected, repainted, remodeled, relocated, or expanded, to insure that such sign complies with the regulations of this Code. Fees for sign permits shall be as specified by the Governing Body. All signs shall be designed, constructed, erected and electrified in compliance with the adopted minimum standards as set forth in the Building Code of the City of Haven, Kansas.
2. APPLICATION FOR PERMIT. Application for a permit shall be made in writing upon forms provided by the Zoning Administrator and shall contain, or have attached the following information:
  - a. The name, address, and telephone number of the applicant
  - b. The location of the building, structure or lot where the sign is to be located
  - c. Position of the signs(s) in relation to nearby buildings and structures
  - d. Two sets of prints showing the plans and specifications of the proposed sign and sign structure, along with the method of construction and attachment to the building or ground
  - e. The name of the person, firm or corporation or association erecting the sign
  - f. Written consent of the owner of the building, structure or land to which or on which the sign is to be erected
  - g. Additional information as the Zoning Administrator shall require to show full compliance with this and all other applicable laws and regulations of the City of Haven, Kansas
3. ISSUANCE OF PERMIT. Upon the filing of an application for a sign permit, the Zoning Administrator or designate shall examine such plans and specifications, along with the premises upon which it is proposed to erect the sign, and other pertinent data, to determine if the proposed sign meets the requirements of this Code. If the proposed sign is in compliance with all provisions of this Code, the permit shall be issued. The work authorized by such permit shall be completed within 180 days from the date of issuance.
4. PERMIT REVOCATION. If the Zoning Administrator shall find that any sign subject to this Article is unsafe or structurally unsound, is a menace to the public, or has been constructed or erected or is being maintained in violation of the provisions of this Article, written notice shall be given to the owner, occupant, or person-in-charge, specifying the problem. If such person fails to remove or alter the sign so as to comply with the provisions of this Article within thirty (30) days of such notice, the Zoning Administrator may cause such sign to be removed or altered to comply with this Article.
5. SIGN REMOVAL.
  - a. All abandoned signs and their supports shall be removed within thirty (30) days from the date of notification of abandonment by the Zoning Administrator. The Zoning Administrator may grant a time extension not exceeding an additional thirty (30) days for an abandoned, no-damaged sign. All signs structurally damaged shall be repaired or removed within thirty (30) days of the date of notification by the Zoning Administrator.

- b. If the owner, occupant, or person-in-charge, after due notice, fails to or refuses to correct a violation of this Article, the Zoning Administrator shall cause such signs and their supports to be demolished and removed. If such sign cannot be demolished because it is painted on a building or other non-sign structure, such sign shall be painted over or removed by sandblasting.
  - c. When in the opinion of the Zoning Administrator any sign is in such condition as to constitute an imminent hazard requiring immediate action to protect the public, he may erect barricades or cause the sign to be taken down, repaired, shored, or otherwise made safe without delay. Such action under such circumstances, may be taken without prior notice to or hearing of the owner, agents, leinholder, and occupants.
  - d. Any cost incurred by the City associated with the demolition, removal or repair of any sign under the provisions of this Code shall be levied, certified, and collected as a special assessment against the lot or tract of ground upon which the sign was located. Said assessment, if not paid when due, shall be certified to the County Clerk for collection with other special assessments.
6. EXEMPTIONS FROM PERMITS. The following signs shall be exempt from paying fees and obtaining a sign permit; however such signs shall be subject to the Sign Regulations. (This exemption shall not be construed as relieving the owner of the sign from the responsibility for its meeting the structural and maintenance requirements as specified in this Code.):
- a. Real Estate sign advertising the sale, rental or lease of the premises on which the sign is displayed, with the following limitations: One (1) unlighted sign per street frontage per listing, provided that a maximum of six (6) real estate signs be permitted on a zoning lot
  - b. Real Estate directional sign not exceeding six (6) square feet in area
  - c. Advertising decoration signs, and an indoor signs, even though such signs may be visible from the outside of the building
  - d. No more than two (2) temporary on-premises signs placed in or upon windows of a commercial or industrial building, whether painted or attached.
  - e. Nonelectrical nameplates not exceeding two (2) square feet in area
  - f. Nonelectrical construction signs denoting the architect, engineer or contractor when placed upon work under construction, and not exceeding thirty-two (32) square feet in area
  - g. Nonelectrical identification signs
  - h. Nonelectrical arch nameplate signs
  - i. Nonelectrical memorial signs or tablets giving names of persons or buildings and date of erection not to exceed twenty-five (25) square feet in size
  - j. Project title signs for subdivision identification, both on-premises and off-premises, subject to the following conditions:
    - 1) on-premises signs shall be allowed as long as lots remain vacant within the subdivision. off-premises signs shall be allowed for a maximum of two (2) years; however the Zoning Administrator may grant six (6) month extensions until the subdivision is seventy percent (70%) sold to either a builder or an individual buyer.
    - 2) on-premises and off site signs shall be unlighted; shall be neither reflective nor fluorescent; and shall be used exclusively for the purpose of advertising the subdivision.
    - 3) No sign shall be authorized until the final subdivision plat has been duly recorded.
    - 4) on-premises signs shall be located at or near entrances to the portion of the subdivision under construction and not more than two (2) sign structures shall be maintained in any one (1) subdivision less than forty (40) acres in size. For each additional forty (40) acres or fraction thereof, one (1) additional sign may be erected.
    - 5) off-premises signs shall be located on the most direct routes from the major road network to the location of the subdivision. However, when said off-premises sign is regulated by the billboard provisions of this Article, the location of such off-premises sign shall be subject to the billboard provisions of this Article.



- 6) The maximum area shall be one hundred-twenty-eight (128) square feet for each sign.
- 7) The maximum length of any sign shall be sixteen (16) feet
- k. Signs of a duly constituted governmental body, including directional signs for public buildings and uses, traffic or similar regulatory devices, legal notices., warnings at railroad crossings traffic or similar regulatory signs having to do with health, hazards, parking, swimming, dumping and other similar signs.
- l. Advertising decorations, temporarily displayed during special event periods only, such as grand openings, holidays, carnivals, and the like with a limit of twelve (12) such events and a total time limitation of eight (8) weeks within any calendar year for any business or institution.
- m. Auction signs placed along roads and highways on private property advertising auctions of said property; provided said signs shall not be placed more than thirty (30) days prior to said auction and shall be remove within seven (7) days of the completion of said auction or sale. Said signs shall not be more than thirty two (32) square feet in area and shall not be illuminated.
- n. Political signs, when located on private property with the permission of the owner or tenants, proved that not more than four (4) signs shall be allowed for each street frontage per zoning lot. Total area of all signs shall not exceed sixty-four (64) square feet per zoning lot. All signs shall be removed within seven (7) days following the election in which the candidate is elected to office or is eliminated from further participation in the election as a candidate, or after a ballot question has been decided.
- o. Flags or emblems of a government or of apolitical, civic, philanthropic, educational or religious organization, displayed on private property, but only if he flag or emblem is used solely as an identifying symbol and does not include advertising language.
- p. Address numerals and other signs required to be maintained by law or governmental order, rule or regulation, provided that the content and size of the sign do not exceed the requirement of such law, order, rule or regulations.
- q. Such additional signs as "No Hunting," "No Fishing," "No Trespassing" and other like signs.
- 7. EXEMPTION FROM FEES. The following signs shall be exempt from paying fees; however, a permit shall be obtained and signs shall be subject to the Sign Regulations. (This exemption shall not be construed as relieving the owner of the sign from responsibility for meeting the structural and maintenance requirements as specified in this Code):
  - a. Nonelectrical bulletin boards not exceeding thirty-two (32) square feet in area for public, educational, charitable, fraternal or religious institutions when such sign is located on the premises of such institution
  - b. Directional signs
- 8. PROHIBITED SIGNS. any signs and supports which are located upon or over the public right-of-way, including streets, alleys and parkways, shall be prohibited; provided, however, the following exceptions shall be allowed:
  - a. Signs and supports required by governmental authority
  - b. Signs on commercial vehicles or commercial trailers which denote the name and address of a bona fide business which owns or leases said vehicle when these vehicles are lawfully operated or parted and not used expressly for the purpose of advertising a product service or activity.
  - c. A temporary sign located on public property used to announce a special event or activity when written authorization is granted by both the Chief of Police and the Zoning Administrator that the sign will not constitute a traffic hazard or attractive nuisance, and the sign is located in a proper zone.
  - d. Signs allowed to project over public property in Zone "D," Commercial Zone, pursuant to Section F. District Regulations

E. DESIGN AND CONSTRUCTION STANDARDS. The design and construction of signs and sign structures shall be subject to the following standards:

1. GROUND SIGNS.

- a. LETTERS, MATERIALS TO BE SECURED. All letters, figures, characters, or representations

- in cutout or irregular form maintained in conjunction with, attached to or superimposed upon an ground sign shall be safely and securely built or attached to the sign's structure.
  - b. PREMISES TO BE KEPT FREE OF WEEDS, ETC. The premises surrounding all ground signs shall be maintained by the owner thereof in a sanitary and uncluttered condition, free and clear of all rubbish, litter, weeds, etc.
2. PROJECTING SIGNS.
- a. REMOVABLE PARTS TO BE SECURED. Any removable parts of a projecting sign, such as a cover of a service opening, shall be securely fastened by safety chains or hinges.
  - b. LOCATION. The horizontal clearance between a projection sign and the curb line shall be not less than two (2) feet. A projecting sign projecting more than two-thirds of the distance from the property line to the curb line shall not be less than twelve (12) feet above the ground or pavement below. A projecting sign projecting less than two-thirds of the distance from the property line to the curb line shall be not less than eight (8) feet above the ground or pavement below.
  - c. AWNINGS. Awnings, whether used as a sign or not, may extend over public property not more than seven (7) feet from the face of a supporting building but no portion shall extend nearer than two (2) feet to the face of the nearest curb line measured horizontally. In no case shall the awning extend over public property greater than two-thirds of the distance from the property line to the nearest curb in front of the building site.

#### F. DISTRICT REGULATIONS

- 1. RESIDENTIAL DISTRICTS. The following types of signs, along with applicable size, height, and setback requirement in districts zoned "A", "B", or "C" are permitted:
  - a. STRUCTURAL TYPES PERMITTED.
    - 1) Ground Sign
    - 2) Wall Sign
  - b. FUNCTIONAL TYPES, MAXIMUM SIZES PERMITTED.
    - 1) Construction Sign, Thirty-two (32) square feet
    - 2) First Amendment Sign, Thirty-two (32) square feet
    - 3) Identification Sign, Eight (8) square feet
    - 4) Nameplate Sign, One (1) square foot
    - 5) Official Sign, One hundred (100) square feet
    - 6) Political Sign, Thirty-two (32) square feet
    - 7) Project Title Sign, Thirty-two (32) square feet
    - 8) Real Estate Sign, Six (6) square feet
    - 9) Service Sign, Eight (8) square feet
  - c. MAXIMUM HEIGHT. Maximum Height permitted is fifteen (15) feet
  - d. REQUIRED SETBACK. None for permitted signs, but in no case shall any sign be placed on or project over public property. See also Section C. 12. Clearance Drop Zone for Pole Signs
  - e. ILLUMINATION. No sign shall be illuminated.
- 2. COMMERCIAL AND INDUSTRIAL DISTRICTS. The following types of signs, along with applicable size, height and setback requirements in districts zoned "D" and "E" are permitted:
  - a. STRUCTURAL TYPES PERMITTED.
    - 1) Awning, Canopy and Marquee Signs
    - 2) Electronic Messaging Sign
    - 3) Ground Sign
    - 4) Roof Sign
    - 5) Projecting Sign
    - 6) Pole Sign
    - 7) Portable Sign, subject to the restrictions of this Article
    - 8) Wall Sign

- b. FUNCTIONAL TYPES PERMITTED.
  - 1) All signs permitted in Section F. 1. b. for Residential Districts zoned "A", "B", or "C" above
  - 2) Advertising Sign
  - 3) Advertising Decoration
  - 4) Billboard
  - 5) Bulletin Board Sign
  - 6) Business Sign
  - 7) Directional Sign
  - 8) Project Directory Sign
  - 9) Rural Business Sign
- c. NUMBER OF SIGNS PERMITTED. Any of the functional types approved for these districts with no more than one ground or pole sign permitted for each zoning lot having frontage on a public right-of-way. The maximum sign area of said ground or pole sign shall not exceed 200 square feet. Exception: Where a zoning lot has a frontage greater than 250 feet along the same right-of-way, such zoning lot is permitted to have two (2) ground or pole signs plus one (1) additional ground or pole sign for every additional 200 feet of frontage: or the owner may elect to combine two (2) or more such signs, where permitted, into one (1) ground or pole sign thereby allowing a fifty percent (50%) area increase for each sign that is eliminated, with a maximum allowable sign area not to exceed the maximum gross surface area.
- d. MAXIMUM GROSS SURFACE AREA. The combined area of all signs shall not exceed four (4) square feet of area for each lineal foot of lot, provided no single sign shall exceed a gross surface area of 200 square feet.
- e. MAXIMUM HEIGHT. Thirty (30) feet above the highest point of the principal structure, or fifty (50) feet above ground level, whichever is less
- f. REQUIRED SETBACK. None for permitted signs, but in no case shall any sign be placed on or project over public property. See also Section C. 12. Clearance Drop Zone for Pole Signs
- g. ILLUMINATION. Illuminated signs shall be permitted.
3. CONDITIONAL USES. All signs permitted within this Article shall be allowed in any zoning district with a Special Use Permit. Alternative or additional requirements may be established as part of the Special Use Permit issued by the Governing Body.
4. PORTABLE SIGNS. Portable signs, mobile signs, temporary signs, and banners are all regulated under this section. For convenience they are described herein as portable signage. Portable signage may be permitted for limited time in order to advertise special events. Such portable signage shall comply with the following:
  - a. Portable signage shall be limited to one sign, thirty-six (36) square feet in area, per zoning lot. Lot widths greater than one hundred (100) feet may have additional signage as if each one hundred (100) foot increment were a separate zoning lot.
  - b. Portable signage may be displayed on a non-residential zoning lot for no longer than sixty (60) days, and for not more than twelve occasions within any twelve month period. For any combination of signs or dates, the total time shall not exceed sixty (60) days and twelve occasions within any twelve month period.
  - c. Cube shaped portable signage, limited to forty (40) inches wide by forty (40) inches deep by fifty-four (54) inches high and two per zoning lot, may be displayed in commercial Zone "D" or industrial Zone "E" in addition to any other permitted signs. They shall not be installed on City rights-of-way, easements, vehicle parking and maneuvering areas.
  - d. Signs with fabric, plastic, or similar semi-durable materials, not paper or cardboard, installed within permanent framed areas on exterior building walls shall be considered wall signs.
  - e. Portable signage, non-illuminated, may be permitted on a residential lot in Zones "A", "B", or "C" having a non-commercial message for no longer than seventy-two (72) hours within any twelve month period.
  - f. Portable signage shall comply with all other applicable provisions of these Regulations
  - g. With approval of the Governing Body, recognized events such as festivals sponsored by business

- associations or the City may place portable signage in or above the public rights-of-way.
- h. The Governing Body may approve a waiver of the time limit established in Section 7.b. above for civic organizations or business associations.
5. **COMMERCIAL BALLOON SIGNS.** Where permitted, commercial balloon signs shall be subject to the following provisions:
- a. Commercial balloon signs shall be limited to one balloon sign per zoning lot.
  - b. Commercial balloon signs shall be limited to a maximum of 160 square feet in area, measured at the largest cross section.
  - c. Commercial balloon signs shall be limited to seven (7) day permits issued no more than four (4) times per calendar year.
  - d. Commercial balloon signs shall be limited in height to a maximum of forty-five (45) feet above the ground when mounted or tethered on a roof or structure and to twenty-five (25) feet above the ground when mounted on or tethered to the ground.
  - e. Commercial balloon signs shall be located no closer than one hundred (100) feet to the nearest lot line of any residential area, Zones "A", "B", or "C".
  - f. Commercial balloon signs must be anchored and or tethered in accordance with the commercial balloon sign manufacturer's recommendations.
  - g. Commercial balloon signs must be deflated and properly secured when wind speed exceed forty (40) miles per hour or the manufacturer's maximum wind speed, whichever is less
  - h. Commercial balloon signs shall be located in accordance with all applicable federal Aviation Administration Regulations.
  - i. Any gas used in commercial balloon signs shall be non-combustible.
  - j. Commercial balloon signs shall be fire retardant.
  - k. Commercial balloon signs shall be located no closer than the height of the commercial balloon sign plus twenty (20) feet from any electric power line.
6. **BILLBOARD SIGNS.** Billboard signs shall conform to the following requirements:
- a. Billboard signs shall be constructed to meet the standards as established in the City of Haven Building Code.
  - b. Billboard signs shall be located a minimum of 100 feet from a residential property line.
  - c. The gross surface area of any billboard sign shall not exceed 200 square feet.
  - d. There shall be a minimum separation of 200 feet between each billboard sign on the same side of the street.
  - e. Billboard signs shall have a minimum setback of either, thirty (30) feet, or the greatest setback of all the front buildings on the block on which the billboard sign is located, which ever is the larger.
  - f. Billboard signs shall have a maximum height of thirty-five (35) feet.
  - g. All lighting of billboard signs shall be so shielded as not to produce light or glare on adjacent property.

**G. NONCONFORMING SIGNS.** Every sign in existence at the time these Sign Regulations become effective may continue in use subject to the following:

1. No sign shall be structurally altered or moved unless it is made to comply with the provisions of this Code. However, the changing of movable parts of an existing sign that is designed for such changes, or the repainting of display matter shall not be deemed a structural alteration.
2. The lawful use of a nonconforming sign existing on the effective date of this Code may continue; but if such nonconforming use is discontinued for a period of six (6) months, any future use of such sign shall be in conformity with the provisions of this Code.
3. No sign which has been damaged by fire, wind, explosion, or act of God or has deteriorated to the extent that fifty percent (50%) or more of the sign is destroyed, or restoring the sign will exceed fifty percent (50%) of the value of the sign, shall be restored except in conformity with this Code.

PROOF OF PUBLICATION

STATE OF KANSAS, COUNTY OF SEDGWICK,

Robb Reeves

Being first duly sworn, deposes and says: That he is Publisher of

THE CLARION

a paid periodical newspaper printed in the State of Kansas, and published in and general circulation in Sedgwick County, Kansas, and that said newspaper is not a trade, religious or fraternal publication.

Said newspaper is a weekly published at least 50 times a year; has been so published continuously and uninterruptedly in said county and state for a period of 1 year prior to the first publication of said notice; and has been admitted at the post office of Andale, Kansas in said County as second class matter.

That the attached notice is a true copy thereof and was published in the regular and entire issue of said newspaper for 2 consecutive weeks,

the first publication thereof being March made as aforesaid on the 8th day of 2012. with subsequent publications being made on the following dates 03/15/2012

Form prepared by:

Subscribed and sworn to before me this 9th day of March 2012

Notary Public

My commission expires: 8/24/15

Publication Costs: \$7.38

CITY OF HAVEN ORDINANCE

Published in The Clarion March 8, 15, 2012

ORDINANCE NO 606

AN ORDINANCE ADOPTING BY REFERENCE "SIGN REGULATIONS OF THE CITY OF HAVEN, KANSAS" FOR THE PURPOSE OF REGULATING THE PLACEMENT, USE, SIZE AND STRUCTURAL QUALITY OF OUT-DOOR SIGNS AND OTHER ADVERTISING AND IDENTIFICATION DEVICES TOGETHER WITH THEIR APPURTENANT AND AUXILIARY APPARATUS; AND PRESCRIBING PENALTIES FOR VIOLATION THERE-OF

BE IT ORDAINED BY THE GOVERNING BODY OF THE CITY OF HAVEN, KANSAS:

Section 1. Incorporation by Reference. There is hereby incorporated by reference under the provisions of K.S.A. 12-3009 through 12-3012, including any amendments thereto, for the purpose of regulating the placement, use, size and structural quality of outdoor signs and other advertising and identification devices together with their appurtenant and auxiliary apparatus within the City of Haven, Kansas; a certain published compilation of regulations in pamphlet form prepared by the Haven Planning Commission, at the direction of and pursuant to the authority of the City of Haven, Kansas, entitled "Sign Regulations of the City of Haven, Kansas" dated August 9th, 2011. No less than three copies of said Sign Regulations shall be marked or stamped "official copy" as incorporated by Ordinance No. 606, to which shall be attached a copy of this Ordinance and shall be filed with the City Clerk, to be open to inspection and available to the public at reasonable hours. Violations of sections of the "Sign Regulations of the City of Haven, Kansas" shall be cited as Section 1 of this Ordinance, and then the section or article number of said Sign Regulations violated.

Section 2. Penalties. The owner or agent of signage by which a violation of any provision of this ordinance has been committed or shall exist, or the agent, architect, building contractor or any other person who commits, takes

part or assists in any violation or who maintains any signage by which such violation shall exist, shall be guilty of a misdemeanor and shall be punished by a fine not to exceed one thousand dollars. Each and every day that such violation continues may constitute a separate offense.

In case any signage is erected, constructed, reconstructed, altered, repaired, converted or maintained, or any signage is used in violation of this ordinance, the appropriate authorities of the City of Haven, in addition to other remedies, may institute injunction, mandamus or other appropriate action or proceeding to prevent such unlawful erection, construction, reconstruction, alteration, conversion, maintenance or use, or to correct or abate such violation.

Section 3. Validity. If any section, subsection, sentence, clause, or phrase of this Ordinance is for any reason held to be unconstitutional or invalid, such decision shall not affect the validity of the remaining portions of this Ordinance.

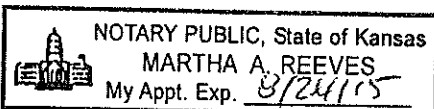
Section 4. Conflicting Ordinance Repealed. Any ordinance or parts of ordinances and amendments thereto, in conflict herewith are hereby repealed.

Section 5. This Ordinance shall take effect and be in force from and after its publication twice in the official City newspaper, and that the reproduction of ten copies of the "Sign Regulations of the City of Haven, Kansas", with the adoptive Ordinance No. 606 attached, constitutes due passage of these regulations as provided in K.S.A. 12-3009 through 12-3012.

PASSED BY THE GOVERNING BODY OF THE CITY OF HAVEN, KANSAS this 16th day of

January, 2012.

Mike Alfors, Mayor
ATTEST: Leslie Warden, City Clerk



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RESOLUTION NO. 256

WHEREAS the City of Haven has passed and approved Ordinance 606 establishing regulations governing signs, and

WHEREAS these regulations require a sign permit fee to be collected to recover the cost of enforcing these sign regulations,

BE IT THEREFORE RESOLVED that the following Sign Permit Fees be established:

Sign Permit Fees

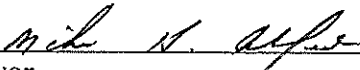
In addition to a building permit for construction or alteration, all signs requiring a sign permit under Ordinance No. 606 are subject to the following fees:

\$30 or \$0.30 per square foot of display ("face") area, whichever is greater.  
(Double-sided signs are charged as only one face)


Refacing only \$30.00 No Building Permit required

Temporary or portable sign \$15.00 No Building Permit required

THIS RESOLUTION PASSED AND APPROVED this 5th day of March, 2012.

  
\_\_\_\_\_  
Mayor

Attest:

  
\_\_\_\_\_  
City Clerk

