

BRIDGETON SIGN ORDINANCE

AUGUST 15, 1984

WITH AMENDMENTS THROUGH MAY 7, 2014

CITY OF BRIDGETON
12355 NATURAL BRIDGE ROAD
BRIDGETON, MO 63044-2020
314-739-7665

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CHAPTER 515: STREET GRAPHICS AND SEVERABILITY

SECTION 515.010: STATEMENT OF PURPOSE

A. Purpose. The purpose of these regulations is to create the legal framework for a comprehensive but balanced system of street graphics, and thereby to facilitate an easy and pleasant communication between people and their environment. With this purpose in mind, it is the intention of these regulations to authorize the use of street graphics which are:

1. Compatible with their surroundings;
2. Appropriate to the type of activity to which they pertain;
3. Expressive of the identity of individual proprietors or of the community as a whole;
4. Legible in the circumstances in which they are seen; and
5. An on-premises graphic shall contain a minimal amount of language, primarily to identify the occupant to the lot.

B. Severability. All portions of the Bridgeton City Code relating to street graphics are hereby declared to be severable. If any part, sentence, paragraph, Subsection or clause is adjudged invalid, the remainder of the Bridgeton City Code relating to street graphics shall not be affected thereby and shall remain in full force and effect.

SECTION 515.020: DEFINITIONS

Unless the context otherwise requires, the following definitions shall be used in the interpretation and construction of this Chapter:

ACTIVITY: An economic unit designated in the classification system given in the 1972 Standard Industrial Classification Manual published by the U.S. Department of Commerce, Office of Federal Statistical Policy and Standards.

AUDITORIUM: A building used for public gatherings with a seating capacity of not less than four hundred (400) individuals.

BILLBOARD: An off-premises graphic which Missouri law requires Bridgeton to permit and which is visible from any point of the traveled ways of the interstate or primary highway systems.

CITY CODE: Code of Ordinances of the City of Bridgeton, Missouri.

CITY ENGINEER: The City Engineer of the City of Bridgeton, Missouri or his designee.

DIGITAL BILLBOARD: A billboard whose alphabetic, graphic, or symbolic informational content can be changed or altered on a fixed display surface, composed of electrically

illuminated or mechanically-driven changeable segments either by means of pre-programming or by computer-driven electronic impulses, including, but not limited to, television and projection street graphics.

DISTRICT: Any section of the City of Bridgeton designated by the Zoning Ordinance as a residential, business, manufacturing or special district.

ELECTRONIC MESSAGE CENTERS: A street graphic capable of electronically displaying words, symbols, figures or images that can be electronically or mechanically changed by remote or automatic means.

FACE: Any surface against or through which a street graphic is displayed or illustrated.

GROUND SIGN: A street graphic supported by one (1) or more uprights, posts or bases placed upon or affixed in the ground and not attached to any part of a building and that does not exceed the maximum height designated for a ground sign in Section 515.040.

ILLUMINATED SIGN: A street graphic which has characters, letters, figures, designs or the outline illuminated by electric lights or luminous tubes or LED.

INTERSTATE HIGHWAY: Any highway in the City of Bridgeton officially designated by the federal government of the United States as part of the interstate highway system.

MARQUEE SIGN: A street graphic affixed to a permanent canopy over the entrance to a building.

OFF-PREMISES GRAPHICS: Street graphics, including billboards, advertising a service not provided or an article or product not manufactured, assembled, processed, prepared or sold upon the premises upon which the street graphic is located.

ON-PREMISES GRAPHIC. A street graphic advertising the goods and/or services provided at the location on which the street graphic is placed.

POLE SIGN: A street graphic supported by one (1) or more poles placed in the ground and not attached to any part of a building and that exceeds the maximum height designated for a ground sign in Section 515.040.

PRIMARY HIGHWAY: Any highway in the City of Bridgeton officially designated by the Missouri Highway and Transportation Commission as being in the primary highway system as authorized by the constitution and laws of Missouri.

PROJECTING SIGN: A street graphic attached to and projecting from a building and not in the same plane as the wall.

READER BOARD: A non-electronic street graphic displaying static lettering or images, on which the copy is changed manually with attachable letters, symbols or pictorial panels.

ROOF SIGN: A street graphic painted, erected, constructed, or maintained upon the roof of a building.

SANDWICH BOARD SIGN: A freestanding, temporary sign have the appearance of an “A” frame or inverted “T” frame. Such signs may have parallel or opposing sign faces.

SIGN AREA: Total area of the space used to display a street graphic not including supporting poles and structure. For a sign with two (2) faces that are parallel and supported by the same poles or structure, the area of the sign equals one-half ($\frac{1}{2}$) the total area of the two (2) faces. For a sign with two (2) or more faces supported by the same poles or structure but not parallel, the area of the sign equals the total area of all faces.

SIGNABLE AREA: The area of a wall of the building exclusive of doors, windows, and major architectural details.

STREET GRAPHIC: Any character or letter and/or figure, symbol, design, work, model or device, and attendant background field, used to attract attention and/or convey a message and which is visible to any area outside of a building. The term includes, but is not limited to, banners, pennants, streamers, billboards, electronic message centers, moving mechanisms, reader boards and lights.

WALL SIGN: A street graphic painted on or attached to a wall of a building and in the same plane as such wall.

WINDOW SIGN: A street graphic either: (a) applied, painted or affixed to a window pane of a building; or (b) suspended three (3) feet or less behind or in front of a window or the glass portion of a door and visible from the street.

ZONING ORDINANCE: The Zoning Ordinance of the City of Bridgeton, Missouri.

SECTION 515.030: DESIGN ELEMENTS REQUIRED

A. The minimum landscaped area surrounding any pole sign erected in the City of Bridgeton shall be governed by the following guidelines:

- a. Pole size (diameter).
 - (a) One (1) to twelve (12) inches. Five (5) foot radius landscape area required around pole.
 - (b) Thirteen (13) to twenty-four (24) inches. Ten (10) foot radius landscape area required around pole.
 - (c) Twenty-five (25) inches or larger. Fifteen (15) foot radius landscape area required around pole.

B. A ground sign shall adhere to the minimum landscaping as defined in Subsection (A) except that the radius is determined from the base placed upon or affixed in the ground.

C. The landscape area shall be maintained by the owner of the property and shall have live vegetation, ground cover, grass, trees, and/or shrubs and may include seasonal plantings and other landscaping elements meeting the standards adopted by the City for trees and shrubs in the City Code and subdivision regulations.

D. Any non-conforming landscape area shall meet these requirements as close as practical.

SECTION 515.040: TABLE OF DESIGN ELEMENTS

Except as otherwise provided in this Section, the accompanying Table of Design Elements shall apply to all street graphics and signs. For purposes of applying such table the following criteria shall be used.

1. Except as otherwise provided in this Section, commercial activities are those first permitted by the Zoning Ordinance in a business district, and industrial activities are those first permitted by the Zoning Ordinance in a manufacturing district. Institutional activities include those in the North American Industry Classification System; Section 62--Healthcare and Social Assistance; Section 71--Arts, Entertainment and Recreation; Section 81, Subject 813--Religious, etc.; Section 61--Educational Services.

2. Locale "A" refers to a location fronting on and facing a parking lot, and thirty (30) feet or more from the street right-of-way and not visible from Interstates 70, 270 and 370.

Locale "B" refers to a location fronting on and within thirty (30) feet of the right-of-way of any street not included in Locale "D" or "C".

Locale "C" refers to a location fronting on and facing and within thirty (30) feet of the right-of-way line of St. Charles Rock Road, Natural Bridge Road, Lindbergh Boulevard, Corporate Woods Drive, Corporate Woods Court, Corporate Woods Place, Corporate Woods Trail, Corporate Exchange Drive, Corporate Exchange Court and Rider Trail South.

Locale "D" refers to a location backing on to Interstates 70, 270 and 370.

Refer to accompanying Table of Design Elements

*Not to exceed one hundred (100) square feet unless permitted under Section 515.040.4.

3. Height of a ground, pole, or projecting sign is measured from the ground level at or below the sign. Height of a roof sign is measured from the top of the walls where the roof begins.

4. Size of a wall sign is expressed as a percentage of the signable area. Wall signs placed in the space between windows may not exceed in height more than two-thirds (2/3) the distance between the top of a window and the sill of the window above. Wall signs may not extend above the second (2nd) story of buildings having three (3) or more stories; provided that in locale "D" there may be not more than one (1) wall sign at the top of the wall.

If a wall sign exceeds one hundred (100) square feet, additional square footage shall be permitted at the rate of .75 square feet for every foot from the property line to the wall of the building. This requirement will prevail over the percentage permitted by the Table of Design Elements.

5. Window signs may be located only in ground floor windows.

6. Street graphics, for which the attendant background is not defined by the structure of the sign or a border included as part of the graphic, shall have an attendant background defined by an artificial border, all points of which are a distance from all portions of the graphic equal to one-third (1/3) the height of the tallest letter, number or symbol in the graphic, but not exceeding six (6) inches. In all cases, the area of a sign includes the attendant background.

SECTION 515.050: MANNER OF DISPLAY

Notwithstanding anything else contained in this Chapter, the following restrictions shall govern all street graphics:

1. Street graphics may be displayed as ground signs, pole signs, wall signs, window signs, projecting signs, roof signs or special graphics except as prohibited by Sections 515.040, 515.080 and this Section.

2. A single activity that is the sole occupant of the premises may have up to two (2) street graphics, provided that such activity fronting on two (2) or more streets may have up to four (4) street graphics, no more than two (2) of which may face the same frontage.

3. For a building occupied by more than one (1) activity and for groups of buildings for which off-street parking facilities are provided in common for all occupants, there shall not be more than one (1) pole or ground sign facing each street upon which the building or group of buildings fronts, and not more than one (1) wall or projecting sign for each activity. The maximum size restrictions for such pole and ground signs

may be increased by up to fifty percent (50%) if three (3) or more activities share the sign.

4. It shall be unlawful for any person to display upon any street graphic or supporting structure any obscene, indecent or immoral matter.

5. A ground or pole sign which is over six (6) square feet in area may be displayed only on a frontage of seventy (70) feet or more and may not be closer than seventy (70) feet to any other ground or pole sign which is over six (6) square feet in size.

6. Projecting signs may project no more than four (4) feet six (6) inches from the building and are not permitted at the intersection of building corners except at right angles to a building wall. No projecting sign may be closer than thirty (30) feet to any other projecting sign.

7. All street graphics may be illuminated and/or non-illuminated except as prohibited by this Chapter.

SECTION 515.060: CONSTRUCTION AND MAINTENANCE

A. All street graphics, signs and supporting structures shall comply with applicable requirements of the Building, Electrical and Fire Prevention Codes of the City, including the requirements of the County Codes adopted in Chapter 525.

B. Street graphics, signs and supporting structures must be maintained in good repair and appearance. The City Engineer or his designated representative may order the removal of any street graphic, sign or structure not so maintained pursuant to Section 515.140.

C. No street graphic or sign shall be erected or maintained so as to prevent free ingress to or egress from any door, window or fire escape. No street graphic of any kind shall be attached to a stand pipe or fire escape.

D. No street graphic or sign shall be erected at the intersection of any streets in such a manner as to obstruct free and clear vision; or at any location where, by reason of its position, shape or color, it may interfere with, obstruct the view of, or be confused with any authorized traffic sign, signal or device; or which makes the use of the words "Stop", "Look", "Drive-in", "Danger" or any word, phrase, symbol or character in such manner as to interfere with, mislead or confuse traffic. Illuminated signs must be so shielded or contain lamps of such reduced intensity as may be prescribed by the City Engineer or his designated representative to assure that they do not constitute a traffic hazard.

E. No part of any street graphic or sign shall be located closer than five (5) feet to a street right-of-way.

SECTION 515.070: STREET GRAPHICS EXEMPT

The following street graphics are exempt from the provisions of these regulations:

1. *Temporary signs.*
 - a. Temporary real estate signs not over twelve (12) square feet in area in residential districts or forty-eight (48) square feet in area in business and manufacturing districts which advertise the sale, rental or lease of only the premises upon which the sign is located and which are of professional quality in appearance; provided that not more than two (2) such signs are permitted on a single premises.
 - b. Temporary directional signs indicating the location of an "open" house for sale, which signs shall be not over one and one-half (1½) square feet in area and of professional quality and appearance and to be displayed on Saturday and Sunday from noon until 5:00 p.m. There shall be a maximum of two (2) such directional signs for each "open" location. The signs shall not be displayed at subdivision entrances. The directional signs shall only be located upon public right-of-way and only with the consent of the owner of the property at the location of the sign. All signs must bear the name, address, and phone number of the party responsible for such sign.
 - c. With approval by the Design and Review Board, non-commercial signs not over eight (8) square feet in area that are placed in a residential district only and that are removed within five (5) working days after the date of the event to which they pertain.
 - d. Temporary directional signs indicating the location of non-commercial events, which signs shall be not over one and one-half (1½) square feet in area and to be displayed on the day of the event from 5:00 A.M. until 5:00 P.M. The directional signs shall only be located upon public right-of-way and only with the consent of the owner of the property at the location of the sign. All signs must be free-standing and must bear the name, address, and phone number of the party responsible for such sign.
2. Temporary signs not over forty-eight (48) square feet in area denoting the architect, engineer, project name, source of financing, and/or contractor when placed upon work under construction provided that not more than two (2) such signs are permitted on a single premise.
3. Municipal signs, legal notices, traffic control devices, and such temporary or emergency non-advertising directional signs as may be approved by the City Engineer or his/her designated representative.

4. Political signs not over eight (8) square feet in area that are placed in a residential district only and that are removed within ten (10) working days after the date of the election to which they pertain. The City Engineer or his/her designated representative is authorized to remove and destroy without notice, political signs placed on any public right-of-way or utility or drainage easement.

5. Signs not over three (3) square feet in area located on residential property and designating only the name of the occupant and/or the address of the premises where displayed.

6. Directional signs shall only be located upon public right-of-way and only with the consent of the owner of the property at the location of the sign. All signs must be free-standing and must bear the name, address, and phone number of the party responsible for such sign.

7. The official flag of the United States of America, the State of Missouri, the County of St. Louis and the City of Bridgeton when displayed on a pole not exceeding thirty (30) feet in height. The official flag of any other nation or State or of a church, synagogue or other similar place of worship, when displayed on not more than one (1) pole.

8. Temporary window signs not exceeding in size fifteen percent (15%) of the window area per window pane (not cumulative total of all window area) and displayed for a period not exceeding fourteen (14) days no more than three (3) times per year.

9. Temporary graphics as may be authorized under Section 410.050(K) of the Zoning Ordinance.

10. Solid color ribbons affixed to private dwellings and surrounding property including adjacent road right-of-way, with the exception of traffic control devices, light standards and fire hydrants.

11. Street address numbers applied to or affixed to an exterior window or wall; provided that street address numbers affixed or applied to an exterior wall shall not exceed 20% of the signable area and street address numbers affixed or applied to an exterior window shall not exceed 20% of the area of the window.

12. Subdivision monuments and/or signs within public right-of-way, excluding electronic message centers, provided that the subdivision trustees, subdivision association, or residents of the subdivision adequately maintain said monument and/or sign.

13. Vehicles with permanently affixed or applied signage

Vehicles used in the day-to-day operation of an establishment located in the B-1, B-2, B-3, B-4, or B-5 Commercial Districts, with permanently affixed or applied signage, provided such vehicles are parked in any

parking space designated for use by the establishment, as authorized by the Zoning Ordinance, and that such space is no closer to any street line than the façade of the building located on the property where the vehicle is parked. Where such parking is not available, said vehicle shall park as far from, and in the area least visible to, all rights-of-way, and in such a manner as not to obscure visibility of other establishments located on the property, as determined by the Building Code Official, except when said vehicles are parked only to make immediate deliveries or pickups or when specifically allowed or restricted by an ordinance authorizing a Special Use Permit or Planned Commercial District, or as authorized by a Promotional Activity Permit.

In the event of a disagreement between the applicant and the Building Code Official as to the location of parking that is as far from, and in the area least visible to, all rights-of-way, and is located in such a manner as not to obscure visibility of other establishments located on the property, said disagreement shall be submitted to the City Council, which shall make the decision on such disagreement, provided the application shall have the right to appeal such decision pursuant to Section 410-180, Board of Adjustment.

Vehicles used in the day-to-day operation of an establishment located in the M-1, M-2, or M-3 Manufacturing Districts, with permanently affixed or applied signage, except where specifically restricted by an ordinance authorizing a Special Use Permit or Planned Manufacturing District.

14. A single *sandwich board sign* (as defined herein) may be posted outside for a business establishment, provided such sign:

- 1) Is freestanding and is not anchored, attached, or chained to the sidewalk, utility or light poles, or any other structure or appurtenance;
- 2) Is not located on public rights-of-way, private drives, parking/loading spaces or landscape areas;
- 3) Is located within the prolonged limits of the commercial space to which the sign refers and is within six (6) feet of the primary entrance to the establishment;
- 4) Is placed so that a clearance of paved walkways of at least four (4) feet is maintained and that free ingress/egress from any door, window, or fire escape is not prevented;
- 5) Is displayed during business hours only;

- 6) Emits no sounds, has no moving parts, and utilizes no lights or highly reflective material;
- 7) Is no larger than seven (7) square feet in area per side;
- 8) Is constructed of durable materials that present a finished appearance; and
- 9) Is designed to withstand wind loads.

SECTION 515.080: STREET GRAPHICS PROHIBITED

Except as provided in Sections 515.070, 515.090, 515.092, 515.095, 515.100, 515.105 and 515.110 the following street graphics are specifically prohibited:

1. Off-premises graphics, except to the extent that Missouri law may require the City to permit billboards within six hundred sixty (660) feet of the nearest edge of the right-of-way of any interstate or primary highway in areas zoned industrial or commercial.
2. Graphics which by color, location and/or design resemble or conflict with traffic control signs or signals.
3. Devices such as flags, banners, streamers and/or pennants affixed on poles, wires, or ropes, except as provided in Section 515.070; flashing lights, fluttering or wind operated devices, and flashers, animators or mechanical movement or contrivances of any kind, other than permitted electronic message centers and permitted digital billboards.
4. Paper posters and painted signs applied directly to the wall of a building or a pole or other support.
5. Portable street graphics of any type.
6. Revolving street graphics of any type.
7. Street graphics in residential districts relating to home occupations.
8. Street graphics attached to parking lot light standards.
9. Open flames and torches.
10. Rocks, bricks or blocks forming letters or words.
11. Reader Boards and Electronic Message Centers greater than fifty (50) square feet in area.

SECTION 515.090: SPECIAL GRAPHICS

A. In business and manufacturing districts, marquee signs are permitted for all activities. Marquee signs may extend not more than six (6) feet above nor more than one (1) foot below the canopy; provided that such sign shall be at least eight (8) feet above the level of the ground beneath it. Marquee signs shall not exceed the allowable size of a pole sign at the same location. A marquee sign would substitute for an allowable wall sign.

B. Signs not exceeding six (6) square feet in area two (2) feet maximum in height that provide direction only to pedestrian or motor vehicular traffic entering, leaving or on the premises where such signs are located are permitted in all districts. Directional signs are limited to words like one-way, in, out, parking, exit and entrance.

C. Signs not exceeding thirty (30) square feet in area providing information to the user of a drive-up window on the premises are permitted in all business and manufacturing districts.

SECTION 515.092: ELECTRONIC MESSAGE CENTERS AND READER BOARDS

When determining whether an electronic message center or reader board is permitted, such street graphics shall be subject to all applicable provisions pertaining to the type of signs on which they are placed or method by which they are mounted (e.g. wall sign, pole sign, ground sign, etc.) and the zoning districts in which they are located and such street graphics shall also be subject to the following limitations:

1. In all non-residential districts, electronic message centers shall display static images only. Such static images shall be displayed for a period of at least five (5) seconds before transitioning to another static image. Electronic message centers shall be designed and maintained to avoid illumination of residential interiors.

2. In residential zoned districts reader boards shall be permitted provided such reader boards are fifteen (15) feet in area or less and are located at hospitals, churches, synagogues, or other similar places of worship, community centers, public or private schools or building or structure owner or leased and used by other public, semi-public, or civic organizations. Electronic message centers are not permitted in residential zoned districts and may not be permitted in residential districts as part of a sign package under Section 515.120 of the municipal code.

3. With regard to electronic message centers, transitions from one static image to the next shall appear to be instantaneous without the appearance of animation, flashing, scrolling or movement of any kind.

4. All electronic message centers shall come equipped with automatic dimming technology which automatically adjusts the sign's brightness in direct correlation with natural ambient light conditions.

5. No electronic message center or reader board shall exceed a brightness level of 0.3 foot candles above ambient light as measured using a foot candle (Lux) meter at a preset distance depending on sign area, measured as follows:

<u>Area of Sign (sq. ft.)*</u>	<u>Measurement Distance (ft.)</u>
10	32
15	39
20	45
25	50
30	55
35	59
40	63
45	67
50	71
55	74
60	77
65	81
70	84
75	87
80	89
85	92
90	95
95	97
100	100

**For signs with an area in square feet other than those specifically listed in the table (i.e. 12 sq ft, 400 sq ft., etc.), the measurement distance may be calculated with the following formula:*

$$\text{Measurement Distance} = \sqrt{\text{Area of Sign Sq. Ft.} \times 100}$$

6. Electronic message centers displaying time-and-temperature are permitted in all business and manufacturing districts. They may be displayed as a pole, ground or projecting sign and are subject to the regulations applicable to such signs at the same location.

7. Off-premises reader boards and electronic message centers are prohibited.

SECTION 515.095: BILLBOARDS

A. Billboards shall be permitted as required by state law when a permit therefor has been issued as provided in Section 515.100, and in accordance with other applicable sections of the City Code, and when the applicant has obtained a permit therefor from the Missouri Highway and Transportation Commission as provided by Missouri Statute.

B. The following regulations shall apply to permitted billboards:

1. Lighting.

- a. No revolving or rotating beam or beacon of light that simulates any emergency light or device shall be permitted as part of any sign. No flashing, intermittent, or moving light or lights will be permitted except (I) scoreboards and other illuminated signs designating public service information, such as time, date, or temperature, or similar information, will be allowed; and (II) digital billboards may be allowed only upon the issuance of a sign special use permit pursuant to Section 515.100(E)(2) and subject to the Missouri Highway and Transportation Commission Regulations and the City Code.
- b. External lighting, such as floodlights, thin line and gooseneck reflectors are permitted if, and only if: (I) the light source is directed upon the face of the billboard and is effectively shielded so as to prevent beams or rays of light from being directed into any portion of the main traveled way of the interstate or primary highway, or from being directed into a residential dwelling or commercial business, and (II) the lights are not of such intensity so as to cause glare, impair the vision of the driver of a motor vehicle, or otherwise interfere with a driver's operation of a motor vehicle.
- c. No billboard shall be so illuminated that it interferes with the effectiveness of, or obscures, an official traffic sign, device, or signal.

2. Size of billboards.

- a. The maximum sign area for any billboard shall be eight hundred (800) square feet with a maximum height of thirty (30) feet and a maximum length of seventy-two (72) feet, inclusive of border and trim but excluding the base or apron, supports, and other structural members. The area shall be measured as established in rules promulgated by the Missouri Highway and Transportation Commission.
 - b. The maximum size limitations shall apply to each side of a sign structure, and signs may be placed back to back, double faced, or in V-type construction with not more than two (2) displays to each facing, but such sign structure shall be considered as one (1) sign.
3. Spacing of billboards.
- a. Along interstate highways and freeways on the Federal-aid primary system, no billboard structure shall be erected within one thousand four hundred (1,400) feet of an existing billboard on the same side of the highway.
 - b. Along non-freeway Federal-aid primary highways, no billboard structure shall be erected within six hundred (600) feet of any existing billboard.
 - c. Roof signs, wall signs, marquee signs and window signs which advertise activities on the property on which they are located, including products sold, shall not be counted, nor shall measurements be made from them for the purpose of compliance with spacing provisions.
 - d. Directional or other official signs or those advertising the sale or lease of the property on which they are located shall not be counted, nor shall measurements be made from them for the purpose of compliance with spacing provisions.
 - e. No sign shall be located in such manner as to obstruct or otherwise physically interfere with the effectiveness of an official traffic sign, signal, or device or obstruct or physically interfere with a motor vehicle operator's view of approaching merging or intersecting traffic.
 - f. On interstate highways and freeways on the Federal-aid primary system, no sign shall be located adjacent to or within five hundred (500) feet of an interchange, intersection at grade, or safety rest area. Such distance shall be measured from the beginning or ending of the pavement widening at the exit from or entrance to the main traveled way.

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

4. *Distance from residential property.* No off-premises graphics shall be located closer than five hundred (500) feet to residentially zoned property.

SECTION 515.100: PERMITS AND FEES

A. No permits or fees are required for street graphics listed in Section 515.070.

B. For all street graphics other than billboards, a City permit is required pursuant to subsection D below, prior to erection, installation, alteration or refacing of said street graphic or any sign or support structure related thereto.

C. For all billboards, a City permit is required pursuant to subsection E below, prior to erection, installation, alteration or refacing of said billboard or any sign or support structure related thereto.

D. Parties who desire to erect, install, alter or reface a street graphic or any sign or support structure, other than a billboard, shall file an application with the City Engineer, (or such other City officer as the Mayor may, from time to time, direct) along with a fee in the applicable amount listed below:

The fee shall be one hundred dollars (\$100.00) plus the applicable amount listed below:

1. Signs less than twenty-five (25) square feet in size: Thirty dollars (\$30.00).
2. Signs at least twenty-five (25) square feet but less than fifty (50) square feet in size: Fifty dollars (\$50.00).
3. Signs at least fifty (50) square feet but less than one hundred (100) square feet in size: One hundred dollars (\$100.00).
4. All signs one hundred (100) square feet or larger in size: One hundred fifty dollars (\$150.00).

Refacing of one panel space on a multi-panel pole, ground, or monument sign may be approved administratively by the City Engineer; provided that the panel is replaced with a new panel of like size, materials, colors, and is otherwise harmonious with the existing panels. If the City Engineer (or his designated official) determines that the panel is not harmonious with the existing panels, the applicant may appeal the decision of the City Engineer to the Design and Review Board. The fee for a panel reface shall be fifty dollars (\$50.00).

The application shall include the plans and specifications for each proposed street graphic in a manner that will fully advise and acquaint the City with the location, dimensions, construction, material, method of support and manner of illumination proposed to be used. All street graphics shall comply with all applicable City, County and State codes, including but not limited to building, electrical, and construction codes. All street graphics that are to be illuminated by artificial light, require a separate electrical permit and inspection as provided in the St. Louis County Electrical Code. Upon confirmation by the City that the applicant has submitted all required materials, the City Engineer shall forward the application to the Design and Review Board. The Design and Review Board shall determine whether the proposed street graphic is compatible aesthetically with the surrounding area. If the Design and Review Board shall make such determination in the affirmative, the City shall grant the permit, and if the Design and Review Board shall not make such a determination in the affirmative, the City shall not grant such permit.

E. Billboards.

1. Billboards. Parties who desire to erect, install, or alter a billboard, other than a digital billboard, shall file an application with the City Engineer, (or such other City officer as the Mayor may, from time to time, direct,) along with a fee in the amount of Five Hundred Dollars (\$500.00), which shall be in lieu of all other permits and inspection fees provided herein. The application shall include the plans and specifications for each proposed billboard in a manner that will fully advise and acquaint the City with the location, dimensions, construction, material, method of support and manner of illumination proposed to be used and shall include a copy of the permit issued by the Missouri Highway and Transportation Commission. All billboards shall comply with all applicable City, County and State codes, including, but not limited to, building, electrical, and construction codes. All billboards that are illuminated by artificial light require a separate electrical permit and inspection as provided in the St. Louis County Electrical Code. Upon confirmation by the City that the applicant has submitted the application fee and all required materials, the City Engineer, or other officer designated by the Mayor, shall determine whether the proposed billboard is in compliance with applicable regulations and ordinances. If the City Engineer, or other officer designated by the Mayor, shall make such determination in the affirmative, the City shall grant the permit, and if the City Engineer, or other officer designated by the Mayor, shall not make such a determination in the affirmative, the City shall not grant such permit.

2. Digital Billboards; Sign Special Use Permit.

a. The City Council finds it necessary for the promotion and preservation of the public health, safety, welfare and aesthetics of the community that the construction, location, size, conspicuity, brightness, legibility, operational characteristics and maintenance of digital billboards be controlled. Digital billboards have a direct and substantial impact on traffic safety, pedestrian safety, community aesthetics and property values. The City Council recognizes that a great percentage of billboards that are blighted, unattractive, or provide an unsafe distraction to motorists

can be corrected by sensible quality control through adequate maintenance, inspection and operational guidelines. With respect to digital billboards, the City Council finds that they are highly visible from long distances and at very wide viewing angles both day and night and are designed to catch the eye of persons in their vicinity and hold it for extended periods of time. If left uncontrolled, digital billboards constitute a serious traffic safety threat. The City Council intends by this Section of the City Code to establish a legal framework for digital billboard regulation in the City. The regulations promulgated in this Section are intended to facilitate an easy and agreeable communication between people while protecting and promoting the public health, safety, welfare and aesthetics of the community. The purposes of the regulations promulgated in this Section include:

- 1) To eliminate potential hazards to motorists and pedestrians using public streets, sidewalks, and rights-of-way;
- 2) To safeguard and enhance property values;
- 3) To control nuisances;
- 4) To protect government investments in public buildings, streets, sidewalks, traffic control and utility devices, parks, and open spaces;
- 5) To preserve and improve the appearance of the City through adherence to aesthetic principles, in order to create a community that is attractive to residents and to non-residents who come to live, visit, work, or trade;
- 6) To eliminate excessive and confusing sign displays;
- 7) To implement the City's Comprehensive Plan;
- 8) To encourage signs which by their design are integrated with and harmonious to the surrounding environment and the buildings and sites they occupy;
- 9) To promote the public health, safety, and general welfare; and
- 10) To provide for fair and consistent enforcement of the regulations set forth herein.

Digital billboards need to be carefully regulated with respect to location or operation for the protection of the community. Such uses are classified in this Section as "sign special uses" and are established and controlled by the following provisions of this Section.

b. The City Council shall have authority to issue by ordinance “sign special use permits” for digital billboards subject to the conditions, standards and procedures contained in this Section as well as in such district regulations.

c. Parties who desire to erect or install a digital billboard shall file an application for a sign special use permit with the City Engineer, or such other City officer as the Mayor may, from time to time, direct, along with a fee in the amount of Five Hundred Dollars (\$500.00), which shall be in lieu of all other permits and inspection fees provided herein. The application shall include the plans and specifications for each proposed digital billboard in a manner that will fully advise and acquaint the City with the location, dimensions, construction, material, method of support and manner of illumination proposed to be used and necessary descriptive material relating to the intensity and extent of use and such other information as shall be required by the City Engineer, or other officer designated by the Mayor, from time to time and shall include a copy of the permit issued by the Missouri Highway and Transportation Commission. All digital billboards shall comply with all applicable City, County and State codes, including, but not limited to, building, electrical, and construction codes. All digital billboards require a separate electrical permit and inspection as provided in the St. Louis County Electrical Code. Upon confirmation by the City that the applicant has submitted the application fee and all required materials, the City Engineer, or other officer designated by the Mayor, shall forward the application to the City Council.

1) Upon the City Council’s receipt of the application from the City Engineer, or other officer designated by the Mayor, the City Council shall determine whether such digital billboard would (a) satisfy the requirements for digital billboards pursuant to Section 515.105 and (b) promote the health, safety, morals or general welfare of the people of the City of Bridgeton in accordance with and in the accomplishment of the comprehensive zoning plan of the City, and in making such determination the City Council shall consider the effect of such digital billboard on:

- a) Traffic conditions;
- b) The character of the neighborhood (including aesthetic compatibility); and
- c) The general welfare of the community.

If, by a majority vote, the City Council shall make such determination that the proposed digital billboard will not have an adverse affect on the above listed items (a), (b) and (c) and it satisfies the requirements for digital billboards pursuant to Section 515.105, then it shall grant such sign special use permit, and if the Council shall not make such determination in the affirmative, by a majority vote, it shall not grant such permit.

2) The City Council may provide such terms, conditions or restrictions upon the construction and location of a digital billboard, including a requirement that space be made available on the digital billboard for use by the City, as the City Council may determine, in order to further the general objectives of this Chapter

and to minimize the possibility of creating an adverse affect on one of the foregoing conditions.

d. Revocation Of Sign Special Use Permit.

1) A sign special use permit may be revoked by the City Council if the terms of the permit have been violated or the provisions of the City Code have been violated. A sign special use permit shall be automatically revoked if it has not been exercised within any period of two (2) consecutive years after the date it was granted; provided however, the City Council may, upon application of the landowner made before or after the expiration of such sign special use permit, grant a one (1) year extension thereof.

2) Procedure for revocation by Council.

a) In the event a sign special use permit has been violated or the provisions of the City Code have been violated, a revocation of such permit may be initiated by the City Council. Any proposition to revoke a sign special use permit on the grounds that the terms of the permit or the City Code have been violated shall be referred to the City Engineer, which shall give not less than sixty (60) days' notice by certified mail or by personal service to the owner of the property for which such permit was issued and to the applicant to whom the sign special use permit was issued of the basis for the alleged violation, the remedial action which is required to correct the violation and that a failure to take the remedial action within sixty (60) days of the date of the notice may result in the sign being removed.

b) Any such notice shall be directed to such property owner at the address shown on the tax records for said property in the City offices and to the digital billboard operator at the address shown on the sign special use permit application for said digital billboard in the City offices, or if no such address(es) are listed in the City offices, in the office of the Department of Revenue of St. Louis County. If no address of the property owner and/or applicant is indicated in the records of either the City or the County, no notice need be mailed to the property owner and/or applicant. In such case, the City shall post a notice on the sign to which the sign special use permit pertains. In any event, the failure of any party entitled to notice hereunder to receive the same shall not invalidate any proceeding to revoke a sign special use permit.

c) If the above-described sixty (60) day period expires without remediation, the City Council shall hold a public hearing on the proposed revocation. At least fifteen (15) days' notice of the date, time and place of such hearing shall be published in an official newspaper or a newspaper of general circulation in the City of Bridgeton. A sign special use permit revocation may be effected by a majority vote of all members of the City Council upon a finding that the terms of the sign special use permit or the City Code have been violated.

F. The permit fees herein provided for shall cover the inspection of the location of the proposed sign and the inspections during and after construction, except as prohibited by the laws of Missouri.

G. Prior to the issuance of a permit for a street graphic, the applicant shall submit a landscape plan, according to the specifications provided in Section 515.030, to the Design and Review Board for review.

SECTION 515.105: REQUIREMENTS FOR DIGITAL BILLBOARDS

All digital billboards shall comply with the following requirements:

1. The static display time for each message is a minimum of eight (8) seconds;
2. The time to completely change from one message to the next is a maximum of two (2) seconds;
3. The change of message must occur simultaneously for the entire sign face;
4. The outdoor advertising structure meets all other requirements in Sections 226.500 to 226.600 of the Missouri Revised Statutes and the City Code; any such sign shall be designed such that the sign will freeze in one position if a malfunction occurs;
5. The image does not flash or flicker in accordance with Section 226.540(1)(A) of the Missouri Revised Statutes;
6. The image is projected onto a securely fixed, substantial structure and in accordance with the provisions in Sections 226.500 to 226.600 of the Missouri Revised Statutes;
7. No projected image(s) or message(s) shall appear to move or be animated;
8. No digital billboard shall exceed a brightness level of 0.3 foot candles above ambient light as measured using a foot candle meter at a present distance depending on sign area, measured as follows:

<u>Billboard Dimensions (ft.)</u>	<u>Measurement Distance (ft.)</u>
11 x 22	150
10.5 x 36	200
14 x 48	250

9. All digital billboards shall come equipped with automatic dimming technology which automatically adjusts the sign's brightness in direct correlation with natural ambient light conditions.
10. The City of Bridgeton shall be entitled to display messages on any digital billboard approved by the City ("City Message"). The owner or lessee of such digital billboard shall display such City Message on its digital billboard for a duration no shorter than the longest other message on the digital billboard. If the City of Bridgeton does not submit a City Message, the owner or lessee of the digital billboard shall not be obligated to display a City Message until such time a City Message is submitted. The City of Bridgeton may withdraw its City Message and replace it with a new City Message upon written notice to the owner of the digital billboard.

SECTION 515.110: NON-CONFORMING STREET GRAPHICS AND SIGNS

A. Any street graphic and/or sign lawfully erected and in existence at the effective date of this Chapter of the City Code of Ordinances or any amendment thereto that does not conform to the regulations pertaining to street graphics and signs contained in said Chapter, may be continued, except as otherwise provided herein, provided it shall be kept in good repair and maintenance including repainting or refacing with the identical street graphic.

B. Whenever any non-conforming sign is damaged or destroyed by any means to the extent of sixty percent (60%) or more of its replacement value at that time, the sign may be rebuilt or replaced and used thereafter only in conformance with the regulations pertaining to street graphics and signs.

C. Whenever any non-conforming on premises graphic or the structure on which it is located ceases to be used or does not contain a street graphic applicable to a presently occurring activity on the premises for a period of thirty (30) days, or any non-conforming structure for off-premises graphics ceases to be used for the display of a street graphic for a period of thirty (30) days, the sign or structure shall be removed by the owner of the land on which it is located within fifteen (15) days thereafter.

D. A non-conforming street graphic on a sign may be refaced at the same size and location for the same or a different activity without conforming to the requirements contained in Sections 515.030 and 515.040.

E. A non-conforming street graphic and/or sign may be relocated on the same or different premises and/or enlarged only if both the street graphic and the sign are brought into conformity with the provisions of the regulations pertaining to street graphics and signs.

F. Any billboard and the structure therefor erected after August 15, 1984, within six hundred sixty (660) feet of any interstate highway or primary State highway

shall be removed within three (3) years after the date Missouri State law may cease to require the City of Bridgeton to permit off-premises street graphics in such area.

SECTION 515.120: PROGRAMS FOR GRAPHICS AND SIGNS

A. The owner or developer of a tract of land within a Planned Commercial or Planned Manufacturing Zoning District, comprising an area of one (1) acre or more, and which is proposed as the site for a single integrated development consisting of multiple uses in one (1) or more buildings and associated off-street parking and loading areas, may propose to the Design and Review Board a sign package of graphics and signs for such development. The sign package shall include necessary special graphics and shall provide styles, sizes, locations and colors appropriate to the function and architectural character of the proposed development and compatible with existing development on adjacent properties. The sign package shall conform to all requirements of this Chapter except those regarding the size, height, location on the property, type and number of signs allowed, which may be varied by the Board if it finds the overall sign package to be in harmony with the intent and purpose of the sign regulations; provided such variations do not exceed either one hundred twenty-five (125%) of the height or one hundred twenty-five (125%) of the sign area otherwise allowed in this Chapter. The Design and Review Board may not approve an electronic message center or scoreboard as part of a sign package, except when such electronic message center or scoreboard and associated uses are located in a non-residential zoning district. In no case shall the sign package contain a request for variation that is identical to or substantially the same as any request for variation for the same property that was previously denied by the City Council under procedures contained in this Chapter, as determined by the City Engineer. At the time of proposing the sign package, the owner or developer shall pay a fee of four hundred dollars (\$400.00). If at any time the owner or developer wishes to amend the sign package, said owner or developer shall propose such amendment to the Design and Review Board and simultaneously shall pay a fee of one hundred dollars (\$100.00).

B. Upon approval of an overall sign package by the Design and Review Board, no permit shall be issued for a sign and/or street graphic on the premises covered by the sign package which does not conform with the approved sign package. Applications for such permits shall be processed in the same manner as any other application for a sign permit and shall be subject to the same schedule of permit fees.

C. If the owner or developer of the Planned Commercial or Planned Manufacturing District fails or is unable to carry out the plan for development of the site in a timely manner, the Design and Review Board may rescind its approval of the sign package. Such rescission shall be considered only after the Board has notified the owner or developer of its intent and has provided an opportunity for the owner or developer to appear before the Board to state his or her views on the contemplated action.

D. Sign packages or sign programs approved prior to May 1, 2014, shall be considered a preexisting legal non-conformity and may be maintained. However, no amendments to such sign packages or sign programs shall be permitted that do not conform to the requirements of this Section.

SECTION 515.130: VARIANCES

A. Any person desiring a variation in the regulations pertaining to street graphics and signs, or who is aggrieved by any decision made by the City Engineer or his designated representative in administering such regulations, may appeal such decision as provided in this Section. Notwithstanding the foregoing, if such person is eligible for a sign package pursuant to Section 515.120, such person must apply for a sign package before proceeding with this appeal process and, in such case, the decision of the Design and Review Board may be appealed as provided in this Section. Any such appeal shall be taken within thirty (30) days of the date of denial of a permit for a street graphic or sign package by filing with the City Engineer a notice of appeal specifying the grounds thereof. All such appeals shall first be submitted to the Design and Review Board for review, and its recommendations and report shall be transmitted to the City Council with all the papers constituting the record upon which the action appealed from is taken. Six (6) affirmative votes of the City Council shall be required to grant a variance from or reverse a decision made by the City Engineer or his representative in administering the regulations pertaining to street graphics and signs or to countermand the recommendation of denial by the Design and Review Board.

B. To vary the regulations of the Sign Ordinance the City Council shall make a finding of fact based upon the evidence presented to it in each specific case, showing that all of the following conditions exist:

1. That the conditions upon which the requested variation is based will result in a particular hardship upon the appellant, as distinguished from a mere inconvenience, if the strict letter of the regulations were carried out.
2. That the conditions upon which the requested variation is based are not generally applicable to other property or similar activities in the City.
3. That the alleged difficulty or hardship has not been created by any person acquiring or holding an interest in the property since June 6, 1984.
4. That the granting of the variation will not endanger the public safety, or be detrimental to the public welfare or substantially injurious to other property or activities in the neighborhood in which the property is located.

C. The City Council may impose such conditions and restrictions upon the premises benefited by a variation as may be necessary to prevent injurious effects

therefrom upon other property or activities in the neighborhood and to better carry out the general intent of the regulations.

D. In the event that any application for sign variance is denied by the City Council, a reapplication concerning the same property or site shall not be accepted until six (6) months following the date of final action by the City Council on the original application has elapsed, unless it can be shown to the satisfaction of the City Engineer or his designated representative in administering such regulations that:

1. A significantly different plan is proposed; or
2. New facts or other pertinent information have been discovered that were not previously presented and were not reasonably capable of discovery by the applicant prior to the previous application.

SECTION 515.135: APPEAL OF CITY COUNCIL DECISION ON DIGITAL BILLBOARD PERMIT APPLICATIONS

Any person, firm, or corporation feeling itself aggrieved by any decision of the City Council relating to the denial of a sign special use permit for a digital billboard may file an appeal directly to the Board of Adjustment of the City and the Board of Adjustment shall have the power to affirm, modify, or reverse the decision of the City Council in accordance with Section 410.180.

SECTION 515.137: MAINTENANCE OF STREET GRAPHICS

A. All street graphics, together with all their supports or structures, shall be kept in good repair in accordance with the provisions of this Section and all applicable codes.

B. All street graphics which are not galvanized or constructed of approved corrosion-resistant, noncombustible materials shall be painted whenever, in the opinion of the City Engineer (or such other City officer as the Mayor may, from time to time, direct), it is necessary to prevent corrosion.

C. It shall be the duty and responsibility of the property owner, street graphic owner or lessee of every street graphic to maintain the immediate premises occupied by the street graphic in a clean and sanitary condition.

D. All wiring and electrical connections shall be in accordance with the St. Louis County Electrical Code of the City and all other laws or ordinances controlling wiring and electrical connections within the City.

SECTION 515.140: REMOVAL OF STREET GRAPHICS AND SIGNS

A. The following street graphics or signs are hereby declared to be unsafe and dangerous when any street graphic or sign becomes insecure, in danger of falling or otherwise unsafe, or if any street graphic or sign shall be unlawfully entailed, erected, or maintained in violation of any of the provisions of this Chapter 515.

B. The following billboards are deemed unlawful and shall be removed by the owner of the property on which they are located:

1. Billboards and sign structures erected pursuant to any requirement of the Missouri Statutes which require a City to permit billboards shall become unlawful ninety (90) days after there shall cease to be any such statutory requirement that the billboards be permitted; or
2. Billboards or sign structures which are obsolete; (signs shall not be considered obsolete solely because they temporarily do not carry an advertising message); or
3. Billboards or sign structures that are not in good repair; or
4. Billboards not securely affixed to a substantial structure; or
5. Billboards which attempt or appear to attempt to regulate, warn, or direct the movement of traffic or which interfere with, imitate, or resemble any official traffic sign, signal, or device; or
6. Billboards which are erected or maintained upon trees or painted or drawn upon rocks or other natural features.

C. The City Engineer or any member of his department designated by him is authorized to remove or have removed any unlawful sign or street graphic, or any sign or street graphic erected without a permit or any sign or street graphic in violation of Section 515.137 or any sign deemed to be unsafe and dangerous as provided in subsection A of this Section or unlawful as provided in subsection B of this Section, provided notice and opportunity to be heard are given to the owner or person in charge of said sign as hereinafter set forth.

D. Notice and opportunity to be heard shall be given to the owner or person in charge of such sign or street graphic as follows:

1. Notice and opportunity to be heard shall be given to the owner or person in charge of a sign or street graphic prior to the removal of any such sign or street graphic except in a situation determined by the City Engineer or his designated representative to be an "emergency situation." In all emergency situations, notice and opportunity to be heard shall be given to the owner or person in charge of a sign or street graphic as soon as possible after the sign has been removed. As used herein "emergency situations" shall include those situations where signs are erected in areas or are maintained in a condition which pose a real and imminent danger or hazard to the safety of others or which are a menace to traffic.
2. The notice required hereunder shall be in writing and shall be mailed to the owner or person in charge of the sign as reflected in the official records by certified mail or by personal service. Notice shall be mailed at

least sixty (60) days in advance of any removal. In the event the name and address of the registered owner or person in charge of a sign cannot be ascertained, notice shall be posted in a conspicuous place where the sign is erected. The notice shall specify the basis for the alleged unlawfulness, shall specify the remedial action which is required to correct the unlawfulness and shall advise that a failure to take the remedial action within sixty (60) days of the date of the notice will result in the sign being removed. The notice shall also include a description of the sign, the location of the sign, the amount of any actual or proposed removal or storage charges, the owner's right to a hearing concerning the removal, the manner in which a hearing may be obtained or a bond posted, the right to bring a representative to the hearing, and the date after which the sign will be sold.

3. If the problem has not been remediated within the above-described sixty (60) day period, the City Council shall hold a public hearing on the proposed removal of the sign. At least fifteen (15) days' notice of the date, time and place of such hearing shall be published in an official newspaper or a newspaper of general circulation in the City of Bridgeton. Formal rules of evidence shall not apply; however, the party shall have the right to present evidence, confront and cross-examine witnesses, and receive a written decision based upon the facts adduced at the hearing.
4. The City Council shall, within two (2) business days of conducting a hearing under this Section, state in writing its decision as to whether such sign is unlawful or erected without a permit, along with his reasons for so finding. The written decision, along with the reasons for such decision, will be mailed or posted in the manner set forth herein for providing notice of hearing. Such written decision shall constitute a full and final determination of the matters in dispute.

E. The City Engineer or his designated representative is authorized to go upon any premises in the City for the purpose of removing signs under the provisions of this Section:

1. For which it has been determined that an emergency situation exists; or
2. For which a final determination has been made that the sign is unlawful or has been erected without a permit or street graphic in violation of Section 515.137 or any sign deemed to be unsafe and dangerous as provided in subsection A of this Section or unlawful as provided in subsection B of this Section.

F. The owner or person in charge of any sign or street graphic so removed may recover same upon furnishing evidence of his identity and ownership of the sign, signing a release and payment of all costs, expenses and charges involved in removal and

storage of such sign or street graphic, or posting bond therefor pending the outcome of any hearing requested.

G. Any sign or street graphic not claimed within thirty (30) days after removal, may be destroyed or sold in any commercially reasonable manner, and the proceeds of the sale applied toward the charges for removal and storage, and the balance of the proceeds, if any, shall be paid to the City's General Funds.

SECTION 515.150: SUBSTITUTION OF MESSAGE.

Whenever a commercial sign would be permitted under this Chapter, a sign bearing a political or other non-commercial message may be installed in its place, provided it otherwise complies with this Chapter. Subject to the landowner's consent, a non-commercial message of any type may be substituted for any duly permitted or allowed commercial message or any other duly permitted or allowed non-commercial message; provided, that the sign structure or mounting device is legal without consideration of message content. Such substitution of message may be made without any additional approval or permitting. This provision prevails over any more specific provision to the contrary within this Chapter. The purpose of this provision is to prevent any inadvertent favoring of commercial speech over non-commercial speech, or favoring of any particular non-commercial message over any other non-commercial message. This provision does not create a right to increase the total amount of signage on a parcel, nor does it affect the requirement that a sign structure or mounting device be properly permitted.