

SIGN Code

SECTION 101

GENERAL

101.1 General. A sign shall not be erected in a manner that would confuse or obstruct the view of or interfere with exit signs required by Chapter 10 of the current International Building Code (IBC) as adopted by the City of Wahpeton or with official traffic signs, signals or devices.

101.2 Maintenance. All signs and sign support structures, together with all of their supports, braces, guys and anchors, shall be kept in a condition in which the appearance and structural stability of the sign and its supporting system have been kept in a condition comparable to that of the sign when it was first installed. In no case may the sign or its supporting structure be allowed to become deformed in any manner which will affect its legibility or its ability to withstand the required wind design loads on the sign face or its supporting structure.

101.3 Permits. Unless specifically exempted via this Code all signs erected in the City of Wahpeton shall require a permit issued by the Building Official or designee at a fee set by resolution of the City Council.

101.4 Signs exempt from permits. The following signs are exempt from the requirements to obtain a permit before erection:

1. Temporary signs announcing the sale or rent of property.
2. Signs erected by transportation authorities.

101.5 Enforcement Authority. The Building Official or designee is hereby authorized and directed to enforce all the provisions of this code.

(a.) Right of Entry. Whenever necessary to make an inspection to enforce any of the provisions of this code, or whenever the Building Official has reasonable cause to believe that there exists any condition or violation to this code, the Building Official or his authorized representative may enter such building or premises at all reasonable times to inspect the same or to perform any duty imposed upon the Building Official by this code, provided that if such building or premises be occupied, he shall first present proper credentials and request entry; and if such building or premises be unoccupied, he shall first make a reasonable effort to locate the owner or other persons having charge or control of the building or premises and request entry. If such entry is refused, the Building Official or his authorized representative shall have recourse to every remedy provided to secure entry.

101.6 Appeals. In order to provide for reasonable interpretation of the provisions of this code the Planning Commission will act as a Board of Appeals as provided in the building code.

(a.) Planning Commission. Denial of any request of a sign permit shall be appealable to the Planning Commission.

101.7 Violations. It shall be unlawful for any person, firm or corporation to erect, construct, enlarge, alter, repair, move, improve, remove, convert or demolish, equip, use or maintain any sign structure in this jurisdiction, or cause or permit the same to be done, contrary to or in violation of any of the provisions of this code.

The following shall constitute a violation of this sign code:

1. Failure to purchase a permit before placing a sign.
2. Failure to affix permit tag to sign.
3. Failure to remove a sign when permit has expired.
4. Failure to notify Building Official as per Sec. 114.4 (c.)
5. Failure to have sign permanently marked with the name and address of the sign owner.
6. Failure to maintain sign in good condition.
7. Failure to comply with electrical requirements of this code.
8. Failure to remove a sign not displaying copy.
9. Placement of a sign on public right-of-way.

(a.) All violations of this Code will be levied an administrative fee not to exceed \$100.00 per day of the sign is in violation, not to exceed \$500 and such other remedies the City may seek.

101.8 Grandfather Clause. All current signs, either existing or permitted, prior to the adoption of this code shall be grandfathered in and considered compliant until/unless said sign requires significant repair (50% or more of value) or replacement takes place.

SECTION 102

DEFINITIONS

H102.1 General. Unless otherwise expressly stated, the following words and terms shall, for the purposes of this appendix, have the meanings shown herein. Refer to Chapter 2 of the *International Building Code* for general definitions.

COMBINATION SIGN. A sign incorporating any combination of the features of pole, projecting and roof signs.

DISPLAY SIGN. The area made available by the sign structure for the purpose of displaying the advertising message.

ELECTRIC SIGN. A sign containing electrical wiring, but not including signs illuminated by an exterior light source.

GROUND SIGN. A billboard or similar type of sign which is supported by one or more uprights, poles or braces in or upon the ground other than a combination sign or pole sign, as defined by this code.

OFF PREMISE SIGN. Any sign which directs attention to a business, profession, product, service, activity or entertainment not conducted, sold or offered on the premises upon which the sign is located.

POLE SIGN. A sign wholly supported by a sign structure in the ground.

PORTABLE DISPLAY SURFACE. A display surface temporarily fixed to a standardized advertising structure which is regularly moved from structure to structure at periodic intervals.

PORTABLE SIGN. Any sign that is not permanently affixed to the ground and can be moved from one location to another at periodic intervals.

PROJECTING SIGN. A sign other than a wall sign, which projects from and is supported by a wall of a building or structure.

ROOF SIGN. A sign erected upon or above a roof or parapet of a building or structure.

Scrolling Illuminated Signs. Scrolling, moving, flashing, rotating, illuminated signs or colored lights

SIGN. Any letter, figure, character, mark, plane, point, marquee sign, design, poster, pictorial, picture, stroke, stripe, line, trademark, reading matter or illuminated service, which shall be constructed, placed, attached, painted, erected, fastened or manufactured in any manner whatsoever, so that the same shall

be used for the attraction of the public to any place, subject, person, firm, corporation, public performance, article, machine or merchandise, whatsoever, which is displayed in any manner outdoors. Every sign shall be classified and conform to the requirements of that classification as set forth in this chapter.

SIGN STRUCTURE. Any structure which supports or is capable of supporting a sign as defined in this code. A sign structure is permitted to be a single pole and is not required to be an integral part of the building.

WALL SIGN. Any sign attached to or erected against the wall of a building or structure, with the exposed face of the sign in a plane parallel to the plane of said wall.

SECTION 103

LOCATION

103.1 Location restrictions. Signs shall not be erected, constructed or maintained so as to obstruct any fire escape or any window or door or opening used as a means of egress or so as

to prevent free passage from one part of a roof to any other part thereof. A sign shall not be attached in any form, shape or manner to a fire escape, nor be placed in such manner as to interfere with any opening required for ventilation.

103.2 Clearance from High Voltage Power Lines. Signs shall be located not less than 6 feet horizontally or 12 feet vertically from overhead electrical conductors which are energized in excess of 750 volts. The term "overhead conductors" as used in this section means any electrical conductor, either bare or insulated, install above the ground, except such conductors as are enclosed in iron pipe or other material covering of equal strength.

103.3 Right of Way. No signs may be erected or placed in public right of way. Signs shall not project more than a maximum of four (4) feet into the Right of way or within 2 feet of the curb line. Signs projecting into the right of way shall be no less than eight (8) feet from finished grade.

103.4 Projection Over Alleys. No sign or sign structure shall project into any public alley below a height of 14 feet above grade, nor project more than 36 inches where the sign structure is located 14 feet to 16 feet above grade. The sign or sign structure may project not more than 36 inches into the public alley.

SECTION 104 IDENTIFICATION

104.1 Identification. Every outdoor advertising display sign hereafter erected, constructed or maintained, for which a permit is required shall be plainly marked with the name of the person, firm or corporation erecting and maintaining such sign and shall have affixed on the front thereof the permit number issued for said sign or other method of identification approved by the building official.

SECTION 105 DESIGN AND CONSTRUCTION

105.1 General Requirements. Signs shall be designed and constructed to comply with the provisions of this code for use of materials, loads and stresses.

105.2 Permits, drawings and specifications. Where a permit is required, as provided in Chapter 1, construction documents shall be required. These documents shall show the dimensions, material and required details of construction, including loads, stresses and anchors.

105.3 Wind load. Signs shall be designed and constructed to withstand wind pressure as provided for in Chapter 16.

105.4 Seismic load. Signs designed to withstand wind pressures shall be considered capable of withstanding earthquake loads, except as provided for in Chapter 16.

105.5 Working stresses. In outdoor advertising display signs, the allowable working stresses shall conform to the requirements of Chapter 16. The working stresses of wire rope and its fastenings shall not exceed 25 percent of the ultimate strength of the rope or fasteners.

Exceptions:

1. The allowable working stresses for steel and wood shall be in accordance with the provisions of Chapters 22 and 23.
2. The working strength of chains, cables, guys or steel rods shall not exceed one-fifth of the ultimate strength of such chains, cables, guys or steel.

105.6 Attachment. Signs attached to masonry, concrete or steel shall be safely and securely fastened by means of metal anchors, bolts or approved expansion screws of sufficient size and anchorage to safely support the loads applied.

SECTION 106 ELECTRICAL

106.1 Illumination. A sign shall not be illuminated by other than electrical means, and electrical devices and wiring shall be installed in accordance with the requirements of the North Dakota

(ND) State Wiring Standards. Any open spark or flame shall not be used for display purposes unless specifically approved.

106.1.1 Internally illuminated signs. Except as provided for in Sections 402.14 and 2611, where internally illuminated signs have facings of wood or approved plastic, the area of such facing section shall not be more than 120 square feet (11.16 m²) and the wiring for electric lighting shall be entirely enclosed in the sign cabinet with a clearance of not less than 2 inches (51 mm) from the facing material. The dimensional limitation of 120 square feet (11.16 m²) shall not apply to sign facing sections made from flame-resistant-coated fabric (ordinarily known as "flexible sign face plastic") that weighs less than 20 ounces per square yard (678 g/m²) and that, when tested in accordance with NFPA 701, meets the fire propagation performance requirements of both Test 1 and Test 2 or that when tested in accordance with an approved test method, exhibits an average burn time of 2 seconds or less and a burning extent of 5.9 inches (150 mm) or less for 10 specimens.

106.2 Electrical service. Signs that require electrical service shall comply with the ND State Wiring Standards.

106.3 Allowed Zoning. Electrical signs and Scrolling Illuminated Signs are not allowed in residential zoned areas (R-1, R-2, or R-3) or within 150' of residential zoning unless approved by special exception of the Planning Commission.

SECTION 107

COMBUSTIBLE MATERIALS

107.1 Use of combustibles. Wood, approved plastic or plastic veneer panels as provided for in Chapter 26, or other materials of combustible characteristics similar to wood, used for moldings, cappings, nailing blocks, letters and latticing, shall comply with Section H109.1, and shall not be used for other ornamental features of signs, unless approved.

107.1.1 Plastic materials. Notwithstanding any other provisions of this code, plastic materials which burn at a rate no faster than 2.5 inches per minute (64 mm/s) when tested in accordance with ASTM D 635 shall be deemed approved plastics and can be used as the display surface material and for the letters, decorations and facings on signs and outdoor display structures.

107.1.2 Electric sign faces. Individual plastic facings of electric signs shall not exceed 200 square feet (18.6 m²) in area.

107.1.3 Area limitation. If the area of a display surface exceeds 200 square feet (18.6m²), the area occupied or covered by approved plastics shall be limited to 200 square feet (18.6 m²) plus 50 percent of the difference between 200 square feet (18.6 m²) and the area of display surface. The area of plastic on a display surface shall not in any case exceed 1,100 square feet (102 m²).

107.1.4 Plastic appurtenances. Letters and decorations mounted on an approved plastic facing or display surface can be made of approved plastics.

SECTION 108

ANIMATED DEVICES

108.1 Fail-safe device. Signs that contain moving sections or ornaments shall have fail-safe provisions to prevent the section or ornament from releasing and falling or shifting its center of gravity more than 15 inches (381 mm). The fail-safe device shall be in addition to the mechanism and the mechanisms housing which operate the movable section or ornament. The fail-safe device shall be capable of supporting the full dead weight of the section or ornament when the moving mechanism releases.

SECTION 109

GROUND SIGNS

109.1 Height restrictions. The structural frame of ground signs shall not be erected of combustible materials to a height of more than 35 feet (10668 mm) above the ground. Ground signs constructed entirely of noncombustible material shall not be erected to a height of greater than 50 feet (30 480 mm) above the ground. Greater heights are permitted where approved and located so as not to create a hazard or danger to the public.

109.2 Required clearance. The bottom coping of every ground sign shall be not less than 3 feet (914 mm) above the ground or street level, which space can be filled with platform decorative trim or light wooden construction.

109.3 Wood anchors and supports. Where wood anchors or supports are embedded in the soil, the wood shall be pressure treated with an approved preservative.

109.4 Height of signs shall be governed by the following setback steps.

STEP 1. 0 feet to 25 feet from the property line the maximum height allowed shall be 30 feet.

STEP 2. 25+ feet to 100 feet from property line the maximum height allowed shall be 40 feet.

STEP 3. 100+ feet from the property line the maximum height allowed shall be 50 feet.

Setback dimensions shall be a straight line measurement from the property line to the center line of the sign standard nearest to that property line.

Height measurements shall be taken from the highest centerline grade of any adjacent street. Signs installed on the roof of any building within a height step shall not exceed the maximum allowed sign height of the zone in which the sign is located.

Current signs that exceed the height restrictions in this code are grandfathered in per 101.8. Those same signs upon replacement must comply with this Code. An exception to 109.4 may be granted by the Board of Appeals so the grandfathered sign can be replaced at its current height and location.

109.5 Allowed Zoning All business (B-1, B-2, B-3) and Industrial (I-1, I-2) zoned areas along with RB-4 Zoning areas.

SECTION 110 ROOF SIGNS

110.1 General. Roof signs shall be constructed entirely of metal or other approved noncombustible material except as provided for in Sections H106.1.1 and H107.1. Provisions shall be made for electric grounding of metallic parts. Where combustible materials are permitted in letters or other ornamental features, wiring and tubing shall be kept free and insulated there from. Roof signs shall be so constructed as to leave a clear space of not less than 6 feet (1829 mm) between the roof level and the lowest part of the sign and shall have at least 5 feet (1524 mm) clearance between the vertical supports thereof. No portion of any roof sign structure shall project beyond an exterior wall.

Exception: Signs on flat roofs with every part of the roof accessible.

110.2 Bearing plates. The bearing plates of roof signs shall distribute the load directly to or upon masonry walls, steel roof girders, columns or beams. The building shall be designed to avoid overstress of these members.

110.3 Height of signs shall be governed by the following setback steps.

STEP 1. 0 feet to 25 feet from the property line the maximum height allowed shall be 30 feet.

STEP 2. 25+ feet to 100 feet from property line the maximum height allowed shall be 40 feet.

STEP 3. 100+ feet from the property line the maximum height allowed shall be 50 feet.

Setback dimensions shall be a straight line measurement from the property line to the center line of the sign standard nearest to that property line.

Height measurements shall be taken from the highest centerline grade of any adjacent street. Signs installed on the roof of any building within a height step shall not exceed the maximum allowed sign height of the zone in which the sign is located.

110.4 Allowed Zoning All business (B-1, B-2, B-3) and Industrial (I-1, I-2) zoned areas.

SECTION 111

WALL SIGNS

111.1 Materials. Wall signs which have an area exceeding 40 square feet (3.72 m²) shall be constructed of metal or other approved noncombustible material, except for nailing rails and as provided for in Sections H106.1.1 and H107.1.

111.2 Exterior wall mounting details. Wall signs attached to exterior walls of solid masonry, concrete or stone shall be safely and securely attached by means of metal anchors, bolts or expansion screws of not less than 3/8 inch (9.5 mm) diameter and shall be embedded at least 5 inches (127 mm). Wood blocks shall not be used for anchorage, except in the case of wall signs attached to buildings with walls of wood. A wall sign shall not be supported by anchorages secured to an unbraced parapet wall.

111.3 Extension. Wall signs shall not extend above the top of the wall, nor beyond the ends of the wall to which the signs are attached unless such signs conform to the requirements for roof signs, projecting signs or ground signs.

111.4 Allowed Zoning All business (B-1, B-2, B-3) and Industrial (I-1, I-2) zoned areas along with RB-4 Zoning areas.

SECTION 112

PROJECTING SIGNS

112.1 General. Projecting signs shall be constructed entirely of metal or other noncombustible material and securely attached to a building or structure by metal supports such as bolts, anchors, supports, chains, guys or steel rods. Staples or nails shall not be used to secure any projecting sign to any building or structure. The dead load of projecting signs not parallel to the building or structure and the load due to wind pressure shall be supported with chains, guys or steel rods having net cross-sectional dimension of not less than 3/8 inch (9.5 mm) diameter. Such supports shall be erected or maintained at an angle of at least 45 percent (0.78 rad) with the horizontal to resist the dead load and at angle of 45 percent (0.78 rad) or more with the face of the sign to resist the specified wind pressure. If such projecting sign exceeds 30 square feet (2.8 m²) in one facial area, there shall be provided at least two such supports on each side not more than 8 feet (2438 mm) apart to resist the wind pressure.

112.2 Attachment of supports. Supports shall be secured to a bolt or expansion screw that will develop the strength of the supporting chains, guys or steel rods, with a minimum 5/8-inch (15.9 mm) bolt or lag screw, by an expansion shield. Turn buckles shall be placed in chains, guys or steel rods supporting projecting signs.

112.3 Wall mounting details. Chains, cables, guys or steel rods used to support the live or dead load of projecting signs are permitted to be fastened to solid masonry walls with expansion bolts or by machine screws in iron supports, but such supports shall not be attached to an unbraced parapet wall. Where the supports must be fastened to walls made of wood, the supporting anchor bolts must go through the wall and be plated or fastened on the inside in a secure manner.

112.4 Height limitation. A projecting sign shall not be erected on the wall of any building so as to project above the roof or cornice wall or above the roof level where there is no cornice wall; except that a sign erected at a right angle to the building, the horizontal width of which sign is perpendicular to such a wall and does not exceed 18 inches (457 mm), is permitted to be erected to a height not exceeding 2 feet (610 mm)

above the roof or cornice wall or above the roof level where there is no cornice wall. A sign attached to a corner of a building and parallel to the vertical line of such corner shall be deemed to be erected at a right angle to the building wall.

112.5 Additional loads. Projecting sign structures which will be used to support an individual on a ladder or other servicing device, whether or not specifically designed for the servicing device, shall be capable of supporting the anticipated additional load, but not less than a 100-pound (445 N) concentrated horizontal load and a 300-pound (1334 N) concentrated vertical load applied at the point of assumed or most eccentric loading. The building component to which the projecting sign is attached shall also be designed to support the additional loads.

112.6 Allowed Zoning. All business (B-1, B-2, B-3) and Industrial (I-1, I-2) zoned areas.

SECTION 113

MARQUEE SIGNS

113.1 Materials. Marquee signs shall be constructed entirely of metal or other approved noncombustible material except as provided for in Sections H106.1.1 and H107.1.

113.2 Attachment. Marquee signs shall be attached to approved marquees that are constructed in accordance with Section 3106.

113.3 Dimensions. Marquee signs, whether on the front or side, shall not project beyond the perimeter of the marquee.

113.4 Height limitation. Marquee signs shall not extend more than 6 feet (1829 mm) above, nor 1 foot (305 mm) below such marquee, but under no circumstances shall the sign or signs have a vertical dimension greater than 8 feet (2438 mm).

113.5 Allowed Zoning. All business (B-1, B-2, B-3) and Industrial (I-1, I-2) zoned areas along with RB-4 Zoning areas.

SECTION 114

PORTABLE SIGNS

114.1 General. Portable signs shall conform to requirements for ground, roof, projecting, flat and temporary signs where such signs are used in a similar capacity. The requirements of this section shall not be construed to require portable signs to have connections to surfaces, tie-downs or foundations where provisions are made by temporary means or configuration of the structure to provide stability for the expected duration of the installation.

114.2 Permit Requirements. A portable sign sixteen square feet and larger and/or greater than five feet in height shall require a permit. Permits shall be obtained from the building official by the person renting or displaying the sign, or the owner of the sign, in the case of annual permits. A copy of the permit must be presented to the sign rental company before the sign can be rented. A permit tag will be issued with the permit and must be attached to the sign for which it has been issued.

114.3 Permit Fees. Permit fees shall be established by resolution of the City Council.
(\$30 per sign per year)

114.4 Annual Permit. Annual permits may be purchased by sign rental companies and sign owners. Annual permits will be effective from 1 January to 31 December and shall be renewable on a yearly basis. An annual permit shall be issued for specific sign and must be attached to said sign.

(a) Annual permits shall not be transferable from sign to sign.

(b) A portable sign with an annual permit shall be allowed at a location for 30 days at a time. Once 30 days have expired, it shall be 30 days before another portable sign can be placed at that location (parcel).

(c) Holders of annual permits shall notify the Building Official prior to placing a sign; of the permit number of the sign, the location of the sign, the date the sign will be placed, and the date the sign will be removed.

114.5 Multiple Signage. In the case of strip malls, office condos and multiple business structures, two (2) signs shall be allowed per parcel at any given time.

114.6 Maintenance. Signs not displaying copy shall be removed from the street frontage of a lot.

114.7 Identification of Owner. Portable signs shall be clearly marked by some permanent means and in a readily visible location with the name and address of the sign owner.

114.8 Allowed Zoning. All business (B-1, B-2, B-3) and Industrial (I-1, I-2) zoned areas along with Residential (All residential zoning) & RB-4 Zoning areas.

SECTION 115

Signs in Residential Areas

115.1 Signs in Residential Districts. Signs are not permitted in any residential district, except as used with "Home Occupation", public or semi-public uses, or existing business or commercial buildings being solely so used, in which case they shall conform to this section. This section shall not apply to any well maintained signs in current state of good repair in district zoned Residential-3 which are either painted onto a building or solidly affixed thereto, however, any such sign shall be limited in size so that it does not extend in any direction beyond the boundaries of the building side on which it is painted or affixed.

115.2 Area Requirement. Except as otherwise provided, home occupation or any other signs in any residence district or in connection with any residential building in any other district shall not exceed six (6) square foot in area.

115.3 Any announcement sign of a club, public or semi-public building, or business or commercial building being used at the time of the adoption of this ordinance solely for business or commercial purposes shall be non-illuminated, not more than twelve (12) square feet in area, shall refer only to the premises which it occupies and shall be submitted for approval by the Building Official as to color, shape, size, location and height, to ensure conformity with the surrounding area.

115.4 Sign Limits. All signs that exceed six (6) square foot in area shall be placed off of the City right-of-way and before placement thereof plans therefore shall be submitted to the Building Official for his approval as to size, shape, color and proposed location and height to ensure conformity with the surrounding area.

115.5 Any aggrieved party may appeal any decision made by the Building Official pursuant to Section 106.5 to the Planning Commission in the manner and pursuant to the procedures as set forth in Article 6 of Chapter 10 of the Revised Ordinances of the city of Wahpeton.

115.7 Portable Signs Portable signs are not allowed in residential districts for more than 5 days, inclusive of transportation to and off of the site, and then must not be located on the same parcel for 30 days.

SECTION 116

Off-Premise Signs

116.1. Off-Premise Signs Allowed in Business (B) & Industrial (I) Districts. Off-premise signs shall be allowed in B & I districts provided signage meets the following requirements:

(a) Spacing between off-premise signs shall be at least 500 feet. This distance shall be determined by a 500 foot radius from the sign along the street to which the sign orients.

(b) Area allowed for sign shall be determined as follows; 40% of the area of the building frontage or 3 square feet per lineal foot of lot frontage, whichever is greater. [12 x 25 w/out State highway frontage, 14 x 28 w]

(c) Sign height steps as per section 404 (f).

(d) Signs shall be located a minimum of 300 feet from residential zoning districts. This distance shall be determined by a 300 foot radius from the sign.

116.2 Off-Premise Sign - Size. Off-premise signs shall not exceed 1200 square feet in area with a maximum height of 30 feet and a maximum width of 60 feet, inclusive of border and trim, but exclusive of base or apron, supports and other structural members. [14 x 28 panel DMU, GC, LI, GI, permitted elsewhere as follows. Not in AG.]

116.3 Off-Premise Signs in ETZ-1. Off-premise signs shall be allowed in ETZ-1 zoning by special exception granted by the Planning Commission.

Table 4-A
Size, Thickness and Type of Glass Panels in Signs

Maximum size of Exposed Panel		Maximum Thickness of Glass (inches)	Type of Glass
Any Dimension (inches)	Area (square inches)		
30	500	1/8	Plain, Plate or wired
45	700	3/16	Plain, Plate or wired
144	3,600	1/4	Plain, Plate or wired
>144	>3,600	1/4	Wired Glass

For SI: 1 inch = 25.4 mm, 1 square inch = 645.16 mm².

Table 4-B
Thickness of Projection Sign

Projection (feet)	Maximum Thickness (feet)
5	2
4	2.5
3	3
2	3.5
1	4

For SI: 1 foot = 304.8 mm

SECTION 117

REFERENCED STANDARDS

ASTM D 635-03 Test Method for H107.1.1

Rate of Burning and/or

Extent and Time of

Burning of Self-Supporting

Plastics in a Horizontal Position

ICC EC-06 ICC Electrical Code H106.1,

H106.2

NFPA 701-99 Methods of Fire Test for H106.1.1

Flame Propagation of Textiles

and Films

