

CHAPTER 25: ZONING

ARTICLE 19. SIGNS

Sec. 25-181 Purpose and Intent.

The purpose of this Ordinance is to protect and promote the general welfare, health, safety and order within the City of Oakdale through the standards, regulations and procedures governing the erection, use and/or display of devices, signs or symbols serving as visual communicative media to persons situated within or upon public rights-of-way or properties.

The provisions of this Ordinance are intended to encourage creativity, a reasonable degree of freedom of choice, an opportunity for effective communication and a sense of concern for the visual amenities on the part of those designing, displaying or otherwise utilizing needed communicative media of the types regulated by this Ordinance, while at the same time assuring that the public is not endangered, annoyed or distracted by the unsafe, disorderly, indiscriminate or unnecessary use of such communicative facilities.

Sec. 25-182 Definitions.

- (a) **Accessory Sign:** A sign relating in its subject matter to the premises on which it is located, or to products, accommodations, services or activities on the premises on which it is located.
- (b) **Accessory Use:** A use which is subordinate to the principal use being made of a parcel of land. Accessory uses are defined in the Zoning Code.
- (c) **Address Sign:** Postal identification numbers only, whether written or in numeric form.
- (d) **Area Identification Sign:** A free-standing sign which identifies the name of a neighborhood, a residential subdivision, a multiple residential complex consisting of three (3) or more structures, a shopping center or area, an industrial area, an office complex consisting of three (3) or more structures or any combination of the above that could be termed an area.
- (e) **Banners and Pennants:** Attention-getting devices which resemble flags and are of a non-permanent paper, cloth or plastic-like consistency.
- (f) **Bench Signs:** A sign which is affixed to a bench or shelter at a bus stop.
- (g) **Big Box Retail Establishment:** A retail establishment having 60,000 square feet or greater of gross floor area. (Ord 870, 03/09/21)
- (h) **Billboard:** A large outdoor advertising structure mounted on one or more legs and designed to display posters, composite graphics and electronic (Dynamic Displays) advertisements.
- (i) **Electronic Message Signs:** Displays, devices or portions thereof with lighted messages that change at intermittent intervals by electronic process or remote control. Also known as an automatic changeable copy sign, dynamic display message sign, electronic variable message center, electronic dynamic business sign, or video display sign. Electronic message signs are not identified as flashing or motion signs.
- (j) **Free-Standing Sign:** A sign which is placed in the ground and not affixed to any part of any structure.
- (k) **Illuminated Sign:** Any sign which is illuminated by an artificial light source.
- (l) **Institutional Sign:** Any sign or bulletin board which identifies the name and other characteristics of a public or private institution on the site where the sign is located.
- (m) **Motion Sign:** Any sign which revolves, rotates, or has any moving parts. Included in this category are searchlights used for advertisement.

- (n) **Nameplate or Identification Sign:** A sign which bears the name and/or address of the occupants of the building.
- (o) **Nits:** International System of Units, unit of luminance; to quote the brightness of computer displays.
- (p) **Non-Accessory Sign:** A sign other than an accessory sign.
- (q) **Nonconforming Sign:** A sign which does not conform to the newly enacted requirements of this Ordinance.
- (r) **Portable Sign:** A sign which is not permanently attached to the ground or any structure and so designed as to be movable from one location to another.
- (s) **Principal Building:** A freestanding structure and/or multi-tenant building sharing common walls.
- (t) **Projecting Sign:** Any sign, all or any part of which extends over public property more than twelve (12) inches.
- (u) **Permanent Sign:** Any sign which is not a temporary sign.
- (v) **Pylon Sign:** A freestanding area identification sign greater than twenty (20) feet in height, intended for freeway advertising.
- (w) **Roof Sign:** Any sign erected upon or projecting above the roofline of a structure to which it is affixed.
- (x) **Sign:** Any letter, word or symbol, device, poster, picture, statuary, reading matter or representation in the nature of an advertisement, announcement, message or visual communication whether painted, posted, printed, affixed or constructed, which is displayed outdoors for informational or communicative purposes.
- (y) **Sign Area:** That area within the marginal lines of the surface which bears the advertisement, or in the case of messages, figure or symbols attached directly to any part of the building, that area which is included in the smallest rectangle which can be made to circumscribe the message, figure or symbol displayed thereon. The stipulated maximum sign area for a freestanding sign refers to a single facing.
- (z) **Street Frontage:** The edge of a street along a parcel. An interior lot has one street frontage and a corner lot two such frontages.
- (aa) **Temporary Sign:** A sign which is erected or displayed for a limited period of time.
- (bb) **Traffic Directional Sign:** A sign which is erected by a governmental unit for the purpose of directing or guiding traffic.
- (cc) **Internal Traffic Directional Sign:** A sign which is erected on private property by the owner of such property for the purpose of guiding vehicular and pedestrian traffic within his property. Such sign bears no advertising information.
- (dd) **Wall Sign:** Any sign which is affixed to a wall of any building.

Sec. 25-183 General Provisions Applicable to All Districts.

- (a) Non-accessory freestanding and wall signs are prohibited in all districts, except in areas specially designated in this Ordinance.
- (b) The base or support structure for the sign shall compliment the design of the building and incorporate 40% of brick, stone, decorative block, or similar substantial materials as approved by the City.
- (c) Freestanding signs along major thoroughfares (I-94, I-694, MN5/36/120/Inwood Ave/Hadley Ave/10th St) shall be subject to a Design Review Committee. The focus of the review is to assure the quality of the sign with regard to design and materials - Section 25-175(b).

Furthermore, the committee will consider the signs' relationship to any architectural theme of existing or proposed structures in the area.

- (d) Freestanding signs shall be constructed with the base consisting of materials matching the building with said base at least seventy-five (75) percent of the width of the sign from the ground to the bottom of the sign.
- (e) All signs shall be constructed in such a manner and of such material that they shall be safe and substantial, provided that nothing in this Code shall be interpreted as authorizing the erection or construction of any sign not now permissible under the Zoning or Building Codes of the City.
- (f) The Building Official, in granting permits for illuminated signs, shall specify the hours during which the same may be kept lighted to prevent the creation of a nuisance. All illuminated signs shall have a shielded light source.

Any sign illuminated and located within fifty (50) feet of a lot line or a Residence District shall be diffused or indirect so as not to direct rays of light into adjacent residence. All illuminated signs in Business and Industry Districts in close proximity to Residence Districts shall be designed so as to illuminate the sign and not residential property to the extent practicable.

- (g) No sign, other than public traffic controls, directional or street name signs, shall be erected or temporarily placed within any street right-of-way or upon any public easements, except campaign yard signs as provided in subsection (i) below, may be located in a commercial, industrial or residential lot not less than five (5) feet from the curb, lot line or edge of street.
- (h) A permit for a sign to be located within fifty (50) feet of any street or highway regulatory or warning sign, or of any traffic sign or signal, or of any crossroad or crosswalk, will be issued only if:
 - (1) The sign will not interfere with the ability of drivers and pedestrians to see any street or highway sign, or any traffic sign or signal, or any crossroad or crosswalk, and
 - (2) The sign will not distract drivers nor offer any confusion to any street or highway sign, or any traffic sign or signal.
- (i) Campaign yard signs, posted by a bonafide candidate for political office or by a person or group promoting a political issue or a political candidate, may be placed in any district. Such signs may be erected beginning 46 days before the state primary in a state general election year and must be removed no later than ten (10) days following the election. The signs shall be setback a minimum of five (5) feet from the edge of the street and signs shall not visually obstruct motor vehicle operation. Candidates shall be provided a copy of this ordinance upon filing for office.
- (j) Temporary real estate signs may be erected for the purpose of selling or promoting a residential project provided:
 - (1) Such signs shall not exceed 128 square feet in area.
 - (2) Only one sign shall be permitted per street frontage upon which the property abuts.

- (3) Such signs shall be removed when the project is 80% completed, sold or leased.
- (4) Such signs shall be located no closer than 100 feet to any residence not part of this project.
- (k) Temporary signs adjacent to the public right-of-way for the purpose of selling or leasing individual lots or buildings shall be permitted, provided:
 - (1) Such signs shall not exceed six (6) square feet for residential property and 32 square feet for nonresidential property and multiple-family developments of four or more dwelling units.
 - (2) Only one (1) such sign is permitted per street frontage upon which the property abuts.
 - (3) Such sign shall be removed within seven (7) days following the lease or sale.
- (l) Portable, internally lit signs are not allowed as permanent signs in any District.
- (m) Any freestanding sign within 25 feet of any intersection of street right-of-way lines and/or driveway entrances shall have vertical clearance for proper visibility by motorists on all affected roadways.
- (n) The total sign area of any multi-faced free-standing or projecting wall sign shall not exceed twice the permitted area of a two-sided sign or three times the area of a three-sided sign. All applications for signs of more than two sides shall be reviewed by the Planning Commission and Council.
- (o) No signs are allowed which contain moving parts or flashing lights, except for intermittent display of time and temperature.
- (p) Deleted.
- (q) Bench signs are permitted in all districts at MTC bus stops.
- (r) Back-lighted signs are permitted on the ends of bus shelters.
- (s) Church directional signs shall be permitted in all districts provided the total area of such signs shall not exceed four (4) square feet per facing.
- (t) Canopies and marquees shall be considered to be an integral part of the structure to which they are accessory. Signs may be attached to a canopy or marquee but such structure shall not be considered as part of the wall area and thus shall not warrant additional sign area.
- (u) Signs advertising garage, yard, or similar household sales shall be removed within seven (7) days after the sale.
- (v) Signs with moving or changing electronic messages are allowed as part of the total area of a permitted sign.

- (w) Signs which are located on the interior of a building and are not visible from the outside of said building shall be exempt from the provisions of this Ordinance and shall not require permits or payment of fees.
- (x) Roof signs shall be prohibited in all districts.

Sec. 25-184 District Regulations.

- (a) In addition to those signs permitted in all districts, the following signs are permitted in each specific district and shall be regulated as to size, location and character according to the requirements herein set forth:

(1) Residential Districts:

- a) Nameplate Signs: One sign for each dwelling unit, not greater than two square feet in area, indicating the name and/or address of the occupant.
- b) Recreational Signs: One sign or bulletin board per street frontage for parks and recreational use in residential districts, such sign or bulletin board shall not exceed 24 square feet in area nor shall it be placed closer than ten (10) feet to any edge of street line nor shall it be placed in a location that would interfere with the safe movement of traffic.
- c) Area Identification Signs: One sign per each major development, not to exceed 24 square feet in area.
- d) Temporary Signs: According to Sec. 25-183.
- e) Maximum Height of Free-Standing Signs: Eight (8) feet.
- f) Lighting: Lighting must be indirect or diffused.
- g) Non-residential institutional uses in residential districts:

- (1) Wall Signs: One wall sign for each street frontage shall be permitted on a building. The total area of all wall signs affixed to a building wall shall not exceed twenty (20) percent of the total area of that wall. No individual wall sign shall exceed 150 square feet.

A wall sign shall not project more than eighteen (18) inches from the wall to which the sign is to be affixed. Furthermore, wall mounted signs shall not exceed the roofline on any building.

Banners shall be included in the allowance for wall signs. The design and construction of all banners shall be professional looking and not be allowed to become torn or weathered.

- (2) Free-Standing Sign: One freestanding sign is permitted for each street frontage. The total area of a freestanding sign for a building having one

street frontage shall not exceed sixty (60) square feet. Where a building has two (2) or more street frontages, each permitted freestanding sign in excess of one shall be no greater than one-half the area of the first sign.

- (3) No part of a freestanding sign shall be closer than ten (10) feet to the property line or exceed ten (10) feet in height. The height shall be measured from the base of the sign or grade of the nearest adjacent roadway, whichever is lower.
- (4) Temporary Signs: Temporary special event signs may be displayed upon issuance of a permit, for not more than ten (10) calendar days, and not more than two times each year. Such signs shall include: banners, pennants, flying signs, air inflated devices, search lights, portable bulletin signs, streamers, and other signs approved by the City.

Established churches are exempt from permit requirements, number of days, and frequency guidelines.

- (5) Electronic Message Signs: For non-residential institutional uses in residential districts, signs with moving or changing electronic messages are allowed as part of the total area of the permitted sign, with the following standards:
 - a) A Conditional Use Permit is required.
 - b) Allowed as a portion of a free-standing sign.
 - c) Electronic portion of the sign not to exceed thirty-two (32) square feet.
 - d) Signs may be square or rectangular and contain all messages within.
 - e) Signs must have minimum display duration of 30 seconds.
 - f) No dynamic display electronic sign shall be erected that by reason of position, shape, movement, or color, interferes with the proper functioning of a traffic signs, signals, or which constitutes a traffic hazard.
 - g) Signs shall not exceed 4,500 Nits between the hours of civil sunrise and civil sunset, as measured from the sign face.
 - h) Electronic portion of the sign may not be illuminated between 10:00 pm and 6:00 am and shall have a maximum of 250 Nits from civil sunset to civil sunrise, as measured from the sign face. The City Council may extend the hours of illumination if the proposed sign is located at least 100 feet from a residential property boundary.
 - i) Signs shall have a fully functional off switch that automatically shuts the display sign off when the display deteriorates 10% or greater.
 - j) The lamp wattage and luminance level in Nits shall be provided at the time of permit application.
 - k) Public service messages, in addition to messages such as Amber Alerts, are to be provided at no cost to the public.
 - l) Electronic message signs are prohibited as temporary signs. (Ord. No. 828, 05/23/17)

(2) **Commercial District:**

- a) Wall Signs: One wall sign for each street frontage shall be permitted on a building for each business located within such building. The total area of all wall signs affixed to a building wall shall not exceed twenty (20) percent of the total area of that wall. No individual wall sign shall exceed 150 square feet.

For a Big Box Retail Establishment, one wall sign for each street frontage shall be permitted on a building for each business located within such building. No individual Big Box Retail Establishment wall sign shall exceed 350 square feet. Wall signs for sub-tenants and sub-brands in a Big Box Retail Establishment shall not exceed 150 square feet, unless the sub-tenant or sub-brand contains 60,000 square feet or greater of gross floor area, in which case its wall sign shall not exceed 350 square feet. The total square footage of wall signage shall not exceed ten (10) percent of the total square footage of the wall upon which the signs are affixed. (Ord.870, 03/09/21)

A wall sign shall not project more than eighteen (18) inches from the wall to which the sign is to be affixed. Furthermore, wall mounted signs shall not exceed the roofline on any building.

Banners shall be included in the allowance for wall signs. The design and construction of all banners shall be professional looking and not be allowed to become torn or weathered.

- b) Free-Standing Sign: One freestanding sign is permitted for each building for each street frontage.

The total area of a freestanding sign for a building having one street frontage shall not exceed eighty (80) square feet. Where a building has two (2) or more street frontages, each permitted freestanding sign in excess of one shall be no greater than one-half the area of the first sign.

No part of a freestanding sign shall be closer than ten (10) feet to the front property line or exceed twenty-five (25) feet in height. The height shall be measured from the base of the sign or grade of the nearest adjacent roadway, whichever is lower.

- c) Bulletin Signs: Bulletin signs may have individual face areas of up to fifty (50) percent of the area of the display surface area of the business' identification or free-standing sign. Bulletin signs which are not wall-mounted must have a minimum elevation of ten (10) feet. Bulletin signs which are not wall-mounted must have a minimum elevation of ten (10) feet.

One portable bulletin sign up to 15 square feet may be displayed only during the merchant's business hours, with a permit. Such signs shall be located within the width of the storefront to which it is related.

- d) Pylon Signs: Retail and service establishments on property abutting an interstate freeway right-of-way may erect one pylon sign not exceeding 150 square feet of display surface area in addition to their one free-standing sign.

Multi-tenant Big Box Retail Establishments on property abutting an interstate freeway right-of-way are allowed one pylon sign on the interstate frontage for all tenants in the establishment in addition to free-standing signage allowed per Sec.25-184(a)(2)b). Total sign area on the pylon sign shall not exceed 350 square feet. Multi-tenant big box retail pylon signs shall have a support structure in compliance with the performance standards set forth in Sec. 25-183(b) through (d). (Ord. 870, 03/09/21)

The minimum allowance distance of a pylon sign to an interstate right-of-way is fifty (50) feet, with a maximum height of thirty (30) feet.

- e) Electronic Dynamic Business Sign: Signs with moving or changing electronic messages are allowed as part of the total area of the permitted sign, with the following standards:
- (1) A Special Use Permit is required.
 - (2) Allowed Usage: Free-standing, Bulletin, and Nameplate/Building Identification.
 - (3) Business identification signage not to exceed forty (40) square feet.
 - (4) Signs may be square or rectangular and contain all messages within.
 - (5) Signs must have minimum display duration of 30 seconds.
 - (6) Goods and services displayed must be available at the business.
 - (7) No dynamic display electronic sign shall be erected that by reason of position, shape, movement, or color, interferes with the proper functioning of a traffic signs, signals, or which constitutes a traffic hazard.
 - (8) Signs shall not exceed 4,500 Nits between the hours of civil sunrise and civil sunset and shall not exceed 500 Nits between the hours of civil sunset and civil sunrise, as measured from the sign face.
 - (9) Signs adjacent to residential properties shall be shut off from 10 pm to 6 am or have a maximum of 250 Nits from civil sunset to civil sunrise.
 - (10) Signs shall have a fully functional off switch that automatically shuts the display sign off when the display deteriorates 10% or greater.
 - (11) The lamp wattage and luminance level in Nits shall be provided at the time of permit application.

(12) Public service messages, in addition to messages such as Amber Alerts, are to be provided at no cost to the public.

(13) Electronic dynamic business signs are prohibited as temporary signs.

f) Temporary Signs: Temporary special event signs may be displayed upon issuance of a permit, for not more than ten (10) calendar days, and not more than two times each year. Such signs shall include: banners, pennants, flying signs, air inflated devices, search lights, portable bulletin signs, streamers, and other signs approved by the City. Established churches are exempt from permit requirements, number of days, and frequency guidelines. After the issuance of a Certificate of Occupancy (CO), the business that was issued the CO is exempt from the monetary and time restraints of temporary sign permit requirements for a period of ninety (90) days.

g) Traffic Directional Signs.

(3) **Industrial Districts:**

a) Free-Standing Identification Signs: One (1) identification sign is permitted for each building, not to exceed eighty (80) square feet in area.

No part of a freestanding sign shall be closer than ten (10) feet to the front property line or exceed fifteen (15) feet in height. The height shall be measured the same as for a freestanding sign in the Commercial Districts.

b) Wall Signs: One (1) additional wall identification sign is permitted for each tenant having a private entry to a multi-tenant building, such sign being displayed at or near the tenants' entrance and not to exceed ten (10) percent of the area of the wall to which it is affixed.

No wall sign shall exceed 150 square feet in area. Commercial activities such as motels, restaurants, etc., may have signs according to the standards of the Commercial District.

c) Temporary Signs

d) Maximum Height of Freestanding Signs: Twenty (20) feet.

e) Traffic Directional Signs

Sec. 25-185 Billboards.

(a) **Billboards:**

(1) Billboards may only be erected along and are intended to be viewed from Interstate Highways 94 and 694. Billboards are allowed only in the following Zoning Districts: CC, I-O, and GI Districts.

- (2) The maximum allowable size of any billboard is 700 square feet. The maximum allowable extensions shall not exceed fifteen (15) percent of the total sign area. All skirting and perimeter material shall be counted as part of the sign area.
 - (3) The maximum allowable height of any billboard is thirty-five (35) feet. If an Interstate Highway served by a billboard is elevated above the surface on which it is placed, the City Council may grant a variance to this regulation according to its discretion.
 - (4) The minimum allowable distance in any direction between billboards is 5,280 feet.
 - (5) The minimum allowable proximity of any billboard to any residential zoning district is 500 feet.
 - (6) The minimum allowable distance of any billboard to any Interstate or Trunk Highway right-of-way is fifty (50) feet.
 - (7) The minimum allowable distance of a billboard to any building shall be twenty-five (25) feet.
 - (8) No portion of any billboard shall occupy air space above any driveway or parking area.
 - (9) No billboard may display any moving parts nor shall it be illuminated with any flashing or intermittent lights.
 - (10) Billboards shall be a principal use in all Districts.
 - (11) All dynamic billboards shall be licensed pursuant to Chapter 9 of the City Code.
- (b) Electronic/Dynamic Display: In addition to the above requirements as applicable, signs with moving or changing electronic messages are allowed as part of the total area of permitted sign, with the following standards:
- (1) The support structure for the sign shall conform to the City's design sample and include an illuminated logo of the City with name "City of Oakdale" inscribed.
 - (2) No dynamic display electronic sign shall be erected that, by reason of position, shape, movement or color, interferes with the proper functioning of a traffic sign, signal or which constitutes a traffic hazard.
 - (3) Dynamic display electronic message signs must have minimum display duration of 30 seconds. Such displays shall contain static messages only; change from one static message to another shall be instantaneous without any special effects, through dissolve or fade transitions, or with the use of other subtle transition that do not have the appearance of moving text or images.
 - (4) Must be rectangular in shape and all messages contained within.
 - (5) Shall not be allowed on any buildings.

- (6) All dynamic display electronic message signs shall have installed ambient light monitors and shall, at all times, allow such monitors to automatically adjust the brightness level of the electronic sign based on light conditions.
- (7) Dynamic display electronic message signs shall not exceed 2,500 Nits (candelas per square meter) between the hours of civil sunrise and civil sunset and shall not exceed 500 Nits (candelas per square meter) between the hours of civil sunset and civil sunrise as measured from the face of the sign.
- (8) Dynamic display electronic message signs shall have a fully functional monitoring off switch system that automatically shuts the dynamic display signs off when the display deteriorates, in any fashion, 5% or greater until the dynamic display sign has been repaired to its fully functional factory specifications.
- (9) The lamp wattage and luminance level in Nits (candelas per square meter) shall be provided at the time of permit application from the owner or operator of the sign stating that the sign shall at all times be operated in accordance with City Codes and that the owner or operator shall provide proof of such conformance upon request of the City.
- (10) A permanent removal of two (2) square feet of existing static billboard facing within the City of Oakdale for every one (1) square foot of Dynamic display electronic message sign
- (11) Public service messages, in addition to messages such as Amber Alerts, are to be provided at no cost to the public.

Sec. 25-186 Administration and Enforcement.

- (a) **Permits.** Except as provided below, the owner or occupant of the premises on which a sign is to be displayed, or the owner or installer of such signs, shall file an application provided by the City Building Official for permission to display such sign. Permits must be acquired for all existing, new, relocated, modified or redesigned signs except those specifically excepted below. The applicant shall submit with the application a complete description of the sign and a sketch showing its size, location, manner of construction and such other information as shall be necessary to inform the City Building Official of the kind, size, material, construction and location of the sign. The City Building Official may approve Sign Permits. The applicant shall also submit the fee at the time of application.

If a sign authorized by a permit has not been installed within three (3) months after the date of issuance of said permit, the permit shall become null and void.

- (b) All signs shall be constructed in accordance with the current Minnesota State Building Code and National Electric Code.
- (c) All signs utilizing electricity shall be subject to the State's current Electrical Code and electrical wiring shall be buried or concealed.
- (d) All sign structures shall be designed and constructed to withstand a wind pressure of not less than 80 mph, or as determined by the current Minnesota State Building Code.

- (e) **Exemptions.** The exemptions permitted by this section shall apply only to the requirement of a permit and shall not be construed as excusing the installer of the sign, or the owner of the property upon which the sign is located, from complying with the other provisions of this Ordinance. No permit is required under this section for the following signs:
- (1) A window sign placed within a building and not exceeding fifty (50) percent of the window area.
 - (2) Signs erected by a governmental unit or public school district.
 - (3) Memorial signs or tablets containing the name of the building, its use and date of erection when cut or built into the walls of the building and constructed of bronze, brass, stone or marble.
 - (4) Signs which are completely within a building and are not visible from the outside of said building.

Sec. 25-187 Violations and Fines.

If the City Building Official or his deputies finds that any sign regulated by this Ordinance is prohibited as to size, location, content, type, number, height, or method of construction, or is unsafe, insecure or a menace to the public, or if any sign has been constructed or erected without a permit first being granted to the installer of said sign or to the owner of the property upon which said sign has been erected, or fails to properly maintain said sign in a safe, orderly condition at all times, including the replacement of defective parts, or is in violation of any other provisions of this Ordinance, he shall give written notice of such violation to the owner or permittee thereof. If the owner or permittee fails to comply with the provision set forth in this Ordinance within ten (10) calendar days following receipt of said notice:

- (a) **Nuisance.** Such sign shall be deemed to be a nuisance and may be abated by the City by proceedings taken under Minnesota Statutes, Chapter 429, and the cost of abatement, including administration expenses, may be levied as a special assessment against the property upon which the sign is located.
- (b) **Penalty.** Failure to comply with the provisions of this ordinance shall be a misdemeanor.
- (c) **Confiscation.** Signs in violation of this ordinance.
 - a. **Process:**
 - i. Whenever signs are not in conformance with Oakdale Ordinance Article 19, the signs may be picked up by City Staff.
 - ii. All confiscated signs shall be stored at Public Works, in a location designated by Public Works for their storage
 - iii. Public Works shall retain the signs for a minimum of two (2) weeks, after which they are free to dispose of the sign(s).

- iv. Any sign(s) in violation, which requires more than one person in the removal, shall be released after the handling fee of \$100.00 has been paid at Public Works.

- b. **Exceptions:** Political /campaign signs in violation shall first receive notification that they are in violation and have 24 hours to remove the sign. Confiscated signs will then be held at Public Works and disposed of after the election.

Sec. 25-188 Appeals.

A permit applicant or permit holder may appeal any order or determination made by the City Building Official or his deputy pursuant to this Ordinance by filing a notice of appeal with the Community Development Director requesting a hearing before the City Council. The City Council will hear:

- (a) Appeals where it is alleged that there is an error in any order, requirement, decision or determination made by the administrative officer in the enforcement of this Ordinance.
- (b) Requests for variances from the literal provisions of this Ordinance.

Sec. 25-189 Nonconforming Signs.

- (a) Any nonconforming temporary or portable sign existing at the time of adoption of this Ordinance shall be made to comply with the requirements set forth herein or shall be removed within 180 days after the adoption of this Ordinance.
- (b) Nonconforming permanent signs lawfully existing at the time of the adoption of this Ordinance shall have five (5) years from the date of the adoption of this Ordinance to comply with the provisions of this Ordinance or be removed.

Sec. 25-190 to 25-200 Reserved.