

## **BEMIDJI TOWNSHIP SIGN ORDINANCE**

**Purpose:** The purpose of this ordinance is to protect the health, safety and welfare, and property values of all residents of Bemidji Township through regulation of signs and their subsequent location upon properties located throughout the township.

**Scope/Applicability:** This ordinance applies to all signs located within the boundaries of Bemidji Township except as noted in the ordinance. The provisions of this ordinance supplement but do not supersede Federal, State or County regulations. In the event contrary terms or a requirement noted in this ordinance conflicts with the Bemidji Township Land Use Ordinance, the Land Use Ordinance will prevail. All signs, both permanent and temporary shall conform to the provisions of this ordinance within the time limits established herein.

**Objectives of Regulations:** It shall be the intent of this ordinance to achieve the following objectives:

- a) To establish standards which would permit businesses in the township a reasonable and equitable opportunity to identify themselves.
- b) To preserve and promote beauty and not allow signs which would detract from this objective resulting from unusual size, shape, height, location, condition, cluttering or illumination.
- c) To ensure that signs in the township shall not create a safety hazard.
- d) To preserve and protect the value of land and buildings, and to preserve and protect landscapes.

## **BEMIDJI TOWNSHIP SIGN ORDINANCE**

**SIGNS AND OUTDOOR ADVERTISING:** All signs which meet provisions or sections II, III, and IV of this ordinance shall require the issuance of a sign permit.

### **DEFINITIONS:**

**SIGN** shall mean a name, identification, description, display, illustration, advertising object, or device which is affixed to or represented directly or indirectly upon a building, structure or land in view of the general public and which directs attention to a product, service, place, activity, person, institution or business.

Any letters, figures, design, symbol, trademark, architectural or illuminating device intended to attract attention to any place, subject, person, firm, corporation, public performance, article, machine, or merchandise whatsoever and painted, printed, or constructed and displayed in any manner whatsoever out of doors for recognized advertising purposes. However, this shall not include any official court or public notices nor the flag, emblem or insignia of a government, school, or religious group when displayed for official purposes.

**ADVERTISING OBJECT**

Shall mean any part of an advertising face that is not a flat surface, including boats, cars, recreational vehicles or other objects which are an essential part of the sign or provides structural support.

**SIGN, ABANDONED**

Shall mean a sign which no longer advertises a bona fide business, lesser, owner, activity, use or product available on the premises where the sign is displayed for a continuous period of thirty (30) days.

**SIGN AREA**

Shall mean the entire area within a continuous perimeter, enclosing the extreme limits of the sign display, including any frame, border, not including support posts. Curved, spherical, or any other shaped sign face shall be computed on the basis of actual surface area. The copy of signs composed of individual letters, numerals or other devices shall be the sum of the area of the smallest rectangle or other geometric figure encompassing each of said letter or devices.

**SIGN, AREA IDENTIFICATION**

Shall mean any free-standing sign identifying the name of a neighborhood, a residential subdivision, a multiple residential complex, a shopping center or area, an industrial area, an office complex or any combinations of the above involving three (3) or more principal buildings.

**SIGN, BILLBOARD**

Shall mean any free standing sign greater than eight (8) square feet that advertises a product, business, place, person, etc.

**SIGN, BUILDING IDENTIFICATION**

Shall mean a sign which directs attention to a business or to a commodity, service or entertainment conducted, sold or offered upon the premises where such a sign is located.

**SIGN BULLETIN BOARD**

Shall mean a sign that indicates the name of an institution or organization on which premises it is located and which contains the name of the institution or organization, the name or names of persons connected with it (Nameplate Sign), and announcements of person(s), event(s), or activities appearing or occurring at the institution.

**SIGN, CHANGING MESSAGE (ELECTRONIC OR MECHANICAL)**

Shall mean a sign which directs attention to a business or to a commodity, service or entertainment conducted, sold or offered upon the premises where such a sign is located.

**SIGN, CONSTRUCTION**

Shall mean a sign placed at a construction site identifying the project or name of the project, engineer, contractor, developer, financier or other involved parties.

**SIGN, EXTENSION**

Shall mean a temporary addition or enlargement on a sign face that extends beyond the approved sign dimensions.

**SIGN FACE**

Shall mean all that part of a flat surface advertising device on which advertising is displayed and which provides visibility from one geographic direction.

**SIGN, FREESTANDING**

Shall mean any self-supporting sign which is placed in the ground and not affixed to any part of any building or structural support

**SIGN, GOVERNMENT**

Shall mean any temporary or permanent sign erected and maintained by the township, city, county, state or federal government for traffic direction or for designation of or direction to any school, hospital, historical site, or public service, street, property, facility or recreational trail.

**SIGN, HOME OCCUPATION**

Shall mean a sign designating or advertising a home business operated from a residential property.

**SIGN, ILLUMINATED**

Shall mean a sign illuminated in any manner by an artificial light source.

**SIGN, INCIDENTAL**

Shall mean a sign, generally informational that has a purpose secondary to the use to the zone lot on which it is located, such as "No Parking", "Entrance", "Loading Only", "Telephone," and other similar directives. No sign with a commercial message legible from a position off the zone lot of which the sign is located shall be considered incidental.

**SIGN, INFLATABLE**

Shall mean any sign which uses helium, air or other gases as the primary support for the sign structure.

**SIGN, NAMEPLATE**

Shall mean a sign indicating the name, address and other non-commercial messages on residentially zoned property.

**SIGN, OFF PREMISE**

Shall mean an off-premises sign which advertises a product, service, business or event which is not available or does not take place on the same premises as the sign, including billboards.

**SIGN, POLITICAL**

Shall mean a temporary sign advertising election issues or the candidacy of a person(s) running for an office.

**SIGN, PORTABLE/TEMPORARY**

Shall mean a temporary sign that is not permanently fixed to a building, other unmovable structure, or the ground.

**SIGN, REAL ESTATE**

Shall mean a temporary sign placed upon property for the purpose of advertising to the public the sale or lease of said property.

**SIGN, "V"/DOUBLE FACED**

Shall mean a commercial sign consisting of two (2) essentially equal faces, positioned at an angle extending less than ninety (90) degrees which are essentially connected (maximum two (2) foot separation at its closest point).

**SIGN, WALL**

Shall mean a commercial sign painted on the outside of a building, or attached to, and erected parallel to the face of a building and supported throughout its length by such building.

**SIGN, WINDOW**

Shall mean a sign painted, stenciled, or affixed on a window or door, which is visible from a right-of-way.

**SECTION I. PERMITS**

All temporary and/or permanent advertising requires a sign permit to be issued except as noted in Section II.

A sign permit must be obtained from Bemidji Township before constructing, erecting, remodeling, change of content, relocating or expanding in any way any sign in the township.

As a condition of issuing a Special Use Permit for a sign, the Bemidji Township Board of Supervisors may impose such conditions relating to size, shape, color, location, and lighting to ensure the compatibility of the said sign with the surrounding area and land use patterns.

A sign permit shall remain valid unless the conditions of the permit are violated, the sign is in disrepair and/or until such time that the conditions of the permit are in violation of the Bemidji Township Nuisance Ordinance. All signs without a permit are in violation of the ordinance and person(s) whom own the property where the sign(s) is/are situated must apply for a permit.

For fees associated with the signs in Bemidji Township, refer to the Bemidji Township Fee schedule.

Advertising on any structure or object requires a permit and the sign must meet the zoning district requirements. However, a sign in conformance with Section III, with the business name **only** attached to the primary building containing the business, with a maximum of sixty-four (64) square feet, does not require a separate sign permit as it is allowed as a condition of the business Special Use Permit.

All signs must be in compliance with all other authorities which regulate signage.

All temporary and/or permanent advertising requires a sign permit.

In no event will signage be allowed in Bemidji Township right-of-way.

## **SECTION II. GENERAL EXEMPTIONS**

The following signs do not require that a permit be issued by Bemidji Township unless specifically prohibited by district provisions.

- 1) Flags of a government or of a political, civic, philanthropic, educational or religious organization displayed on private property.
- 2) Address numerals, fire numbers, E-911 numbers, and/or other signs required to be maintained by law or governmental order, rule or regulation.
- 3) Political campaign signs. However, all political campaign signs must conform to the size limitation of the land use district in which they are placed. Moreover, such signs must be removed by the candidate or the person(s) on whose property the sign has been placed, within fourteen (14) days after the election or the candidate and/or property owner will be charged with a violation of this ordinance. No sign shall be placed on the township right-of-way.
- 4) Private traffic control signs on private property, not to exceed four (4) square feet in gross surface area if visible from a public roadway.
- 5) Identification signs accessory to a single family dwelling not exceeding three (3) square feet in gross surface area.
- 6) All other signs require a duly issued sign permit.

## **SECTION III. SIGN STANDARDS**

- 1) The gross surface area of a sign shall be the sum of the surface area of all the sign faces, including cutouts, except that for signs designed as double faced signs, then only one face of the sign shall be considered in determining the gross surface area.
- 2) Sign height shall be measured from the ground level at the base of, or below, the sign to the highest element of the sign.
- 3) Illuminated signs shall be shaded wherever necessary in any zoning district. A Special Use

Permit shall be required for all illuminated signs.

- 4) Animated signs, signs with either moving lights, or signs which create the illusion of movement shall be permitted only in the commercial districts and then only with a Special Use Permit.
- 5) Sign(s) shall not be attached to a tree or utility pole whether on public or private property. (Exception: "No Trespassing" and "No Hunting" signs on private property.)
- 6) Sign(s) shall not be maintained at any location where by reason of its position, size shape, or color may obstruct, impair, obscure, interfere with the view of, or be confused with any traffic control sign, signal, or device, or where it may interfere with, mislead, or confuse traffic.
- 7) Replacement of support post(s), columns, pylons or other structural supports for any non-conforming sign shall constitute removal of that sign, and upon the Township granting a Special Use Permit its replacement shall be in conformance with the provisions of this ordinance.
- 8) Signs which are accessory to a principal building which is lawfully non-conforming in its front yard setback must have a minimum setback in excess of that for the principal structure.
- 9) Sign(s) shall not encroach into the roadright-of-way.
- 10) Sign(s) shall not contain obscenities or vulgarities.
- 11) Construction signs shall not exceed size limitations of a land use district. Construction signs shall be removed from the site when the construction project is accepted by the owner(s).
- 12) All signs shall be permanently affixed to a building or permanently placed standards.

#### **SECTION IV. ZONING DISTRICT PROVISIONS**

##### 1) COMMERCIAL DISTRICT

- A. Only directional or identification signs shall be issued a sign permit in this District.
  - B. No sign shall exceed six (6) square feet in gross surface area.
  - C. No sign shall exceed six (6) feet in height.
  - D. No sign shall be set closer than ten (10) feet from the road right-of-way
- a) A commercial business may have one (1) business nameplate sign attached to its main building (see Section I.) and one (1) free standing permanent sign as part of the business Special Use Permit.
  - b) Any additional signs are allowed only with a Special Use Permit.

Signs in a commercial district shall not exceed two hundred (200) square feet in total surface area and twenty-five (25) feet in overall height.

Commercial billboard signs are limited to one (1) per one thousand (1,000) feet of frontage, and shall not exceed a maximum of two hundred (200) square feet in gross surface area, a maximum of twenty-five (25) feet in overall height, and shall be set back a minimum of ten (10) feet from the road right-of-way.

##### 2) RESIDENTIAL DISTRICT

The following signs conforming to the conditions stated below may be issued a sign permit in this district: Bulletin board signs, on premises business signs, real estate signs, construction signs, identification signs, directional signs and portable signs.

There shall be no more than one (1) sign on each parcel of property.

All signs with the exception of real estate signs and those listed in Section II, require a Special Use Permit. Signs for home occupations shall be coordinated and permitted as part of the Special Use Permit for the home occupation. No illuminated or inflatable signs or advertising objects are permitted.

Permitted signs:

- a) Shall be a maximum of eight (8) square feet in gross surface area.
- b) Shall be a maximum of six (6) feet in overall height from ground elevation.
- c) Shall be set back a minimum of ten (10) feet from the road right-of-way.

#### **SECTION V. VARIANCES**

All signs not complying with sections II, III and IV of this ordinance shall require a Variance. Applications for a Variance are available from Bemidji Township.

#### **SECTION VI. PENALTY**

Any person, firm or corporation violating any provision of this ordinance shall be guilty of a misdemeanor.

#### **SECTION VII. LEGAL COSTS**

Any expenses to the township incurred due to legal action(s) necessary to enforce this ordinance, if defendant is found liable, shall be borne in total by the defendant.

#### **SECTION VIII. EFFECTIVE DATE**

The effective date of this ordinance is March 11, 1991. This ordinance was approved by the Bemidji Township Board of Supervisors at their regular monthly meeting, March 11, after two public hearings held on January 8 and February 12, 1991. Revisions passed by the Township Board on September 8, 1997, after a public hearing on June 9, 1997, and December 11, 2000, after public hearings on December 5, 2000, and December 11, 2000. Revisions passed by the Township Board on May 10, 2004 after a public hearing held on May 10, 2004, Revisions passed after three public hearings July 3, 2017.