



OFF-SITE SIGN PERMIT  
APPLICATION OR RENEWAL FORM

Date: \_\_\_\_\_

Owner's Name: \_\_\_\_\_

Business Name: \_\_\_\_\_

Business Address: \_\_\_\_\_

Mailing Address: \_\_\_\_\_

Telephone Number: \_\_\_\_\_

Type of Business: \_\_\_\_\_

APPLICATION or RENEWAL

Annual Permit Fee of \$50.00 Submitted: \_\_\_\_\_

Proof of Insurance: \_\_\_\_\_

Signature of Property Owner(s) of Record: \_\_\_\_\_

Locations of Signs: \_\_\_\_\_

Description of Sign(s) Attached: \_\_\_\_\_

I, \_\_\_\_\_, have been given a copy of Ordinance No. 387-1007, Relating to Off-Site Signs and a copy of Zoning Ordinance Section 17.04, Application for Erection Permit, and having read and understand them, do agree to conform with the requirements stated therein of the City Code of the City of Independence, Iowa. The applicant further agrees that he will hold said City harmless from any and all claims for damages of any kind or character, defend any action that may be brought against said City, and pay all damages that may be assessed, including costs, should any damage occur through the erection, use or maintenance of said sign(s).

\_\_\_\_\_  
(Signature of Business Owner)

Approval of Building Official: \_\_\_\_\_

Date: \_\_\_\_\_

## ORDINANCE NO. 387-1007

### AN ORDINANCE AMENDING THE CITY OF INDEPENDENCE ZONING ORDINANCE BY ADDING A NEW SECTION RELATING TO OFF-SITE SIGNS.

BE IT ORDAINED by the City Council of the City of Independence, Iowa, that:

SECTION 1. The City of Independence Zoning Ordinance is hereby amended by the addition of the following provisions:

#### Section 17.28 OFF-SITE SIGNS

17.28.01. Permit Required. The off-site sign permit shall be a separate permit which shall be submitted on the forms provided by the building official in accordance with Section 17.04 of this Ordinance. The application must be signed by the owner of the business being advertised as well as the property owner of record, or the authorized agent of such property owner, of said property upon which the sign is being placed. A fee of \$50 must accompany the completed permit application. Each license issued shall expire on December 31 following the date of its issue and may be renewed by the City Council upon application of the license holder, payment of required annual fee of \$50.00, proof of insurance and approval of building official.

17.28.02. Locations. Off-site signs will be permitted in A-1; C-1; C-2; M-1; and M-2 areas. Off-site signs will not be permitted in Residential zoned areas. No off-site sign shall be permitted within 50' of any residential district, as measured from the nearest part of each sign to the nearest property line in a residential district. In addition, no off-site advertising sign shall be located within 50' of a public park, public or private school, church, cemetery or any local historic district or a National Register Historic District. In each case, the required distance shall be measured from the edge of the sign nearest linearly to the closest point on the parcel of land containing the residential use, park, school, church, cemetery or historic district, as applicable.

17.28.03. Restrictions. Off-site signs will be subject to yard requirements established for principal uses for the district in which they are located as well as any state set back requirements. A maximum of two off-site signs shall be permitted on the premises, one per lot frontage, with a maximum of two off-site signs per business. Off-site signs shall be subject to visual clearance on corners. No signs shall be placed on public property. There shall be no attachments to the sign, i.e. balloons, streamers. The design and color of the face of the sign shall be of a nature or color which will not be offensive or could be distracting to traffic, i.e. bright fluorescent colors. No off-site signs shall be electric or separately illuminated.

17.28.04. Size and Structure. The sign shall not exceed 3 square feet and shall not be over 3' in height. The sign shall be constructed in a manner and of material

similar to resemble common real estate signs. The sign shall contain one sign per face. The sign shall not be attached to any other sign or pole.

All signs and sign support structures, together with all of their supports, braces, guys and anchors, shall be kept in repair and in a proper state of preservation. The display surface of all signs shall be kept neatly painted or posted at all times. The sign shall not interfere with any directional or city or state signs.

17.28.05. Indemnification. The business owner to which the sign is accessory, shall agree to indemnify and hold the City of Independence harmless from all liability and shall place on file a liability insurance policy with limits satisfactory to the City Council naming the City of Independence, Iowa, and its employees as additional insureds, insuring against any liability that may arise in connection with the sign encroachment. Each insurance policy or acceptable certificate of insurance filed with the City Clerk shall have attached to it the following endorsement:

"It is understood and agreed that before the policy to which this endorsement is attached expires or is suspended or cancelled, the insurer shall give the City of Independence, Iowa, thirty (30) day's prior written notice of such proposed suspension or cancellation."

17.28.06. Inspection and Removal. The building official is authorized to inspect said sign at any time and may revoke the off-site sign permit at any time. The building official may order the removal of any sign that is in violation of the sign ordinance. In the event said business ceases to operate, the sign will be removed by the applicant immediately.

17.28.07. Violation. In addition to any other consequence permitted by this Ordinance, any violation of any of the off-site sign provisions will result in revocation of the off-site permit without chance for reinstatement for one year and no fee refund.

17.28.08. Variance. A sign owner may request a variance from the terms of the ordinance which will be contrary to the public interest where due to special conditions a literal enforcement of the provisions of this ordinance would result in unnecessary hardship. All requests for a variance shall be heard by the board of adjustment after submitting complying information and payment of fees.

SECTION 2. Severability Clause. If any section, provision or part of this ordinance shall be adjudged invalid or unconstitutional such adjudication shall not affect the validity of the ordinance as a whole or any section, provision or part thereof not adjudged invalid or unconstitutional.

SECTION 3. Repealer. All ordinances or parts of ordinances in conflict with the provisions of this ordinance are hereby repealed.

SECTION 4. This ordinance shall be in full force and effect from and after the final passage, approval and publication of this ordinance, as required by law.

**PASSED AND APPROVED** by the City Council of Independence, Iowa, this 22<sup>nd</sup> day of October, 2007.

Section 17.04. APPLICATION FOR ERECTION PERMIT.

Application for erection permits shall be made upon forms provided by the building inspector, and shall contain or have attached thereto the following information:

- 17.04.01. Name, address and telephone number of the applicant.
- 17.04.02. Location of building, structure or lot to which or upon which the sign or other advertising structure is to be attached or erected.
- 17.04.03. Position of the sign or other advertising structure in relation to nearby buildings or structures.
- 17.04.04. One (1) blueprint or ink drawing of the plans and specifications and method of construction and attachment to the building or in the ground.
- 17.04.05. Copy of stress sheets and calculations showing the structure is designed for dead load and wind pressure in any direction in the amount required by this Ordinance and all other ordinances of the City.
- 17.04.06. Name of person, firm, corporation or association erecting structure.
- 17.04.07. Written consent of the owner of the building, structure or land on which the structure is to be erected.
- 17.04.08. Any electrical permit required and issued for said sign.
- 17.04.09. Such other information as the city building inspector shall require to show full compliance with this Ordinance and all other ordinances of the city.