

Chapter 5 – Building, Construction and Housing

Article II – Sign Code

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§ 5-7. Purpose (New)

Sign regulations, including provisions to control the type, design, size, location, motion, illumination, enforcement and maintenance thereof, are established in order to achieve, among others, the following purposes:

- (a) To maintain high quality districts of all land uses, and attractive public and private facilities of all types, by permitting only signs appropriate to their environs;
- (b) To provide for reasonable and appropriate methods for locating goods, services, and facilities in all zoning districts by relating the size, type and design of signs to the size, type and design of the uses and districts;
- (c) To promote traffic safety by preventing obstructions within public rights-of-way, minimizing visual distractions to motorists, ensuring that sign size and height are appropriate to their location, and preventing conflicts with public safety signs and police and fire protection; and
- (d) To control the design and size of all signs so that their appearance will be aesthetically harmonious with an overall urban design for the area, in accordance with commonly accepted community planning and design practices, the comprehensive plan, and other plans and policies adopted by the City.

The City does not intend to infringe on the rights of free speech as protected by the First Amendment to the United States Constitution and Article I, Section 8, of the Missouri Constitution. All regulations in this article are to be construed, whenever possible, in favor of vigorous political debate and accommodation of the rights of residents and visitors to speak freely.

§ 5-8. General Provisions

- (a) **Title (Existing 5-7)**
This article shall hereafter be known and cited as the "Sign Code of the City of Kirkwood."
- (b) **Severability (New)**
If any provision of this article is found by a court of competent jurisdiction to be invalid, such finding shall not affect the validity of other provisions of this article that can be given effect without the invalid provision.
- (c) **Substitution Clause**
The commercial message sign area allowed for any sign permitted in this article may be substituted with a noncommercial message. A sign permit shall not be required for this substitution if there is no structural change to the sign.

§ 5-9. Applicability

- (a) The provisions of this article shall govern the erection of all signs, together with their appurtenant and auxiliary devices, in respect to type, design, size, location, and structural and fire safety.
- (b) In the absence from this article of specifications governing details of sign construction, the applicable standards listed in the Building Code of the City of Kirkwood shall apply.

(c) Signs and Messaging Not Regulated by this Article (New)¹

The following are signs and messaging that are not regulated by this article including any requirements for sign permits:

- (1) Any sign that is located completely inside a building that is not visible from the exterior (See also definition of window sign.);
- (2) Signs that are located within a stadium, open-air theater, outdoor shopping center, park, arena or other outdoor use that are not visible from a public right-of-way or adjacent property, and can be viewed only by persons within such stadium, open-air theater, outdoor shopping center, parks, arena, or other outdoor use;
- (3) Any sign located on umbrellas or similarly related private patio furniture or seating provided it complies with any other applicable standards of the Code of Ordinances;
- (4) Grounds and markings within a cemetery;
- (5) Signs that are part of a public art installation. For the purposes of this article, public art shall include any artwork commissioned, sponsored, or endorsed by the Kirkwood Arts Commission;
- (6) Signs required by the Americans with Disabilities Act of 1990;
- (7) Any sign on a truck, bus or other vehicle that is used in the normal course of a business (e.g., deliveries or fleet vehicles for contractors) for transportation (See also Paragraph <>.), or signage mandated by the State or Federal government;
- (8) Signs installed or required by a governmental agency including the City of Kirkwood, St. Louis County, State of Missouri, United States, and also including local and regional transit agencies;
- (9) Any legal sign required by a court with jurisdiction;
- (10) Any warning signs or traffic safety signs required by public utility providers; and
- (11) Any signs, including illuminated signs, or related decorations erected in observance of religious, national, or state holidays which are not intended to be permanent in nature and which contain no advertising material.

§ 5-10. Permits and Architectural Review (Revised 5-11 and 5-12)

- (a) Except as provided for in Section <> or where otherwise expressly stated, Table <> below establishes all the sign types permitted in the City of Kirkwood and establishes where a sign permit and architectural review is required for the individual signs.

TABLE <>: PERMIT AND REVIEW REQUIREMENTS FOR SIGN TYPES		
Sign Type	Sign Permit Required	ARB Review Required
Wall Sign for Individual Residential Dwellings	No	No
Permanent Signs at Residential Subdivision or Multi-Family Development Entrances	Yes	Yes
Awning and Canopy Signs	Yes	Yes
Driveway Signs	Yes	Yes
Drive-Through Signs	Yes	Yes
Ground Signs	Yes	Yes

¹ This is a complete rewrite of your “exemption” section that focuses only on signs that are truly exempt from the sign regulations.

TABLE <>: PERMIT AND REVIEW REQUIREMENTS FOR SIGN TYPES		
Sign Type	Sign Permit Required	ARB Review Required
Marquee Signs	Yes	Yes
Projecting Signs	Yes	Yes
Wall Signs (Nonresidential)	Yes	Yes
Window Signs	Yes	Yes
Temporary Sign without a Commercial Message	No	No
Temporary Signs with a Commercial Message in Residential Zoning Districts	No	No
Temporary Signs with a Commercial Message in Nonresidential Zoning Districts	Sign permits shall be required for any sign that is 12 square feet or larger	ARB Review required for any sign that is 12 square feet or larger and that will be in place for 30 days or longer
Master Sign Plans	Yes, for the construction of each sign as established in this Article	Yes

- (b) Where there is a like-for-like replacement of a sign and where there is no change in the design, a sign permit shall be required but architectural review by the ARB is not required.
- (c) All sign permits shall be issued by the Building Commissioner in accordance with this section, however, the Building Commissioner shall not issue sign permits for signs where an ARB review is required, as established in this section, until such time as the Architectural Review Board has made an affirmative finding that the architectural scheme of the proposed sign is in harmony with the architectural scheme of the building, site, and surrounding area and is in keeping with the design guidelines established in Section <>.
- (d) All signage on locally designated landmark properties shall also be reviewed by the Landmarks Commission.
- (e) Where multiple signs are proposed for a single premise at the same time, the ARB review may take place simultaneously.
- (f) Permit fees shall be paid, in full, at the time of application for the sign permit. Such fees shall be as set by the City Council, by resolution, from time to time.
- (g) In addition to the sign permit, all illuminated signs shall be subject to the permit requirements, and related fees, of the Electrical Code.
- (h) **Sign Permit Procedure**
 - (1) Application for an erection permit shall be made upon forms provided by the Building Commissioner and shall contain or be submitted with the following information:
 - (i) Name, address and telephone number of the owner of the sign;
 - (ii) Name of person erecting the structure;
 - (iii) Written consent of the owner or of the tenant of the premises to which or on which the proposed sign is to be erected;
 - (iv) Location of premises upon which sign is to be erected;
 - (v) Position of the sign in relation to nearby buildings or structures;

- (vi) Two copies of plans and specifications describing the dimensions of the sign, the materials and method by which it is to be constructed, and the details of how it is to be attached to the building or set into the ground;
 - (vii) Any electrical permit required; and
 - (viii) Any other information which the Commissioner might require to determine full compliance with the provisions of this article and any other relevant City ordinance.
- (2) The Building Commissioner shall process the sign permit application as follows:
 - (i) The Building Commissioner shall determine compliance with the terms of this article by examining the plans, specifications, other data submitted, and the premises upon which it is proposed to erect the sign, and shall request additional plans and information if necessary, to determine compliance.
 - (ii) Where an ARB review is required, the ARB shall review and act upon sign permit applications within 21 days of the date on which such application is filed with the Building Commissioner's Office unless the applicant and ARB jointly agree to extend the time for review. In the event the ARB fails to make a determination within the 21-day review period or jointly agreed period, the application shall be deemed to have received an affirmative finding. For master sign plan applications, as established in Section <>, the ARB shall act upon the master sign plan application within 60 days unless the applicant and the ARB jointly agree to extend the time for review.
 - (iii) If the proposed sign is found to be in compliance with all the requirements of this article and all other City ordinances applicable to the sign, and where the ARB has recommended approval of the sign, the Building Commissioner shall then issue the erection permit.
- (i) **Period of Validity**

If the work authorized under an erection permit has not been completed within six months after the date of issuance, the permit shall become null and void and a new sign permit shall be required before a sign can be erected.

§ 5-11. Appeals and Variances. (Revised 5-17)

The Architectural Review Board is empowered to review or modify the Building Commissioner's order or determination with respect to signs covered by this article. In addition, the Architectural Review Board may grant variances from this article as provided by this section.

- (a) The Architectural Review Board shall, in considering appeals from the Building Commissioner's order or determination, establish that the sign or application in question complies with all of the requirements of this article. If it is determined that the Building Commissioner's interpretation or application of this article to the appellant's sign or request for a permit is erroneous, then the Architectural Review Board may overturn or modify the Building Commissioner's decision.
- (b) The Architectural Review Board may grant variances from this article where it is found that, because of the limitations on character, size, or dimensions of a sign; or the regulations controlling the erection or installation of a sign, the permittee would be subject to undue hardship. Undue hardship is not a mere loss of a possible advantage or convenience to the applicant. If it is determined that the applicant for a variance is subject to an undue hardship, then the Architectural Review Board shall also determine that the proposed sign:

- (1) Will not be inappropriate to the type of activity to which it pertains; to the scale of the building to which it is related; or to the aesthetic environment of the surrounding structures and land use;
 - (2) Will not adversely affect the visual character of the neighborhood;
 - (3) Will not adversely affect the general safety and welfare of the neighborhood; and
 - (4) Will not significantly and unreasonably impair visibility of adjacent permitted signs and property.
- (c) Application for review or variances shall be completed within 35 days of the determination of the Building Commissioner. The application for review or variances shall be accompanied by a payment of a nonrefundable fee in accordance with Chapter 5, Article VII, "Fee Schedule."
- (d) The Architectural Review Board shall fix a reasonable period of time for hearing the appeal or variance. It shall give due notice to the parties in interest. The Chairman, or in the absence of the Chairman the acting Chairman, may administer oaths and compel attendance of witnesses. All hearings shall be open to the public. The Board shall keep minutes of its proceedings, showing the vote of each member upon each question, or if absent or failing to vote, indicating such fact, and shall keep records of its examinations and other official actions. All testimony, objections thereto, and rulings thereon shall be taken down by a court reporter employed by the Board for the purpose. All ordinances of the City, zoning enactments of the City, and the district maps which may have been or may hereafter be in force shall automatically be part of each hearing to the extent applicable without being specifically introduced at a hearing. The Board shall make findings together with the decision within a reasonable period of time. The applicant shall be provided a written copy of the finding and decision.
- (e) Decisions subject to review; procedure. Any person or persons jointly or severally aggrieved by any decision of the Architectural Review Board shall have the right to appeal said decision pursuant to the Administrative Procedure Act.

§ 5-12. Prohibited Signs (Revised 5-18 and 5-19)

The following types of signs are specifically prohibited within the City of Kirkwood:

- (a) Any sign that copies or imitates an official sign or purports to have official status;
- (b) Signs that interfere with, obstruct the view of, or are similar in appearance to any authorized traffic sign, signal or device because of its position, shape, use of words, or color;
- (c) Signs that constitute a hazard to safety or health by reason of inadequate or inappropriate design, construction, repair, or maintenance, as determined by the Building Commissioner;
- (d) Signs that employ any parts or elements which revolve, rotate, whirl, spin or otherwise make use of motion to attract attention. This shall not include electronic message centers as allowed in this article;
- (e) Signs with moving or flashing lights except for electronic message centers as allowed in this article;
- (f) Beacons and searchlights, except for emergency purposes;
- (g) Windblown devices, pennants, streamers, and similar signs that are designed to move by atmospheric, mechanical, electrical, or other means, whether containing words or numerals or containing no message.
- (h) Air-activated graphics;

- (i) Balloon signs;
- (j) Pole signs;
- (k) Roof signs;
- (l) Signs that are applied to trees, bus shelters, utility poles, benches, trash receptacles, newspaper vending machines or boxes, or any other unapproved supporting structure, or otherwise placed in the public right-of-way except as provided for in Section <>;
- (m) Signs that obstruct or substantially interfere with any window, door, fire escape, stairway, ladder, or opening intended to provide light, air, ingress, or egress to any building;
- (n) Signs which are not securely affixed to the ground or otherwise affixed in a permanent manner to an approved supporting structure unless specifically permitted as a temporary sign;
- (o) Portable signs;
- (p) Vehicle signs viewed from a public road with the primary purpose of providing signage not otherwise allowed by this article. A vehicle sign shall be considered to be used for the primary purpose of advertising if the vehicle fails to display current license plates, inspection sticker, or municipal decal, if the vehicle is inoperable, if evidence of paid-to-date local taxes cannot be made available, or if the sign alters the standard design of such vehicle. Vehicle signs include those attached to or placed on a vehicle or trailer. Vehicles or trailers shall not be parked continuously in one location to be used primarily as additional signage. This does not apply to a vehicle parked at a driver's residence and is the primary means of transportation to and from his or her place of employment; and
- (q) Any sign not specifically allowed by this article.²

§ 5-13. Measurements and Computations (New)³

(a) Sign Setback

All required setbacks for signs shall be measured as the distance in feet from the applicable lot line or right-of-way, whichever is applicable, to the closest point on the sign structure.

(b) Sign Height

The height of a sign shall be computed as the distance from the base of the sign at normal grade to the top of the highest attached component of the sign. Normal grade shall be construed to be the newly established grade after construction, exclusive of any filling, berming, mounding, or excavating solely undertaken for the purpose of locating or increasing the height of sign.

(c) Sign Area

The surface of a sign to be included when computing maximum allowable square footage of sign area shall be calculated as established in this subsection. For the purposes of calculating sign area, a "regular polygon" includes a circle, ellipse, triangle, square, or rectangle.

² This is a universal catch-all provision that addresses the potential for new sign types.

³ The City does not currently have a lot of language related to how to measure a sign so we have included this language that reflects common practices for measuring sign area.

- (1) For sign copy mounted or painted on a background panel, cabinet, or surface distinctively painted, textured, lighted, or constructed to serve as the background for the sign copy, the sign area shall be computed by means of the smallest regular polygon that encompasses the extreme limits of the background panel, cabinet, or surface. See Figure <> and Figure <>.

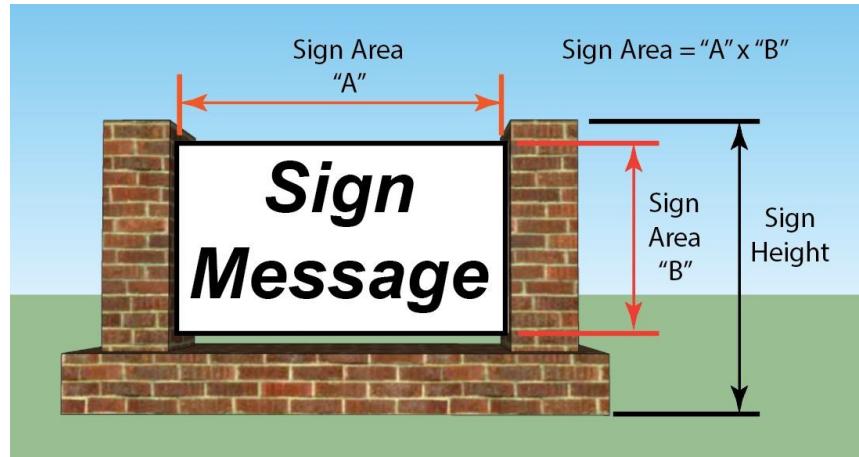


Figure <> Illustration of sign area calculation for a ground sign with a copy on a distinct, rectangular cabinet. The brick structural support is not included in the sign area calculation.⁴



Figure <>: Illustration of computing the sign area for wall signs with a background panel or cabinet.

⁴ We need to update this sign image with the terminology used in this code.

- (2) For sign copy where individual letters or elements are mounted or painted on a building façade or window where there is no background panel, cabinet, or surface distinctively painted, textured, lighted, or constructed to serve as the background for the sign copy, the sign area shall be computed by means of the smallest regular polygon that encloses all the letters or elements associated with the sign. See Figure <> and Figure <>5. In cases where there are multiple sign elements on the same surface, the Building Commissioner shall have the authority to determine the outermost boundaries of individual sign elements. Decorative edging or other treatments along a façade or on a window that are not an integral part of the sign copy shall not be considered a part of the sign for the purposes of this article. See Figure <>.

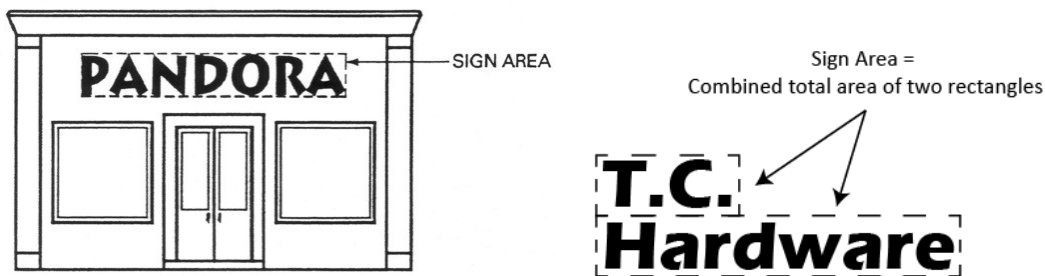


Figure <>: Illustration of sign area calculation for two differently shaped wall signs with individual letters.

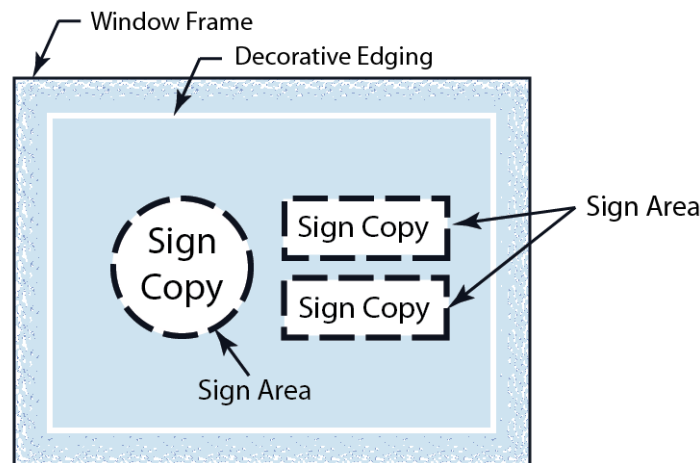


Figure <>: Illustration of sign area calculations for multiple sign areas on a window sign.

⁵ We will include an image of an awning sign for this section since the total background of an awning is not typically incorporated into the calculation of a sign area.

- (3) Except for three-dimensional signs, the sign area for a sign with more than one face (multi-faced signs) shall be computed by adding together the area of all sign faces when the interior angle is greater than 45 degrees.
- (4) When two identically sized, flat sign faces are placed back to back or at angles of 45 degrees or less, so that both faces cannot be viewed from any one point at the same time, the sign area shall be computed by the measurement of one of the sign faces. If the two faces are unequal, the sign area shall be calculated based on the larger of the two faces.
- (5) In the case of a three-dimensional sign where the sign faces are not mounted back-to-back, the sign area shall be calculated by the regular polygon, that encompasses the profile of the sign message. The profile used shall be the largest area of the sign message visible from any one point
- (6) The calculation of sign area shall not include any supporting framework, bracing, or decorative fence or wall unless such structural support is determined to constitute an integral part of the sign design by means of text or other commercial message, as determined by the Building Commissioner.

§ 5-14. General Regulations for All Sign Types (New)⁶

Unless otherwise specifically stated, the following regulations shall apply to all signs within the City:

- (a) Permanent signs are considered accessory uses and shall be accessory to a principal use provided for by this code. Temporary signs may be permitted on all lots, regardless of the presence of a principal use, provided the temporary signs are in compliance with this article.
- (b) Every sign shall be designed to conform to the requirements of this article and to the Building Code of the City of Kirkwood. The conformance shall be subject to approval by the Building Commissioner. Where appropriate, the Building Commissioner may require working drawings prepared by a qualified engineer registered in the state of Missouri.
- (c) All signs shall be constructed in compliance with the applicable building and electrical codes as well as any other City building regulations.
- (d) No sign or sign structure shall be placed on private or public property without the consent of the owner or agent thereof.
- (e) No sign or other advertising structure shall be erected, relocated or maintained so as to prevent free ingress or egress, or block any light or ventilation openings.
- (f) No sign shall obstruct or interfere with fire ingress or egress from any door, window, or fire escape, nor shall it obstruct or interfere with traffic or traffic visibility, or resemble or imitate signs or signals erected by the City or other governmental agency for the regulation of traffic or parking.
- (g) All signs shall be secured in such a manner as to prevent swinging or other significant noticeable movement, not including movement related to permitted electronic message centers, and projecting signs.
- (h) All permanent signs shall be constructed of rigid weatherproof materials, and provision shall be made for electric grounding of all major metallic parts.

⁶ This is a new, consolidated section but several of the provisions are in the existing code, pulled from multiple sections.

- (i) Movable parts to be secured. All movable parts of a sign shall be securely fastened to the sign so as to avoid any danger of the parts falling off. All items, such as covers to service openings, shall be secured by chains or hinges.
- (j) No sign shall be placed on private or public property without the written consent of the property owner or tenant.
- (k) Any sign structure which advertises a business no longer conducted or a product no longer sold on the premises or lot shall be removed within 30 days after the business or product is no longer present by the owner, agent, or person having beneficial use of the premises or lot upon which the sign is erected.
- (l) Any sign structure erected at less than eight feet above the mean grade line of the ground over which it is erected shall be free of sharp or pointed protrusions which might endanger the public's safety.
- (m) A transparent sign face may be constructed of glass or approved combustible plastic. If constructed of glass, the sign face shall either be safety glass or plate glass at least 1/4 inch thick. Provided, however, that if the area of a pane of glass exceeds three square feet it shall be wired glass.
- (n) All signs shall be designed and constructed to meet the Building Code requirements for wind pressure, dead load, and foundation specifications.
- (o) Signs are not required to meet zoning district building line setbacks but shall be subject to the clear visibility requirements set forth below.
- (p) No sign shall be erected at any intersection in such a manner as to obstruct free and clear vision. As such, no sign that exceeds 36 inches in height shall be located within 15 feet of the intersection of right-of-way lines so as to not obstruct clear and free vision.⁷
- (q) **Sign Erection by Licensed Erector (Existing 5-13)**
All permanent signs shall be erected by a contractor properly licensed by the City of Kirkwood except as follows:
 - (1) A sign that is 10 square feet in area or smaller and where a permit is required and has been obtained may be hung without a specific sign contractor's license.
 - (2) The sign area of signs hung under this exception shall be included in the calculation of the premises' total sign area when determining compliance with gross sign area limitations.
- (r) **Signs in Rights-of-Way**
 - (1) Unless otherwise stated, signs shall be prohibited in the right-of-way with the exception of:
 - (i) Signs installed by the City of Kirkwood, St. Louis County, State of Missouri, United States, including local and regional transit agencies; or
 - (ii) Any warning signs or traffic safety signs required by public utility providers.
 - (2) Where a sign is permitted to be installed in the right-of-way by an agency other than those agencies established in paragraph <> (i) above, such installation shall only be as approved by the Director of Public Services.

⁷ Current regulations establish this setback for ground signs but we have made it universal but have allowed for short signs to accommodate the small driveway signs that are often located in this setback.

- (3) The Building Commissioner may remove or cause to be removed any unlawful sign in the public right-of-way. Such removal shall be accomplished in accordance with Section <>.

(s) Illumination Standards

- (1) All illuminated signs shall be subject to the following requirements:
- (i) All illuminated signs and signs with electrical wiring must be covered by a valid electrical permit.
 - (ii) Relettering that requires a change of piping or sign wiring shall be subject to the approval of the Electrical Inspector.
 - (iii) The voltage of any electrical apparatus used in connection with the sign shall be conspicuously placed on that apparatus.
 - (iv) Illuminated signs shall not have any flashing or blinking lights or rotating beacons, nor shall any beam of light be projected through a mechanism which periodically changes the color of the light reaching the sign.
 - (v) All illumination shall be oriented so as to prevent glare onto traffic or onto adjacent property or structures.
 - (vi) All electrical illumination devices shall be designed to be weather-resistant and shatterproof.
 - (vii) Any sign that faces toward an adjacent residential lot or residential zoning district, regardless if on adjacent lots or across the street, shall not be illuminated except by external illumination directed only on the sign face.⁸

(2) Electronic Message Centers⁹

All electronic message centers shall be subject to the following requirements:

- (i) Electronic message centers are prohibited within the Downtown Kirkwood Historic District.
- (ii) The maximum brightness of the electronic message center shall be:
 - a. 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 at all times.
 - b. Electronic message centers shall not exceed a brightness level of 0.3 footcandles above ambient light as measured using a footcandle (lux) meter at a present distance depending on sign area.
 - c. Prior to the issuance of any permit, the owner shall provide the City with a certification from the sign manufacturer stating that the sign is capable of complying with the above brightness provisions.
- (iii) Electronic message centers shall be designed and equipped to freeze the device in one position if a malfunction occurs. The displays must also be equipped with a measure to immediately discontinue the display if it malfunctions.

⁸ This is a new provision that we have added per discussions with staff.

⁹ We have revised the terminology somewhat to reflect the more common term of Electronic Message Center (EMC)

- (iv) The images and messages displayed must be a static message with instantaneous message changes with no special effects or the transition may provide a black screen for at least one second. This means that there shall be no scrolling, flashing, or movement of messages as the messages change.
- (v) Each line of copy and graphics in an electronic message center must be at least six inches in height.
- (vi) Electronic message centers shall not include animation, full motion video, flashing, scrolling, strobing, racing, blinking, changes in color, fade in or fade out in any manner imitating movement, or any other means not providing constant illumination.
- (vii) Each message shall be illuminated for at least 10 seconds before transitioning to a new message, except for electronic message centers within 250 feet of an interchange, an at-grade intersection not controlled by a stop sign or stop light, a signed curve, or a pedestrian walkway, then each message shall be illuminated for at least 30 seconds before transitioning to a new message.
- (viii) Electronic message centers shall only be allowed on monument signs, and the electronic message area may occupy no more than 35% of the entire sign structure.
- (ix) The images and messages displayed must be complete in themselves, without continuation in content to the next image or message or to any other sign.
- (x) Electronic message centers must be constructed perpendicular with the road in all residentially zoned districts, whether single-family, multifamily, townhouse, or mixed use where residential housing is permitted, except for corner lots where the electronic message center shall not be located within 25 feet of the point of intersection of the curb or edge of two intersection streets and the placement of said sign can be arranged so that the sign can be read from the intersection. The electronic message in all residential zoning districts shall not be displayed between the hours of 10:00 p.m. and 6:00 a.m.
- (xi) Wherever a electronic message center is permitted, a manual changeable copy sign shall also be permitted. A sign permit shall be required to change between each type of sign.

(t) Maintenance (New)

- (1) Every sign shall be maintained in a safe, presentable, and good structural condition at all times, including the replacement of a defective part, painting, cleaning, and other acts required for the maintenance of the sign.
- (2) Whenever a sign is to be removed pursuant to the requirements of this section, all parts of the sign and supporting structure (e.g., pole, monument, cabinet structure, etc.), excluding buildings for wall, projecting, or similar signage, shall be removed in its entirety. This section shall not require the removal of a raceway if mounted to such structure on a building.

(u) Design Guidelines

- (1) When reviewing signs subject to architectural review, the Architectural Review Board shall look to determine if the architectural scheme of the proposed sign is in harmony with the architectural scheme of the building, site, and surrounding area. In making its findings, the Architectural Review Board shall utilize the following criteria:
 - (i) Signs should be in proportion with the size of the building;

- (ii) Signs should be designed as an integral architectural element of the building and site to which it relates;
 - (iii) The colors, materials, and lighting of signs should be harmonious with the building and site to which it relates;
 - (iv) The number of graphic elements on a sign should be kept at a minimum needed for identification and should be composed in proportion to the area of the sign face; and
 - (v) Signs should be compatible with signs in the surrounding area.
- (2) Additional Design Guidelines for Signs in the B-1 and B-2 Districts¹⁰**
- (i) Due to the unique character and context of the B-1 and B-2 Districts, the following additional design guidelines shall apply to permanent signs in the B-1 and B-2 Districts in order to encourage the design of signage that is focused on pedestrian activity and scale and to fit in with the unique qualities of these business areas.
 - (ii) Unless otherwise stated in this article or all permanent signs in the B-1 and B-2 Districts shall be subject to architectural review by the ARB as established in Chapter 25, Article <>, Section <> (ARB Review) in addition to the sign permit review set forth in this article.
 - (iii) The design guidelines of this article shall be considered and reviewed as an extension of the architectural guidelines for building established in Chapter 25, Article <>, Section <> (Architectural Guidelines).¹¹
- (iv) Preferred Sign Design Principles**
- a. Indirect lighting methods such as gooseneck lighting or Individual reverse channel letters (halo-lit or reverse-lit) (not translucent);
 - b. Individual cast or cut metal letters that are consistent with the architecture of the building;
 - c. Monument signs should be designed with a base that is or structure that reflects the predominant materials of the principal building;
 - d. Signage on the front of the building awnings;
 - e. Awning color and its signage that is consistent per building; signage shall be integral to the awning;
 - f. Signs that protrude from the building's face where the structure is integrated with the signage;
 - g. Monument signs should contain a minimum two-feet-zero-inch H masonry base as well as a full landscape surround; and
 - h. Signs should be spaced along the building or property in a manner which relates to the individual retail spaces which make up the building and should not be grouped at a corner or secondary facade; rather they should be integrated into a stand-alone multi-tenant monument sign.

¹⁰ These guidelines were moved from the ARB regulations currently found in Chapter 2 of the Code of Ordinances. We have maintained the guidelines with some minor clarifications, as noted, and elimination of language that dictates or other regulates the message content of the sign.

¹¹ This cross-reference is intended to prevent having to replicate the extensive introductory information on how to use the guidelines in the architectural guidelines article.

(v) Discouraged Sign Design Principles

- a. Fonts, text, logo, or other elements of the sign that are not reasonably legible due to size, color contrast, or related design elements;
- b. Internally lit, plastic-faced cabinet signs; and
- c. Drive-through signs visible from the adjacent street front.

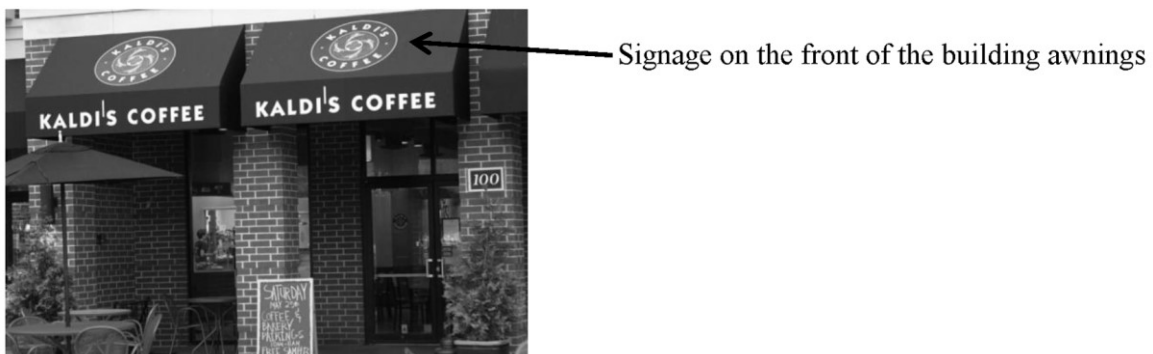


Figure <>: The above images illustrated signage elements that are preferred as it relates to the architectural design guidelines.

§ 5-15. Permanent Signs

(a) Permanent Signs in Residential Zoning Districts

The following signs are the permanent signs permitted in residential zoning districts.

(1) Wall Signs for Individual Residential Dwellings¹²

- (i) One wall sign is permitted on each individual lot used for residential purposes provided the sign is mounted flush to the façade of the principal dwelling and does not exceed one square foot.
- (ii) Such sign shall not be illuminated.
- (iii) A sign permit shall not be required for this type of sign.

(2) Permanent Signs at Residential Subdivision or Multi-Family Development Entrances

Permanent signs are permitted at the entrances of single-family residential subdivisions of any size or multi-family developments, subject to the following requirements:

(i) General Standards

- a. Each sign may have a maximum sign area of 12 square feet.
- b. The sign shall not exceed five feet in height.
- c. The sign must be located on a lot or other area that is controlled and maintained by a homeowners' association or other established organization that maintains such common areas for the development. For multi-family developments located on a single lot, the sign may be located on lot.
- d. A maximum of one sign may be permitted for each entrance to the subdivision.
- e. The sign shall be set back a minimum of 15 feet from the curb line of the street from which it is to be viewed.
- f. The sign may be illuminated but only from an external lighting source.

(ii) Monument Sign

- a. The location of the monument signs shall be shown on a final plat and designated as common area or sign easement.
- b. Monument signs shall only be permitted for single-family subdivisions and multi-family developments with more than four dwelling units. Multi-family developments with four or fewer dwelling units shall only be permitted to have a wall sign in accordance with Section <> below.
- c. The sign shall be located in a landscaped area equal to or larger than the total sign area of the applicable sign.
- d. If an applicant proposes to use a monument sign, a wall sign as allowed in Section [§ 5-15\(a\)\(2\)\(iii\)](#), below, shall not be permitted.

¹² This replaces the current language for “occupational signs” in the exemptions but could be used for addresses, family names, home occupations, etc. This would also allow for wall signage on bed and breakfast or short-term rental spaces.

(iii) Wall Sign on Entry Fences or Walls

- a. The sign shall be mounted to a decorative wall or fence that generally runs parallel with the street.
- b. If an applicant proposes to use a wall sign, a monument sign as allowed in Section [§ 5-15\(a\)\(2\)\(ii\)](#), above, shall not be permitted.
- c. The locations of entrance walls and fences should be shown on a final plat and designated as common area or sign easement.
- d. The top of the sign area under this provision shall not exceed a height of five feet above the adjacent ground.

(3) Signs for Nonresidential Uses in Residential Zoning Districts¹³

Signs shall be permitted for all nonresidential uses in a residential district in the same manner as permitted for nonresidential uses in the B-1 District as set forth in Section <> below. This allowance shall not apply to signs located on lots used exclusively for residential dwellings where signage is controlled by Section [§ 5-15\(a\)](#).

(b) Permanent Signs in Nonresidential Zoning Districts

The following signs are the permanent signs permitted in nonresidential zoning districts.

(1) Gross Sign Area Limitations

This section establishes the gross sign area limitations for all uses in nonresidential zoning districts. The gross sign area shall include all permanent signs that are regulated by this article subject to the sign type standards established in Section <>.

(i) Single-Tenant Buildings

The following standards shall apply to all single-tenant buildings:

- a. Except as otherwise stated in this article, each premises with a single-tenant building shall be allowed a maximum gross sign area equal to 3.5 percent of the floor area of such premises or 0.9 percent of the total lot area, whichever is larger.
- b. In all cases, each premises shall be permitted to have a minimum of 40 square feet of signage.
- c. The maximum sign areas shall not exceed the total area established in Table <>.

TABLE <> MAXIMUM PERMANENT SIGN ALLOWANCE ¹⁴	
Zoning District	Maximum Gross Sign Area Per Premises ¹⁵
B-1	500 Square Feet
B-2	500 Square Feet
B-3	750 Square Feet
B-4	750 Square Feet

¹³ This will allow for signage for any permitted nonresidential use that could include schools, churches, etc.

¹⁴ Currently the maximum sign area is 500 square feet for all districts but we have modified this maximum based on the individual districts.

¹⁵ The current code allows up to 1,000 square feet of signs for hotels in the B-5 District but the code needs to avoid giving individual users more signage than others in the same district so we have eliminated this exception.

TABLE <> MAXIMUM PERMANENT SIGN ALLOWANCE ¹⁴	
Zoning District	Maximum Gross Sign Area Per Premises ¹⁵
B-5	750 Square Feet
I-1	750 Square Feet
F-1	500 Square Feet

(ii) **Multi-Tenant Buildings¹⁶**

The following standards shall apply to all multi-tenant buildings:

a. Nonresidential Tenant Space on First and Second Floors

- i. Except as otherwise stated in this article, each nonresidential tenant on the first and second floors of a multi-tenant building shall be allowed a maximum gross sign area equal to 3.5 percent of the floor area occupied by the tenant.
- ii. Each nonresidential tenant shall be permitted to have a minimum of 40 square feet of signage and the maximum square footage shall not exceed 500 square feet.
- iii. Common building areas and tenant spaces used for residential purposes shall not be included in this calculation.
- iv. Where the signage allowed by this section is to be attached to the building, such signage shall be restricted to the first or second floor of the building, including on windows.

b. Residential Tenant Spaces and Nonresidential Tenant Spaces on Third and Higher Floors

- i. Except as otherwise stated in this article, the total signage allowed for all residential tenant spaces (regardless of the floor) and all nonresidential tenant on the third and any higher floors of a multi-tenant building shall be allowed a maximum gross sign area equal to 40 square feet.
- ii. The signage allowance shall be permitted to be located on one sign that may include either one monument sign or one sign attached to the building.
- iii. Where the signage allowed by this section is to be attached to the building, such signage shall be restricted to the first or second floor of the building, including on windows.

(2) Sign Type Standards

The following are the permitted types of permanent signs and the specific standards that apply to the individual sign types.

(i) Awning and Canopy Signs

All awning and canopy signs shall meet the following requirements:

¹⁶ Based on discussions with staff, we have proposed a slight variation for regulating signage in multi-tenant spaces to look at locational aspects of uses and how it applies to signage.

- a. Awning and canopy signs may either be:
 - i. Made of rigid weatherproof materials; or
 - ii. Made of the same material as the awning or canopy; or
 - iii. Painted with weather-resistant paint directly on the awning or canopy material.
- b. Signs may be affixed flush to the sides or front of an awning or may be hung beneath a canopy. No sign may project below the minimum clearance line required by the Building Code, nor above any portion of the face to which it is attached.
- c. The maximum vertical dimension of the sign shall not exceed 18 inches.
- d. All signs constructed of materials other than paint or the material with which the canopy or awning is covered shall be permanently attached to the frame of the awning or canopy.
- e. Awning or canopy signs may be illuminated in accordance with this article.
- f. Awning or canopy signs shall not include manual changeable copy signs or electronic message centers.

(ii) Driveway Signs¹⁷

All driveway signs shall meet the following requirements:

- a. Driveway signs shall comply with the vision clearance requirements of Paragraph <> but in no case shall the sign be set back more than 25 feet from the driveway entrance or intersection of internal drives.
- b. Driveway signs are prohibited in the B-1 and B-2 Districts.
- c. Up to two driveway signs may be permitted per individual driveway or internal intersection.
- d. Driveway signs may not exceed three square feet in area and three feet in height.
- e. Driveway signs may be illuminated.

(iii) Drive-Through Signs¹⁸

All drive-through signs shall meet the following requirements:

- a. If a drive-through sign is completely screened from view from any right-of-way or adjacent residential uses, there shall be no maximum sign area and such signs shall not count toward the gross area sign limitations identified in Section <> and shall be exempt from the rest of the sign type standards in this subsection.
- b. Up to two freestanding drive-through signs shall be allowed for each queuing lane in a drive-through facility provided the total aggregate sign area of all drive-through signs, for each facility, does not exceed 72 square feet. In no case shall a single drive-through sign exceed 36 square feet in sign area.

¹⁷ This replaces the current provisions for directional signage and are allowed at the entrance or internally.

¹⁸ This is new language that addresses signage at drive-throughs.

- c. Drive-through signs shall only be permitted in a side or rear yard.
- d. No drive-through sign shall exceed seven feet in height measured from the grade of the adjacent driving surface to the top of the sign.
- e. Drive-through signs may be illuminated.

(iv) Marquee Signs

All marquee signs shall meet the following requirements:

- a. Signs may be affixed to the sides or front of the marquee, or may be hung entirely beneath it.
- b. No portion of any sign may project below the minimum clearance line required for marquees by the Building Code or above any portion of the face to which the sign is affixed.
- c. No sign shall exceed five feet in any one dimension.
- d. Except for hanging signs, all signs shall be attached flush with the face on which they are placed.
- e. Marquee signs may include manual changeable copy signs or electronic message centers as regulated by this article.

(v) Monument Signs

All monument signs shall meet the following requirements:

- a. No monument sign shall be located closer to the street than the front property line.
- b. Only one monument sign shall be permitted along each street frontage.
- c. No sign structure shall be higher than five feet above the street level or above the mean level of the grade on which the sign is located, whichever is higher.
- d. Monument signs shall be located in a landscaped area with a minimum area equal to the square footage of the sign or shall be otherwise located as to protect the sign from vehicular activity areas.
- e. Monument signs may include manual changeable copy signs or electronic message centers as regulated by this article.

(vi) Projecting Signs

All projecting signs shall meet the following requirements:

- a. Signs shall hang at least eight feet above any public sidewalk over which they are erected or 15 feet above any public drive, alley, or thoroughfare.
- b. The innermost point of the sign shall be no more than one foot from the plane of the wall.
- c. The sign structure shall not project more than three feet from the plane of the wall nor be within four feet of the curb line or edge of any public street or alley.
- d. V-shaped signs consisting of two single-face signs erected without a roof or ceiling shall be prohibited.
- e. The maximum distance between the principal faces of any projecting sign shall not exceed 18 inches.
- f. Every projecting sign shall contain two display faces.

- g. If such projecting sign is illuminated it shall be by indirect lighting methods such as gooseneck lighting.

(vii) Wall Signs

All wall signs shall meet the following requirements:

- a. Wall signs shall not:
- b. Extend above the top of the wall;
- c. Extend beyond the ends of the wall or;
- d. Project more than 12 inches beyond the plane of the wall on which it is erected unless attached to a raceway or wireway, in which case it shall not project more than 20 inches beyond the plane of the wall on which it is erected.
- e. Wall signs shall not cover more than 25 percent of the wall to which they are attached.
- f. Wall signs may be painted on the wall with appropriate permanent paint.
- g. Wall signs may be illuminated.
- h. Wall signs shall not include manual changeable copy signs or electronic message centers as regulated by this article.

(viii) Window Signs

All window signs shall meet the following requirements:

- a. Window signs shall not occupy more than 33 percent of any single window area. The window area may include multiple panes of glass separated only by supporting framing materials but not separated by architectural elements. The sign area shall be based on the window area size, regardless of the presence of an awning. See [Figure <>](#).



Figure <>: The window area is illustrated within the dashed line area for the two storefronts in the above image.

- b. All permanent window signs shall be painted, metal leafed, or in some other manner applied to either side of the glass of an exterior building window or door.

- c. A structure that would be considered a sign if mounted on the exterior of the building, but which is mounted inside the building and oriented to be visible through the window by a person outside of the window shall be considered a window sign for the purposes of this article.
- d. Window signs shall not be illuminated.

§ 5-16. Temporary Signs¹⁹

The following temporary signs shall be permitted anywhere within the City provided they meet the established standards.

(a) Standards that Apply to all Temporary Signs

- (1) Temporary signs shall not be mounted, attached, affixed, installed, or otherwise secured in a manner that will make the sign a permanent sign.
- (2) Temporary signs shall not be attached to any permanent sign.
- (3) No temporary sign shall be mounted, attached, affixed, installed, or otherwise secured so as to protrude above the roofline of a structure.
- (4) All temporary signs shall comply with the setbacks from intersections. See Paragraph <>.
- (5) Unless otherwise specifically stated, temporary signs shall not be illuminated.
- (6) No temporary sign shall require a foundation, support, wiring, fittings, or elements that would traditionally require a building permit or electrical permit.
- (7) All temporary signs shall be secured in such a manner as to prevent swinging or other significantly noticeable movement resulting from the wind that could pose a danger to people, vehicles, or structures.
- (8) Mobile signs on wheels, runners, casters, parked trailers, parked vehicles, or other temporary or movable signs shall not be permitted unless otherwise specifically stated in this article.
- (9) Because of the nature of materials typically used to construct temporary signs and to avoid the unsightliness of deteriorating signs and all safety concerns which accompany such a condition, temporary signs shall be removed or replaced when such sign is deteriorated.

(b) Temporary Signs without a Commercial Message²⁰

Temporary signs without a commercial message do not require a sign permit provided they comply with the standards of this article including the standards that apply to all temporary signs:

- (1) The maximum sign area of any single temporary signs without a commercial message shall be six square feet in residential zoning districts and 12 square feet in nonresidential zoning districts.
- (2) The maximum height of temporary signs without commercial speech shall be five feet unless it is a banner sign mounted to a structure, in which case, the banner sign shall not be mounted above the roofline or the top of the structure.

¹⁹ This is where significant changes had to be made to address the need to eliminate content-based regulations such as real estate signs and political signs.

²⁰ This provision is intended to allow for any type of political, religious, or opinion sign that is not commercial in nature. We have limited the size and height but not the number or timing as free speech signage has to be permitted at all times.

- (3) Such signs shall be limited to yard signs or banner signs subject to the sign-specific standards in Section <>.²¹

(c) Temporary Signs with a Commercial Message in Residential Zoning Districts

The following are the temporary signs with a commercial message allowed in residential zoning districts:

- (1) Up to two temporary signs with a commercial message are permitted on each lot in a residential zoning district.
- (2) The signs are limited to yard signs or banner signs subject to the sign-specific standards in Section <>.
- (3) The maximum sign area for each sign shall be six square feet with a maximum height of five feet.
- (4) For properties that are five acres or larger, one of the temporary yard signs permitted by this section may have a maximum sign area of 12 square feet with a maximum height of five feet.
- (5) In lieu of the above regulations, any nonresidential use located in a residential zoning district shall be permitted to have temporary signs with a commercial message in the same size, height, and manner as temporary signs allowed in the B-1 District, pursuant to Section <>.

(d) Temporary Signs with a Commercial Message in Nonresidential Zoning Districts

The following are the temporary signs with a commercial message allowed in nonresidential zoning districts:

- (1) Up to 12 square feet of temporary signs is permitted year-round, without time restrictions, provided the signs are of the following type, subject to the standards for each specific type of sign:
 - (i) A-Frame or T-Frame sidewalk signs;
 - (ii) Banner signs; or
 - (iii) Yard signs.

(2) Limited Temporary Sign Allowance

- (i) In addition to the temporary signage allowed year-round above, each premises shall be permitted the use of additional temporary signage on a limited time basis.
- (ii) Each premises is permitted to have an additional 24 square feet of temporary signs for a period of 14 consecutive days, up to four times per calendar year with the exception of Paragraph <>, below.
- (iii) For building permit applications related to the establishment of a new use within an existing building where there is existing permanent sign, a banner sign may be approved for up to 60 consecutive days to cover the existing permanent signs. Such banner sign shall not exceed the sign area of the permanent sign and shall require a sign permit.
- (iv) This limited temporary sign allowance shall be limited to banner signs subject to Section <>.

²¹ Banner signs are also the sign types that can be posted in windows.

- (3) There shall be no maximum number of signs provided the aggregate total square footage of sign does not exceed the amount allowed in this section unless limited by the sign type standard in Section <>.

(e) Standards for Temporary Sign Types

(1) A-Frame or T-Frame Sidewalk Signs

- (i) There shall be no time limit for sidewalk signs with the exception that the sign shall only be placed outside during the hours of the establishment's operation.
- (ii) Only one sidewalk sign is allowed for any one business establishment at one time and shall be located within five feet of such business.
- (iii) Such signs shall not exceed 42 inches in height.
- (iv) The sign may be located on a public or private sidewalk or walkway provided it is placed on pavement and not in any landscaped areas or on pavement used for vehicles (e.g., driveways and parking lots).
- (v) The width and placement of the sign shall be such so that there shall be a minimum width of five feet of clear and passable sidewalk or walkway for pedestrians.
- (vi) The sign must be free-standing and shall not be affixed, chained, anchored, or otherwise secured to the ground or to any pole, parking meter, tree, tree grate, fire hydrant, railing, or other structure.
- (vii) The sign must not obstruct access to parking meters, bicycle racks and other features legally in the right-of-way.
- (viii) The sign must not interfere with the opening of car doors in legal spaces, or with the operation of wheelchair lifts and ramps, cab stands, loading zones or bus stops.
- (ix) The sign shall be internally weighted so that it is stable and windproof.
- (x) The City of Kirkwood shall be held harmless from any liability resulting from accident or injury caused by the placement and/or maintenance of such sign.

(2) Banner Signs

- (i) Banner signs may be attached to a building, fence, or other similar structure. Banner signs attached to posts and mounted in a yard or landscaped area shall be regulated as a temporary yard sign.
- (ii) The maximum height standard for temporary signs shall not apply to a banner sign but such signs shall not be mounted in a manner that extends above the roofline of a building or the top of the structure on which it is mounted.
- (iii) Banner signs may be permitted to be placed in windows but shall not cover more than 25 percent of the window area. See Section <>.

(3) Yard Signs

- (i) There shall be a maximum of two faces to the sign, mounted back-to-back.
- (ii) The maximum height shall be five feet.

§ 5-17. Master Sign Plan (New)²²

The master sign plan allowance established herein is to provide for the consideration of additional permanent signage for large-scale nonresidential and mixed-use developments.

(a) Applicability

- (1)** A master sign plan may be submitted for developments that meet one of the following thresholds:
 - (i)** A nonresidential development or a mixed-use development that contains more than 300,000 square feet of floor area; or
 - (ii)** A nonresidential development or mixed-use development is located on a single parcel that is 25 acres or larger.
- (2)** For the purposes of this applicability section, a mixed-use development shall be considered any development where the majority of the floor area of the ground floor contains nonresidential uses.

(b) Master Sign Plan Requirements

- (1)** Master sign plans shall be reviewed by the ARB in accordance with this article and Chapter 25, Article <>, Section <>.
- (2)** A master sign plan is intended to promote consistency among signs within a development, improve wayfinding around the site, and enhance the compatibility of signs with the architectural and site design features within a development, as well as with the surrounding neighborhood.
- (3)** A master sign plan may include more than one monument sign per frontage and increases to the maximum height of freestanding signs and maximum sign area allowance where the signage will contribute to the overall design of the development as well as comply with any of the City's adopted plans or policies.
- (4)** Master sign plans may include up to a 33 percent²³ increase in the maximum gross sign area per premises allowed pursuant to Section <>.
- (5)** An application for review of a master sign plan shall include:
 - (i)** A master sign plan, drawn to scale, delineating the site proposed to be included within the master sign plan and the general locations of all permanent signs including freestanding and building signs and the property lines, buildings and roadways;
 - (ii)** Drawings and/or sketches indicating the dimensions in square feet, location and sign area for all the permanent signs;
 - (iii)** Drawings and/or sketches indicating the exterior surface details of all buildings on the site on which wall signs, awning signs, canopy signs, projecting signs, window signs or other building signs are proposed;
 - (iv)** Samples or photos of colors and materials to be used for signs and the relationship to the building materials; and
 - (v)** Information regarding the illumination of any signs.

²² We have included a new provision for master sign plans that will allow for some greater flexibility when an applicant is proposing a large-scale development. This is essentially along the same lines as a planned development for signage.

²³ This would allow a maximum of 665 square feet in residential districts to a maximum of just under 1,000 feet in the planned commercial districts, which is similar to the cap of 1,000 square feet you now have for hotels.

(c) Review Criteria

- (1) In order for the ARB to approve a master sign plan, it must find all of the following:
 - (i) That the master sign plan's contribution to the design of the site and surrounding area will be superior to the quality that would result under the regulations and standards of this article;
 - (ii) That the signs proposed as part of the master sign plan will create a uniform sign package for the site related to materials, lighting, design and other features of the individual signs; and
 - (iii) That the proposed signs are compatible with the style or character of improvements and are well-related to each other in terms of location and spacing.
- (2) The ARB may impose reasonable conditions to a master sign plan necessary to carry out the intent of this article.
- (3) No building permits or other permits required for the construction of any sign shall be issued unless the sign is in compliance with the approved master sign plan.
- (4) An approved master sign plan may only be amended or modified through the same review process required for its approval.

§ 5-18. Nonconforming Signs. (Existing 5-10 (h))

- (a) Any sign which is lawful and erected shall be permitted to remain or to be repaired or replaced with a sign of comparable size and configuration even though it fails to conform to the regulatory provisions of this article, provided that it does not become less conforming to any of the existing provisions of this article, and further provided that such signs located on the premises must be brought into compliance with all provisions of this sign code when:
 - (1) There is a change in the type of materials used in the construction of the sign; provided, however, a change of facing, panels, message or advertising does not constitute a change of type of materials;
 - (2) There is a change in the size or area of the sign;
 - (3) A nonconforming temporary sign has been used for more than one year;
 - (4) There is a relocation of the sign to another location on the premises for reasons other than for public health and safety; or
 - (5) There is an abandonment or a discontinuance of the sign. Whenever the sign, for a continuous period of 120 days or longer, no longer advertises services or products available on the site, or does not contain an advertising message, the sign shall be considered abandoned and discontinued.
- (b) The sign area of a legal nonconforming sign shall not be substituted with an electronic message center.

§ 5-19. Enforcement, Violations, and Penalties. (Existing 5-16)²⁴

- (a) The Building Commissioner shall be responsible for the enforcement of the provisions of this article and the procedures set forth in the City of Kirkwood Code of Ordinances with respect to the administration and enforcement of this sign code.
- (b) The Building Commissioner may, at any time they deem necessary, inspect any sign structure regulated by this article.

²⁴ This section has remained largely the same with some minor rewording for clarification and consistency.

(c) Violations

It shall be a violation of this code for any owner, tenant of premises, or sign erector to:

- (1) Erect or permit a person to erect a sign without filing an application with the Building Commissioner and obtaining the required permit; or
- (2) Erect or permit a person to erect a sign or permit a sign on the premises which does not conform to the requirements of this article.

(d) Penalty

Any person who shall violate a provision of this article or fail to comply with a notice issued under the provisions of this sign code, shall be guilty of a misdemeanor, punishable by a fine as prescribed in §1-8 of the Kirkwood Code of Ordinance. Each day's violation of, or refusal or neglect to comply with any provision of this sign code shall constitute a separate and distinct offense.

(e) Removal of Signs

- (1) Dangerous signs may be removed by the Building Commissioner without notice. Any sign which is an immediate threat to the safety of persons or property may be removed immediately and without notice to the sign owner or premises owner.
- (2) The cost of sign repair or removal shall be charged:
 - (i) To the sign owner; or
 - (ii) If the sign owner cannot be located by the Building Commissioner within 30 days, to the premise's owner; or
 - (iii) If the sign erection was not complete at the time notice of violation was given, to the sign erector and shall be collected from his bonding agent if the erector is bonded.
- (3) In the event of failure by any party to reimburse the City within 60 days for costs incurred for repair or removal ordered by the Building Commissioner, the Chief Administrative Officer shall certify the charges for repair or removal as a special assessment represented by a special tax bill against the real property on which the sign had been erected. The tax bill shall be a lien upon the property and shall be enforced to the same extent and in the same manner as all other special tax bills. The assessment shall bear interest at the rate of 8 percent per annum until paid.
- (4) The Building Commissioner shall not issue any further sign permits to persons refusing to pay costs assessed under Subsections <> (d) and <> (1) above, nor to agents or representatives of such persons.
- (5) Any sign which is placed, installed or erected on a public right-of-way without proper authorization may be removed by the City without notice. The owner of the sign or premises owner or sign erector shall be charged for removal costs in accordance with Subsections (2) and (3) above.

§ 5-20. Definitions. (Revised 5-9)

All provisions, terms, phrases, and expressions contained in this article shall be construed according to this article's stated purpose and intent. Where a term used in this article is not defined in this section but is defined in zoning and subdivision code (See Chapter 25, Article <>.), the term shall be as defined in the zoning and subdivision code.

Air-Activated Graphic

A sign, all or any part of, which is designed to be moved by action of forced air so as to make the sign appear to be animated or otherwise have motion. See also the definition for "Sign, Balloon."

Approved Combustible Plastic

A plastic material more than 1/20-inch-thick which burns at a rate of not more than 2.5 inches per minute when subjected to ASTM Standard Test for Flammability of plastics in sheets of 0.06-inch thickness.

ARB

Architectural Review Board of the City of Kirkwood, Missouri

Awning

Any structure entirely supported by the wall to which it is attached and which has a frame covered by a temporary material and/or which can be retracted against the wall by which it is supported.

Building Commissioner

The Building Commissioner of the City of Kirkwood, Missouri, or their designee.

Building Unit

Any building subdivided into separate units or spaces, any interior space occupying any portion of the ground floor of any building, and having its own exterior entrance, and separated from other such spaces by a party wall or walls.

Building, Multi-Tenant

Any building that contains more than one building unit.

Building, Single-Tenant

Any building that is considered a singular building unit or that is leased by a single person or business.

Canopy

Any structure attached to the building at the inner end and supported on the outer end in conformance with the Building Code of the City of Kirkwood.

Channel Lettering

A sign that consists of custom-made metal or plastic that are covered in a translucent plastic material, often internally illuminated. The space between the letters is not part of the sign structure but rather the building façade though the space may count toward the sign area depending on how the letters are grouped and calculated in accordance with Section <>.

City

The City of Kirkwood, Missouri

Electronic Message Center

A sign whose alphabetic, graphic, or symbolic informational content or display, either in whole or in part, composed of electrically illuminated or mechanically driven changeable segments, may be changed or altered by means of electrical, electronic or computerized programming (e.g. electronic or digital signs).

Erect

To build, attach, hang, rehang, place, affix, or relocate, and includes the painting and repainting of wall and window signs.

Floor Area

The gross floor area of a building or structure used or intended to be used for service to the public as customers, patrons, clients, patients, or tenants, including areas occupied by fixtures and equipment used for display or sale of merchandise. For the purpose of this article, "floor area" shall not include any area used for:

- Storage accessory to the principal use of a building.
- Show window, not to exceed 10% of the total building area.
- Mechanical equipment rooms.
- Specialized automatic mechanical or electrical equipment or apparatus used in the permitted business operation, up to a maximum of 85% of the area covered by such equipment.

Gooseneck Lighting

A type of light fixture in which a lamp or lightbulb is attached to a flexible, adjustable shaft to allow the user to position the light source without moving the fixture or item to be illuminated. For the purposes of this article, the lighting is directed on a sign element.

Licensed Sign Erector

A person, his agents and employees, who has secured a sign erector's license as provided by the ordinances of the City of Kirkwood, as amended.

Marquee

Any hood or awning of permanent construction and supported entirely by the building, which projects from the wall of a building and over a sidewalk or pedestrian thoroughfare.

Message, Commercial

Any sign, wording, logo or other representation that, directly or indirectly, names, advertises or calls attention to a business, product, service or other commercial activity.

Message, Noncommercial

Any sign, wording or logo that does not represent a commercial message or commercial speech. Such signs may express messages that include, but are not limited to, free speech opinions, ideological messages, religious messages, political messages, etc. See also "message, commercial."

Nonresidential Zoning Districts

Nonresidential zoning districts shall include the B-1, B-2, B-3, B-4, B-5, I-1, and F-1.

Premises

That portion of a lot or building occupied by a single occupant, exclusive of common area, if any, shared with adjacent occupants.

Raceway or Wireway

A raceway or wireway are a form of mounting structure for signs that are a narrow structure attached to a wall where electrical conduit can run within and where the sign structure itself is mounted to the raceway or wireway.

Residential Zoning Districts

Residential zoning districts shall include the R-1, R-2, R-3, R-4, R-MM, R-5, and R-6.

Sign

Any object, device, display, or structure, or part thereof, visible from a public place, a public right-of-way, any parking area or right-of-way open to use by the general public, or any navigable body of water which is designed and used to attract attention to an institution, organization, business, product, service, event, or location by any means involving words, letters, figures, designs, symbols, fixtures, logos, colors, illumination, or projected images. The term "sign" does not include the display of merchandise for sale on the site of the display.

Sign Area

The entire display area of a sign including the advertising surface located on one or more sign faces and any framing, trim and molding, but not including the supporting structure as measured pursuant to Section [40.01](#).

Sign Area, Gross

Is the total allowable sign area for a premises.

Sign Copy

Those letters, numerals, and figures, symbols, logos, and graphic elements comprising the content or message of a sign.

Sign Face

The surface of the sign upon, against or through which the message of the sign is exhibited.

Sign Height

The vertical distance to top of sign structure as measured pursuant to Section [40.01](#).

Sign Permit

A sign permit as may be issued by the Building Commissioner of the City of Kirkwood, Missouri, in accordance with Section <>.

Sign Structure

The sign and all parts associated with its construction.

Sign, Awning

Any sign attached to an awning.

Sign, Balloon

A sign that is an air inflated object, which may be of various shapes, made of flexible fabric, resting on the ground or a structure, and equipped with a portable blower motor that provides a constant flow of air into the device. Balloon signs are restrained, attached or held in place by a cord, rope, cable, or similar method. See also the definition for “Sign, Air-Activated Graphic.”

Sign, Banner

A temporary sign constructed of canvas, plastic, fabric or similar lightweight, non-rigid material that can be mounted to a structure with cord, rope, cable, or a similar method. Where a banner sign is supported by stakes or another type of supporting structure for posting in the ground, such sign shall be classified as a “Sign, Yard.”

Sign, Canopy

Any sign attached to a canopy.

Sign, Changeable Copy

A sign designed so that the characters, letter or illustrations can be changed or rearranged manually or electronically without altering the sign display surface. See also the definition of “sign, manual changeable copy” and “electronic message center”.

Sign, Driveway

A small permanent sign located near driveway access points and/or at the intersection of internal access drives.

Sign, Hanging

Any sign hanging entirely beneath a canopy or marquee.

Sign, Illuminated

Any sign which has characters, letters, figures, designs, or outlines illuminated externally or internally by any light source other than non-reflected natural daylight.

Sign, Manual Changeable Copy

A changeable copy sign designed so that the characters, letter or illustrations can be changed or rearranged manually. May also be known as readerboards.

Sign, Marquee

Any sign attached to a marquee.

Sign, Monument

A permanent freestanding sign other than a pole sign, not attached to a building, which is placed upon or supported by the ground independently of any other structure, typically on a monument or pedestal structure. Exposed sign foundations shall be constructed with a finished material such as brick, stone, or wood as required by the ARB to blend with materials of the main structure, or be screened with evergreens to the top of the anchor bolts.

Sign, Nonconforming

Any sign which was erected legally prior to the adoption of this code, or amendment thereto, but which does not comply with subsequently enacted sign restrictions and regulations or a sign which does not conform to the sign code requirements.

Sign, Permanent

A sign permitted by this code to be located on the premises for an unlimited period of time and designed to be permanently attached to a structure or the ground.

Sign, Pole

Also commonly known as a "post" or "standard sign," means any detached sign supported by one or more stationary poles longer than five feet above the mean grade line of the base or ground.

Sign, Portable

Any sign not attached to the ground in either a temporary or permanent manner. Portable signs shall also include any sign designed to be transported, including signs designed to be transported by means of wheels.

Sign, Projecting

A sign that is affixed perpendicular to a building or wall and extends more than 15 inches beyond the face of such building or wall.

Sign, Roof

Any sign erected on a roof.

Sign, Sidewalk (A-Frame)

A freestanding sign which is ordinarily in the shape of an "A" or some variation thereof, which is readily moveable, and is not permanently attached to the ground or any structure. See also the definition of T-frame signs. Such signs are placed on a public sidewalk, private sidewalk, or similar walkway, in a manner established in Section <>.

Sign, Sidewalk (T-Frame)

A freestanding sign which is ordinarily in the shape of an upside down "T" or some variation thereof, which is readily moveable, and is not permanently attached to the ground or any structure. See also the definition for A-frame signs. Such signs are placed on a public sidewalk, private sidewalk, or similar walkway, in a manner established in Section <>.

Sign, Temporary

A sign that is neither permanently anchored to the ground, nor permanently affixed to a structure, nor mounted on a chassis, and/or is intended for a limited period of display.

Sign, Wall

Any sign painted on or attached to and erected parallel to the face of, or erected and confined within the limits of, the outside wall of any occupied building and supported by such wall or building, and which displays only one advertising surface.

Sign, Window

Any sign that is permanently applied to either side of the glass of an exterior door or window. For the purposes of this article a glass brick wall shall be deemed a window.

Sign, Yard

Any temporary sign placed on the ground or attached to a supporting structure, posts, or poles, that is not attached to any building.

Windblown Devices

Objects and signs designed to inform or attract attention, all or part of which is set in motion by or remains inflated by wind, mechanical, electrical or any other means and may include, but are not limited to pennants, ribbons, streamers, spinners, or similar objects.

Zoning and Subdivision Code

The zoning and subdivision code of the City, as amended, and the current zoning district map related thereto.