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BRANDY MACUMBER, COUNTY RECORDER  
MADISON COUNTY IOWA

CHEK

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Prepared by and Return to:

Andrew Barden  
City of Winterset  
124 W. Court Avenue  
Winterset IA 50273  
515-462-1422

### CERTIFICATION

The undersigned, the duly appointed and acting City Administrator of the City of Winterset, Iowa, does hereby certify the following described documents as true and authentic copies of the official records in the custody of the Office of Clerk of the City of Winterset, Iowa.

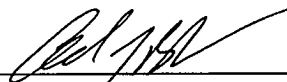
Ordinance No. #666 An Ordinance for amendment to Title IV, Chapter 12, Section 4.12080 through 4.12082 (Outdoor Advertising Signs)

Relating to documents:

- 1) Resolution 2025-34 A Resolution to set a date for public hearing, passed and approved on June 13, 2025
- 2) Affidavit of Publication for Public Hearing dated June 18, 2025
- 3) City Council Meeting Minutes for the Public Hearing held on July 7, 2025, the first reading of Ordinance #666, waiving of the second and third reading of Ordinance #666, and final adoption of Ordinance #666
- 4) Affidavit of Publication of Ordinance #666 following Council approval July 9, 2025

The undersigned further certifies the Resolution described above were duly passed by the Council and approved by the Mayor on the dates shown thereon.



  
\_\_\_\_\_  
Andrew Barden  
City Administrator/City Clerk  
City of Winterset, Iowa

RESOLUTION NO. 2025-34

A RESOLUTION SETTING A DATE FOR PUBLIC HEARING ON  
AMENDMENT TO TITLE IV, CHAPTER 12, SECTIONS 4.12080 THROUGH 4.12082  
(OUTDOOR ADVERTISING SIGNS)

**WHEREAS**, the City of Winterset routinely reviews and rewrites Code and Ordinances;  
and,

**WHEREAS**, the City of Winterset recognizes the need to update and modernize the existing  
outdoor advertising sign regulations to better reflect current standards and community goals; and,

**WHEREAS**, the City Council is committed to ensuring the safety of pedestrians, bicyclists,  
and motorists by regulating outdoor advertising signs in a manner that minimizes distractions; and,

**WHEREAS**, the City Council has determined that the existing outdoor advertising sign code  
is outdated and no longer adequately addresses the needs of the community or reflects current best  
practices and technology; and,

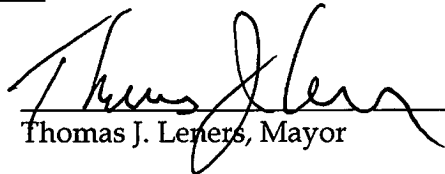
**WHEREAS**, the City Council desires to consider the complete removal of the existing  
outdoor advertising sign code and the adoption of a new, updated outdoor advertising sign code to  
better regulate outdoor signage within the City and;

**NOW THEREFORE**, be it resolved by the City Council of Winterset, Iowa, as follows:

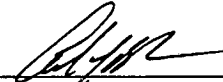
The City Council of the City of Winterset, Iowa, will meet on July 7, 2025 at the City Hall in  
the City, at 7 o'clock p.m., for the purpose of instituting proceedings on amendment to Title IV,  
Chapter 12, Sections 4.12080 through 4.12082 Outdoor Advertising Signs

**BE IT FURTHER RESOLVED** that the City Administrator is hereby authorized and  
directed to cause notice of this public hearing to be published in a timely manner.

Passed and approved this 16<sup>th</sup> day of June 2025.

  
\_\_\_\_\_  
Thomas J. Leners, Mayor

ATTEST:

  
\_\_\_\_\_  
Andrew Barden, City Administrator/City Clerk

STATE OF IOWA  
SS  
MADISON COUNTY

## AFFIDAVIT OF PUBLICATIONS

SUE SMITH being duly sworn says she is the Publisher of The WINTERSET MADISONIAN, a once weekly paper of General Circulation, published in Winterset, Iowa, and that the Notice, a copy which is annexed and made part hereof was correctly published in said paper.

For the period of 1 consecutive weeks, the last Publication thereof being

On the 18 day of June 20 25

Susan R Smith

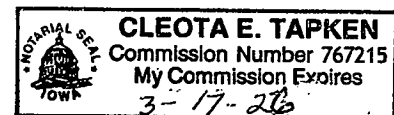
Subscribed and sworn to before me this

19 day of June 20 25

Cleota Tapken

NOTARY PUBLIC  
In and for Madison County

Fee  
\$ 14.36



### NOTICE OF PUBLIC HEARING ON AMENDMENT TO TITLE IV, CHAPTER 12, SECTIONS 4.12080 THROUGH 4.12082 (OUTDOOR ADVERTISING SIGNS)

Notice is hereby given that the City Council of the City of Winterset, Iowa, will conduct a public hearing in accordance with Resolution No. 2025-33 for the purpose of amendment to Title IV, Chapter 12, Sections 4.12080 through 4.12082 (Outdoor Advertising Signs). Copies of the proposed code of ordinances are available at the city clerk's office as this notice states.

The public hearing will be held on July 7<sup>th</sup>, 2025, at 7:00 PM, at the City Hall. City Council will receive oral or written objections from any resident or property owner of the City; written objections must be received at City Hall prior to the beginning of the hearing. All interested persons are invited to attend this hearing. This notice is given by order of the City Council of Winterset, Iowa, in accordance with Section 362.3 of the Code of Iowa.

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Governmental Body: Winterset City Council

Date of Meeting: July 7, 2025

Time of Meeting: 7:00 PM

Place of Meeting: City Hall – 124 W Court Ave

PUBLIC NOTICE IS HEREBY GIVEN that the above-mentioned governmental body will meet at the date, time and manner set out. The tentative agenda for said meeting is as follows:

- 1) **Call to order, Pledge of Allegiance, roll call, adopt agenda**
  - 2) **Consent Agenda**
    - a) City Council Meeting Minutes from June 16<sup>th</sup>, 2025
    - b) Library Board Meeting Minutes from June 18<sup>th</sup>, 2025
    - c) Parks and Recreation Board minutes from June 10<sup>th</sup>, 2025
    - d) Library Board Minutes from June 18<sup>th</sup>, 2025
    - e) Cigarette, Tobacco, Nicotine, Vapor Permit for Winterset Vapor
    - f) Re-Appointing Shari Bush to Board of Adjustment
  - 3) **Receipts, Filings, and Affidavits**
    - a) Claims in the amount of \$213,241.04
  - 4) **Reports from City Boards and Departments**
    - a) Street Superintendent Ryan Flaherty
    - b) Library Director Dave Hargrove
    - c) Park & Recreation Director Sky Smothers
    - d) Fire Chief Jayson McDonald
    - e) Police Chief Ryan Pittman
    - f) Code Enforcement Officer Hollie Burgus
    - g) City Administrators Report
  - 5) **Public Comment**
  - 6) **Public Hearing**
    - a) Public Hearing on Amendment to Title IV, Chapt. 12, Sec. 4.12080 (Outdoor Advertising Signs) **AND** Public Hearing for the Adoption of New Code Sections 4.1701- 4.1713 for the purposes of implementing the Rental Housing Inspection Program
  - 7) **Resolutions and Actions**
    - a) Res No. 2025-39 Appointment of Fire Department Officers
  - 8) **Ordinance Reading and Consideration**
    - a) Ordinance No #666 Amendment to Title IV, Chapt. 12, Sec. 4.12080 (Outdoor Advertising Signs)
      - i) Possible waving of 2<sup>nd</sup> and 3<sup>rd</sup> readings of Ord #666
      - ii) Possible final reading and adoption of Ord #666
    - b) Ordinance No #667 Adoption of New Code Sections 4.1701- 4.1713 for the purpose of implementing the Rental Housing Inspection Program
      - i) Possible waving of 2<sup>nd</sup> and 3<sup>rd</sup> readings of Ord #667
      - ii) Possible final reading and adoption of Ord #667
  - 9) **Mayor and Council Discussion**
- Adjournment**

DATE POSTED: July 3, 2025

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Andrew Barden, City Administrator/City Clerk

The City Council of the City of Winterset, Iowa met on July 7, 2025 in accordance with the above Notice and Call of Public meeting. The meeting was called to order at 7 P.M. by Mayor Leners and recited the pledge of allegiance.

PRESENT: Michael Cook, Christopher Fairholm, Michael Eller  
Mike Fletcher, Mary Ann Orr

ABSENT: none

The Mayor asked for a motion to adopt the presented agenda. There being no further additions or deletions to the agenda and no further discussion, Council Member Fairholm made a motion, seconded by Council Member Cook. On roll call vote, all Council Members present voted Aye.

Whereupon the Mayor declared that the motion carried.

#### **Consent Agenda**

City Council Meeting Minutes from June 16<sup>th</sup>, 2025  
Library Board Meeting Minutes from June 18<sup>th</sup>, 2025  
Parks and Recreation Board minutes from June 10<sup>th</sup>, 2025  
Library Board Minutes from June 18<sup>th</sup>, 2025  
Cigarette, Tobacco, Nicotine, Vapor Permit for Winterset Vapor  
Re-Appointing Shari Bush to Board of Adjustment

The Mayor stated that the minutes of the June 16, 2025 City Council meeting were previously distributed to the Council Members for their review. There being no further discussion; a motion was made to approve the Consent Agenda by Council Member Fletcher and seconded by Council Member Cook to approve the minutes as submitted. On roll call vote, all Council Members voted Aye.

Whereupon the Mayor declared that the motion carried.

The claims submitted are in the amount of \$213,241.04

The Mayor called for a report on the claims. Council Member Fletcher stated that he reviewed the claims and moved to approve the following list of claims. Council Member Orr seconded the motion. On roll call vote, all Council Members voted Aye.

Whereupon the Mayor declared that the motion carried.

#### **GENERAL**

##### **POLICE:**

Axon Enterprise Inc, training	895.00
Breedings Hardware, supplies	15.99
Galls Inc, uniforms	391.11
Ben Garrison, boots	122.41
L-Tron Corporation, equipment	39.50
Lexipol LLC, annual contract	6,666.53
Mainstay Systems of Iowa LLC, server	4,464.00
Mediacom, phone/internet service	376.90
Navigate360 LLC, training	749.00
Shield Technology Corp, software	3,152.50
T-Mobile, phone service	699.10
Winterset Municipal Utilities, utilities	50.82
Payroll Account, salaries	30,469.29

##### **FIRE:**

Centurylink, phone service	209.40
Brittains Standard Parts, parts	230.43
Winterset Municipal Utilities, utilities	379.81

##### **ADMINISTRATION:**

Ahlers & Cooney PC, professional services	63.00
IA Municipalities Workers Comp, work comp premium	32,310.00
Iowa League of Cities, member dues	3,267.00
Integrity Financial Group, final GL audit	1,811.00
Winterset Madisonian, publications	583.80
PFM Financial Advisors LLC, financial services	15,000.00
Payroll Account, salaries	2,275.00
Payroll Account, salaries	8,826.15

##### **ANIMAL CONTROL:**

Winterset Veterinary Center, impound fees	59.25
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**BUILDING INSPECTOR:**

Veenstra & Kimm Inc, zoning map	698.50
Payroll Account, salaries	3,005.48

**GARBAGE FUND****SOLID WASTE/GARBAGE:**

Payroll Account, salaries	934.68
Payroll Account, benefits	439.73

**INTERNAL SERVICE FUND****ADMINISTRATION:**

Access Systems, maintenance contract	277.43
D&D Pest Control, pest control	45.00
First Citizens Bank & Trust Co, copier lease	485.02
Greatamerica Financial Svcs, server lease	349.72
Midwest Auto Fire Sprinkler Co, sprinkler maintenance	251.00
MMIT Business Solutions Group, copier maintenance	72.60
Quadient Finance USA Inc, postage	600.00
Quill Corporation, office supplies	429.84
Thirst Park, supplies	43.25
Winterset Municipal Utilities, utilities	1,930.60

**ROAD USE TAX****ROADWAY MAINTENANCE:**

Construction & Aggregate Prod, supplies	56.20
Brittains Standard Parts, parts	102.12
Paint Pump Pros, repairs	244.00
Thirst Park, supplies	58.75
Winterset Municipal Utilities, utilities/street lights	7,024.49
Payroll Account, salaries	8,772.45

**STREET CLEANING**

Payroll Account, salaries	247.60
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**SEWER UTILITY FUND****SANITARY SEWER:**

Air Cooled Engines, repairs	196.76
Centurylink, phone service	220.24
ERA, lab testing	187.19
US Water Services Corp, contract labor	27,011.00
USA Blue Book, supplies	62.47
Winterset Municipal Utilities, utilities	13,401.78
Payroll Account, salaries	2,598.25
Payroll Account, benefits	1,087.40

**TRUST & AGENCY****POLICE:**

Payroll Account, benefits	13,659.57
Payroll Account, benefits	

**ADMINISTRATION:**

Payroll Account, benefits	5,443.90
Payroll Account, benefits	5,443.90

**ROADWAY MAINTENANCE:**

Payroll Account, benefits	4,753.13
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**Reports from City Boards and Departments**

Street Department Ryan Flaherty presented report to council prioritizing tree trimming in the Right-of-Way. Further discussion relative to improved efficiencies in street cleaning practices have been reduced based upon brining and snow operations improvements. An additional discussion about street repairs and improvements was held.

Library Director Dave Hargrove reported children and adult patronage, circulated items. Use of adventure pass, applicants for open positions, and pending retirements of tenured employees.

Park & Recreation Director Sky Smothers was excused from the meeting.

Fire Chief Jayson McDonald reported 8 calls for the month, attendance for 4<sup>th</sup> of July festivities. Pending events include station tours, county and state fair support, and hosting the Junior Academy. Finally, report on elected officers for 2025-2026.

Police Chief Ryan Pittman provided a written report including calls for service, community events, complete training, and acknowledgement of Officer Brett Douglas and Ben Garrison both celebrating 8 years of service.

Code Enforcement Officer Hollie Burgus presented new and closed cases for the month. Reports for BOA and P&Z meeting. Iowa Thriving Community application was denied but feedback will be provided for future applications.

City Administrator Report was provided to council including appreciation and acknowledgement for staff work and efforts. Attendance at multiple meetings, assistance to citizens and elected officials, and updates on projects for the prior weeks.

**Public Comment** – Individuals wishing to speak shall sign up prior to the meeting. When called upon please stand and give your address for the record. Each person may speak for up to three minutes. Please professionally and tactfully express your specific concerns and not disrespect individuals.

The Mayor noted that no one had signed up for public comment at this time.

#### **Public Hearing**

Public Hearing on Amendment to Title IV, Chapt. 12, Sec. 4.12080 (Outdoor Advertising Signs) **AND** Public Hearing for the Adoption of New Code Sections 4.1701- 4.1713 for the purposes of implementing the Rental Housing Inspection Program.

A motion was made by Council Member Fairholm to enter into public hearing, the motion was seconded by Council Member Eller. There being no further discussion; On roll call vote, all Council Members voted Aye.

Whereupon the Mayor declared that the motion carried.

Public Hearing was entered at 7:25 p.m.

Notice of Publication was on file, No written protests received.

No Public was present to speak on the matter.

A motion was made by Council Member Orr to exit public hearing; the motion was seconded by Council Member Fletcher. There being no further discussion; On roll call vote, all Council Members voted Aye.

Whereupon the Mayor declared that the motion carried.

Public Hearing was exited at 7:26 p.m.

#### **Resolutions and Actions**

A motion was made by Council Member Cook to approve Resolution No. 2025-39 a Resolution for the Appointment of Fire Department Officers seconded by Council Member Eller. There being no further discussion; On roll call vote, all Council Members voted Aye.

Whereupon the Mayor declared that the motion carried.

## RESOLUTION APPROVING FIRE OFFICERS

A motion was made by Council Member Fletcher to approve the final reading and adoption of Ordinance #666 an amendment to Title IV, Chapt. 12, Sec. 4.12080 (Outdoor Advertising Signs) the motion was seconded by Council Member Cook. There being no further discussion; On roll call vote, all Council Members voted Aye.



Whereupon the Mayor declared that the motion carried.

Ordinance No #667 Adoption of New Code Sections 4.1701- 4.1713 for the purpose of implementing the Rental Housing Inspection Program

Possible waving of 2<sup>nd</sup> and 3<sup>rd</sup> readings of Ord #667

Possible final reading and adoption of Ord #667

A motion was made by Council Member Fairholm to approve the first reading of Ordinance No #667 Adoption of New Code Sections 4.1701- 4.1713 for the purpose of implementing the Rental Housing Inspection Program, the motion was seconded by Council Member Eller. There being no further discussion; On roll call vote, all Council Members voted Aye.

Whereupon the Mayor declared that the motion carried.

A motion was made by Council Member Fairholm to waive the second and third reading of Ordinance No #667 Adoption of New Code Sections 4.1701- 4.1713 for the purpose of implementing the Rental Housing Inspection Program, the motion was seconded by Council Member Cook. There being no further discussion; On roll call vote, all Council Members voted Aye.

Whereupon the Mayor declared that the motion carried.

A motion was made by Council Member Fletcher to approve the final reading and adoption of Ordinance No #667 Adoption of New Code Sections 4.1701- 4.1713 for the purpose of implementing the Rental Housing Inspection Program, the motion was seconded by Council Member Fairholm. There being no further discussion; On roll call vote, all Council Members voted Aye.

Whereupon the Mayor declared that the motion carried.

#### **Mayor and Council Discussion**

Council Member Fletcher remarked about the new west doors on the light plant being period appropriate and a dramatic improvement to the façade.

City Attorney Rosien provided updates relative to court proceedings and the compliance of a nuisance property.

Mayor Leners remarked mobilization and onsite review of such at the Wastewater Treatment Facility.

#### **The Adjournment**

There being no further business, Council Member Fairholm then made a motion to adjourn the meeting. The motion to adjourn was seconded by Council Member Eller. All Council Members voted Aye.

Whereupon the Mayor declared that the motion carried, and the meeting was adjourned at 7:41 p.m.

\_\_\_\_\_  
/s/  
Thomas J. Leners, Mayor

ATTEST:

\_\_\_\_\_  
Andrew Barden, City Administrator/City Clerk

STATE OF IOWA  
SS  
MADISON COUNTY

## AFFIDAVIT OF PUBLICATIONS

SUE SMITH being duly sworn says she is the Publisher of The WINTERSET MADISONIAN, a once weekly paper of General Circulation, published in Winterset, Iowa, and that the Notice, a copy which is annexed and made part hereof was Correctly published in said paper.

For the period of 1 consecutive weeks, the last Publication thereof being

On the 9 day of July 20 25

Susan R Smith

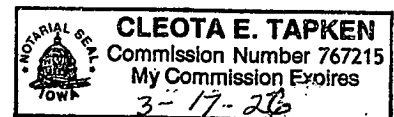
Subscribed and sworn to before me this

10 day of July 20 25

Cleota Tapken

NOTARY PUBLIC  
In and for Madison County

Fee  
\$ 438.59



1. The total surface area of all permanent wall signs on a lot shall in the Commercial District and Transition Districts not exceed ten (10) percent of the building facade per elevation.
2. The total sign area of all permanent wall signs on a lot in the Industrial District shall not exceed twenty (20) percent of the building facade per elevation.
3. Signs shall be on premise and limited to one (1) wall sign per business and one (1) pole or monument sign per building.
  - a. Pole signs are limited to 24 feet in height and 48 square feet in area.
    1. If the pole sign is 10 feet in height from grade to the bottom of the sign cabinet, it may be located on the property line so long as no portion of the sign projects into the city right of way or adjoining property.
    2. If the pole sign is less than 10 feet from grade to the bottom of the sign cabinet, it must be located outside the vision clearance requirement.
  - b. Monument signs are limited to 48 square feet in area and must be located outside the vision clearance requirement.
  - c. Pole signs and monument signs may be used for multi-tenant buildings with the total sign area not to exceed 48 square feet.
4. Signs may be illuminated. Where a sign is illuminated, the source of a light shall not be visible from any public right of way, and such light shall be directed away from any Residential District.
5. Directional signs shall be allowed but restricted to four (4) sq. ft. in sign area. No logos or names of businesses shall be permitted on directional signs.

Ordinance No. 666 continued on page 7B

Ordinance No. 666 continued from page 6B

6. Freestanding Structure Signs shall be allowed subject to the following regulations:
  - a. If the freestanding structure is associated with a principal use in a building on the same site, any signage on the structure shall be counted towards the wall sign area earned by the building frontage of the principal use.
  - b. If the freestanding structure is the principal use, the maximum amount of signage per structure face shall be no greater than five percent (5%) of the structure face.
  - c. A panel sign is allowed as a freestanding structure sign but shall be designed in such a manner that only the text, copy or graphic content of the sign is illuminated, and the background of the sign face is opaque.
7. Electronic Message Boards: Any sign utilizing an electronic display or multi-vision display must meet the following operational standards:
  - a. Sign Size. Limited to 24 square feet in area.
  - b. Duration. The display area and each portion thereof between any change in the message displayed must be static for at least 5 seconds.
  - c. Transition. The change between static messages must be instantaneous.
  - d. Brightness. No lighting shall be used in any way in connection with any sign unless it is so effectively shielded as to prevent beams or rays of light from being directed at any portion of the main traveled way of any street, or is of such low intensity or brilliance as to not cause glare or to impair the vision of the driver of any motor vehicle, or to otherwise interfere with any driver's operation of a motor vehicle. In no event may such a sign exceed a maximum illumination of 5,000 candelas per square meter during daylight hours and a maximum illumination of 500 candelas per square meter between dusk to dawn as measured from the sign's face at

100 feet of (i) any lot in any Residential district or Transition District which either is used for residential purposes or is vacant, or (ii) any portion of a PUD district devoted to single- or two-family use.

8. Residential uses in Transition Districts are subject to the provisions of 4.12082.F.
9. Business uses in Transition Districts are subject to the provisions of 4.12082.H.
- I. NONCONFORMING SIGNS. Where a sign exists at the effective date of adoption or amendment of this ordinance that could not be built under the terms of this ordinance by reason of restrictions on area, use, height, setback, or other characteristics of the sign or its location on the lot, such sign may be continued so long as it remains otherwise lawful, subject to the following provisions:
  1. No such sign may be enlarged or altered in a way that increases its nonconformity; however, reasonable repairs and alterations may be permitted.
  2. Should such sign be destroyed or altered by any means to an extent of fifty (50) percent or more of its replacement cost at time of destruction/alteration, it shall not be reconstructed or altered except in conformity with the provisions of this ordinance.
- J. ENFORCEMENT. Any violation of the provisions of this Chapter or failure to comply with any of its requirements shall be a municipal infraction punishable as provided by law. Each day any such violation continues shall be considered a separate offense and may be the subject of separate prosecutions, if so continued. The owner or tenant of any building, structure or premises or part thereof, and any builder, contractor, agent or other person who commits, participates in, assists in, or maintains such violation may each be found guilty of a separate offense and suffer the penalties provided for herein. Nothing herein contained shall preclude the City from taking such other lawful action as is necessary to prevent or remedy any violation of the terms of this Chapter.

This Ordinance was adopted and passed by the City Council of the City of Winterset, Iowa and approved by the Mayor on the 7th day of July 2025.

/s/

Thomas J Lenners, Mayor

**ORDINANCE NO. 666**  
**AN ORDINANCE FOR AMENDMENT TO TITLE IV, CHAPT. 12, SEC. 4.12080 (OUTDOOR ADVERTISING SIGNS)**

**OUTDOOR ADVERTISING SIGNS**

**4.12080 PURPOSE.** It is the purpose of this chapter to:

- A. Establish comprehensive guidelines and standards specifically designed to govern the usage, placement, and overall impact of advertising signs, ensuring they serve their intended purpose of promoting products, services, or businesses while maintaining the aesthetic and safety standards of the community; and
- B. Set standards and provide uniform controls that permit a reasonable use of signs that are compatible with their surroundings; and
- C. Prohibit the erection of signs in such numbers, sizes, designs, illumination and locations that may create a hazard to pedestrians, bicyclists and motorists; and
- D. Avoid excessive signage and visual competition, so that legal signs provide adequate avenues of free speech and communication, while minimizing clutter, unsightliness, confusion and blighting influences; and
- E. Ensure that sign design builds on the image, character and visual environment that the City of Winterset seeks to promote and protects property values; and
- F. Protect and prevent possible damage or obstruction to public utilities and infrastructure.

**4.12081 DEFINITIONS**

**ABANDONED SIGN:** Any sign remaining in place for a period of ninety (90) days or more which no longer advertises, identifies, promotes or draws attention to an activity, business, product, or service available on the premises on which the sign is located.

**ADVERTISING SIGN:** a visual, written, or electronic communication that is used to promote a product, service, or business and influence potential customers' buying decisions.

**BILLBOARD:** An off-premises sign that identifies or communicates a message or information related to an activity conducted, a service rendered, or a commodity available at a location other than where the sign is located.

**BUILDING:** Any structure used or intended for supporting or sheltering any use or occupancy.

**BUILDING FRONTAGE:** That wall or side of a building which is adjacent and most nearly parallel to a street.

**CANOPY:** A rigid, multifaced, permanent structural roof-like element that projects from a building wall for the purpose of shielding a doorway or window.

**DIRECTIONAL SIGN:** a sign, other than warning and regulatory signs, which is located on private property for the purpose of controlling all modes of traffic. Signs shall not display company names, logos, or any other form of advertisement, except where allowed elsewhere in this chapter.

**ERECT:** To build, construct, attach, hang, place, suspend or affix. Shall also include the painting of wall graphics.

**ELECTRONIC DISPLAY SIGN:** Any portion of a sign upon which alphabetic, pictographic or symbolic information content can be changed or altered on a display screen composed of light emitting diodes (LED's), fiber optics, light bulbs or other illumination devices, including but not limited to programmable microprocessor controlled electronic displays; and, the projection of images or messages with these characteristics by any other means onto the sign face.

**FREESTANDING STRUCTURE SIGN.** Any sign that is not attached to a building, but rather is attached to a canopy, or similar open-air, overhead structure, such as a gasoline canopy, or a freestanding structure, such as a kiosk, or ATM.

**GOVERNMENT FLAG:** Any fabric, banner or bunting containing words, numbers, colors, patterns or symbols, used as a symbol of a government or political subdivision, including flags of the United States, the State, the City, foreign nations having diplomatic relations with the United States, and other flags adopted or sanctioned by an elected legislative body of competent jurisdiction.

**GRAPHIC:** Any display, including copy, logos or images that are an announcement, declaration, demonstration, illustration or insignia used to advertise, promote, or draw attention to the interests of any person or firm when the same is placed in view of the general public.

**GROUND SIGN:** A sign supported by one (1) or more uprights, posts or bases placed upon or affixed in the ground and not attached to any part of a building.

**ILLUMINATION:** A source of any artificial or reflected light, either directly from a source of light incorporated in or indirectly from an artificial source.

**LEGAL NONCONFORMING SIGN:** Any sign which does not conform to the requirements of this chapter, but which was lawfully erected in accordance with this Code in effect at the time it was erected.

**MARQUEE:** A permanent covering, other than a building canopy or roof that projects from the façade of the building and is typically used to highlight the entrance to the building. Marquees are often ornate and incorporate lighting and signage to attract attention and identify activities associated with the business, such as theaters, convention centers, concert halls or hotels.

**MONUMENT SIGN:** A monument sign is an on-premises free-standing sign with the appearance of a solid base.

**MULTI-VISION DISPLAY SIGN:** Any portion of a sign where the display surface is comprised of rotating elements that permit the display of different messages by the rotation of elements.

**OFF PREMISES SIGN:** Any sign, for which the purpose is to advertise, identify and/or direct attention to a profession, business, service, activity, product, campaign, or attraction which is not carried on, sold, offered or manufactured in or upon the premises.

**ON PREMISES SIGN:** A sign that advertises, identifies and/or directs attention to a profession, business, service, activity, product, campaign or attraction which is carried on, sold, offered or manufactured in or upon the premises.

**PANEL SIGN:** A separate advertising area contained upon a sign facing, including any border or trim, but excluding ornamental base or apron supports; provided however, that such ornamental base or apron supports shall not contain an advertising message or messages.

**PERMANENT SIGN:** A sign constructed of durable materials and attached to a wall or imbedded in or constructed on a foundation in the ground, that does not allow removal without special tools or equipment, and which is intended to exist on more than a temporary basis.

**POLE SIGN:** A sign that is supported by one or more uprights or braces in or upon the ground.

**PORTABLE SIGN:** A freestanding sign that is movable and self-supporting and is not permanently attached to the ground or a building or designed to be permanently attached to the ground or a building.

**PREMISES:** The lot or lots, plots, portions, or parcels of land considered as a unit for a single use or development, whether owned or leased, and not located in a shopping center or multi-use building.

**PROJECTING SIGN:** A sign attached to and projecting away from the wall of a building and not in the same plane as the wall.

**RIGHT-OF-WAY:** A strip of land acquired by reservation, dedication, prescription or condemnation and intended to be occupied by a road, trail, pedestrian way, public (and private) utilities and/or other public uses.

**ROOF SIGN:** an advertising device that entirely or partially projects above the fascia of a building and is supported wholly or in part of the roof structure

**SIGN:** Any visual display or graphics, visible from a street or in view of the general public and designed to identify, announce, direct, draw attention, promote or inform.

**SIGN AREA** also known as **SIGN SURFACE AREA:** The entire area within a single continuous perimeter enclosing the extreme limits of the actual sign surface, not including any structural elements outside the limits of such sign and not forming an integral part of the display. Only one side of a double-face or V-type sign structure shall be used in computing total surface area.

**SIGN HEIGHT:** The vertical measurement from the average finished grade nearest the supporting base or columns of the sign to the highest point of said sign. No mounding of earth (except berms required otherwise by this Code for buffering) may be permitted to achieve a greater sign height.

**TEMPORARY SIGN:** Any sign, banner, pennant, streamers, valance or advertising display constructed of cloth, canvass, light fabric, cardboard, wallboard or other light materials, with or without frames, intended to be displayed for a short period of time only with a printed end date.

**VISION CLEARANCE:** That area bounded by the street right-of-way lines of a corner lot and a straight-line joining point on said right-of-way lines twenty-five feet from the point of intersection of said right-of-way lines.

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

**4.12082 SIGN REGULATIONS**

- A. **PERMIT REQUIRED.** Unless specifically noted otherwise in this chapter, it shall be unlawful for any person to erect, alter or relocate within the City without first obtaining a sign permit from City Hall and making payment of the permit fee. No sign shall be erected on a property without the authorization of the property owner or authorized agent. Application for permits shall be made upon forms provided by City Hall. Additional information may be required to clarify the submittal including, but not limited to, the following information:

1. Drawings of the plans and specifications of the sign and method of construction and attachment to the building or in the ground.
2. Drawing showing the location of the sign or sign structure, setbacks, location of the sign on a building, and any other information needed to determine compliance with Code provisions.
3. Copy of stress sheets and calculations showing the sign is designed for dead load and wind pressure in any direction in accordance with Building Code regulations as adopted by the City of Winterset.
4. Such other information as the Building Inspector or designee shall require to

erected at or near the intersection of any streets or near a private access to a street in such a manner as to obstruct free and clear vision unless otherwise permitted in this Chapter.

11. Signs at any location where, by reason of the position, shape or color, it may interfere with, obstruct the view of, or be confused with any authorized traffic sign, signal or device.
12. Signs which make use of the words "STOP", "LOOK", "DANGER" or any other word, phrase, symbol or character in such a manner as to interfere with, mislead or confuse the motoring public.
13. Signs on City property or right of way not installed by agents of the City, except as permitted elsewhere within this chapter.

- E. **EXEMPTIONS.** The following signs are exempt from the permitting requirements and regulations of this chapter, unless otherwise specified:

1. Signs erected by, or on behalf of, or pursuant to the authorization of a governmental body.
2. Signs located within buildings, visible from the right of way.
3. Warning signs, no trespassing, no hunting and similar signs on private property.
4. Signs for the temporary sale of goods less than six square feet only on days of sale on private property.
5. Political signs on private property in compliance with Iowa State Code 68A-406.
6. Directional signs not to exceed six square feet per sign which have no advertising matter.
7. "Open" or other greeting flags provided that a minimum of five (5) foot width of unobstructed sidewalk is maintained and provided that no such placement unduly restricts the flow of pedestrian or vehicular traffic. (3.606) Such sign shall be displayed only during the hours when the adjacent's merchant's business is operating and open to the public (3.414) and shall have no advertising matter.
8. Signs of a patriotic, religious, charitable, or civic character or signs for institutions of an educational, religious, philanthropic or eleemosynary character, provided said sign(s) shall be on private property and not contain more than 32 square feet in total.
9. A sign identifying the owner or occupant of a building or dwelling unit, provided such sign is unobtrusive. Such sign shall not be illuminated.
10. A sign pertaining to the lease or sale of a building or property provided such sign does not exceed four (4) square feet in surface area. Such signs shall not be illuminated. Such sign shall be removed upon the beginning of said lease or the conclusion of the sale.
11. Signs pertaining to the prolonged sale of property which shall be removed upon the conclusion of the sale.
12. Temporary signs used for a special event with a printed end date. Such signs may be erected 14 days prior to the start of the event and shall be removed at the conclusion of the event.

- F. **SIGNS IN RESIDENTIAL ZONING DISTRICTS.** Signs may be erected in the Residential Zoning District and are subject to the following provisions and regulations:

1. One identification sign on premises not to exceed twenty-four (24) square feet in surface area displaying location information for churches, schools, hospitals, nursing homes, clubs, offices, libraries or similar use. Such signs may be illuminated.
2. Business signs as Non-Conforming or Home Occupations shall not be located in the front yard. Signs shall be attached to the house and shall not be illuminated and not larger than two (2) square feet in surface area with an approved Special Exception Use Permit.
3. A temporary sign not exceeding four (4) square feet in surface area identifying an engineer, architect, general contractor, sub-contractor, or product engaged in or used in the construction of a building may be erected upon issuance of the building permit. A temporary sign shall be removed prior to the occupancy of the building or completion of advertised work. Such sign shall not be illuminated except for signs required by State or Federal law.
4. Temporary signs relating to construction not to exceed 32 square feet in area on private property and to be removed upon completion of the construction.

- G. **SIGNS IN THE DOWNTOWN COMMERCIAL DISTRICT.** Signs may be erected in the Downtown Commercial Zoning District and are subject to the following provisions and regulations:

1. The total surface area of all permanent wall signs on a lot shall not exceed ten (10) percent of the building facade per elevation.
2. Signs shall be on premise and limited to one (1) wall sign per business and one (1) pole or monument sign per building.
  - a. Pole signs are limited to 24 feet in height and 48 square feet in area.
    1. If the pole sign is 10 feet in height from grade to the bottom of the sign cabinet, it may be located on the property line so long as no portion of the sign projects into the city right of way or adjoining property.
    2. If the pole sign is less than 10 feet from grade to the bottom of the sign cabinet, it must be located outside the vision clearance requirement.
  - b. Monument signs are limited to 48 square feet in area and must be located outside the vision clearance requirement.
  - c. Pole signs and monument signs may be used for multi-tenant buildings with the total sign area not to exceed 48 square feet.
3. Signs may be illuminated. Where a sign is illuminated, the source of a light shall not be visible from any public right of way, and such light shall be directed away from any Residential District.
4. Directional signs shall be allowed but restricted to four (4) sq. ft. in sign area. No logos or names of businesses shall be permitted on directional signs.
5. Signs within the immediate downtown square shall project no more than one (1) foot perpendicular from the building face. This area contains the following:
  - a. 0-99 Block of E Jefferson Street
  - b. 0-98 Block of E Court Ave.
  - c. 100 Block of N John Wayne Drive (also known as N 1<sup>st</sup> Street)
  - d. 100 Block of N 1<sup>st</sup> Ave.
6. Projecting Signs in the Downtown Commercial District:
  - a. Projecting signs may be allowed in the Downtown Commercial District but limited to the contiguous single block area in each direction adjoining the immediate downtown square. This area contains the following:
    1. 100 Block of W Jefferson Street
    2. 100 Block of E Jefferson Street
    3. 100 Block of W Court Ave
    4. 100 Block of E Court Ave
    5. 100 Block of S John Wayne Drive (also known as S 1<sup>st</sup> Street)
    6. 200 Block of N John Wayne Drive (also known as N 1<sup>st</sup> Street)
    7. 100 Block of S 1<sup>st</sup> Ave
    8. 200 Block of N 1<sup>st</sup> Ave
  - b. Such projecting sign shall meet the following requirements:
    1. Shall be permanently attached to a wall at a height of no less than eight (8) feet above the public sidewalk or ground.
    2. The sign shall be limited to one per façade visible to the public with the exception of second floor businesses.
    3. Second floor businesses may have one projecting sign which shall be located immediately over or within three (3) feet of the first-floor pedestrian access to the business. Such a sign shall not exceed ten (10) square feet in area and shall be erected so that the lowest portion of the sign shall not be less than eight (8) feet above the public sidewalk or ground.
    4. Shall have a maximum projection of five (5) feet from the wall.
    5. Shall not be higher than the top of the second story windows.

- H. **SIGNS IN COMMERCIAL, INDUSTRIAL AND TRANSITION DISTRICTS.** Signs may be erected in the Commercial and Transitional Districts and are subject to the following provisions and regulations: