

ORDINANCE NO. _____

1 AN ORDINANCE amending Chapter 22.05 of the Lincoln Municipal Code relating
2 to the Lincoln Construction Sign Code by amending Section 22.05.010 to revise the title of the code;
3 by amending Section 22.05.020 to delete definitions and to provide that terms shall have the same
4 meaning as defined in Chapter 27.69 of the Lincoln Municipal Code; by amending Section
5 22.05.030 to provide specific reference for exceptions; by amending Section 22.05.050 to modify
6 the listing of signs for which a permit is not required; by amending Section 22.05.060 to include new
7 sign permit fees, to increase other fees, and to provide that no refund shall be issued on a permit
8 where the required refund amount is less than \$50.00; by amending Section 22.05.080 to clarify that
9 sign clearance from overhead electrical conductors shall be that required by the current edition of
10 the Lincoln Electrical Code or as recommended by the serving utility company and be deleting Table
11 22.05.080; by amending Section 22.05.090 to clarify that a reference is to the current edition of the
12 Lincoln Electrical Code; by amending Section 22.05.100 to provide construction standards for
13 freestanding signs and to delete reference to pole signs; by repealing Section 22.05.110 and
14 22.05.120 relating to ground signs and roof signs, respectively; by amending Section 22.05.160 to
15 provide that electric signs and electric equipment used in connection with illuminated signs shall
16 be installed in accordance with the current edition of the Lincoln Electrical Code; by amending
17 Section 22.05.170 to clarify that signs on vehicles which are used for the primary purpose of being
18 a sign are not permitted; by amending Section 22.05.190 to prohibit temporary ground signs except
19 as provided in Section 22.05.170; and repealing Sections 22.05.010, 22.05.020, 22.05.030,
20 22.05.050, 22.05.060, 22.05.080, 22.05.090, 22.05.100, 22.05.150, 22.05.170, and 22.05.190 of the
21 Lincoln Municipal Code as hitherto existing.

22 BE IT ORDAINED by the City Council of the City of Lincoln, Nebraska:

23 Section 1. That Section 22.05.010 of the Lincoln Municipal Code be amended to
24 read as follows:

25 **22.05.010 Title, Purpose and Scope.**

26 This chapter shall be known and codified as the Lincoln Construction Sign Code and shall
27 be applicable to outdoor signs in the City of Lincoln and within three miles of the corporate limits
28 thereof, and will be referred to herein as “this code.”

1 All signs shall comply with all provisions of this code and all other applicable provisions of
2 the Lincoln Municipal Code, including but not limited to, those set forth in Section 10.12.040,
3 Chapter 18.04, and Title 27 of the Lincoln Municipal Code and shall comply with all applicable state
4 and federal-aid project requirements restricting signs and structures on or over the public right-of-
5 way.

6 The purpose of this code is to provide minimum standards to safeguard life, health, property,
7 and public welfare by regulating and controlling the structural design, quality of materials,
8 construction, location, electrification, and maintenance of all signs and sign structures not located
9 within a building.

10 Section 2. That Section 22.05.020 of the Lincoln Municipal Code be amended to
11 read as follows:

12 **22.05.020 Definitions.**

13 For the purpose of this code, certain abbreviations, terms, phrases, words and their
14 derivatives shall be construed as specified in this chapter. Words used in the singular include the
15 plural, and the plural the singular. Words used in the masculine gender include the feminine, and
16 the feminine the masculine.

17 For the purposes of this code, the definitions of sign and specific types of signs found in
18 Chapter 27.69 of the Lincoln Municipal Code shall be used.

19 ~~———— The following definitions shall apply in the interpretation and enforcement of this chapter:~~

20 ~~———— **Area of sign** shall mean the area of the largest single face of the sign within a perimeter~~
21 ~~which forms the outside shape including any frame which forms an integral part of the display, but~~
22 ~~excluding necessary supports or uprights on which the sign may be placed. If the sign consists of~~
23 ~~more than one section or module, all areas will be totaled. Signs mounted or painted on a wall shall~~
24 ~~be calculated by using up to a simple eight-sided geometric figure around the advertising message~~
25 ~~and shall include any framing or border. Pylon signs shall have sign area measured from the bottom~~
26 ~~of the copy area.~~

27 ~~———— **Building Official** shall mean the Director of Building and Safety of the City who is charged~~
28 ~~with the administration and enforcement of this code, or his or her duly authorized deputy.~~

29 ~~———— **Changeable copy sign** shall mean any sign on which message copy can be changed through~~
30 ~~the use of attachable letters and numerals or by electronic switching of lamps or illuminated tubes.~~
31 ~~This includes public message displays or any sign which features automatic switching such as time~~
32 ~~and temperature signs.~~

33 ~~———— **Directional sign** shall mean any sign which serves primarily to designate the location or~~
34 ~~direction of any area or place. This definition shall also include any sign approved by the Director~~
35 ~~of Public Works and Utilities in connection with major street construction projects. A business name~~
36 ~~and/or logo is acceptable on a directional sign.~~

1 ~~———— **Electric sign** shall mean any sign containing electrical wiring which is attached or intended~~
2 ~~to be attached to an electrical energy source, but not including signs illuminated by an exterior light~~
3 ~~source not an integral part of the sign.~~

4 ~~———— **Electronic changeable copy sign** shall mean a sign containing a computer generated~~
5 ~~message or other automated method of changing copy such as a public service time, temperature and~~
6 ~~date sign, message center or reader board, where different copy changes of a public service or~~
7 ~~commercial nature are shown on the same lamp bank or message facility.~~

8 ~~———— **Erected** shall mean attached, altered, built, constructed, reconstructed, enlarged, or moved~~
9 ~~and shall include the painting of wall signs.~~

10 ~~———— **Facade** shall mean that portion of any exterior elevation of a building extending vertically~~
11 ~~from the grade to the top parapet wall or eaves and horizontally across the building in one plane of~~
12 ~~elevation. A facade may extend above the roof line.~~

13 ~~———— **Flag** shall mean a sign constructed of a nonrigid piece of fabric attached to a pole structure~~
14 ~~on one vertical side only.~~

15 ~~———— **Flashing sign** shall mean the interior or exterior of a sign which contains flashing lights or~~
16 ~~exhibits noticeable changes in light intensity with a basic on-off of the same light or display pattern,~~
17 ~~or which includes the illusion of intermittent or flashing light by means of animation, or an~~
18 ~~externally-mounted intermittent light source.~~

19 ~~———— **Ground sign** shall mean a sign, other than a pole sign, in which the entire bottom of the sign~~
20 ~~is in contact with or is close to the ground and is independent of any other structure, and the top edge~~
21 ~~of the sign is ten feet or less above grade.~~

22 ~~———— **Height of a sign** shall mean the distance between the lowest grade level within two feet of~~
23 ~~either side of a sign, and the highest part of the sign or its support, except that if the property was~~
24 ~~lower than the adjacent roadway, then the height of the sign is to be calculated from the street grade~~
25 ~~at a ninety degree angle from the sign.~~

26 ~~———— **Illuminated sign** shall mean any sign which is directly lighted by any electrical light source,~~
27 ~~internal or external. This definition shall not include signs which are illuminated by street lights or~~
28 ~~other light sources owned by any public agency or light sources which are specifically operated for~~
29 ~~the purpose of lighting the area in which the sign is located rather than the sign itself.~~

30 ~~———— **Marquee** (canopy or awning) shall mean a protective shelter or overhang which projects~~
31 ~~more than twenty-four inches from the face of a building that is otherwise permitted by code or~~
32 ~~ordinance.~~

33 ~~———— **Marquee sign** shall mean a sign attached to the face or on top or below a marquee. The area~~
34 ~~of marquee signs shall be counted toward the total allowable wall sign area of the parallel face to~~
35 ~~which the marquee is attached. If attached perpendicular to the wall, it shall be counted toward the~~
36 ~~allowed projecting sign area.~~

37 ~~———— **Mobile sign** shall mean a sign designed and constructed to be transported by its own wheels.~~
38 ~~When placed, a mobile sign must be supported by at least four integral metal supports which raise~~
39 ~~the wheels off the ground. Such sign shall not exceed ten feet in height.~~

40 ~~———— **Nonstructural trim** shall mean the molding, battens, caps, nailing strips, latticing, cutouts,~~
41 ~~or ladders and walkways which are attached to the sign structure.~~

42 ~~———— **Off-premises sign** shall mean any sign which serves to advertise a product, service, or~~
43 ~~activity not conducted on the premises on which the sign is located or within 300 lineal feet thereof.~~

1 ~~——— **On-premises sign** shall mean any sign which serves to advertise and/or identify a product,~~
2 ~~service, or activity conducted on the premise on which the sign is located, or identifies said premises~~
3 ~~or a use thereof.~~

4 ~~——— **Pedestrian marquee sign** shall mean a sign oriented to the view of pedestrians which is~~
5 ~~attached to or constructed under the marquee or on the end of the marquee perpendicular to the~~
6 ~~parallel face to which the marquee is attached, but shall not project above the marquee.~~

7 ~~——— **Person** shall mean and include any person, firm, partnership, association, corporation,~~
8 ~~company, or organization of any kind.~~

9 ~~——— **Pole sign** shall mean a sign that is mounted on a freestanding pole or other support so that~~
10 ~~the bottom edge of the sign face is ten feet or more above grade. A pylon sign shall also be~~
11 ~~considered as a pole sign.~~

12 ~~——— **Projecting sign** shall mean a sign other than a wall sign which is attached to and projects~~
13 ~~at an angle of not less than forty-five degrees from a structure or building face.~~

14 ~~——— **Projection** shall mean the distance by which a sign extends beyond a building or structure.~~

15 ~~——— **Pylon sign** shall mean a pole sign greater than ten feet in height with a design incorporating~~
16 ~~a pole cover structure of greater than twenty-four inches in width in contact with the ground.~~

17 ~~——— **Real estate sign** shall mean any sign which identifies an offer of the sale, rental, or lease of~~
18 ~~the premises on which it is located.~~

19 ~~——— **Roof line** shall mean the uppermost exterior surface of the roof of a building.~~

20 ~~——— **Roof sign** shall mean a sign mounted on the main roof portion of a building or on the top~~
21 ~~most edge of a parapet wall of a building; and when is wholly or partially supported by such~~
22 ~~building. For the purpose of this chapter, signs mounted on mansard facades, pent eaves, facades~~
23 ~~and architectural projections such as canopies or marquees shall not be considered to be roof signs.~~
24 ~~Signs mounted on an ornamental attachment not used for shelter or protection of persons or~~
25 ~~property, such as cupolas, shall be considered roof signs.~~

26 ~~——— **Rotating sign** shall mean any sign or portion of a sign which moves in a revolving or similar~~
27 ~~manner, but not including multi-prism indexing signs.~~

28 ~~——— **Seasonal or holiday signs** shall mean signs used for special occasions, such as religious and~~
29 ~~national holidays, and installed for a limited period of time not to exceed sixty days.~~

30 ~~——— **Sign** shall mean any structure, fixture, graphics, illustration, statue, or other device visible~~
31 ~~from off the premises designed or intended to advertise, to identify, to attract attention to, or to con-~~
32 ~~vey information regarding any goods, product, service, business, location, institution, activity,~~
33 ~~person, solicitation, issue, or campaign, with the exception of merchandise window displays,~~
34 ~~national, state or other Nebraska governmental subdivision flags, and sculpture. For purposes of~~
35 ~~removal, sign shall also include any sign structure.~~

36 ~~——— **Sign structure** shall mean any structure which is designed or used to support any sign as~~
37 ~~defined in this chapter. A sign structure may be a single pole and may or may not be an integral part~~
38 ~~of the building.~~

39 ~~——— **Temporary sign** shall mean any outdoor sign or device including but not limited to banners,~~
40 ~~pennants, flags, or advertising display constructed of cloth, canvas, light fabric, cardboard, or other~~
41 ~~light materials, with or without frames, intended to be displayed for a limited period of time only~~
42 ~~not to exceed sixty days in a calendar year and not permanently affixed; provided, that temporary~~
43 ~~signs shall not include mobile signs.~~

44 ~~——— **Wall sign** shall mean any sign painted on or attached to the wall or facade of a building with~~
45 ~~the display surface parallel to or at an angle to which it is attached, and which projects no more than~~

1 ~~twenty-four inches from the wall surface. No wall sign shall extend vertically or horizontally be-~~
2 ~~yond the building facade from which the sign is attached. A wall sign may project into a right-of-~~
3 ~~way. A wall sign may be located at any height on a parapet or facade.~~

4 ~~—————**Window sign** shall mean a sign installed inside a window which can be viewed from outside~~
5 ~~the premises and is six feet or less from the window or is located within a window display area~~
6 ~~formed by walls or doors that block the view into the main building.~~

7 Section 3. That Section 22.05.030 of the Lincoln Municipal Code be amended to
8 read as follows:

9 **22.05.030 Registration Required.**

10 It shall be unlawful for any person to carry on or engage in the occupation of erecting,
11 placing, constructing, enlarging, altering, moving, improving, converting, or equipping any sign for
12 which a sign permit is required in the city or within three miles thereof without first being registered
13 as a sign contractor and having complied with all of the provisions of this chapter, ~~unless otherwise~~
14 ~~exempted by this title, except as provided in Section 22.05.050.~~

15 Section 4. That Section 22.05.050 of the Lincoln Municipal Code be amended to
16 read as follows:

17 **22.05.050 Permits.**

18 (a) Permit required. No person other than a person registered as a sign contractor as
19 herein provided shall erect, place, relocate, construct, enlarge, or alter any sign for which a sign
20 permit is required, except the owner or lessee of the premises may erect a mobile, painted, or non-
21 illuminated wall sign, after a permit has been obtained, on such premises. A sign painted directly
22 to the surface of a wall may be installed by a person other than a registered sign contractor after
23 permits, including street use permits if applicable, have been obtained.

24 No sign shall be hereafter erected, placed, relocated, constructed, enlarged, or altered except
25 as provided by this code and a permit for the same has been issued by the Building Official. A
26 separate permit shall be required for each sign and for each group of signs on a single support sign
27 structure. In addition, electrical permits shall be obtained for electric signs, which are required by
28 the City of Lincoln Electrical Code requirements to be permanently wired.

29 (b) Application for permit. Application for a sign permit shall be made in writing upon
30 forms furnished by the Building Official. Such application shall contain the location by street and
31 number of the proposed sign structure, as well as the name and address of the owner and the sign
32 contractor or erector. The Building Official shall require the filing of two sets of plans or other

1 pertinent information where, in his or her opinion, such information is necessary to ensure
2 compliance with this code.

3 Applications for which no permit has been issued within 120 days following the date
4 of application shall expire, and plans and other data submitted for review may thereafter be returned
5 to the applicant or destroyed by the Building Official. The Building Official may extend the time
6 for permit issuance for a period not exceeding 120 days on written request from the applicant
7 showing that circumstances beyond the control of the applicant have prevented the applicant from
8 fulfilling such conditions as are necessary to obtain issuance of the permit. No application shall be
9 extended more than once.

10 (c) Signs or activities exempt from permit. The following signs or activities shall not
11 require a sign permit:

12 (1) Changing the advertising copy or message on ~~theater marquees and similar~~
13 manual or electronic changeable copy signs specifically designed for the use of replaceable letters
14 or copy.

15 (2) Painting, repainting, or cleaning of a sign structure.

16 (3) Removing a sign for repair purposes, provided, no alteration or addition is
17 made to the sign.

18 (4) Home occupation signs.

19 (5) Temporary signs except as specified in Section 22.05.170.

20 (6) Directional, parking lot, or informational signs under six square feet in area,
21 and/or six feet in height.

22 (7) Official notices.

23 (8) Replacing of a flag with a flag of a size no greater than that authorized under
24 the original sign permit for the flag.

25 (9) Non-illuminated window signs.

26 These exceptions shall not be construed as relieving the owner of the sign from the
27 responsibility of its erection and maintenance, and its compliance with the provisions of this code
28 or any other law or ordinance regulating the same.

29 (d) Suspension or Revocation. The Building Official may, in writing, suspend or revoke
30 a permit issued under the provisions of this code whenever the permit is issued in error or on the

1 basis of incorrect information supplied, or in violation of any ordinance or regulation or any of the
2 provisions of this code.

3 Section 5. That Section 22.05.060 of the Lincoln Municipal Code be amended to
4 read as follows:

5 **22.05.060 Fees and Inspection.**

6 (a) Permit fee. A sign permit fee shall be paid to the Department of Building and Safety
7 for each permit in accordance with the fee schedule set forth below:

8 **SIGN PERMIT FEE SCHEDULE**

9 Type of Sign	Fee
10 Wall, awning, marquee, projecting and roof signs	\$36.00 <u>80.00</u>
11 Any wall, awing, marquee, projecting and roof sign less than 20 square feet	18.00 <u>40.00</u>
12 <u>Freestanding signs</u>	<u>\$120.00</u>
13 Ground and pole signs up to and including 100 square feet	54.00
14 ————— 100 - 300 square feet	72.00
15 ————— over 300 square feet	90.00
16 Mobile sign per rental period (<u>each occurrence up to 60/ days period</u>)	<u>30.00</u>
17 per placement	15.00
18 Face change	15.00 <u>40.00</u>
19 Temporary sign	15.00 <u>30.00</u>
20 Non-advertising Mural Project	15.00 <u>20.00</u>
21 <u>Off-premise sign (Billboard)</u>	<u>250.00</u>
22 Reinspection/ <u>Re-review Fee</u> fee for each reinspection	18.00 <u>35.00</u>

23
24 Where work for which a permit is required by this title is started prior to obtaining a permit,
25 the fees specified above shall be doubled; however, the payment of such doubled fees shall not
26 relieve any person from fully complying with the requirements of this title.

27 Every permit issued under the provisions of this code shall expire by limitation and become
28 null and void if the sign authorized by such permit is not erected, placed, relocated, constructed, or
29 altered as the case may be within 120 days from the date of issuance of such permit. There shall be
30 no refunds or credits given on permits which shall have expired. Permit holders returning a permit
31 prior to the expiration date and applicants withdrawing their application prior to issuance of the

1 permit shall be limited to a maximum refund amount of two-thirds of the original fee, with the
2 remaining one-third to be used to pay the administrative costs in processing the permit. No refund
3 shall be issued on a permit where the refund amount is less than \$50.00. Any permittee holding an
4 unexpired permit may apply for an extension of the time within which work may commence under
5 that permit when the permittee is unable to commence work within the time required by this section.
6 The building official may extend the time for action by the permittee for a period not exceeding 120
7 days on written request by the permittee. No permit shall be extended more than once.

8 (b) Signs kept in repair. All signs, together with all of their supports, braces, guys, and
9 anchors shall be kept in repair and in proper state of preservation. The display surfaces of all signs
10 shall be kept neatly painted or posted at all times.

11 (c) Inspections.

12 (1) Footing and site location inspections shall be required by the Building Official
13 for all ground and pole signs.

14 (2) All permanently installed signs containing electrical wiring shall be subject
15 to the permits and inspections of the electrical code, Title 23 of the Lincoln Municipal Code, and
16 the electrical components used shall bear the label of an approved testing agency.

17 (3) All mobile signs containing electric wiring shall be subject to inspection and
18 approval by the Building Official.

19 Section 6. That Section 22.05.080 of the Lincoln Municipal Code be amended to
20 read as follows:

21 **22.05.080 Clearance and Obstructions.**

22 (a) General. All signs shall conform to the clearance and projection requirements of this
23 section and no sign or sign structure shall be located on public property.

24 (b) Clearance from High Voltage Power Lines. Signs shall be provided clearance from
25 overhead electrical conductors which are energized in accordance with ~~Table 22.05.080~~ the current
26 edition of the Lincoln Electrical Code, or the recommended clearances from the serving utility
27 company. The term "overhead conductors" as used in this section shall mean any electrical
28 conductor, either bare or insulated, installed above the ground except conductors enclosed in conduit
29 or other material covering of equal strength.

30 (c) Clearance from Fire Escapes, Exits, or Standpipes. No sign or sign structure shall be
31 erected in such a manner that any portion of its surface or supports will interfere in any way with
32 the free use of any fire escape, exit, or standpipe.

(d) Obstruction of Openings. No sign shall obstruct any openings to such an extent that light or ventilation is reduced to a point below that required by this code.

Signs erected within five feet of an exterior wall in which there are openings within the area of the sign shall be constructed of noncombustible material, approved plastics, or other fire retardant materials.

(e) Obstructing View. No sign shall be erected, placed, or maintained at any location in such a manner as to obstruct free and clear vision at the intersection of any street or highway or to obstruct free and clear vision from any driveway abutting any street or highway that will violate the sign obstruction regulations of the Department of Public Works and Utilities or Title 10 of the Lincoln Municipal Code. ~~(See Table 22.05.080)~~

Table 22.05.080

		Communication conductors and cables, guys, messengers, surge protection wires, neutral conductors, supply cables and supply cables of 0 to 750 V (ft.)	Open supply conductors 0 to 750 V; and supply cables over 750 V (ft.)	Open supply conductors		
				750V to 8.7kV	8.7 to 22kV	22 to 50kV
				(ft.)	(ft.)	(ft.)
Signs, chimneys, billboards, radio & television antennas, tanks, and other installations not classified as buildings or bridges	a. Horizontal [‡]	3	5 ^{†‡}	5 ^{†‡}	6 [†]	7 [†]
	b. Vertical over/under [‡]	3	5 [†]	8	8	9

[†] Where building, sign, chimney, antenna, tank, or other installation does not require maintenance such as painting, washing, changing of sign letters, or other operations which would require persons to work or pass between supply conductors and structure, the clearance may be reduced by 2 feet.

[‡] Where available space will not permit this value, the clearance may be reduced to 3 feet provided the conductors, including splices and taps, have covering which provides sufficient dielectric to prevent a short circuit in case of a momentary contact between the conductors and a grounded surface.

[‡] The required clearances shall be to the closest approach of motorized signs or moving portions of installations.

Section 7. That Section 22.05.090 of the Lincoln Municipal Code be amended to read as follows:

22.05.090 Mobile Signs.

(a) Design. Mobile signs may be constructed of any material meeting the requirements of this code and shall be so designed that the mobile sign will resist design wind loads of twenty-five pounds per square foot in any direction. Tongues utilized in moving the mobile sign from site to site shall be removed from the mobile sign when it is placed for sign display purposes. Every mobile

1 sign shall have a permanent name plate on the mobile sign identifying the current owner of the sign
2 by name and telephone number.

3 (b) Electrical Components and Connections. Electrical components for mobile signs
4 shall be listed or labeled by a nationally recognized testing laboratory and shall be installed in
5 accordance with the current edition of the Lincoln Electrical Code. All electrical connections to
6 mobile signs shall be supplied with a hard usage or extra hard usage flexible 12-3 or larger cord not
7 exceeding 100 feet in length and shall be plugged into an approved 120-volt grounded electrical ou-
8 tlet receptacle with a capacity of not less than fifteen amperes nor more than twenty amperes. Type
9 SC, SCE, SCT, SE, SEO, SEOO, SJE, SJEO, SJEOO, SJOO, SJTOO, SOO, AND STOO are
10 examples of acceptable cords. The cord shall not be placed upon any ground or ground surfacing
11 that is specifically designed to accommodate pedestrian traffic or vehicular traffic of any sort unless
12 said area is cordoned off.

13 The consumption of electricity by mobile signs shall not exceed twelve amperes for
14 a fifteen ampere circuit, or sixteen amperes for a twenty ampere circuit.

15 Electrical cords suspended above grade for fifteen feet or less shall have the cord
16 attached to insulators that are securely attached to the sign and the building or structure. Electrical
17 cords suspended above grade for more than fifteen feet shall have the cord supported from a steel
18 messenger cable that is securely attached at each end. The electrical cord (at its lowest point) shall
19 be suspended at least ten feet above finish grade and sidewalks. Electrical cords suspended over
20 driveways or parking lots subject to vehicular travel shall be at least eighteen feet above the finish
21 grade. Where utilized, electrical cords shall be supplied by and the maintenance thereof shall be the
22 responsibility of the sign contractor.

23 No mobile sign shall be permitted which utilizes more than ten outlet sockets per
24 face, or which utilizes more than seventy-five watt bulbs per socket. No mobile sign shall be
25 permitted which utilizes brilliant flashes of light, sudden and transient outbursts of light, or brilliant
26 sustained light.

27 The wiring of an outdoor sign that is portable or mobile and is readily accessible shall
28 be provided with ground-fault circuit-interrupter protection for personnel.

29 (c) Placement. Mobile signs shall be placed in strict accordance with the requirements
30 for signs provided for in this chapter, Title 27 of the Lincoln Municipal Code, and any other
31 applicable law. Only a registered sign contractor or the owner of such mobile sign and the business
32 for which the sign will be located may obtain a permit for and physically place and connect a mobile
33 sign.

34 No mobile sign shall be placed at any location where it could be confused with an
35 authorized traffic signal, traffic sign, or emergency vehicle.

36 No mobile sign shall be placed without first obtaining a permit for such sign
37 placement. Whenever a mobile sign is relocated, the permit issued for use at the described premises
38 shall expire automatically, and a new permit must be obtained before the mobile sign may be
39 relocated.

1 Any mobile sign placed, maintained or operated in violation of this section is hereby
2 declared to be a public nuisance. It shall be the duty of the Building Official to notify, in writing,
3 the owner of the mobile sign setting forth the violations of the provisions of this section or any other
4 applicable law.

5 Section 8. That Section 22.05.100 of the Lincoln Municipal Code be amended to
6 read as follows:

7 **22.05.100 Pole Freestanding Signs.**

8 ~~Pole Freestanding~~ signs shall be constructed to meet the requirements of this chapter.

9 Section 9. That Section 22.05.110 of the Lincoln Municipal Code be and the same
10 is hereby repealed.

11 ~~22.05.110 Ground Signs.~~

12 ~~Ground signs shall be constructed and designed in accordance with this chapter.~~

13 ~~Ground signs may have display surfaces of combustible materials.~~

14 Section 10. That Section 22.05.120 of the Lincoln Municipal Code be and the same
15 is hereby repealed.

16 ~~22.05.120 Roof Signs.~~

17 ~~Roof signs shall be constructed and designed in accordance with the requirements of this~~
18 ~~chapter.~~

19 ~~Such roof signs shall be thoroughly secured and anchored to the structural frame of the~~
20 ~~building over which they are constructed and erected.~~

21 Section 11. That Section 22.05.160 of the Lincoln Municipal Code be amended to
22 read as follows:

23 **22.05.160 Electric Signs.**

24 All electric signs shall be fabricated and installed in accordance with the current edition of
25 the Lincoln Electrical Code.

26 Electric signs may be constructed of any materials meeting the requirements of this chapter.
27 The enclosed shell of electric signs shall be reasonably watertight, excepting that service holes fitted
28 with covers shall be provided into each compartment of such signs.

29 Electric equipment used in connection with illuminated signs shall be installed in accordance
30 with the ~~city electric code~~ current edition of the Lincoln Electrical Code regulating electrical
31 installations.

32 No sign, other than a changing sign, shall be permitted which is animated by means of
33 flashing, scintillating, blinking, or traveling lights, or stroboscopic or stroboscopic-type light or

1 illumination, or xenon flash tube type light or illumination, or pogo-stick zip light illumination, or
2 revolving beacon lights except as required by the Federal Aviation Agency or any other means not
3 providing constant illumination, except ~~such blinking or flashing lights permitted under Section~~
4 ~~27.69.070(g) of this code~~ for mobile signs and B-4 zoning district signs permitted by Section
5 27.69.030(a)(11).

6 Section 12. That Section 22.05.170 of the Lincoln Municipal Code be amended to
7 read as follows:

8 **22.05.170 Temporary Signs.**

9 (a) General. All temporary signs shall be constructed to withstand a 25-pound per square
10 foot windload.

11 (b) Temporary Real Estate Signs. Real estate signs (sale or lease of property) shall be
12 constructed of a rigid material securely anchored into the ground or secured to a building.

13 (c) Temporary signs for political campaigns, non-profit civic activities and
14 noncommercial activities shall be securely anchored to the ground or a building.

15 (d) Banners of vinyl, canvas, fabric, or other similar material shall be permitted to hang
16 from or on a wall, provided said banner is supported and attached to the wall with metal cable or
17 nylon or polypropylene rope (test break minimum of 1,100 pounds). Banners may extend up to six
18 inches into the public right-of-way when located eight feet or more above grade of said right-of-way.
19 Banners allowed by this subsection may be installed by persons not registered as sign contractors.
20 A sign permit for the installation of banners is required.

21 (e) Banners may extend over public property and may extend across a public street only
22 by permission of the Mayor, and shall be subject to all related laws and ordinances. Such signs,
23 when extended over a public street, shall maintain a minimum clearance of twenty feet.

24 (f) Temporary construction site signs shall be constructed of exterior glue plywood,
25 metal, or other similar rigid material secured into the ground, or securely anchored to a building, or
26 temporary construction trailer. Construction site signs also may be attached to a security fence or
27 protected walkway in the public right-of-way when the fence or walkway is allowed under Title 14
28 of the Lincoln Municipal Code. Construction banners may be permitted as specified in subsection
29 (d) of this section. Construction site signs shall be removed when an occupancy certificate is issued.

30 (g) Signs on vehicles which are parked used for the primary purpose of being a sign,
31 shall not be permitted.

32 (h) Temporary garage sale signs shall be securely anchored into the ground and shall not
33 be located within the public right-of-way.

34 (i) Temporary window signs placed on the inside of a window may be constructed of
35 any material.

36 Section 13. That Section 22.05.190 of the Lincoln Municipal Code be amended to
37 read as follows:

1 **22.05.190 Unlawful Signs.**

2 (a) It shall be unlawful to erect or maintain any sign in any location in violation of the
3 zoning regulations of the City of Lincoln.

4 (b) It shall be unlawful for any person to permit to be placed upon any premises any
5 freestanding temporary ground sign, except as provided in Section 22.05.170. Freestanding
6 Temporary ground sign shall mean any ground sign which is not permanently attached or fixed to
7 the ground; provided, however, this provision shall not prohibit the placement of mobile signs as
8 defined by Section 22.05.090 of this chapter.

9 (c) No person shall permit the placement, construction, or erection of a swinging sign.

10 (d) No person shall place, construct, or erect any sign which, by reason of its size,
11 location, movement, content, coloring, or manner of illumination, may be confused with or
12 construed as a traffic control sign, signal, or device, or the light of an emergency or road equipment
13 vehicle, or which hides from view any traffic or street sign or signal or device.

14 Section 14. That Sections 22.05.010, 22.05.020, 22.05.030, 22.05.050, 22.05.060,
15 22.05.080, 22.05.090, 22.05.100, 22.05.150, 22.05.170, and 22.05.190 of the Lincoln Municipal
16 Code as hitherto existing be and the same are hereby repealed.

17 Section 15. That this ordinance shall take effect and be in force from and after its
18 passage and publication in one issue of a daily or weekly newspaper of general circulation in the
19 City according to law.

Introduced by:

Approved as to Form & Legality:

City Attorney

Approved this ___ day of _____, 2009:

Mayor