

City of Delano  
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State of Minnesota

Ordinance O-22-02

An ordinance amending various sections of the city's zoning ordinance related to the regulations of signs

**Section 1.** Section 51.01, Subd. B.2 of the Delano Zoning Ordinance (Definitions) is hereby amended to add the following definition:

**Neighborhood.** For the purpose of applying the City's sign regulations as provided in Section 51.03, Subd. N of this Ordinance, a "neighborhood" shall mean one of the following:

1. A single or two-family subdivision consisting of twenty (20) or more lots.
2. A residential planned-unit development.
3. A multiple-family residential complex having 50 or more dwelling units.

**Section 2.** Section 51.01, Subd. B.2 of the Delano Zoning Ordinance (Sign-Related Definitions) is hereby amended to read as follows:

**Sign Related:**

1. Sign. Any object, device, display or structure, or part thereof, situated outdoors or indoors, which is used to advertise, identify, display, direct, or attract attention to an object, person, institution, organization, business, product, service, event, or location by any means, including words, letters, figures, design, symbols, fixtures, colors, illumination, or projected images.
2. Sign, Advertising. A sign is used to advertise products, goods, or services not exclusively related to the premise on which the sign is located.
3. Sign Area. The area within the marginal lines of the surface of a sign which bears the advertisement or, in the case of messages, figures, or symbols attached directly to a building or sign structure, that area which is included in the smallest rectangle or series of geometric figures used to circumscribe the message, figure, or symbol displayed thereon.
4. Sign, Banners, and Pennants. Attention-getting devices that resemble flags and are of a paper, cloth, or plastic-like consistency.
5. Sign, Billboard. An advertising sign.
6. Sign, Building Façade. That portion of the exterior elevation of a building extending from grade to the top of the parapet wall or eaves and the entire width of the building elevation.
7. Sign, Canopy. A sign affixed to a canopy or marquee that provides a shelter to cover over the approach to any building entrance.
8. Sign, Commercial. Any sign containing speech or graphics advertising a business, profession, commodity, service, or entertainment.

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9. Sign, Directory. An exterior wall sign is located near a common public entrance in a shopping center or office building.
10. Sign, Flashing. An illuminated sign upon which the artificial light is not kept constant in terms of intensity or color when the sign is illuminated.
11. Sign, Freestanding. A self-supported sign not affixed to another structure (see pylon and monument signs).
12. Sign, Height. The vertical distance measured from the grade to the top of such a sign.
13. Sign, Illuminated. Any sign illuminated by an artificial light source is either directed upon it or illuminated from an interior source.
14. Sign, Logo. Any letter, character, symbol, or abbreviation used to represent an entire word or group of words denoting the name of the purpose of any business. For purposes of this Ordinance, a trademark may qualify as a symbol, but only if any brand name or other word used therein is a single letter, character, or abbreviation.
15. Sign, Monument. Any sign that is not affixed to any other structure is self-supported vertically by a solid base extending horizontally for a minimum of the entire length of the sign face.
16. Sign, Motion. Any sign which revolves, rotates, has moving parts, or gives the illusion of motion.
17. Sign, Non-Commercial. Any sign containing messages not classified as commercial speech which include, but are not limited to, messages concerning political, religious, social, ideological, public service, and informational topics.
18. Sign, Off-Premises. A commercial sign identifying or advertising an establishment, person, activity, goods, products, or services offered at a location, not on the same lot where such sign is located. For purposes of this definition, easements and other appurtenances will be considered to be outside such lot and any sign located or proposed to be located on an easement or other appurtenance will be considered an off-premises sign.
19. Sign, On-Premises. A commercial sign identifying or advertising an establishment, person, activity, goods, products, or services located on the premises where the sign is installed.
20. Sign, Portable. A sign so designed as to be movable from one location to another and which is not permanently attached to the ground, sales display device, or structure.
21. Sign, Projecting. A sign, other than a wall sign, which is affixed to a building and perpendicular to the building wall.
22. Sign, Pylon. A freestanding sign supported by means of wood, metal or other posts, pillars, beams, etc. anchored in the ground to form a stable base for the attachment of a sign structure.

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23. Sign, Reader Board. A sign with an electronic changing message.
24. Sign, Roof. Any sign which is erected, constructed, or attached wholly or in part upon or over the roof of a building.
25. Sign, Structure. The supports, uprights, bracing, and framework for a sign, including the sign area.
26. Sign, Temporary. Any sign which is erected or displayed for a specified period of time.
27. Sign, Wall. A sign which is affixed to the exterior wall of a building and which is parallel to the building wall. A wall sign does not project more than twelve (12) inches from the surface to which is attached, nor extend beyond the top of the parapet wall.
28. Sign, Wall Graphic. A sign which is painted directly on an exterior wall surface.
29. Sign, Window. A sign affixed to or inside of a window in view of the general public. This does not include merchandise on display.

**Section 3.** Section 51.03, Subd. N of the Delano Zoning Ordinance (Sign Regulations) is hereby amended to read as follows:

**Subd. N. Signs.**

**1. Purpose and Intent.**

- a. Purpose. This section is established to protect and promote health, safety, general welfare, and order within the City of Delano through the establishment of a comprehensive and impartial series of standards, regulations, and procedures governing the type, number, size, structure, location, height, lighting, erection, use and/or display of devices, signs or symbols serving as a visual communication media to persons situated within or upon public rights-of-way or properties. The provisions of this Section are intended to encourage opportunity for effective, orderly communication by reducing annoyances, confusion, and hazards resulting from unnecessary and/or indiscriminate use of communication facilities.
- b. Objectives.
  - 1) To establish standards which permit businesses a reasonable and equitable opportunity to advertise.
  - 2) To preserve and promote civic beauty and prohibit signs which would detract from this objective because of number, size, shape, height, location, condition, cluttering or illumination.

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- 3) To ensure that signs do not create safety hazards.
- 4) To preserve and protect property values.

2. General Provisions.

- a. Except as otherwise expressly provided in this Ordinance, a sign may not be constructed, erected, remodeled, relocated, expanded or painted, except in cases of routine maintenance, without a sign permit. A permit shall not be issued unless the sign and all other signs on the premises of the applicant are in compliance with the regulations of Section 51.03, Subd. N of this Ordinance.
- b. All signs shall be constructed and maintained in conformance with the Minnesota State Building Code, as may be amended.
- c. The installation of electrical signs shall be subject to the National Electrical Code. Electrical service to such signs shall be underground.
- d. All signs shall display, in a conspicuous manner, the owner's name, permit number, and date of erection.
- e. No sign shall be artificially illuminated in such a way that produces a significant broadcast of glare or light beyond the sign. Artificially illuminated signs shall also be shielded to prevent lights from being directed at oncoming traffic or adjacent residential properties in such brilliance that it impairs the vision of the driver. Nor shall such signs interfere with or obscure an official traffic sign or signal. This includes indoor signs which are visible from public streets.
- f. Signs shall not create a hazard to the safe, efficient movement of vehicular or pedestrian traffic.
- g. Signs and sign structures shall be properly maintained and kept in a safe condition. Sign or sign structures which are rotted, unsafe, deteriorated, or defaced shall be repainted, repaired, replaced, or removed by the licensee, owner, or agent of the property and/or building upon which the sign standards.
- h. Sign Location/Setbacks.
  - 1) No signs, other than governmental signs, shall be erected or placed within a street right-of-way, upon public lands or rights-of-way.
  - 2) No sign or sign structure shall protrude over the public right-of-way, except wall signs (maximum protrusion is eighteen (18) inches). Projecting signs or marquees are allowed in the B-4 District. All signs located over public right-of-way or over

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any public or private access route (sidewalks, etc.) shall be located a minimum of eight (8) feet above surface grade.

- 3) No freestanding sign structure shall be closer than five (5) feet from any property line. When the bottom of the sign face of a freestanding sign is fifteen (15) feet or higher above grade, the sign face may extend into the setback no closer than one (1) foot from the property line. No sign shall be placed within any drainage or public easement.
- 4) Except for off-premise signs allowed in other sections of this Ordinance, a sign may be located only on a lot owned, leased, or occupied by the owner of the sign.
- 5) On all corner lots, signs shall not be permitted within twenty (20) feet of any corner formed by the intersection of two (2) streets. The twenty (20) feet shall be in the form of a triangle with two (2) sides formed by the property lines and the third side formed by a straight line connecting the two (2) twenty (20) foot points on each side of the corner. A sign may be extended into the triangular area provided that:
  - a) The clearance above the street grade is more than eight (8) feet.
  - b) No part of the sign structure encroaches in the triangular area at an elevation less than eight (8) feet above street grade.

i. Sign Height.

- 1) All height restrictions on signs shall include the height of the sign structure and be measured from the lot grade or in the case of an inflatable device from its mounting surface to its highest point.
- 2) The top edge of any wall or building-mounted sign or object intended as an attention-attracting device shall not extend above the roof line, parapet, mansard or façade of a building adjacent to the sign or object.

j. A freestanding sign or sign structure constructed so that the faces are not back to back shall not have an angle separating the faces exceeding twenty (20) degrees unless the total area of both sides added together does not exceed the maximum allowable sign area for that district.

k. Message Substitution. The owner of any sign that is otherwise allowed under this Ordinance may substitute non-commercial speech in lieu of any other commercial or noncommercial speech. The purpose of this provision is to prevent any inadvertent favoring of commercial speech over non-commercial speech or favoring of any particular non-commercial message over any other non-commercial message. This provision

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prevails over any more specific provision to the contrary. This provision does not create a right to increase the total amount of signage on a parcel.

**3. Permitted and Prohibited Signs.**

- a. Permitted Signs. The following signs are allowed without a permit:
  - 1) Government Signs. Signs of a public, non-commercial nature, including safety signs, directional signs to public facilities, trespassing signs, traffic signs, signs indicating scenic or historic points of interest, memorial plaques and the like, when erected by or on behalf of a public official or employee in the performance of official duty.
  - 2) Non-Commercial Signs. One non-commercial sign per lot, not exceeding thirty-two (32) square feet in area, is permitted on private property in any zoning district in addition to the sign(s) specifically permitted for that district in Subd. N.5 (General District Regulations). Notwithstanding the preceding sentence, all noncommercial signs of any size may be posted beginning forty-six (46) days before the state primary in a state general election year until ten (10) days following the state general election. For special elections, all noncommercial signs of any size may be posted beginning ninety (90) days before and ten (10) days after the special election.
  - 3) Temporary Signs.
    - a. A lot or parcel that is the site of a construction, alteration, or repair project shall be permitted one (1) temporary sign for each major street the project abuts. The sign(s) shall be removed within two (2) years of the date of issuance of the first building permit or when the particular project is completed, whichever is sooner as determined by the City Building Official or his agent. No sign may exceed fifty (50) square feet.
    - b. Properties on which a dwelling or building is for sale or rent shall be permitted one (1) sign per property. Signs must be removed within fourteen (14) days after sale or rental of property. Signs may not measure more than four (4) square feet in residential districts, nor more than twenty (20) square feet in all other districts. Corner properties, however, may contain two (2) signs, one (1) per frontage.
  - 4) Flags. Flags may be displayed on private property.
  - 5) Lots or parcels on which are located businesses or institutions may display up to four (4) on-premises signs not larger than ten (10) square feet. The number of on-premises signs may not exceed four (4) unless approved by the City Council. Off-premises signs may be permitted only where access is confusing and traffic

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safety could be jeopardized or traffic could be inappropriately routed through residential streets. The locations, sizes and number of off-premises signs must be approved by the City Council.

- 6) Roof Signs. Roof signs may be permitted with City Council approval, provided the following conditions are met:
  - a) The sign plans include plan and specifications certified by a registered engineer that the sign structure can be supported by the building and is designed for dead load and wind load pressure from any direction.
  - b) The roof sign location will not obstruct the visibility of surrounding properties.
  - c) The roof is inspected by the City Building Official and determined to be sufficiently sound to support the proposed sign.
- 7) Window Signs. Temporary window signs are permitted in the business zoning districts and may utilize up to one hundred (100) percent of the internal window area.

b. Prohibited Signs. The following signs are prohibited:

- 1) Any sign which obstructs the vision of vehicle drivers or pedestrians, or detracts from the visibility of any official traffic control device.
- 2) Any sign not erected by an official governmental agency which contains or imitates an official traffic sign or signal.
- 3) Motion signs and flashing signs, except time and temperature signs, computerized message boards and barber poles. All displays shall be shielded to prevent any light from being directed at oncoming traffic in such brilliance as to impair the vision of any vehicle drive. No device shall be illuminated in such a manner as to interfere with or obscure an official traffic sign or signal.
- 4) Portable signs, except as otherwise permitted by this Ordinance.
- 5) Signs which are attached to trees, fences or utility poles, or other permanent supports.
- 6) Signs on or attached to equipment such as semi-truck trailers where signing is a principal use of the equipment on either a temporary or permanent basis.

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- 7) Pylon signs, provided that existing pylon signs constructed prior to February 15, 2022, shall be considered legal non-confirming structures and will be given the protections outlined in this Ordinance and in Minnesota State Statutes.
- 8) Any sign not expressly allowed by this Ordinance.

**4. Non-Conforming Signs.**

- a. The following are nonconforming signs:
  - 1) Prohibited signs.
  - 2) All other signs not prohibited that do not conform to the provisions of this Ordinance.
- b. General Provisions Governing Non-Conforming Signs.
  - 1) A nonconforming sign lawfully existing upon the effective date of this Ordinance may be continued at the size and in the manner existing upon such date.
  - 2) A nonconforming sign may not be:
    - a) Structurally altered except to bring it into compliance with the provisions of this Ordinance.
    - b) Enlarged.
    - c) Re-established after its removal or discontinuance.
    - d) Repaired or otherwise restored, unless the damage is to less than fifty (50) percent of sign structure.
    - e) Replaced.
  - 3) Non-Conforming Sign Maintenance and Repair. Nothing in this Ordinance shall be construed as relieving the owner or user of a legal non-conforming sign or other of the property on which the legal non-conforming sign is located from the provisions of this Ordinance regarding safety, maintenance, and repair of signs, provided, however, that any repainting, cleaning, and other normal maintenance or repair of the sign or sign structure shall not modify the sign structure or copy in any way which makes it more nonconforming or the sign shall lose its legal nonconforming status.
  - 4) Nonconforming Uses. When the principal use of land is legally nonconforming under the Delano Zoning Ordinance, all existing or proposed signs in conjunction



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with that land, shall be considered conforming if they are in compliance with the sign provisions for the most restrictive zoning district in which the principal use is allowed.

5. General District Regulations.

- a. General District Regulations. The following sections concern signs which require application and permit. Any sign not permitted by these sections is prohibited, unless permitted under Subdivision N.3.a.

1) R-A Through R-3 Residential Districts:

- a) A lot or parcel on which is located a permitted use other than a single-family dwelling may have one (1) monument or freestanding sign, provided that the gross square footage of sign area does not exceed thirty-two (32) square feet and if the sign is freestanding, the height does not exceed eight (8) feet.
- b) Neighborhood monument signs shall be subject a sign management plan, approved by the City, which ensures on-going sign maintenance and repair.

2) R-4 and R-5 Residential Districts:

- a) A lot or parcel on which is located a permitted use other than a single or two-family dwelling may have one (1) monument or freestanding sign. Sign area may not exceed fifty (50) square feet with a maximum height of ten (10) feet for freestanding signs.
- b) Neighborhood monument signs shall be subject a sign management plan, approved by the City, which ensures on-going sign maintenance and repair.

3) R-B, Residential Business District:

- a) A lot or parcel on which is located any permitted or conditional use that does not include a commercial use may have one (1) monument or freestanding sign. Sign area may not exceed fifty (50) square feet with a maximum height of ten (10) feet for freestanding signs.
- b) A lot or parcel on which is located any permitted or conditional use that includes a commercial use other than a home occupation may have one (1) monument or freestanding sign. Sign area may not exceed thirty-two (32) square feet with a maximum height of six (6) feet for freestanding signs.

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- c) Neighborhood monument signs shall be subject a sign management plan, approved by the City, which ensures on-going sign maintenance and repair.
- 4) B-1, Business District:
  - a) Signs for buildings with occupancy of more than three (3) businesses are subject to the special sign regulations contained in Subd. N.7.c.
  - b) Single or Double Occupancy Building Signs. The total sign area for the subject property may not exceed fifteen (15) percent of the total front building façade except both front and side facades may be counted on a corner lot. Signs chosen to comprise the total sign area shall be consistent with the following provisions:
    - (1) Each lot shall be allowed a maximum of one (1) monument sign and two (2) wall signs total.
    - (2) Monument signs shall comply with the following requirements:
      - A. The area of the sign shall not exceed fifty (50) square feet per sign face.
      - B. The height of the sign shall not exceed twelve (12) feet.
      - C. The sign shall be located within a landscaped area.
      - D. The base of the sign shall extend a minimum of three (3) feet above the ground. The sign base shall be attached to the ground for its entire horizontal length of the sign face.
      - E. The base of the sign shall be decay-resistant wood, stone, brick, decorative masonry or colored metal, and shall not contain any sign copy.
      - F. Externally illuminated monument signs shall have shielded directional lighting fixtures affixed to the sign or ground in a manner that directs light to the sign face and prevents the fixture from emitting light to adjacent properties, buildings or streets.
      - G. Other applicable requirements of Section 51.03, Subd. N.2.

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- (3) Wall, Canopy, or Marquee Signs. Individual sign area may not exceed fifteen (15) percent of the total front building façade.
- 5) B-2 Through B-W Business Districts, I-1, and I-2 Industrial Districts:
- a) Signs for buildings with occupancy of more than three (3) businesses are subject to the special sign regulations contained in Subd. N.7.c.
  - b) Single or Double Occupancy Building Sign. The total sign area may not exceed fifteen (15) percent of the total front building façade. In calculating building façade, both front and side facades may be counted on a corner lot. Signs chosen to comprise the total sign area shall be consistent with the following provisions:
    - (1) Each lot will be allowed one (1) monument-sign and two (2) wall signs total. An additional wall sign may be approved by the City Council in the B-4 District if a monument sign is not used.
    - (2) Monument signs shall comply with the following requirements:
      - A. The area of the sign shall not exceed one hundred (100) square feet per sign face.
      - B. The height of the sign shall not exceed twelve (12) feet.
      - C. The sign shall be located within a landscaped area.
      - D. The base of the sign shall extend a minimum of three (3) feet above the ground. The sign base shall be attached to the ground for its entire horizontal length of the sign face.
      - E. The base of the sign shall be decay-resistant wood, stone, brick, decorative masonry or colored metal, and shall not contain any sign copy.
      - F. Externally illuminated monument signs shall have shielded directional lighting fixtures affixed to the sign or ground in a manner that directs light to the sign face and prevents the fixture from emitting light upon adjacent properties, buildings or streets.
      - G. Other applicable requirements of Section 51.03, Subd. N.2.

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- (3) Wall or Marquee Signs. Individual sign area may not exceed fifteen (15) percent of the total front building façade.
- c) Motor Fuel Station Canopy Signs. Lettering or logos shall not exceed thirty (30) percent of each canopy face. Letters or logos may be painted or otherwise affixed to any permissible canopy as follows:
  - (1) Location. Lettering or logos shall not project above, below, or beyond the physical dimensions of the canopy.
  - (2) Use. Lettering or letters shall not denote other than the name and address of the business conducted therein and/or a product or products produced or sold or serve rendered therein.
- d) In the B-4 District, a projecting sign is permitted provided the following standards are met:
  - (1) The projecting sign shall count as one of the permitted wall signs.
  - (2) Only one (1) projecting sign is allowed per store front.
  - (3) The projecting sign is hung at a right angle from the building face.
  - (4) The Building Inspector shall approve the sign frame and supports.
  - (5) The sign shall not project from the building face more than five (5) feet and must be setback a minimum of two (2) feet from the face of curb or street surface.
  - (6) The bottom on the projecting sign shall provide a minimum of eight (8) feet of clearance from the sidewalk surface.
  - (7) The projecting sign shall not extend over the top of the building roof line or highest parapet.
  - (8) The project sign shall comply with area standards of the B-4 District.

**6. Billboards.**

- a. Billboards. Billboards existing on the date this Ordinance is enacted may not be enlarged

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or altered. Billboards constructed after the enactment of this Ordinance are subject to the following regulations:

- 1) The sign area may not exceed three hundred (300) total square feet.
- 2) The maximum sign height shall be thirty (30) feet.
- 3) They shall be located a minimum of a one thousand three hundred twenty (1,320) feet from all existing or approved billboards on the same side of the street or road.
- 4) All back-to-back billboards shall be enclosed in a framed case and shall be erected on a pylon.
- 5) They shall not be located within fifty (50) feet of any front or rear property lines.
- 6) They shall not be located within three hundred (300) feet of any residentially zoned or used property and shall be landscaped and screened in accordance with minimum City standards. All permit applications for billboards shall be accompanied by a landscaping plan.
- 7) A billboard shall be the principal use on the lot on which it is located. Such lot shall meet minimum lot, lot area and setback requirements within the Zoning Ordinance for the district proposed for the billboard location.
- 8) A billboard shall be located on only major arterial streets.

**7. Special Sign Regulations.**

- a. Motor Fuel Stations. Signs on properties on which motor fuel stations are located shall be regulated by the sign provisions for the zoning district in which the station is located. In addition, motor fuel stations may also display signs to a maximum size of sixteen (16) square feet and a minimum height of ten (10) feet each.
- b. Automobile Dealerships and Automobile Sales Lots. Signs on properties on which automobile sales lots are located shall be regulated by the sign provisions for the zoning district in which the station is located. In addition, for every two hundred (200) feet of street frontage, the business may have one (1) additional monument sign not to exceed the zoning district area and height standards.
- c. Multiple Occupancy Business and Industrial Buildings. When a single principal building is devoted to three (3) or more businesses, or industrial uses, a comprehensive sign plan for the entire structure shall be submitted and shall be of sufficient scope and detail to permit a determination as to whether or not the plan is consistent with the following regulations. The plan shall be subject to the approval of the Council. No permit shall be

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issued for an individual use except upon a determination that it is consistent with the approved comprehensive sign plan.

- 1) The maximum individual sign sizes for multiple occupancy structures and individual uses which may display signs shall not exceed the maximum provisions for single or double occupancy structures in the same zoning district.
- 2) Multiple occupancy structures may display a monument sign consistent with the applicable district provisions of Section 51.03, Subd. N.4.a.4) or N.4.a.5) of this Ordinance. Individual freestanding signs identifying the tenant's business shall not be displayed, except a freestanding sign may identify up to four (4) major tenants.
- 3) Individual tenants may have an exterior wall sign provided the total building signage does not exceed fifteen (15) percent of the building façade and individual signs do not exceed the district standard.
- 4) In any multiple occupancy structure or shopping center, signs shall be permitted for each common public entrance. Each sign area shall not exceed a total of fifty (50) square feet and shall be located within fifty (50) feet of the common public entrance being served. The size of individual business identification sign within the directory shall be established during the site plan review process. Attention shall be given to the possible number of tenant or occupancy bays which may be served by the common public entrance for which the sign is intended.

d. Special Event Signage.

- 1) Banners, posters, pennants, ribbons, streamers or spinners and any similar devices which are designed and utilized primarily to draw attention to an object, product, place, activity, person, institution, organization or business are allowed, provided that:
  - a) The use of such devices shall require a permit. The permit shall be valid for no more than fifteen (15) consecutive days and no more than four (4) such permits per business shall be granted during any twelve (12) month period.
  - b) Such devices are kept in good condition and repair so as to not create a public nuisance or hazard.
  - c) All setback requirements as prescribed by this and all other applicable regulations, rules or ordinances are met. Except for civic and City holiday decorations or devices, all such devices are not permitted in the public right-of-way.

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- d) Such devices do not create any hazards in regards to visibility or obstruction of safe pedestrian or traffic movement on the site.
  - e) The additional gross sign area of such devices when added to the existing sign area shall not exceed one hundred ten (110) percent of the total allowable sign area.
- 2) Search lights and lighter than air inflatable devices and/or balloons and any similar devices which are designed and utilized primarily to draw attention to an object, product, place, activity, person, institution, organization or business are allowed, provided that:
- a) The use of such devices shall require a permit. The permit shall be valid for no more than fifteen (15) consecutive days and no more than four (4) such permits per business shall be granted during any twelve (12) month period. There shall be a thirty (30) day waiting period between consecutive permits.
  - b) Such devices are kept in good condition and repair so as to not create a public nuisance or hazard.
  - c) All setback requirements as prescribed by this and all other applicable regulations, rules or ordinances are met. All such devices are not permitted in the public right-of-way.
  - d) Such devices do not create any hazards in regards to visibility or obstruction of safe pedestrian or traffic movement on the site.
  - e) The additional gross sign area of such devices when added to the existing sign area shall not exceed one hundred twenty-five (125) percent of the total allowable sign area.
  - f) Such devices shall not be taller than fifteen (15) feet in height.
  - g) Such devices may only be internally lit or illuminated. No external lighting of such devices is permitted.
  - h) For shopping centers, these provisions shall apply to each tenant on an individual basis.
- 3) Portable Signs. The following provisions shall apply to portable signs in the City:
- a) Portable signs are prohibited in residential rezoning districts except in conjunction with church or school sites.

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- b) Except for legally established, non-conforming portable signs existing prior to the effective date of this Ordinance, portable signs shall not exceed thirty-two (32) square feet per side.
  - c) All portable signs illegally established prior to the effective date of this Ordinance shall be brought into conformance with the applicable provisions of this and all other ordinances or regulations within thirty (30) days of the effective date of this Ordinance.
  - d) Wherever possible, property owners are encouraged to include reader board signs as part of freestanding signs to minimize the need for and use of temporary or portable signs. Such reader board signs will be included in sign calculations when determining how much signage is allowed or used for a building or property.
  - e) Signs may not be illuminated with any flashing device.
  - f) The use of portable signs shall require a City permit. The permit shall be valid for no more than fifteen (15) consecutive days and no more than four (4) such permits per business shall be granted during any twelve (12) month period.
  - g) All electrical connections shall be made in a National Electrical Code and State Building Code approved manner and shall use a GFI receptacle outlet.
  - h) All temporary and portable signs shall be braced and secured in such a manner to prevent motion or movement.
  - i) For shopping centers, Subd. 3.1.f of this Ordinance shall apply to tenants on an individual basis.
8. **Inspection.** All signs for which a permit is required shall be subject to inspection by the Building Official and/or the Zoning Administrator. The Building Official or Zoning Administrator may order the removal of any sign that is not maintained in accordance with the maintenance provisions of this Ordinance.
9. **Permits, Applications, Licenses, Variances and Council Approval.**
- a. Except as provided in Section 51.03, Subd. N.4.a of this Ordinance, it is unlawful for any person to erect, construct, alter, rebuild or relocate any sign or structure until a permit has first been issued by the City.
  - b. **Sign Application.** The following information for a sign permit shall be supplied by an applicant if requested by the City:



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- 1) Name, address and telephone number of person making application.
  - 2) A site plan to scale showing the location of lot lines, building structures, parking areas, existing and proposed signs and any other physical features.
  - 3) Plans, location and specifications and method of construction and attachment to the buildings or placement method in the ground.
  - 4) A copy of stress sheets and calculations showing that the structure is designed for dead load and wind pressure in any direction in the amount required by this and all other laws and City Code provisions.
  - 5) Written consent of the owner or lessee of any site on which the sign it is to erected.
  - 6) Any electrical permit required and issued for the sign.
  - 7) Such other information as the City shall require to show full compliance with this and all other laws and City Code provisions.
- c. Permit Issuance. The Building Official or Zoning Administrator, upon the filing of an application for a permit, shall examine such plans, specifications and other data and the premises upon which it is proposed to erect the sign. If it appears that the requirements of this Ordinance and all other laws and City Code provisions, the permit shall be issued. If the work authorized under a permit has not been completed within sixty (60) days after the date of issuance, the permit shall be null and void.
- d. Council Approval. When this Ordinance requires Council approval for a sign, the application shall be processed in accordance with the procedural and substantive requirements of the Zoning Ordinance for a site plan review.
- e. Variances. The Council may, upon application, grant a variance from the terms of this Ordinance. The request for a variance shall be processed in accordance with the procedural and substantive requirements of Section 51.02, Subd. D of the Delano Zoning Ordinance.
- f. Fees. Fees for the review and processing of sign permit applications and variance requests shall be imposed in accordance with the fee schedule established by Council ordinance set forth in this Ordinance.
- 1) Payment of Fees. Fees shall be collected by the City before the issuance of any permits by the City Clerk, Building Official, or other persons duly authorized to issue such permits for which the payment of a fee is required. Under the provisions of this Ordinance, authorized personnel may not issue a permit until

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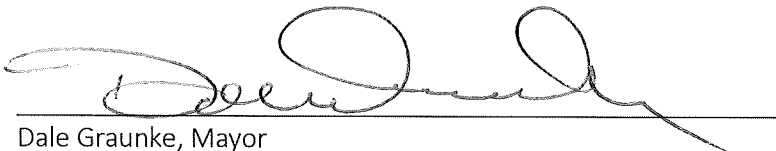
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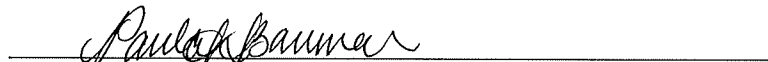
such fee has been paid.

- 2) **Double Fees.** If a person begins work of any kind for which a permit form the City is required, without having secured the necessary permits therefore, either previous to or on the date of commencement of such work, they shall, when subsequently securing such permit, pay double the fee provided for such permit, or is subject to the penalty provisions of this Ordinance.
  - 3) **Fees Required.** Sign applications and subsequent fees will be required for all signs which do not appear in Section 51.03, Subd. N.3 (Permitted and Prohibited Signs) of this Ordinance. Fees shall not be required for incidental repairs and/or maintenance of signs and sign structures.
  - 4) **Special Permit Fees.** Special permit fees shall be assessed for all attention seeking devices as described in Section 51.03, Subd. N.6.d of this Ordinance. The fee shall be determined by resolution of the City Council.
10. **Enforcement.** This Ordinance shall be administered and enforced by the Building Official and/or the Zoning Administrator. The Building Official, Zoning Administrator, or other persons duly authorized may institute in the name of the City appropriate actions or proceedings against a violator.
  11. **Violation a Misdemeanor.** Every person violates a section, subdivision, paragraph or provision of this Ordinance when he performs an act thereby prohibited or declared unlawful, or fails to act when such failure is thereby prohibited or declared unlawful, and upon conviction thereof, shall be punished as for a misdemeanor.
  12. **Severability.** Should any section, subdivision, clause or other provisions of this Ordinance be held invalid by any court of competent jurisdiction, such decision shall not affect the validity of the Ordinance as a whole, or any part thereof except the part held to be invalid.

**Section 4.** **Effective Date.** This Ordinance shall be in full force and effect immediately following its passage and publication.

Adopted by the Mayor and City Council of Delano, Minnesota this 15<sup>th</sup> day of February, 2022.

  
Dale Graunke, Mayor

  
Attest: Paula Bauman, Administrative Services Coordinator

