

**SIGN ORDINANCE FOR GREAT RIVER ROAD**

**Resolution No. 3-81-38**

Adopted March 10, 1981

**WHEREAS** the Itasca County Board reviewed the Great River Road sign ordinance as submitted to them for review by the Planning Commission on January 15, 1981, and,

**WHEREAS** two changes have been made in the ordinance since that time, the revisions have been submitted to the Minnesota Department of Transportation for review, now,

**THEREFORE BE IT RESOLVED** that once approval has been given to the ordinance by other governmental units involved, this Itasca County Board of Commissioners hereby adopts the sign ordinance for the Great River Road segment in Itasca County and authorizes the ordinance to be published in the official county newspaper at the time the other agencies give their approval.

## **SIGN ORDINANCE FOR GREAT RIVER ROAD**

ITASCA COUNTY, MINNESOTA

AN ORDINANCE FOR REGULATING ADVERTISING DEVICES ALONG  
THE GREAT RIVER ROAD IN ITASCA COUNTY, MINNESOTA

February, 1981

### PREFACE

This Ordinance is intended as an officially sanctioned regulatory code to guide the development of sign uses within its area of jurisdiction. The primary function is to ensure an orderly and effective use of signs which will follow the development scheme of the Great River Road.

This Ordinance accomplishes controls by establishing a policy having a certain nature or character, which will permit or restrict sign uses that is in the interest of, and in promotion of, the general welfare of the people with intent to conserve the natural beauty of areas adjacent to certain highways. To accomplish this, it is necessary to reasonably and effectively regulate and control the erection or maintenance of advertising devices on land adjacent such highways. It is further declared that inasmuch as outdoor advertising is an integral part of the business and marketing function of an established segment of the national economy, and is a legitimate commercial use of property adjacent to roads and highways, therefore, it should be allowed to operate where other business and commercial activities are conducted. The regulation of outdoor advertising should occur by the application of reasonable regulatory standards consistent with customary use of outdoor advertising in this state which will properly and adequately carry out each and all of the purposes of Laws 1971, Chapter 883; and are consistent with customary use in this state. It is the intention hereby to comply with the policies declared by Congress in Title 23, United States Code, "Highways".

The provisions established in this Ordinance are designed in a manner which allows reasonable regulations. It encourages a logical sequence of development, and so is permissive rather than restrictive. In most cases, the principal and accessory uses permitted are those which would naturally situate there in any event, and prohibited uses are those that would be incompatible with the nature and purpose of the area.

It should be noted that certain sections of this Ordinance are cross-referenced, and it will be necessary to refer to the additional sections indicated in order to determine the complete requirements for the area in question. This is done to eliminate

## **SIGN ORDINANCE FOR GREAT RIVER ROAD**

lengthy repetition of requirements applicable in several areas.  
ITASCA COUNTY ADVERTISING DEVICES ORDINANCE ALONG THE GREAT RIVER  
ROAD

AN ORDINANCE REQUIRING PERMITS FOR PLACING BILLBOARDS, SIGNS, AND  
ADVERTISING DEVICES, USES THEREOF ALONG THE GREAT RIVER ROAD AND  
IMPOSING PENALTIES FOR NON-COMPLIANCE.

### SECTION 1 PURPOSES AND INTENT

This Ordinance is enacted for the following purposes: to carry  
out the mandate of the legislature and to effectuate that mandate  
as set forth in Minnesota Statutes, Chapter 173, as amended, with  
reference to the placement and control of advertising devices on  
lands along and adjacent to the Great River Road in Itasca  
County.

### SECTION 2 TITLE

This Ordinance shall be known and may be cited and referred to as  
the "Itasca County Advertising Devices Ordinance Along the Great  
River Road", when referred to herein, it shall be known as "this  
Ordinance".

### SECTION 3 JURISDICTION, SCOPE AND INTERPRETATION

#### Subdivision 1. Jurisdiction

The jurisdiction of this Ordinance shall apply to all the area  
within the minimum Federal Requirements for the Great River Road  
right-of-way in Itasca County, outside the incorporated limits of  
municipalities.

#### Subdivision 2. Scope

From and after the effective date of this Ordinance, the use of  
all signs erected, altered in respect to height and area, added  
to or relocated, and every use thereto in the jurisdiction area  
shall be in conformity with the provisions of this Ordinance.  
Any existing sign shall be brought into compliance with this  
Ordinance or shall be removed within two (2) years from the date  
of enactment of this Ordinance. The scope of this regulation is  
confined to and consistent with Minnesota Statutes, Section  
173.01 through 173.27

#### Subdivision 3. Interpretation

In interpreting and applying the provisions of this Ordinance,  
they shall be held to be the minimum requirements for the  
promotion of the public health, safety, comfort, convenience and  
general welfare. Where the provisions of this Ordinance impose

## **SIGN ORDINANCE FOR GREAT RIVER ROAD**

greater restrictions than those of any statute, other ordinance or regulation, the provisions of this Ordinance shall be controlling. Where the provisions of any statute, other ordinance or regulation impose greater restrictions than this Ordinance, the provision of such statute, other ordinance or regulation shall be controlling.

### SECTION 4 RULES AND DEFINITIONS

#### Subdivision I. Rules

##### 1. Word Usage:

For the purpose of this Ordinance, words used in the present tense shall include the future; words in the singular shall include the plural, and the plural the singular; the word "building" shall include the word "structure"; the word "lot" shall include the word "plot"; and the word "shall" is mandatory and not discretionary.

##### 2. Permitted Uses:

Permitted sign uses on land or buildings, as hereinafter listed, shall be permitted only within the conditions specified.

#### Subdivision 2. Definitions

For the purpose of this Ordinance, certain items and words are defined as follows:

Adjacent Area - Means any area with common boundary to the right-of-way of a highway.

Advertising Area - Means that portion of the advertising face of an advertising device which includes the border and trim thereof; but excludes the base and apron supports and other structural member;.

Advertising Device - Means any billboard, sign, notice, poster, display, or other device visible to and primarily intended to advertise and inform or to attract or which does attract the attention of operators and occupants of motor vehicles on the interstate system of highways and shall include any structure erected primarily for use in connection with the display of any such device and all lighting or other attachments used in connection therewith.

Back to Back - Means that there shall not be more than an eight (8) foot distance between sign faces. Signs will face in opposite directions, and be owned by the same permittee.

Building - Any structure for the shelter, support or

## SIGN ORDINANCE FOR GREAT RIVER ROAD

enclosure of persons, animals, chattel or property of any kind; and when separated by party walls without openings; each portion of such buildings so separated shall be deemed a separate building.

Business Area - Means any part of an area which is (a) zoned for business, industrial or commercial activities under the authority of any law of this state or any political subdivision thereof: or (b) not so zoned, but which constitutes an unzoned business, commercial or industrial area.

Commercial or Industrial Activity - For the purposes of unzoned commercial or industrial areas means an activity generally recognized as commercial or industrial by zoning authorities in this state, except that none of the following activities shall be considered commercial or industrial.

- (1) Outdoor advertising devices.
- (2) Agricultural, forestry, ranching, grazing, farming, and related activities, including, but not limited to temporary wayside fresh produce stands.
- (3) Transient or temporary activities.
- (4) Activities not visible from the main traveled way.
- (5) Activities conducted in a building principally used as a residence.
- (6) Railroad tracks and minor sidings.

Directional and other official signs and notices shall mean -

- (a) "official signs and notices" mean signs and notices erected and maintained by public officers or public agencies within their territorial jurisdiction and pursuant to and in accordance with direction or authorization contained in federal or state law for the purposes of carrying out an official duty or responsibility. Historical markers authorized by state law and erected by state or local governmental agencies or non-profit historical societies may be considered official signs.
- (b) "Public utility signs" mean warning signs, notices, or markers which are customarily erected and maintained by publicly or privately owned public utilities, as essential to their operations.
- (c) "Service club and religious notices" mean signs and notices, not exceeding eight square feet in advertising

## **SIGN ORDINANCE FOR GREAT RIVER ROAD**

area, whose erection is authorized by law, relating to meeting and location of non-profit service clubs or charitable associations, or religious services.

- (d) "Directional signs" means publicly owned signs containing directional information about public places owned or operated by federal, state, or local governments or their agencies, publicly or privately owned natural phenomena, historic, cultural, education and religious sites, and areas of natural scenic beauty or naturally suited for outdoor recreation, deemed to be in the interest of the traveling public.
- (e) All definitions in this subdivision are intended to be in conformity with the national standards for directional and other official signs.

Dwelling - Any building or part thereof which is designed or used exclusively for residential purposes by one or more human beings, either permanently, or transiently; a mobile home or house trailer shall be considered as a dwelling for purposes of this Ordinance.

Easement - A grant by a property owner for the use of a strip of land for the purpose of constructing and maintaining a road way for ingress and egress to property and for utilities, including, but not limited to, sanitary sewers, water mains, electric lines, telephone lines, storm sewer and storm drainage ways and gas lines.

Enforcing Officer - A person designated to enforce this Ordinance shall be the Itasca County Highway Engineer.

Erect - Means to construct, build, raise, assemble, place, affix, attach, create, paint, draw or in any other way to bring into being or to establish. But it shall not include any of the foregoing activities when performed as an incident to the change of advertising message or customary maintenance of an outdoor advertising structure or device.

Frontage Road - A local street or auxiliary road located on the side of a highway for service to abutting property and for control of access.

Highway - Any public road, thoroughfare or vehicular right-of-way with a Federal or state numerical route designation; any public thoroughfare or vehicular right-of-way with an Itasca County numerical route designation.

Maintain - Acts of repair and other acts to prevent a decline, lapse, cessation from existing state or condition.

Non-Conforming Uses - A use in existence on the effective

## **SIGN ORDINANCE FOR GREAT RIVER ROAD**

date of this Ordinance and not conforming to these regulations.

On Premise Sign - An advertising device located on the premises of an individual, business or organization when the sale or lease of the premises or the identification, products or services of the individual, business or organization are the subject of the advertising device.

Persons - Any individual, firm, partnership, corporation, company, association, joint stock association or body politic; includes any trustee, receiver, assignee, or other similar representative thereof.

Road - A public right-of-way affording primary access by pedestrians and vehicles to abutting properties, whether designated as a street, highway, thoroughfare, parkway, road, avenue, boulevard, place or however otherwise designated.

Roadbed - That portion of the roadway between the outside edges of finished shoulders.

Scenic Area - Means an area within which control and regulation of the erection and maintenance of advertising devices may be exercised to the extent herein provided and such areas shall include only those established as such by the County Highway Engineer.

Service Road - A road generally paralleled to, but separate from, a highway, intended to provide special traffic controls to the residences or other uses fronting on the highway.

Setback - The shortest horizontal distance between the lot line and the closest portion of a foundation wall of a building.

Side by Side - Means there shall not be more than a two (2) foot distance between the closest edge of two signs facing the same highway(s) and direction of travel, and owned by the same permittee.

Sign - A name, identification, display, illustration or device which is affixed to or represented directly or indirectly upon a building, structure or land in view of the general public and which directs attention to a product, activity, person, institution or business.

Sign, Advertising - A sign which directs attention to a business, commodity, service, activity or entertainment not necessarily conducted, sold or offered upon the premises where such sign is located; a billboard.

## SIGN ORDINANCE FOR GREAT RIVER ROAD

Sign, Business - A sign which directs attention to a business or profession or to a commodity, service or entertainment sold or offered upon the premises where such a sign is located.

Sign, Flashing - any illuminated sign on which such illumination is not kept stationary or constant in intensity and color at all times when such sign is in use.

Sign, Illuminated - Any sign which has characters, letters, figures, designs or outlines illuminated by electric lights or luminous tubes as a part of the sign.

Sign, Rotating - Sign which revolves or rotates on its axis by mechanical means.

Sign, Surface Area of - 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 shall be used in computing total surface area.

Subdivision - The division of a single lot, tract or parcel of land, or part thereof, into two or more lots, tracts or parcels of land for the purpose, whether immediate or future, of transfer of ownership for residential, commercial or industrial purposes; or the division of a single lot, tract or parcel of land, or a part thereof, into two or more lots, tracts or parcels by means of buildings, building groups, streets, alleys, parking areas, or leaseholds, for the purpose, whether immediate or future, or building development for residential, commercial, or industrial purposes.

Unzoned Commercial or Industrial Areas - Means those areas which are not zoned by state or local law, regulations or ordinance, and on which there is located one or more permanent structures devoted to a commercial or industrial activity or on which a commercial or industrial activity is actually conducted whether or not a permanent structure is located thereon, and the area along the highway extending outward 800' feet from and beyond the edge of such activity.

Each side of the highway will be considered separately in applying this definition. All measurements shall be from the outer edges of the regularly used buildings, parking lots, storage or processing, and landscaped areas of the commercial or industrial activity, not from the property lines of the activity, and shall be along or parallel to the edge of the pavement of the highway.

V-Type Sign - Means that there shall not be more than an



## **SIGN ORDINANCE FOR GREAT RIVER ROAD**

eight (8) foot distance between the closest edge of each sign face at the apex, and owned by the same permittee. Signs will be facing in opposite direction.

### SECTION 5 GENERAL REGULATIONS

#### Subdivision 1. Sign Regulations

All signs hereafter erected or maintained, except official, public, traffic and street signs, shall conform with the provisions of this Ordinance and all other ordinances and regulations of Itasca County.

#### 1. General Provisions:

The following regulations shall apply to all signs hereinafter permitted along the Great River Road.

- A. Signs shall not be permitted within the public road right-of-way or public road easements.
- B. Flashing or rotating signs resembling emergency vehicles shall not be permitted.
- C. No sign shall be placed that resembles any official marker erected by a governmental agency or shall display such words as "stop" or "danger".
- D. No sign shall be permitted to obstruct any window, door, fire escape, stairway or opening intended to provide light, air, or access to any building or structure.
- E. Signs painted on a building shall be governed by the square footage limitation specified in this Ordinance. These building signs shall be repainted when required, to be kept in good condition, and shall be repainted, removed or painted out when, in the opinion of the Enforcing Officer, they are not so maintained.
- F. The owner, lessee or manager of any ground sign and the owner of the land on which the same is located shall keep grass or weeds and other growth cut and debris and rubbish cleaned up and removed from the area on which the sign is located.
- G. Advertising signs, business signs and name plate signs which may be or may hereafter become rotted, unsafe or unsightly shall be repaired or removed by the owner or lessee of the property upon which the sign stands upon the notice of the Enforcing Officer.
- H. Where a sign is illuminated, the source of light shall

## SIGN ORDINANCE FOR GREAT RIVER ROAD

not shine upon any part of a residence or into any residential area.

### 2. Signs

#### A. Excluded Devices

- (1) Directional and other official signs, including, but not limited to, signs pertaining to natural wonders, scenic and historical attractions, which are required or authorized by law, and which comply with regulations which shall be promulgated by the commissioner relative to their lighting, size, spacing, and other requirements as may be appropriate to implement Laws 1971, Chapter 883;
- (2) Advertising devices advertising the sale or lease of property upon which they are located, provided that there shall not be more than one such sign, advertising the sale or lease of the same property, visible to traffic proceeding in any one direction on any one interstate or primary highway;
- (3) Advertising devices advertising activities conducted on the property on which they are located, including, without limiting the generality of the foregoing goods, sold, stored, manufactured, processed or mined thereon, services rendered thereon, and entertainment provided thereon;
- (4) Advertising devices stating the name and address of the owner, lessee or occupant of such property or information otherwise required or authorized law to be posted or displayed thereon;
- (5) Public utility signs;
- (6) Service club and religious notices, except that a permit with a fee of \$2.00 shall be required.
- (7) Advertising devices of which the advertising copy or the name of the owner thereof is in no part visible from the traveled way of the aforesaid highways;
- (8) Advertising devices which are located, or which are to be located, in business areas and which comply, or will comply when erected, with the provisions of Laws 1971, Chapter 883.

#### B. General

- (1) Advertising devices prohibited by Minnesota Statutes, Sections 173.08, 173.13 and 173.15 are also prohibited in scenic areas.

Advertising devices in a business area shall

## **SIGN ORDINANCE FOR GREAT RIVER ROAD**

comply with the standards stated in Minnesota Statutes 173.16, and all other standards and provisions of Minnesota Statutes 173.16 are hereby incorporated in this Ordinance by reference with the same force and effect as if fully set forth herein, except insofar as they may be in conflict with or have been modified by the other specific terms of this Ordinance, and in that event, the specific terms of this Ordinance shall control.

- (2) Signs erected after February 15, 1981, outside of a corporate limit and only in a zoned or unzoned business area, the maximum area of a sign face shall not exceed seven hundred fifty (750) square feet including border and trim, but excluding base and apron supports and other structural members. Maximum size limitation shall apply to each side of a sign structure and signs may be placed back to back, side by side or in a V-type construction but not more than two (2) displays to each side of a sign structure.
- (3) Sign structure. In all areas, signs erected back to back, side by side, or in a V-type construction by one owner shall be deemed to be one sign structure and shall be required to have only one permit. The largest advertising area on either side of the sign structure shall be the square foot measurement applicable to the permit fee schedule. Each side of a sign structure so designed shall be directed toward a different direction of travel, making it impractical to simultaneously view both sides of the structure from any one traffic lane.
- (4) Sign area. In all areas, all signs shall be measured by the smallest square, rectangle, triangle, circle or combination thereto, which will encompass the entire sign.
- (5) Maintenance of advertising devices which can only be serviced from the right-of-way of the Great River Road is prohibited, except such devices may be serviced from frontage or service roads where they occur.
- (6) Advertising devices with copy, message, or displays using words, color, statements or illustrations which might imply official direction or control or traffic are prohibited.
- (7) For the purpose of Minnesota Statutes, Section

## **SIGN ORDINANCE FOR GREAT RIVER ROAD**

173.02, Subdivision 14, the unzoned commercial or industrial activity will be an activity which is in an area that would be generally recognized as commercial or industrial by zoning authorities within the state, and such activity without discrimination, except as to age, serves the general public, during normally accepted business hours and on a regularly scheduled basis of not less than one hundred fifty (150) days of continuous operation, during a County annual permit period.

- (8) All signs erected or encroaching on any right-of-way or sign easement are illegal and must be removed.
- (9) The establishment of an unzoned business area does not abrogate any more restrictive criteria established by law, this rule and regulation or any other authority.

### **C. Spacing and Location Requirements**

- (1) The restrictive distance that determines areas in which advertising devices are prohibited under Minnesota Statute, Section 173.16, Subdivision 4(2) shall apply to lands along the Great River Road and the distance between devices shall be restricted to 300' for those devices physically located on the same-side of the highway regardless of the direction of travel to which the display or message is directed. Measurements to determine the location of one advertising device in relation to another will be made along the edge of the roadbed between the closest extremities of said devices, with the termini projected along lines perpendicular to the edge of the roadbed.
- (2) The restrictive distance that determines areas in which advertising devices are prohibited under Minnesota Statute, Section 173.16, Subdivision 4 (4) shall apply to land along the Great River Road and the intersection shall be construed as the entire area circumscribed by a line connecting all points where the outmost ramps or legs leave or enter the main traveled roadway and where they intersect with another highway or road. Advertising devices will not be permitted within five hundred (500) feet of the point where the outmost ramps or legs leave or enter the main traveled roadway or for five hundred (500) feet on the other highway or road from the point of

## **SIGN ORDINANCE FOR GREAT RIVER ROAD**

its intersection with the ramps or legs, not in the area between said points. This is defined as the area adjacent to ramp and legs. Devices may however be affixed on a building at such an intersection but in such a manner so as to cause no greater visual obstruction than the building itself.

- (3) Tire restrictive distances that determine areas in which advertising devices are prohibited under Minnesota Statute, Section 173.08, Subdivision 2, shall apply to lands along the Great River Road both before and beyond property used for any school, church, national, state or local park, historic site, public picnic area, wayside, overnight, or public safety rest area. Such restrictive distances shall be measured along the edge of the roadbed beginning at a point which is an extension, perpendicular to the edge of the roadbed, or the intersection of the property line of the area and the normal highway right-of-way line. The restrictive distances shall apply to lands along and adjacent to the opposite side of the Great River Road, as measured by an imaginary line crossing the highway.
- (4) The restrictive distance that determines areas in which advertising devices are prohibited under Minnesota Statute, Section 173.16, Subdivision 4 (4) (5) shall apply to lands along the Great River Road, and another highway shall mean any highway, street, road or public way for vehicular travel, maintained by the State or any other public agency, which enters directly into the main traveled way of the highway which it is said to intersect.
- (5) The restrictive distances at 'T' intersections shall comply with Minnesota Statute, Section 173.116, Subdivision 4 and 5, and shall apply to lands on both sides of the highway as though the road physically ending at the highway continued and extended beyond at a 90 degree angle as measured from the centerline of the roadway.

## SECTION 6 AGREEMENTS AND REGULATIONS

### Subdivision 1. Agreements and Regulations

The County Board of Commissioners shall comply with federal law and federal rules and regulations relating to billboard

## **SIGN ORDINANCE FOR GREAT RIVER ROAD**

control on the Great River Road, and is authorized to do all necessary acts and things, including, but not limited to, entering into binding agreements with the United States or any of its agencies or departments to the end that the objectives stated in Title 23, United States Code, Section 131, Section 319, or any other applicable federal statute, and the rules and regulations promulgated pursuant thereto, be accomplished on the Great River Road.

### SECTION 7 VIOLATING PENALTIES

Violations, Penalties -

Any person who violates any provisions of this Ordinance or any regulations issued or adopted thereunder after notice thereof upon conviction is guilty of a misdemeanor. In addition thereto, the County Board of Commissioners may seek injunctive relief in the district court of the County in which the nonconforming advertising device is located and require that either the advertising device conform or be removed.

### SECTION 8 NON-CONFORMING USES

Subdivision 1. Non-Conforming Signs

1. Signs existing on July 5, 1979 for the designated route from the Aitkin-Itasca County line to Seventh Avenue Southeast on County State Aid Highway #3 shall be non-conforming. Signs existing on December 29, 1980, for the designated route from Seventh Avenue Southeast and County State Aid Highway #3 to County State Aid Highway #39 and Tnunk Highway #2 in Ball Club, shall also be non-conforming. These signs that do not conform to the regulations set forth in this Ordinance shall become a non-conforming use and shall be removed, rebuilt or altered within a period of three (3) years. Payment will be made by Itasca County for the acquisition of non-conforming signs and payment will be made to bring existing non-conforming signs into conformity either by relocation and/or reconstruction.
2. No sign erected before the passage of this Ordinance shall be rebuilt, altered or moved to a new location without being brought into compliance with the requirements of this Ordinance.

### SECTION 9 ADMINISTRATION AND ENFORCEMENT

Subdivision 1. Administration and Enforcement

## SIGN ORDINANCE FOR GREAT RIVER ROAD

1. The duties of the Itasca County Highway Engineer shall include among his other duties, the following:
  - (a) It shall be the duty of the Itasca County Highway Engineer to enforce this Ordinance.
  - (b) To receive and forward to the Board of County Commissioners and the County Planning Commission all applications for amendments to this Ordinance.

### SECTION 10 AMENDMENT

#### Subdivision 1. Application

1. This Ordinance may be amended whenever the public necessity and the general welfare require such amendment by following the procedure specified in this section.
2. Proceedings for amendment of this Ordinance shall be initiated by:
  - (a) A petition of the owner or owners of the actual property;
  - (b) A recommendation of the County Planning Commission;
  - (c) or by action of the Board of County Commissioners.
3. An application for an amendment shall be filed with the Itasca County Highway Engineer. All applications for changes which are initiated by the petition of the owner or owners of property, the proposed change shall be accompanied by a letter showing the proposed change.

#### Subdivision 2. Public Hearing Notice

Upon receipt in proper form of the application and other requested material, the County Planning Commission shall hold at least one (1) public hearing in a location to be prescribed by the Planning Commission. Legal notice of time, place and date of said hearing shall be published in the official County newspaper at least ten (10) days in advance of said hearing. Adjoining property owners shall be officially notified of said hearing by the Itasca County Highway Engineer. Said hearing notification shall be in accordance to Minnesota Statute 394 and shall also be by certified mail.

#### Subdivision 3. Authorization

## **SIGN ORDINANCE FOR GREAT RIVER ROAD**

1. Following the public hearing, the County Planning Commission shall make a report of its findings and recommendations on the proposed amendment and shall file a copy with the Board of County Commissioners and the Itasca County Highway Engineer within sixty (60) days after the hearing.
2. Upon the filing of such report or recommendation, the Board of County Commissioners may hold such public hearing upon the amendment as it deems advisable. After the conclusion of the hearings, if any, the Board of County Commissioners may adopt the amendment or any part thereof in such form as it deems advisable. The amendment shall be effective only if a majority of all the members of the Board concur in its passage.

### Subdivision 4. Fees

To defray the administrative costs of processing of requests for an amendment to this Ordinance, a fee to cover administrative costs shall be paid by the petitioner. Such fee shall be determined by the Board of County Commissioners.

### Subdivision 5. Violations and Penalties

Any person, firm or corporation who shall violate any of the provisions hereof or who shall fail to comply with any of the provisions hereof or who shall make any false statement in any document required to be submitted under the provisions thereof, shall be punished by a fine not to exceed five hundred dollars (\$500.00) and/or by imprisonment not to exceed ninety (90) days. Each day that a violation continues shall constitute a separate offense.

### Subdivision 6. Administration and Enforcement

1. This Ordinance shall be administered and enforced by the Itasca County Highway Engineer, who is hereby designated the enforcing officer.
2. The Itasca County Highway Engineer shall receive and forward to the Board of County Commissioners and the County Planning Commission all applications for amendments to the Ordinance.
3. In the event of a violation or a threatened violation of this Ordinance, the Board of County Commissioners or any member thereof, in addition to other remedies, may institute appropriate actions or proceedings to prevent, restrain, correct or abate such violations or threatened violations, and it shall be the duty of the County Attorney to institute such action.



## **SIGN ORDINANCE FOR GREAT RIVER ROAD**

4. When any work shall have been stopped by the Itasca County Highway Engineer for any reason whatsoever, it shall not again be resumed until the reason for the work stoppage has been completely removed.
5. Any taxpayer or taxpayers of the County may institute mandamus proceedings in the District Court to compel specific performance by the proper official or officials of any duty required by this Ordinance.

### SECTION 12 PERMITS, FEES, AND RENEWALS

#### Subdivision 1. Permits, Fees, and Renewals

1. Applications for permits may be obtained at the Itasca County Highway Engineer's Office.
2. The application for permit shall be filled out in its entirety and all applications will be processed in order of receipt. If an application has to be returned for any additional information required to properly evaluate the application, it will not retain its preference over any other application that may be pending for the same area.
3. All properly completed applications will be approved or denied within thirty (30) days after its arrival at the Highway Engineer's Office. The thirty (30) days shall commence on the County Highway Engineer's acceptance of the application for consideration. Upon the County Highway Engineer's approval, the Itasca County Highway Engineer shall issue a signed permit. With respect to applications received prior to the fifteenth (15th) day of the month, the permit fee may be charged as of the first (1st) day of that month. With respect to applications received on or after the fifteenth (15th) day of the month, the permit fee may be charged as of the first (1st) day of the following month.
4. All applications must be accompanied by the required fee with the County Board of Commissioners.
5. The owner of any advertising device in existence on the effective date of this Ordinance must apply for a permit for such device within ninety (90) days after the enactment of this Ordinance.
6. Requests for permit renewals shall not be accepted more than sixty (60) calendar days prior to the expiration date of the permit. All permits for signs shall expire on June 30th of every third year.

## SIGN ORDINANCE FOR GREAT RIVER ROAD

7. All permits issued for erection of a new advertising device are null and void if the erection of the device is not completed within one hundred twenty (120) calendar days after the permit has been issued. If a permit is voided because of no erection there shall be no refunds of monies and a new application and process shall be initiated.
8. When a permit is granted for an advertising device, the permittee shall be assigned a permit identification number, which shall be affixed by a permittee to the supporting structure, as recommended by the County Highway Engineer.
9. Any advertising device for which no permit application or permit renewal has been submitted shall be removed pursuant to law.
10. For the purposes of this Ordinance, remove, removed, and removal shall mean the complete disassembly of the device including all component parts, except if removal would result in substantial structural damage to a building. All electrical services shall be disconnected, if any, and there shall be a complete removal of wires, conduit, and supporting structures, the, filling of any ground excavations or holes and the removal from the property of all disassembled elements of the advertising device and its supporting structure.
11. For the purpose of this Ordinance, an advertising device for which a permit can be issued shall when erected be a complete billboard, sign, notice, poster, or display intended to advertise a product or legend. An advertising device which is painted out, or painted over, or advertising space for lease and which has so existed for one (1) permit period shall not be considered for a permit or renewal. Where there are posts only, partial structure, company name markers or no structure at all, a renewal shall not be issued.
12. Service club and religious notices shall not be governed by the provisions of Minnesota Statutes., Section 173.16, Subdivision 4 (2).
13. For the purposes of this Ordinance, any change in advertising area which exceeds the advertising area for which a permit had been issued shall require a new permit application.

### Subdivision 2.

FEES - All fees collected under this Ordinance shall be paid

**SIGN ORDINANCE FOR GREAT RIVER ROAD**

into the County Highway Fund.

SECTION 13 VALIDITY

Subdivision 1. Validity

Should any section or provision of this Ordinance be declared by a court of competent jurisdiction to be invalid, such decision shall not affect the validity of the Ordinance as a whole or any part thereof other than the part so declared to be invalid.

I:\USERS\CHR\wpdata\Itcopol new\Sign Ord - Great River Rd.doc