

CHAPTER 12 – PLANNING & ZONING

ARTICLE 14 - REGULATION OF SIGNS

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Sections 12-14-101 to 199, inclusive. Regulation of Signs – General Provisions

Section 12-14-101 Statement of purpose and intent.

These regulations provide standards for the location and erection of on-site and off-site signs. Regardless of the character of the sign or its message content, all signs placed or erected, and signs that are attached to, or painted onto existing structures shall comply with the sections herein. The purpose of this Article is to prevent the uncontrolled use and placement of signs, and to promote public health, safety and welfare.

It is the intent of these regulations to provide for the safety of persons and property by providing signs that do not create a hazard due to collapse, decay or lack of maintenance. Further, that all signs are

placed so that they do not become a traffic hazard by impairing a driver's visibility at intersections, driveways, seeing pedestrians, obstacles or other vehicles; and that they are not confusing to motorists and hinder their ability to see and interpret any official traffic sign, signal or device.

All signs and banners shall be maintained in a safe and legible condition at all times, including the replacement of defective parts of the sign structure, painting, repainting, cleaning and other services required for maintenance of said signs and banners, including fastening and securing. Unsafe and abandoned signs/banners shall be removed or brought into compliance within 5 calendar days upon notice from the City of Pierre.

All signs placed in or adjacent to any state controlled right-of-way are subject to the requirements of the State Department of Transportation and may require a permit from the state, as well as from the city, to be placed.

Source: Ord. No. 1492, 2001; Ord. No 1634, 2008;

Section 12-14-102 Definitions

1. **Banner signs** are signs constructed without a frame and usually made of cloth, canvas, or plastic and secured with ropes or cables.
2. **Billboard signs** are any structure or portion thereof, situated on private property on which lettered, figured or pictorial matter is displayed for advertising purposes, but not the name and occupation of the user of the premises, the nature of the business conducted on the premises or the products primarily sold or manufactured on the premises and having an area of 100 square feet or more. Any signboard carrying a message meeting this definition that also carries extraneous advertising of 100 square feet or more shall be considered a billboard. This definition shall not include any board, sign or surface used to display any official notices issued by a court or public duty, bulletin boards used to display announcement of meetings to be held on the premises on which such bulletin boards are located, nor shall it include real estate sign advertising for sale or rent the property upon which it stands when such sign does not exceed 100 square feet.
3. **Freestanding signs** are signs that are mounted vertically on a pedestal or base and are semi-permanently attached to its base or footing.
4. **Off-site signs** are signs that are placed on or off the owner's property, but that call attention to a location other than where the sign is located.
5. **On-site signs** are signs that are placed on the owner's property and call attention only to the property on which they are placed.
6. **Political signs** are signs that promote a political candidate or a political issue.
7. **Portable signs** are signs that can be freely moved about and do not require any tools or construction to install them. Usually, portable signs are considered 'A' board signs and may be mounted on a trailer.

8. **Projecting signs** are signs that are placed against a structure and project out away from the face of the structure. The sign does not have to project at a right angle to be considered a projecting sign.

9. **Rock signs** are signs that are engraved or otherwise inscribed into one or more faces of a rock.

10. **Sign** is any device, which directs attention to business, commodity, service or entertainment but not including any flag, badge or insignia of any government agency, or any civic, charitable, religious, patriotic or similar organizations.

11. **Wall signs** are signs that are placed flat against a structure, fence or wall. Signs that are painted onto a wall, fence, or structure are also considered wall signs.

Ord. No. 1559, 2004;

Section 12-14-103 Reserved

Section 12-14-104 Agricultural Districts

The following uses are permitted as accessory to the principal permitted uses in the Agricultural District.

1. On Site

- a. Signs not over 12 square feet in area identifying the activity engaged in on the premises and provided there is not over two square feet of extraneous advertising matter on any such sign.
- b. Signs can be freestanding, projecting, portable, wall type signs, or rock signs.
- c. Signs must be located entirely on the premises. No part of the sign or attached parts may extend past the property line.
- d. Signs, including pedestal, posts, and bases, may not exceed 35 feet in height.
- e. Signs, except rock signs, not to exceed two square feet in area identifying the premises and occupant, but not including advertising matter. Rock signs no greater than 30 inches in height and 42 inches in width and not located in the right-of-way, identifying the premises and occupant, but not including advertising matter. Public, parochial, private schools and colleges, children's homes, churches, synagogues, chapels, and public and quasi-public buildings for cultural use, may have identification signs not to exceed 32 square feet in area.

2. Off Site

- a. No off-site signs are permitted in agricultural zoning except that contractor signs no larger than 6 square feet and not more than 5 feet in height may be placed on an agricultural lot only while that contractor is working at that lot. Contractor signs must be removed within ten days after substantial completion of the project.
- b. Off-site signs as permitted by Sections 12-14-108, Billboards, and 12-14-110, Political Signs.

Ord. No. 1559, 2004; Ord. No. 1561, 2004;

Section 12-14-105 Residential Districts

1. On-site

- a. Signs can be freestanding, projecting, portable, wall type signs, or rock signs.
- b. Signs, except rock signs, not to exceed two square feet in area identifying the premises and occupant, but not including advertising matter. Rock signs no greater than 30 inches in height and 42 inches in width and not located in the right-of-way, identifying the premises and occupant, but not including advertising matter. Public, parochial, private schools and colleges, children’s homes, churches, synagogues, chapels, and public and quasi-public buildings for cultural use, may have identification signs not to exceed 32 square feet in area.
- c. Home occupation signs identifying the home occupation, no larger than one square foot in size, attached flat against the building and unlighted. However, advertising displays and advertising devices displayed through a window of the building shall not be permitted.
- d. Real estate sales signs not over 6 square feet in area and relating to the property on which the sign is located. Real estate signs must be entirely on the lot and must not be in the right-of-way.
- e. Subdivision signs in subdivisions recorded after passage of this chapter which are non-illuminated and which contain information pertaining only to the subdivision for a period of 4 years following the filing date or until 75% of the lots have been sold, whichever occurs first, at which time the sign shall be removed. Subdivision signs shall be subject to the space limits of the district in which located and shall not be closer than 75 feet from property owned by other than the developer. The size of the sign shall not be greater than the following:

SIGN SIZE	NUMBER OF LOTS IN SUBDIVISION
40 square feet	3 to 10
64 square feet	11 to 25
80 square feet	26 or more

- f. Permanent subdivision signs shall not be greater than 40 square feet and must identify only the subdivision name and may be illuminated. Permanent subdivision signs may not be placed in the right-of-way and must be on a dedicated sight within the subdivision that does not interfere with intersection visibility.

2. Off-site

- a. No off-site signs are permitted in residential zoning except that contractor signs no larger than 6 square feet and not more than 5 feet in height may be placed on a residential lot only while that contractor is working at that lot. Contractor signs must be removed within ten days after substantial completion of the project.
- b. Off-site signs as permitted by Section 12-14-108, Billboards, and 12-14-110, Political Signs.

Ord. No. 1559, 2004;

Section 12-14-106 Business Districts

1. On-site

- a. Signs can be freestanding, projecting, portable, banner, wall type signs, or rock signs.
- b. All on-site advertising signs, which are not attached to or made part of a commercial structure, shall be located on the zoning lot in such a manner that no portion of the sign shall overhang street right-of-way or adjoining property.
- c. All signs attached to a building or commercial structure shall be 3 feet behind the curb and 8 feet above any adjacent walking surface.
- d. No sign shall be larger than 100-square feet in size and shall not exceed 75 feet in height, except in the south half of Block 19, Fourth Railway Addition, where the height limit shall be 50 feet.
- e. Signs may not be placed near street, alley, or driveway corners where they would interfere with vehicle visibility.
- f. Portable signs that are licensed annually by the City of Pierre may be placed without individual permitting but must only contain on-site advertising for the property upon which they are placed.

2. Off-site

- a. No off-site signs are permitted in business zoning except contractor signs no larger than six (6) sq. ft. and not more than 5 ft. in height may be placed on a lot only while that contractor is working at that lot. Contractor signs must be removed within ten days after substantial completion of the project.
- b. Off-site signs as permitted by Sections 12-14-108, Billboards, and 12-14-110, Political Signs.

Source: Ord. No. 1492, 2001; Ord. No. 1559, 2004; Ord. No. 1635, 2008;

Section 12-14-107 Industrial Districts

1. On-site

- a. Signs can be freestanding, projecting, portable, banner, wall type signs, or rock signs.
- b. All on-site advertising signs, which are not attached to or made part of a commercial structure, shall be located on the zoning lot in such a manner that no portion of the sign shall overhand street right-of-way or adjoining property.
- c. All signs attached to a building or commercial structure shall be three (3) feet behind the curb and eight (8) feet above any adjacent walking surface.
- d. No sign shall be larger than 100-sq. ft. in size and shall not exceed 75 ft. in height, except those signs located in the Industrial Park District are limited to 45 feet in height. In airport noise zone 'A', all sign height limits shall be 15 ft., unless the FAA gives prior approval.
- e. Signs may not be placed near street, alley, or driveway corners where they would interfere with vehicle visibility.
- f. Portable signs that are licensed annually by the City of Pierre may be placed without individual permitting but must only contain on-site advertising for the property upon which they are placed.

2. Off-site

- a. No off-site are permitted in industrial zoning except contractor signs no larger than six (6) sq. ft. and not more than 5 ft. in height may be placed on a lot only while that contractor is working at that lot. Contractor signs must be removed within ten days after substantial completion of the project.
- b. Off-site signs as permitted by Sections 12-14-108, Billboards, and 12-14-110, Political Signs.

Source: Ord. No. 1492, 2001; Ord. No. 1559, 2004; Ord. No. 1635, 2008;

Section 12-14-108 Billboards and Off-site Advertising.

1. Off-site advertising signs and billboards shall be allowed along US Highway 14 & 83 from the north right-of-way line of Ninth Street to north-south centerline of Section 28-111-79, Block 7, Capitol Syndicate Addition north of Highway 14 & 83 right-of-way. The north side of State Highway 34 from the east right-of-way line of Roosevelt Avenue to the north-south centerline of Section 2-110-79.
2. At such time as 50% or more of the area of property, exclusive of public streets and alleys, within 300 feet of any such display sign or billboard is developed, then any such display sign or billboard shall be removed by the owner at his expense.
3. Every off-site advertising sign or billboard will be required to have a permit issued.
4. All off-site advertising or billboard found in violation of this chapter shall be removed or subject the owner to the penalties of this code or both.
5. Off-site advertising signs and billboards shall be spaced 300 feet apart, maximum area of 400 square feet on one side and maximum height of 35 feet.
6. Any off-site advertising signs that may be allowed in any other zoning district must conform to the size, space and location requirements of that district.
Exception: Political signs must conform to Section 12-14-110.
7. Temporary off-site advertising signs may be allowed in any district with prior approval of the city commission.
8. The light from any illuminated sign shall be so shielded, shaded, or directed so that the light intensity shall not adversely affect surrounding or facing premises or safe vision of operators of vehicles on public or private roads.
9. Signs placed on the property of public, parochial and private schools and colleges, where offering courses of general instruction, but not home schools, and directed to the adjacent right-of-way may be up to 100 square feet in size and may incorporate an area not to exceed 15 percent of the gross sign area as sponsorship advertising.
10. Signs placed entirely within publically owned sports venues and directed to the participants and spectators located within such sports venues, but not to adjacent right-of-ways, may be 100 square feet in size and contain off-site sponsorship advertising.

Source: Ord. No. 1671, 2010

Section 12-14-109 Signs in Public Right-of-Way.

1. No person, agency, or group shall place, attach, paint on, or affix to any appurtenance within the public right-of-way, any type of sign or directions to any activity or place without prior approval of the city commission.

Exception: Governmental agencies may place informational, directional and traffic signs within their own jurisdiction as deemed necessary.

2. Political signs that are in compliance with Section 12-14-110 are allowed.
3. Temporary road construction and warning signs that are required for the safe passage of vehicle and/or pedestrian traffic and that are approved by the State Department of Transportation or the city commission are allowed.

Section 12-14-110 Political Signs.

With the exception of bumper sticker sized signs placed on licensed motor vehicles, no person shall place or display any political candidate or election issue signs on public or private property before ten days prior to the day when absentee voting in a primary or general election begins, and all such signs shall be removed within seven days following the election. Signs may not be placed near street, alley, or driveway corners where they would interfere with vehicle or pedestrian visibility.

1. Political candidate signs up to 32 square feet in size, and located in a use zone that allows on-site advertising, may be displayed at the principal campaign headquarters of a lawful political candidate at any time.
2. Political candidate or election issue signs up to 32 square feet in size, when located on a vacant lot not in residential zoning, but within a use zone allowing on-site advertising, may be displayed ten days before the day when absentee voting in a primary or general election begins, but must be removed within seven days following the election.
3. With permission of the property owner, or the adjacent property owner, political candidate or election issue signs may be placed on private property or in the boulevard area of the street right-of-way adjacent to private property, ten days before the day when absentee voting in a primary or general election begins, providing the signs do not exceed 432 square inches in area and are removed within seven days following the election.
4. With the permission of the adjacent property owner(s), political or election issue signs not exceeding 32 square feet in size and placed in a vehicle or on a trailer, may park on public streets and in private parking lots, but not in residential zoning, ten days before the day when absentee voting in a primary or general election begins provided all parking regulations are met and the signs are removed within seven days following the election.
5. Political and election issue billboards may be displayed at any time in all use zones allowing off-site advertising as provided for in Chapter 12, Sections 12-14-108, of the City of Pierre Planning and Zoning Ordinances.
6. Political signs are not allowed within the State right-of-way.

If the provisions of different chapters, articles or sections of this ordinance conflict with or contravene each other, the provisions of each chapter, article and section shall prevail as to all

matters and questions growing out of the subject matter of such chapter, article or section.

Source: Ord. No. 1383, 1996; Ord. No. 1451, 1999; Ord. No. 1492, 2001; Ord. No. 1559, 2004; Ord. No. 1561, 2004; Ord. No. 1635, 2008; Ord. No. 1673, 2010; Ord. No. 1867, 2024.

Statutory reference: SDCL 9-30-2, public places – obstructions and encroachments.

Section 12-14-111 to 199, inclusive. Reserved