

## FREQUENTLY ASKED QUESTIONS

### Why are signs regulated?

In an effort to protect the city's natural beauty and scenic qualities, the Spearfish City Council, after receiving input from Spearfish business owners, approved the signage requirements. Consideration was given to the need for identification of businesses and community activities, safety of motorists and pedestrians, visual pollution and the desire to maintain an aesthetically pleasing community.

### Who is affected?

The sign regulations affect nearly all signs in the City of Spearfish, both private and business signs, located within the public right-of-way as well as on private property. Certain limited exceptions exist.

### Who enforces the sign regulations?

The Planning and Zoning Department for the City of Spearfish oversees the signage requirements.

### What happens when a non-conforming sign is identified?

Enforcement of the sign ordinance usually consists of a written or verbal warning to correct the violation. If the violation continues, administrative actions, which may include a court appearance and imposition of a penalty by the court, may take place. Removal of the sign by city employees or private contractors, with all costs billed to the property/sign owner, may occur.

### Where do I get more information regarding signs?

Contact the Property Maintenance Office at:

City of Spearfish  
Property Maintenance Code Office  
Phone: (605) 717-1126  
Fax: (605) 642-1337



City of Spearfish

## TEMPORARY SIGN REGULATIONS



625 FIFTH STREET  
SPEARFISH, SOUTH DAKOTA

## DEFINITIONS

**Banner** - A sign made out of cloth, vinyl, plastic, or similar flexible material affixed to a pole, wire or rope.

Banners may not be used as or attached to an awning.

**Rally/Seasonal Vendor** - Any person or business that is temporarily offering goods and/or services to the public on a parcel of land owned by the holder of a vendor's license.

**Special Event** - For the purposes of signage, any type of activity that the general public is invited to attend and for which there is not an existing sign that either could be modified or used to advertise the activity. Examples include: open house events, garage sales, health fairs, public gatherings on private or public property, auctions, etc. The definition of *event* does not include promotional sales or other activity that is held at the site of an established business and where the business has existing signage.

**Temporary Sign** - Any sign that is:

- Placed for the purposes of promoting or directing attention to a special event or activity that does not have permanent signage; or,
- A supplementary sign used by a business that currently has existing permanently mounted signs.

## LOCATION/PLACEMENT AND INSTALLATION OF TEMPORARY SIGNS

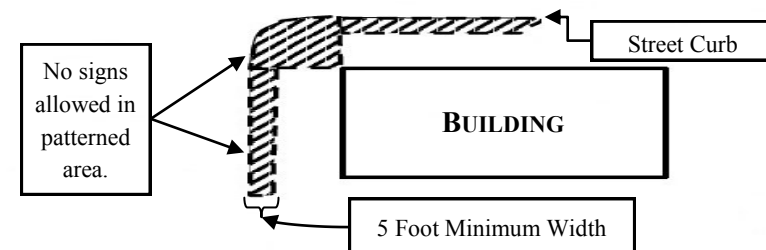
1. No temporary sign may be placed on:

- A utility box/cabinet, transformer, and similar utility installation;
- A support pole for a traffic signal, street light, power, cables, phone lines, etc.; or,
- A support pole for street signage.

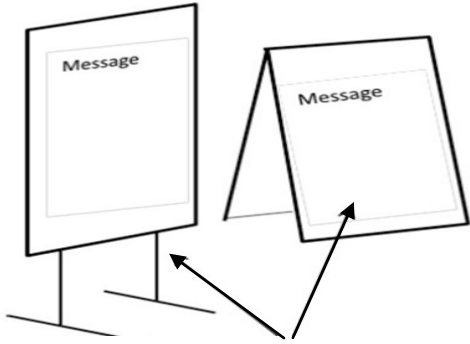
2. Election signs may be posted no earlier than sixty (60) days prior to and must be removed forty-eight (48) hours after an election. Election signs may be a banner secured to temporary stakes.

3. Temporary signs must be installed in the following manner:

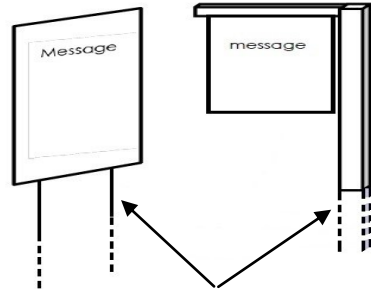
- It must remain in place in windy conditions and secured so as not to blow into the street.
- May be placed in the public right of way but may not obstruct pedestrian use of the sidewalk, or the use of any city street or street/road shoulder.
- Type A signs must be removed at the close of business each day.
- On Main Street, temporary signs may not be placed within the area formed by the intersection of two building faces. (See diagram below)
- In all locations, temporary signs must be set back five (5) feet from the street curb.
- If for business promotion use, the sign must be located adjacent to the business that the sign is promoting.
- Special event signs shall not be posted earlier than twenty-four (24) hours prior to, and removed two (2) hours after the close of a special event.
- During the Sturgis Motorcycle Rally beginning seven (7) days before the official start of the Rally, and ending seven (7) days after the official close of the Rally, banners attached to temporary stakes are permitted to be placed on private property.



**TYPE A and TYPE B** temporary signs are signs containing a message printed on rigid material.



**TYPE A** — One or more supports not inserted into the ground.



**TYPE B** — One or more supports inserted into the ground.

**SIZE** - May not exceed six (6) square feet in any zoning district.

**NUMBER ALLOWED -**

- Business Promotion & Special Events*  
2 signs per event;
- Real Estate & Rally/Seasonal Vendor*  
1 sign per street frontage;
- Election*  
10 signs per parcel of land.

**LOCATION** - On private property, or in right of way with adjacent owner's permission.

**PERMIT REQUIRED** - If displayed for more than 14 days per year.

**LIGHTING** - Lighting of Type A signs is not allowed.

**Permit process** - All requests for a **Type A** sign permit, when required, shall provide the following:

1. Dimensions and location of sign(s), plus any necessary details required to correctly identify the sign being issued a permit.
2. Applicants shall provide the following:
  - a. A copy of commercial liability certificate with minimum coverage of \$1 million each occurrence and \$2 million aggregate.
  - b. \$10 one-time fee.
  - c. Sign owner to complete a hold harmless agreement form provided by the city.

**SIZE -**

- Business Promotion, Special Event, & Rally/ Seasonal Vendor*  
May not exceed 6 square feet in Commercial or Industrial District;
- Real Estate & Election*  
May not exceed 6 square feet in any residential zoning, or 32 square feet in Commercial or Industrial District.

**NUMBER ALLOWED**

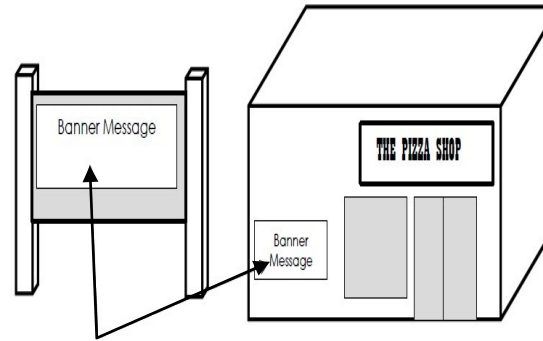
- Business Promotion, Special Events, & Rally/ Seasonal Vendor*  
2 signs per event;
- Real Estate*  
1 sign per street frontage;
- Election*  
10 signs per parcel of land.

**LOCATION** - Signs up to 6 square feet may be located in the right-of-way with adjacent property owner's permission. Signs larger than 6 square feet must be located on private property.

**PERMIT REQUIRED** - No.

**LIGHTING** - Lighting of Type B signs is not allowed.

**TYPE C** temporary signs are signs printed on flexible material such as vinyl, plastic, etc.



**TYPE C** — Messages printed on banners may be displayed only on frames and supports specifically designed for them, or on exterior building walls. Exception: election signs and temporary rally vendor signs may be supported by stakes.

**SIZE -**

- Business Promotion, Special Event, Rally/ Seasonal Vendor, Real Estate & Election*  
May not exceed 32 square feet in Commercial or Industrial District;

**NUMBER ALLOWED**

1 sign per parcel of land.

**LOCATION** - This sign type must be located on private property.

**PERMIT REQUIRED** - No.

**LIGHTING** - Lighting of Type C signs is not allowed.

Temporary Signs for newly opened businesses may be displayed for a maximum of 60 days.



Not permitted except for rally vendors and election signage.

**PROHIBITED SIGNS**

1. Signs placed on the roof of a building are prohibited. Exceptions to this are signs on mansard roofs, canopies and patio covers that are lower than the highest building roofline, and similar roofs where an architectural feature is specifically designed for signage.
2. Illuminated signs containing flashing, intermitting or moving light, that interfere with the traveled way of streets or obscure traffic signs or devices.
3. Signs that constitute pedestrian or vehicular traffic hazards or which could be confused with any governmental regulatory, directional or warning sign.
4. Signs with moving parts, or signs and logos printed on or attached to a moving surface (does not include images and text painted on the body of a licensed motor vehicle).
5. Tethered, airborne devices located within the required front property setback.
6. No sign may contain any offensive or sexually explicit language, or depict the nude human form or anatomy.

**TIPS FOR READABLE SIGNS**

(The following items are only suggestions, not requirements)

1. Keep it simple, use as few words as possible.
2. Limit the amount of information on the sign.
3. Letters at least 2 inches tall.
4. Choose a maximum of two font types per sign.
5. Avoid irregularly spaced or non-aligned letters.
6. Use colors with substantial contrast between letters and background.
7. Sans serif style font like Arial or Tahoma are more legible.
8. Type B signs are the most stable in windy weather.
9. Sign materials should be durable and capable of withstanding weathering.

Refer to "LOCATION/PLACEMENT AND INSTALLATION OF TEMPORARY SIGNS" on the reverse side of this page for additional requirements and use specific restrictions.