

761—119.3 (321) General eligibility requirements for an activity or site. This rule describes the general requirements which an individual activity or site must meet to qualify for tourist-oriented directional signing.

119.3(1) Hours. The activity or site shall be open to the general public during regular and reasonable hours and not by appointment, reservation or membership only.

a. Seasonal activities shall be in operation a minimum of four consecutive weeks.

b. The current months, days and hours of operation shall be conspicuously posted on the premises.

119.3(2) Building or area. The activity shall be conducted in an appropriate area or in a building appropriately designed or well-suited for the purpose.

a. The activity shall not be conducted in a building principally used as a residence unless there is a convenient, separate, and well-marked entrance.

b. The building or area must be maintained in a manner consistent with standards generally accepted for that type of business or activity.

119.3(3) Location of activity or site. The activity or site shall be located:

a. Within ten miles of the intersection on the primary highway where the tourist-oriented directional sign will be placed.

b. Outside the urban area, as established by the U.S. Census Bureau, of an incorporated municipality with a population of 5000 or more.

119.3(4) Signing restrictions. An activity or site does not qualify for a tourist-oriented directional sign if:

a. The activity or site or an on-premises sign advertising the activity or site is readily recognizable from the primary highway far enough ahead of the entrance to allow the motorist time to safely make the turn into the entrance.

b. An advertising device which serves the activity or site is erected or maintained in violation of Iowa Code chapter 306B; Iowa Code chapter 306C, division II; or other statutes or administrative rules regulating outdoor advertising.

119.3(5) Nondiscrimination. The activity or site shall comply with all applicable laws concerning public accommodations without regard to age, race, creed, color, sex, sexual orientation, gender identity, national origin, religion or disability.