

Table
12/12/95

Ordinance #146

SIGNS

AN ORDINANCE OF THE TOWN OF ASHLAND CITY, TENNESSEE ADOPTING A POLICY REGULATING THE USE OF SIGNS WITHIN THE CITY LIMITS OF THE TOWN OF ASHLAND CITY.

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11-603A. Purpose

The purpose of this chapter is as follows

(1) Safety: Promote the safety of persons and property by requiring that signs meet the following public objectives:

a. Do not create traffic hazards by distracting or confusing motorist, or impairing motorist' ability to see pedestrians, other vehicles, or to read traffic signs;

b. Do not create a hazard due to collapse, fire, collision, decay or abandonment; and,

c. Do promote the aesthetics, safety, health, and general welfare by regulation of the posting, displaying, erection, use and maintenance of signs.

(2) Information: Provide for the efficient transfer of general public and commercial information through the use of signs and,

(3) Public Welfare: Protect the public welfare, enhance the overall appearance and economic value of the landscape, and preserve the unique natural environment that distinguishes the City. Preservation of the environment from unreasonable signage is a matter of critical importance to the City.

11-603B. Definitions

The term "sign" shall apply to any lettering, graphic, form or structure that is used to identify, advertise, announce, direct or attract attention. The term sign shall include any structure or part thereof, wall, structural component, roof, canopy, awning, development identification, board, landscaping graphic, form, painting, trademark, projection, or illumination. The term sign shall further include temporary signs for construction, real estate, and special events.

Except as specifically defined herein, each word used in this article has its customary dictionary definition. For the purpose of this article, certain words or terms used are herein defined as follows:

- (1) Abandoned Sign. A permitted sign which was erected on property in conjunction with a particular use, that use having been subsequently discontinued for a period of thirty (30) days or more, or a permitted temporary sign for which the permit has expired.
- (2) Administrator (Sign). That person designated by the mayor to administer and enforce the provisions of this ordinance.
- (3) Back-to-Back Sign. A sign constructed on a single set of supports with messages visible on any side, provided that double message boards are physically contiguous.
- (4) Banners, Pennants, Festoons and Balloons. Any animated, rotating, fluttering or nonstationary device made of flexible materials designed to attract attention.
- (5) Canopy. A structure constructed of rigid material, including, but not limited to, metal, wood, concrete, plastic, canvas on rigid frame or glass, which is attached to and supported by a building or by columns, poles or braces extended to the ground.
- (6) Canopy Sign. A sign which is extended from, attached to, supported from or forms a part of a canopy. For the purpose of this definition, canopy signs shall be included in the total amount of allowable wall signage.
- (7) Changeable Copy Sign. A sign on which a message copy is changed manually in the field, through the utilization of attachable letters, numbers, symbols and the similar characters or changeable pictorial panels.
- (8) Commercial or Industrial Center. Two (2) or more separate occupancies located within the same or adjacent building or building on the same commercial or industrial plat of record.
- (9) Dilapidated Sign. Any sign which is structurally unsound, has defective parts or is in need of painting or other maintenance.

(10) Directional Signs.

- a. A sign, permanently erected or permitted in the public right-of-way or private property by the City of Ashland City, Cheatham County, State of Tennessee, or other governmental agency to denote the name of any thoroughfare; the route to any city, town, village, educational institution, public building, historical place, shrine or hospital; to direct and regulate traffic; and to denote any railroad crossing, bridge, or other transportation or transmission company for the direction of safety of the public.
- b. An on-premise temporary sign which contains information regarding the time and place for regular meetings of civic or religious groups.

(11) Directory Sign. A sign listing only the names and/or use, or location of more than one business, activity or professional office conducted within a building, group of buildings or commercial center.

(12) Double-Faced Sign. A sign with two (2) faces which are usually, but not necessarily, parallel.

(13) Electrical Sign. A self-illuminated sign or sign structure in which electric wiring, connections and/or fixtures are used as part of the sign proper.

(14) Existing Sign. Any sign that was erected, mounted or displayed prior to the adoption of this ordinance.

(15) Facade. The entire building wall, including main street wall face, parapet, facis, windows, doors, canopy and roof on any complete elevation.

(16) Fixed Projection Sign. A sign, other than a flat sign, which is perpendicular to the facade of the building to which it is attached and extends outward from the facade for more than six (6) inches.

(17) Flashing Sign. Any lighted or electrical sign which emits light in sudden transitory burst.

(18) Flat Sign. A sign erected parallel to and extending not more the twelve (12) inched from the facade of any building to which it is attached and supported throughout its entire length by the facade of the building and not extending above the building.

(19) Free-Standing Sign. A sign supported by a sign structure secured in the ground and which is wholly independent of any building, fence, vehicle or other support.

(20) Frontage. The length of the property line of any one premises parcel serving as a public right-of-way line.

(21) Frontage Wall Face. The building facade, excluding parapet, fascia, soffit, mansard and roof, which faces a frontage of the premises.

(22) Height of Sign. The vertical distance measured from the lowest elevation of the ground directly beneath any part of the sign to the highest point on the sign, except that the ground shall not have been artificially raised for the purpose of increasing the sign's height.

(23) Illuminated Sign. Any sign which is directly lighted by an external source.

(24) Illuminated Sign, Internally. Any sign which transmits light through its face or any part thereof.

(25) Incidental Sign. A sign, generally informational, that has a purpose secondary to the use of the property on which it is located, such as "no parking", "entrance", "loading zone", "telephone" and other similar non advertising directives.

(26) Inflatable Sign. A sign that is either expanded to its full dimensions or supported by gasses contained within the sign, or sign parts, at a pressure greater than atmospheric pressure.

(27) Ingress/Egress Sign. A sign which designates only the direction of ingress or egress of a parking area or driveway, such as "IN", "OUT", "ONE WAY", "DO NOT ENTER", or "NO EXIT".

(28) Moving Message Board. Any electrical sign having a continuous message flow across its face by utilization of lights or other electrical impulses forming various words or design, such as time and temperature.

(29) Nonconforming Sign. Any existing sign which has a valid permit from the city or was erected without a permit but complied with the ordinance in effect at such time of erection, or existed prior to the passage of the City's first sign ordinance but which does not conform to the provisions of the ordinance, is hereby deemed to be a non-conforming sign.

(30) Neon Wall Sign. Any use of neon or gas tubular lighting on the exterior building facade or canopy for the purpose of providing a wall sign for the business and/or to outline the exterior of the building or structure so as to draw visual attention to the business.

(31) Occupancy. Any use of or activity upon the premises.

(32) Off-Premises Sign. Any sign located or proposed to be located at any place other than within the same platted parcel of land on which the specific business or activity being promoted on such sign is itself located or conducted. For the purpose of this ordinance, easements and other appurtenances shall be considered to be inside such platted parcel of land. Signs identifying public service, religions or civic club organizations not to exceed four (4) square feet as approved by the administrator (sign) are exceptions to this definition.

(33) On-Premise Sign. Any sign located or proposed to be located at any place, if otherwise permitted by this ordinance, within the plat of record for the business or other activity identified on such sign.

(34) Painted Wall Sign. A sign painted directly on any exterior building wall or door surface, exclusive of window and door glass area on any outside wall or roof or on glass of any building.

(35) Panel. The primary surface of a sign upon which the message of the sign is carried.

(36) Parpet. A vertical false front or wall extension above the roof line.

(37) Pennant. See definition four (4) (banners, pennants and balloons).

(38) Permitted Sign. A sign for which a valid permit has been issued.

(39) Appeals Board. The duly appointed board authorized by the Mayor to hear and act upon any appeal of a decision of the administrator (sign) or any request for a variance from any provision of this ordinance.

(40) Political Sign. A sign erected by a political candidate, group or agent thereof, for the purpose of advertising a candidate or stating a position regarding an issue upon which there shall be a public vote.

(41) Portable Sign. Any sign which is not permanently affixed to a building, structure or the ground, or which is attached to a mobile vehicle. Excluded from this definition are those signs which are either painted on or attached to a vehicle with the purpose of advertising a business operation or denoting a governmental entity.

(42) Premises. The plat of record which is affected wither directly or indirectly by the contents of this ordinance.

(43) Project Sign. Any sign erected and maintained on the premises of a commercial or service/institution zoning district site temporarily while undergoing construction by an architect, contractor, developer, finance organization, subcontractor, or materials vendor upon which property such individual is furnishing labor, services or materials.

(44) Public Right-of-Way Line. The line where the property meets the public street or public waterways, provided that this definition shall not include unimproved alleys, easements or other similar dedicated uses.

(45) Public Way. Any street, highway, road, path or right-of-way, whether privately or publicly owned, which is designed, or used for vehicular traffic either by public right or custom, or by invitation of two (2) or more common owners.

(46) Real Estate Sign. A temporary sign erected by the owner, or his agent, advertising the real property upon which the sign is located for rent, for lease or for sale.

(47) Roof. The exterior upper covering of the top of a building.

(48) Roof Sign. A sign erected over or on, and wholly or partiality dependent upon, the roof of any building for support, or attached to the roof in any way.

(49) Rotating Sign. Any sign which revolves around one or more fixed areas.

(50) Seasonal/Holiday Sign. A sign used for emphasizing the celebration of a national holiday or celebration, which is erected for a limited period of time.

(51) Sidewalk or Sandwich Sign. A movable sign not secured or attached to the ground or any building or structure.

(52) Sign. Any device or representation for visual communication that is used for the purpose of bringing the subject thereof to the attention of together which is located on or attached to premises, real property, structures on real property or a vehicle

(53) Sign Area of. The square foot area enclosed by the perimeter of the sign face. With respect to signs which are composed of individual symbols, letters, figures, illustrations, messages, forms or panels, sign area shall be considered to including all lettering, wording and accompanying designs and symbols, together with the background on which they are displayed, any frame around the sign and any "cutouts" or extensions, but shall not include and supporting structure or bracing.

(54) Sign Face. The part of the sign that is or can be used to identify, advertise, communicate information or for visual representation which attracts the attention of the public for any purpose. Sign face includes any background material, panel, trim, color and direct or self-illumination used that differentiates the sign from the building, structure, backdrop surface or object upon which or against which it is placed. The sign structure shall not be included as a portion of the sign face provided that no message, symbol, or any of the aforementioned sign face criteria are displayed on or designed as part of the sign structure.

(55) Sign Structure. A support structure erected, used or intended for the purpose of identification or attracting attention, with or without a sign thereon, situated upon upon or attached to the premises, upon which any sign may be fastened, affixed, displayed, or applied, provided, however, this definition shall not include a building, fence, wall or earthen berm.

(56) Snipe Sign. A sign which is tacked, nailed, posted, pasted, glued or otherwise attached to trees, utility poles, or fences, or other objects, and the advertising matter appearing thereon is not applicable to the present use of the premises upon which the sign is located.

(57) Special Event Sign. A sign which carries a message regarding a special community event of function which is of general interest to the city.

(58) Subdivision. The division of land into smaller tracts for any planned, self-contained residential or office development which, for the purpose of the article, shall meet one or both of criteria listed below:

- a. Such division of land shall abut directly on an arterial street or collector street as defined by city codes or,
- b. Such division of land shall initially consist of a minimum of fifteen (15) acres or shall create fifteen (15) or more individual lots.

(59) Subdivision Sign. Any sign located at the entrance to a subdivision as defined in this article.

(60) Swinging Sign. A sign installed on an arm, mast or spar that is not, in addition, permanently fastened to an adjacent wall or upright pole. For the purpose of this definition, swinging signs hanging below a canopy which are directly visible from the parking lot or any public way shall be included in the total amounts of allowable wall signage.

(61) Temporary Sign. Any sign or information transmitting structure intended to be erected or displayed for a limited period.

(62) Time and Temperature Sign. A electrical sign utilizing lights going on and off periodically to display the current time and temperature in the city.

(63) Traffic Direction/Safety Sign. A sign which is on-premises consisting of type and/or an arrow and is designed, sized and erected solely for the purpose of vehicular or pedestrian traffic direction or safety, and which bears no advertising words or phrases.

(64) Vehicle Signs. A permanent or temporary sign affixed, painted on or placed in or upon any parked vehicle, parked trailer or other parked device capable of being towed, which is displaying in public view under circumstances as to locate on the premises, time of day, duration, availability of other parking space on the premises, and the proximity of the vehicle to the area on the premises where it is located, unloaded or otherwise carried out its principal function, which circumstances indicate that the primary purpose of said display is to attract the attention of the public rather than to serve business of the owner thereof in the manner which is customary for said vehicle.

(65) Wall Sign. A sign attached parallel to a wall, painted on the wall surfaces, or erected and confined within the limits of an outside wall of any building or structure, which is supported by such wall or building.

(66) Window Signs. Any sign which is painted on, applied to, attached to or projected upon or within the exterior or interior of a building glass area, including doors, whose identification, message, symbol, insignia, visual representation, logo type, or any other form which communicates information, can be read from off premises contiguous property or public right-of-way.

(67) Window Sign, Temporary. A window sign of a temporary nature used to direct attention to the sale of merchandise, or a change in the status of the business, including but not limited to, sign for sale, specials, going out of business and grand opening.

11-603C. Illegal Signs.

Any sign erected or existing as of the effective date of this ordinance which does not have a valid permit from the city or any sign so reclassified pursuant to Sec. 11-603E(a) is hereby deemed to be an illegal sign and such sign and the person or persons responsible for such sign shall be subject to all of the provisions of the ordinance.

11-603D. Legal Sign.

Any existing and permitted sign which complies with the provisions of the article, and any subsequent amendment hereto, is hereby deemed to be a legal sign. Any proposed alteration to or relocation of such

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sign shall not be undertaken until the permit required pursuant to Sec. 11-603G has been issued, unless the proposed alteration is specifically exempt from such permit requirement pursuant to Sec. 11-603G.

11-603E. Non-Conforming Signs.

a. Any existing sign which has a valid permit from the City, or was erected without a permit but complied with the ordinance in effect as such time of erection, or existed prior to the passage of the City's first sign ordinance but which does not conform to the provisions of the ordinance, is hereby deemed a non-conforming sign.

b. The utilization of a non-conforming sign and/or sign structure may continue subject to the condition and requirements noted below. When the use of a property changes (including but not limited to the redevelopment of the site or a change in the use or name of the business(s)), the signs exhibited on that site must be brought into compliance with the provisions of this article.

c. No alterations to the sign/sign structure shall be permitted except those changes allowed in Sec. 11-603G(3). Any structural or other substantive maintenance or improvement to a non-conforming sign (except for painting or refinishing the surfaces of the existing sign face or sign structure so as to keep the appearance as when the prior permit was issued) shall be deemed an abandonment of the non-conforming status, shall render the prior permit void and shall result in the reclassification of such sign as an illegal sign pursuant to Sec. 11-603C.

d. Any non-conforming sign may become a legal sign if, after compliance with the provisions of Sec. 11-603J of this article, it is brought into conformity with the provisions of this ordinance.

11-603(F). Prohibited Signs.

Except as may be herein after specifically permitted, it shall be unlawful after the effective date of this ordinance, or any amendment hereto, for any person to erect, place or use within the City, when visible from any public way, and of the following signs:

(1) Swinging signs (except as free-standing or signs hanging directly below a canopy in front of a retail, service or office use, identifying the occupancy);

(2) Snipe Signs;

(3) Sidewalk and sandwich signs;

(4) Banners, pennants, festoons and balloons. (Except those provided for in Sec. 11-603I 2(a);

(5) Off-premise signs, including real estate availability, garage sale notification and direction. (Except those provided for in Sec. 11-603I (3) & (4);

(6) A sign which contains any moving, flashing, animated lights, visible moving parts, or giving the appearance of animation;

(7) Roof signs;

(8) Any sign which obstructs free ingress to or egress from a required door, window, fire escape or other required exits;

(9) Any sign and/or sign structure which obstructs the view of, may be confused with or purports to be a governmental or traffic direction/safety sign;

(10) Any sign or sign structure other than free-standing and vertical wall extension, any portion of which extends above the parapet, building roof line or canopy against which the sign is located;

(11) Signs using words "stop", "danger", or other words, phrases, symbols or characters in a manner that misleads, confuses or distracts a vehicle driver;

(12) Except as otherwise provided, no sign shall be permitted in the right-of-way except those authorized or issued by a public agency or regulated utility, those temporary signs authorized and approved by the Administrator (Sign), or subdivision identity signs provided for in Sec. 11-603H (4)(a)(1);

(13) Signs painted on or attached to trees, fenceposts, rocks or other natural features, telephone or utility poles, or painted on the roofs of buildings visible from any public thoroughfare;

(14) Abandoned or dilapidated sign;

(15) Any sign which exhibits statements, words or pictures of obscene or pornographic subjects;

(16) Portable signs;

(17) Residential signs affixed to a private residence or dwelling or displayed upon the grounds thereof, except one personal identification sign not exceeding two (2) square feet per face and one (1) non-illuminated "for sale" or "for rent" sign not exceeding six (6) square feet per face. Residential tracts of ten (10) acres shall be permitted personal identification signs not to exceed two (2) faces per tract or twenty (20) square feet per face.

(18) Inflatable signs;

(19) Vehicle signs, except for those provided for in Sec. 11-6031 (2)(d)(5);

(20) Fixed projection signs;

(21) Neon wall signs used to outline the exterior of a building or structure and not included within the measurable area of the sign face.

11-6036. Permissible Signs.

(1) Permit Required.

a. Unless specifically exempted pursuant to Sec. 11 6036 (2), no sign or sign structure shall be erected, displayed, moved or relocated, or altered, unless specifically exempted pursuant to Sec. 11-6036, (3), until a permit fee has been paid and a sign permit issued by the Sign Administrator pursuant to Section 11-2010 of this article.

b. Organizations either public or private shall be allowed to construct, erect, or place one or more signs related to the sponsorship of a civic, philanthropic, athletic, or religious special event subject to the approval of the Sign Administrator. Such signs shall be considered temporary and shall meet the criteria described in Section 11-6031 (2).

(2) Signs Exempt From Permit Requirements.

A permit is not required for the following types of signs, after proper notification is made to the Administrator (Sign):

a. An official sign or notice issued by any court, public agency or office;

b. A traffic directional, warning or information sign authorized by any public agency;

c. A private street or road name sign or a traffic directional sign which does not exceed four (4) square feet per face;

d. "No trespassing", "no hunting", "no fishing", "no loitering" and like signs not exceeding one (1) square foot in area;

e. Any on premises sign not exceeding one (1) square foot in area.

f. A residential or commercial real estate sign not to exceed six (6) square feet per face and two faces;

g. An ingress/egress sign which does not exceed four (4) square feet per sign face;

h. Temporary window graphics provided they do not exceed fifty (50) percent of the area of the window to which they are attached;

i. Incidental signs not to exceed four (4) square feet per face (except for subdivision information boards which shall not exceed twenty (20) square feet in face area and six (6) feet in height);

j. Signs denoting a property as "Historic". Such signs shall be authorized by the Administrator (Sign) and shall not exceed nine (9) square feet per face and six (6) feet in height;

k. Athletic field signs, as specified in Sec. 11-603I (9); and,

l. Governmental flags of the United States, the State of Tennessee, Cheatham County and the City of Ashland City are exempt from the issuance of a permit, provided such flags shall conform with the the requirements of Sec. 11-603I (8).

(3) Sign Alterations Exempt From Permit Requirements.

A permit is not required prior to engaging in sign alterations if such alterations involve only:

a. The changing of a copy of a permitted changeable copy sign; or,

b. The painting or refinishing of the surface of a sign face or sign structure of a permitted sign as to keep the appearance of such sig as it existed on the date such sign received a permit.

11-603H. General Sign Standards

(1) Setback From Right-of-Way.

In order to provide for future right-of-way widenings or sidewalks, all permanent signs shall be required to be set back at least five (5) feet from the street right-of-way (except as provided for in Sec. 11-603H (4)(a)(1)). Temporary signs shall be located at least twelve (12) feet from the back of the street curb, edge of pavement or stabilized shoulder.

(2) Sign Illumination.

a. All signs shall be engineered in compliance with applicable portions of the City Building and applicable State Electrical Codes. A copy of the electrical permit must be provided to the Administrator (Sign) prior to the issuance of a sign permit.

All electrical service to ground mounted signs shall be placed underground. Electrical service to all other signs shall be concealed from public vies.

b. If illuminated, signs shall be illuminated only by the following means:

1. A white, steady stationary light of reasonable intensity shielded and directed solely at the sign;

2. Light sources to illuminate signs shall be shielded from all adjacent buildings and streets and shall not be of such brightness so as to cause glare hazardous to pedestrians or vehicle drivers or so as to create a nuisance to adjacent residential districts; and,

3. Internal illumination, steady and stationary, through translucent materials.

(3) Material and Style.

a. Signs shall not have light reflecting backgrounds but may use light reflecting lettering.

(4) Free-Standing Signs

a. Area and Quantity. The area and quantity of any free-standing sign face shall conform with the following:

1. Residential and Office Subdivisions.

Residential and office subdivisions may erect free-standing identification and information signs. Such signs shall be located at the primary entrance (s) to the development/subdivision or at the beginning of the street upon which the development/subdivision connects directly to an arterial or collector street as defined by the City "Major Thoroughfare Plan". Upon approval by the Planning Commission, a subdivision sign may be erected in the right-of-way provided that, in the opinion of the Public Works Director, it is not pose a traffic hazard.

Such signs shall be administered and maintained by an established property owners' association or maintenance organization and in no way shall be the responsibility of the City.

The subdivision shall have no vested right to permanently use the public right-of-way for the sign. The City may further require the property owners' association or maintenance organization to remove such sign(s) at their expense if it is determined that the City needs the use of the right-of-way for a public purpose.

Signs for such developments shall not exceed one hundred sixty (160) square feet of sign face divided among not more than four (4) sign faces. No single sign face shall exceed eighty (80) square feet.

Where such signs are attached to, a part of the construction or included in any way in the overall design of a structure (wall, gateway, building, landscaped feature, fountain, pool or fence) the entire structure and sign shall be submitted together for approval by the City and the Planning Commission. No building permit or other approval shall be given for a structure bearing a sign without the accompanying issuance of a sign permit. Joint submission of such a structure and sign shall not relieve the individual requirements of structure or sign.

For such signs which are set back from the public right-of-way by a minimum of 100 feet, the one hundred sixty (160) square feet limitation may be increased up to two hundred forty (240) square feet with no restriction of the maximum square feet of a single sign space. When a single sign structure is used, the maximum width of the entire structure may be increased from twenty (20) feet up to forty (40) feet.

2. Large Commercial.

Planned shopping centers and other major retail/service developments which uses contain one hundred thousand (100,000) square feet or more of heated floor space, open to the public shall be permitted one freestanding sign per entrance but no more than two identification signs for the development subject to the spacing distance limitations noted in Sec. 11-603I (1)(c). Said signs shall not have more than two hundred forty (240) square feet of sign face equally divided among not more than a total of four (4) sign faces for the development. No single sign face shall exceed one hundred twenty (120) square feet.

3. Midsized Commercial.

Commercial development consisting of retail and service uses which contain less than one hundred thousand (100,000) square feet, but more than ten thousand (10,000) square feet, of heated floor space open to the public shall be permitted one free-standing sign per entrance but no more than two (2) identification signs for the development subject to the spacing distance limitations noted in Sec. 11-603I (1)(c). Said signs shall have no more than one hundred sixty (160) square feet of sign face equally divided among not more than four (4) sign faces for the development. No single sign face shall exceed eighty (80) square feet.

4. Small Commercial.

A commercial development consisting of retail and service uses which contain ten thousand (10,000) square feet or less of heated floor space open to the public shall be permitted one free-standing sign. Said sign shall have no more than two (2) sign faces. No one face can exceed forty (40) square feet.

If an applicant in this category formally waives the right to have a free-standing sign, the applicant shall be permitted to exceed the allowable wall signage for the structure by fifty (50) percent.

5. Service/Institution.

Each service/institution use shall be permitted one free-standing sign. Said Sign shall have no more than eighty (80) square feet of sign face equally divided between not more than two (2) sign faces. No one face shall exceed forty (40) square feet. Such signs shall not be internally illuminated.

b. Height. The maximum height of any free-standing sign shall not exceed six (6) feet above the lowest elevation of the ground directly beneath any part of the sign to the highest point on the sign, except that the ground shall not have been artificially raised for the purpose of increasing the sign's height. The bottom edge of the sign face shall not exceed four (4) feet in height from average grade.

c. Width. The maximum width of the entire sign structure shall not exceed twenty (20) feet.

d. Structure Size. The size of the support structure for any free-standing sign shall not exceed the sign face by more than one hundred (100%) percent.

(5) Maintenance.

All signs shall be maintained in good condition at all times. Signs which are obsolete in information, defaced, missing some or all illumination and whose finishes are chipping, peeling or cracking shall be deemed in disrepair by the Administrator (Sign). The City shall give thirty (30) days written notice for the owner to comply with maintenance requirements. Should the owner and/or property occupant fail to comply within the prescribed period, the City may remove (or cause to be removed), the sign with the cost of removal charged to the owner.

11-6031. Special Sign Standards.

(1) On-Premise Sign Standards.

a. Wall Signs.

1. Retail Uses: Wall signs for each retail use shall not exceed one (1) square foot per linear foot of the front of a single occupancy building or in the case of a multi-occupancy facility, the exterior wall surface of each establishment where principal customer access is provided. No single sign shall exceed ninety (90) square feet with a total signage limitation to three (3) signs and two

hundred seventy (270) square feet. Signage on any one facade shall not occupy more than ten (10%) percent of that facade. Notwithstanding the provisions of this section, each retail use or multiple retail uses sharing a common entrance shall be allowed to have at least one (1) wall sign not to exceed forty (40) square feet. Signs shall be mounted in a flat fashion.

2. Office Uses.

a. One (1) Story Buildings: Wall signs for office buildings that are one (1) story shall not exceed one (1) square foot of signage per linear foot of the front face of the office spaced leased or used in the building provided that no single sign shall exceed sixty (60) square feet with a total signage limitation of three (3) signs and one hundred and eighty (180) square feet. Signage on any one facade shall not occupy more than ten (10%) percent of that facade. Signs shall be mounted in a flat fashion. Such signs shall not be internally illuminated.

b. Multistory Buildings with Single Tenants: Any multistory office building with a single tenant shall be permitted one (1) square foot of wall signage per linear foot of the front face of the building provided that no signage shall exceed sixty (60) square feet with a total signage limitation of three (3) signs and one hundred and eighty (180) square feet. Signage on any one facade shall not occupy more than ten (10%) percent of that facade. Signs shall be mounted in a flat fashion. Such signs shall not be internally illuminated.

c. Multistory Buildings with Multiple Tenants: Multistory office buildings with more than one (1) tenant shall be permitted to have a total of forty (40) square feet of wall signage for buildings identification with a total limitation of three (3) wall signs. Signage on any one facade shall not occupy more than ten (10%) percent of that facade. Signs shall be mounted in a flat fashion. Such signs shall not be internally illuminated.

3. Service Institution Uses: Wall signs for service institution developments shall not exceed forty (40) square feet with a total limitation of three (3) wall signs. Signage on any one facade shall not occupy more than ten (10%) percent of that facade. Signs shall be mounted in a flat fashion. Such signs shall not be internally illuminated.

b. Window Graphics.

Window Graphics which otherwise comply with this article, may be displayed provided no more than twenty-five (25%) percent of the area of a window may be occupied by signage.

c. Free-Standing Signs - Spacing Limitations. Free-standing signs on any premises shall be spaced at minimum two hundred (200)

feet intervals along each public way which views the premises. In the event that less than two hundred (200) feet of any premises is visible from any one public way, only one sign shall be permitted along that public way, notwithstanding that a greater number of signs may be permitted by Sec. 603H (4) herein.

(2) Temporary Signs and Standards.

a. Types: The following types of signs shall be classified as "temporary signs":

1. Special event signs (such as banners which are used to promote a special event of a civic, philanthropic, athletic, or religious nature);

2. "Grand opening", "going out of business", "now hiring" and "sales" signs of business and service;

3. Signs for work under construction;

4. Land subdivision or development signs;

5. Signs advertising the sale or lease of property upon which they are located; and,

6. Political signs.

b. Area, Height and Location.

1. Area. The total area of temporary signs shall not exceed forty (40) square feet except for real estate signs for residential property, which shall not exceed the limitations of Sec. 11-603I (3).

2. Height. The maximum height of temporary signs shall not exceed six (6) feet, while the lower edge shall not exceed two (2) feet in height from the average grade.

3. Location.

a. No temporary sign shall be located so as to obstruct or impair driver vision at business ingress - egress points and at intersections.

b. Temporary signs shall not be located within one hundred (100) feet of any other sign on the same premises, or fifty (50) feet from any sign on adjoining premises.

c. Time Limits.

1. Special Events Signs. Special event signs may be erected no sooner than fourteen (14) days preceding a special event and shall be removed within forty-eight (48) hours following the special event.

The same or similar special event shall not be advertised more frequently than four (4) times a year.

2. "Grand Opening" and "Now Hiring" signs. Temporary "grand opening" signs may be allowed one (1) time only for a period not to exceed fourteen (14) days. Prior to the commencement of a new business a temporary "now hiring" sign may be erected for a period not to exceed fourteen (14) days.

3. "Going-out-of-Business" and "Sale" signs. Such signs may be erected for a period not to exceed thirty (30) days for "going-out-of-business" signs and fourteen (14) days for "sale" signs.

4. Project Signs. Signs for work under construction may be erected upon the issuance of a final development permit on the construction site during the construction and shall be removed within seven (7) days following the issuance of the certificate of occupancy. Construction sign permits may be renewed after twelve (12) months provided continued work is evident through visual observation of the site.

5. Signs announcing the subdivision of land. Temporary signs announcing the subdivision of land may be erected on the land being developed and shall be removed when one hundred (100%) percent of the development lots are conveyed. The owner of such sign may apply to the Administrator (Sign) for an extension of the sign permit every twelve (12) months.

6. Removal. Signs advertising the sale or lease of property shall be removed within seven (7) days after the property is sold or when ninety (90%+) or more of the total available space in a building is leased. If the property remains unsold or more than ten (10%) of the total available space remains unleased, the owner of such sign may apply to the Administrator (Sign) for an extension of the sign permit for an additional period up to six (6) months.

7. Permits. Unless specifically exempted pursuant to Sec. 11-6036 (2) or Sec. 11-603 (3), a temporary sign is subject to the permit requirements of Sec. 11-6036 (1).

d. Political Signs.

1. Any candidate planning to erect political signs in the City shall deposit or have his/her representative deposit with the City a cash bond of fifty (\$50.00) dollars prior to the erection of any campaign signs. No sign shall be permitted on any public right-of-way or public property and all signs located on private property shall be at least twelve (12) feet from the back of the street curb, edge of pavement or stabilized shoulder.

2. Such signs shall not exceed six (6) square feet in area per face in all residential districts and service institution

districts or twenty (20) square feet per face in areas of all commercial districts.

3. Such signs shall not be counted as items of information in any commercial district.

4. Such signs may be displayed on election day and twenty one (21) days prior to the election for which they are intended, and shall be removed within five (5) days after such election. Any candidate in a primary election who will also be a candidate in a general or special election following that primary shall not be required to remove any signs advocating such candidacy until after the conclusion of the general or special election. Any sign not removed within the time limits or placed on public right-of-way or public property shall cause the political candidate to forfeit the cash bond. The Administrator (Sign) shall return the bond to the candidate within ten (10) days after the election subject to any reductions as may be necessary to cover the City's cost for removal of illegally placed signs on any public right-of-way or public property.

5. Vehicle signs for political candidates may be displayed on election day and twenty one (21) days prior to the election for which they are intended, and shall be removed within three (3) days after such election. Such vehicles shall not be parked on public right-of-way or public property.

6. Any such signs which, in the opinion of the Public Works Director and/or Chief of Police, constitute a traffic hazard, or are detrimental to the general safety of the public may be removed by the City with no prior notice to the owner.

(3) Real Estate Signs.

Only one real estate sign for residential property shall be erected on the property for which it advertises. It shall not exceed six (6) square feet in sign area per face. Property with two (2) or more on-premise frontages shall be permitted one additional sign per frontage.

Generic real estate directional/open house signs shall be permitted off-premise from Friday, 8:00 A.M. until Monday, 12:00 Noon, and on any recognized City holidays. Any sign erected off-premise at any other time may be impounded by the City with no prior notice to the owner. Only off-premise sign shall be allowed per street corner.

(4) Garage Sale Sign (Yard Sale Sign).

Only one garage sale sign may be erected on the property for which it advertises. It shall not exceed six (6) square feet in sign area per face. Property with two (2) or more on-premise frontages shall be permitted one additional sign per frontage.

Garage sale signs shall be permitted off-premise from Wednesday, 8:00 A.M. until Monday, Noon and on any recognized City holidays. Any sign erected off-premise at any other time may be impounded by the city with no prior notice to the owner. Only one off-premise sign shall be allowed per street corner per house hold.

(5) Canopy Signs.

Canopy signs shall be allowed for retail, service and office use. Such sign shall be counted in the total wall sign package and shall be placed directly in front of said location, identifying the occupancy.

(6) Multiple-Use Shopping, Business, Office or Professional Centers; Free-Standing Directory Signs.

a. Directory Signs: Any multiple-use shopping, business, office or professional center shall be allowed to have no more than two (2) free-standing signs for individual businesses provided they meet the following requirements;

1. Information. Signs shall be for directory information purposes only.

2. Location. Either the area of the directory sign shall be contained within the total area limits for free-standing signage at the center or the sign shall not be visible from any public way.

(7) Gasoline Filling Stations.

a. Pump Signs: Petroleum products pumps and dispensers which are within the view of a public way shall be permitted to display only information required by law and the brand name and type of product being dispensed.

b. Price Signs: Premises which dispense retail bulk petroleum products by pump shall be allowed to increase the ground sign permitted under Sec. 11-603H (4) by fifty (50%) percent in order to accommodate the pricing of such products within a single ground sign. No additional signs shall be permitted either on the ground or mounted on individual pump structures.

(8) Flags.

a. Non-Governmental Flags: Non-governmental flags are deemed to be signs and shall be subject to the provisions of this article (with the exception of height requirements). No such flag shall exceed twenty-four (24) square feet per face. The total area (both faces) shall be doubled and this amount debited against the allowable free-standing sign area for the site. The applicant shall have a choice of erecting a free-standing sign or utilizing a flag in those circumstances where the side of the flag is equal to the side of the allowable free-standing sign. A flag and a free-standing sign

combination is permissible only in those circumstances where the total area of both the flag (doubled) and the free-standing sign shall not exceed the total allowable area for free-standing signs on the site.

b. Decorative Flags: Decorative flags and flags representing religious or charitable organizations, schools, bands, athletic teams, competitions, clubs, holidays, political parties, and special events may be displayed in a proper manner, provided however that the display of such a flag on any property shall be limited to two (2) flags for each acre of land contained in the property.

c. Governmental Flags: Governmental flags shall be displayed in a dignified, non-commercial manner. No such flag shall exceed sixty (60) square feet per face.

(9) Athletic Field Signs.

With the exception of scoreboards and wall signs permanently affixed to concession stands, signs erected on fences of athletic fields shall be displayed only during the normal program season. Such signs shall be erected at the beginning of the athletic season and shall be removed within seven (7) days after the last game of the season. Any other signs shall be approved by the Administrator (Sign).

11-603J. Administration.

(1) Application for Permit.

a. Where to apply: Any application for a sign permit shall be submitted to the Administrator (Sign) on a form supplied by the City.

b. Information required: The following information shall be submitted with an application for a sign permit-

1. Name, address, telephone number and signature of the owner or duly authorized lessee of the premises granting permission for the construction, operation, maintenance or displaying of sign or sign structure;

2. Name, address, telephone number, City business licenses number and signature of sign contractor, if any, including such contractor's business license number;

3. Legal description and/or street address of premises or property upon which the sign is to be located;

4. The approximate value of the sign to be installed including the installation cost;

5. Type of sign for which a permit is being sought;

6. One copy of a sketch, blueprint, blue-line print or similar presentation drawn with dimensions, showing elevation of the sign as proposed on a building facade, awning or canopy; provided, further, the relationship to other existing or proposed landscaping which is affected by such sign. If the sign is existing, a color photograph shall be submitted showing each side of the sign;

7. If requested by the Administrator (Sign), a copy of the stress sheets and calculations indicating that the sign is properly designed for dead load and wind pressure in any direction as required in Chapter 12 of the Standard Building Code;

8. If applicable, evidence of approval by the Planning Commission; and.

9. Such other information as the Administrator (Sign) may require which is necessary to verify full compliance with all applicable provisions contained in the Municipal Code.

(2) Free-standing Signs; Location Identification.

The location of a new free-standing sign shall be clearly identified by a white stake(s) visible above ground line at each location at which a support pole will be imbedded in the ground.

(3) Fees.

In order to defray some of the administrative costs associated with processing permit applications and inspections of signs, at the time of submission of an application for a sign permit, a nonrefundable application fee shall be paid for all signs except those which are to be erected for ninety (90) days or less. When application for a permit is approved and before a permit is issued, a permit fee shall be paid. Fees for applications, permits, appeals and variances shall be established by the City Council taking into consideration the costs incurred with the administration of this program. Notice of any proposed revisions to the fee schedule shall be published in the local newspaper of general circulation least fourteen (14) days prior to implementation.

Fees for temporary special event which are strictly for fund raising for an not-for-profit organization shall be waived by the Administrator (Sign).

(4) Contents of Permit.

Upon compliance with the provisions of this article, the Administrator (Sign) shall make a decision to issue, deny to issue with conditions a permit for such sign or sign structure within forty-five (45) days of receipt of a complete permit application. Permits shall be numbered and shall contain the following information:

b. Relocation of permit tag or sign: Under no circumstances shall the permit tag be moved from one sign to another nor may the sign to which it is attached be relocated to another location.

c. Transfer of ownership or dismantling or removal of a sign: In the case of ownership transfer, provided no changes are made to the sign, or, if a permitted sign is dismantled or removed, the Administrator (Sign) shall be notified.

d. Lost or illegible permit tag: If a permit is lost, defaced, destroyed, or otherwise becomes illegible through normal wear or an act of vandalism, a renewal application shall be submitted to the Administrator (Sign).

11-603K. Enforcement.

(1) Violation Notice.

The Administrator (Sign) shall have the authority to issue a sign violation notice and shall be empowered to enter upon the premises of any person subject to this article for the purpose of enforcing the provisions herein.

Depending on the nature of the violation, a person may be granted up to thirty (30) days to comply with this ordinance. This period may be extended for an additional thirty (30) days if it is determined by the Administrator (Sign) that compliance result in practical difficulties to the person.

(2) Violation Sticker.

When a sign requiring a permit under the terms of this ordinance is erected without a permit, the Administrator (Sign) shall use the following procedure:

a. Placement of Sticker: The Administrator (Sign) shall attach a highly visible sticker reading "Violation" to the face of the sign. The sticker shall include the date that it was attached to the sign and instructions to call the Administrator (Sign) to get a permit for the sign. It shall be unlawful for any person other than the Administrator (Sign) to remove the sign violation sticker attached to the sign.

b. Failure to obtain a permit: If, within seven (7) days, the owner of the sign fails to contact the Administrator (Sign), bring the sign into conformance with this ordinance, or obtain a permit for the sign, the Administrator (Sign) shall have the sign removed and impounded without any further notice.

(3) Impoundment of Signs.

a. Removal: The Administrator (Sign) shall have the authority

to remove all signs, without notice to the owners thereof, placed within any street or highway right-of-way, signs attached to trees, fenceposts, telephone and utility poles, other natural features, or signs otherwise prohibited by this article, and to impound them for a period of ten (10) days.

b. Recovery: The owner of a sign impounded may recover same upon the payment of fifty (\$50.00) dollars for each sign, prior to the expiration of the ten (10) days.

11-603L. Appeals and Variances.

The sign owner(s) may appeal the decision of the Administrator (Sign) to the City Planning Commission. Such appeal, including any appeal fee, shall be filed within fifteen (15) days of the receipt of an official notice of decision.

(2) This fee, if any, shall be established by the City Councilpersons in accordance with Sec. 11-603J (3).