

## ARTICLE XII

### SIGNS PERMITTED IN EACH ZONING DISTRICT, ADDITIONAL REQUIREMENTS, GENERAL PROVISIONS, EXEMPT SIGNS, PROHIBITED SIGNS AND NONCONFORMING SIGNS

#### SECTION 1 SIGNS PERMITTED IN EACH ZONING DISTRICT.

**Paragraph 1** The table below shows which type of sign (listed in the left hand column) is allowed in which zoning district(s) (columns labeled RA5 through HI). If there is an X in the column it means that the sign is allowed as a matter of right. If there is a C in the column it means the sign may be considered as an allowed use subject to the provisions of the conditional use article (ARTICLE X) of this ordinance. If there is a number in the column there are additional provisions and/or clarifications that apply to use of that type of sign in that zoning district. These provisions and/or clarifications will be found in the appropriately numbered paragraphs listed under Section 2 of this Article:

SIGN TYPE	ZONING DISTRICT									
	RA5	SR	SR 43	R1	R2 MR	R3	C1	C2	LI	HI
ANIMATER							C9	C9	C9	C9
DIRECTIONAL	X3	X3	X3	X3	X3	X3	X3	X3	X3	X3
DIRECTORY	X4	X4	X4	X4	X4	X4	X4	X4	X4	X4
FREE STANDING	X6	X6	X6	X6	X6	X6	X7	X7	X7	X7
GROUND	X2	X2	X2	X2	X2	X2	X2	X2	X2	X2
ILLUMINATED	X10	X10	X10	X10	X10	X10	X10	X10	X10	X10
NAME PLATE	X1	X1	X1	X1	X1	X1	X1	X1	X1	X1
OFF PREMISE								X11	X11	X11
PROMOTIONAL DISPLAY							X12	X12		
TEMPORARY	X5	X5	X5	X5	X5	X5	X 5,6	X 5,6	X 5,6	X 5,6
WALL	X2	X2	X2	X2	X2	X2	X8	X8	X8	X8

#### SECTION 2 ADDITIONAL REQUIREMENTS AND CLARIFICATIONS.

**Paragraph 1** Maximum size two (2) square feet and fixed flat to the main wall of a residence building, not exceeding one (1) per street frontage. Information is limited to the name of the occupant and address.

**Paragraph 2** Allowed for nonresidential uses; or at the entrance from a public street to a multiple family residence development, or a mobile home park, or a subdivision. Maximum number is one (1) per street frontage. Information is limited to the name of the facility, building or organization and address number. The maximum size is twenty-four (24) square feet. The maximum height is six (6) feet.

**Paragraph 3** When required to assist the flow of traffic in multiple residence development or other permitted uses containing multiple tenants or building groups. Not to exceed six (6) square feet in area and three (3) feet in height.

**Paragraph 4** When required in multiple residence development or other permitted uses containing multiple tenants or building groups. Not to exceed twenty-four (24) square feet in area and six (6) feet in height.

**Paragraph 5** The following temporary signs are permitted in all zoning districts:

A. For sale, lease or rent:

1. For each single and two-family residential use one (1) free standing for sale, lease or rent sign is allowed on each street frontage and on the lot for which it advertises. The maximum size shall be six (6) square feet in area and five (5) feet in height.

2. For all other uses one (1) free standing for sale, lease or rent sign is allowed on each street frontage and on the lot for which it advertises. The maximum size shall be thirty-two (32) square feet in area and eight (8) feet in height. In addition, one (1) for sale, lease or rent wall sign is allowed per each street frontage. The maximum size shall be twenty-four (24) square feet in area.

B. On site subdivision or development:

1. One (1) ground sign is permitted at each entrance to the subdivision or development from a public street. The maximum size shall be twenty-four (24) square feet. Each sign shall be located on the site for which it advertises and not closer than fifty (50) feet to any existing residential dwelling unit outside of the subdivision or development. All signs must be removed when the subdivision or development is sold out or at the end of five (5) years which ever comes first.

C. Off site weekend directional sign:

1. Off site directional signs to a subdivision or development or open house or garage sale or other special event are limited to six (6) square feet in area and a maximum of three in number. The signs shall be free standing and can only be placed on private property with the permission of

the property owner and can only be displayed seventy-two (72) consecutive hours.

D. Political signs:

1. One freestanding sign per each street frontage per each candidate or measure is allowed on private property with the property owners approval. The maximum sign shall be twenty-four (24) square feet in size and a maximum of six (6) feet in height. The signs may be displayed no sooner than ninety (90) days prior to the specific election to which they refer and must be removed within ten (10) days after the specific election to which they refer.

**Paragraph 6** Limited to allowed temporary signs only.

**Paragraph 7** The following free standing signs are permitted in the C1, C2, LI and HI zoning districts:

A. One sign is allowed per each public street frontage per lot.

B. Each sign can be a maximum of seventy-five (75) square feet in area, except for signs for commercial uses within one thousand (1,000) feet of Interstate Highway 10 and one hundred-fifty (150) feet of Interstate Business 10, may be maximum size of three hundred (300) square feet.

C. The maximum height shall not exceed twenty-five (25) feet, except for signs for commercial uses within one thousand (1,000) feet of Interstate Highway 10 and one hundred-fifty (150) feet of Interstate Business 10, may be a maximum height of eighty (80) feet.

D. Limited to a minimum height of ten (10) feet above ground surface immediately below the sign.

E. Each sign shall be no closer than thirty (30) feet to any residential zoning district.

**Paragraph 8** The following wall signs are permitted in the C2, LI and HI zoning districts:

A. A maximum of one sign is allowed per each public street frontage per principal building.

B. If the business has a rear parking lot, a sign is also allowed to the rear of the building.

C. Each sign can be a maximum of two (2) square feet for each linear foot of building frontage but in no event shall the sign exceed seventy-five (75) square feet in area.

D. The maximum height shall be no higher than the face of the building.

E. Limited to a minimum height of eight (8) feet above the ground surface immediately below the sign.

F. Each sign may project no more than eight (8) inches from the surface of the wall to which it is attached.

**Paragraph 9** Limited to non-residential uses and time and temperature signs only. Each sign shall be located on the site for which it advertises and not closer than fifty (50) feet to any existing residential dwelling unit.

**Paragraph 10** Lighting shall be installed so as to avoid any glare or reflection into any residential building or into any street, alley or driveway if such glare or reflection might create a traffic hazard.

**Paragraph 11** Off premise signs are allowed subject to the following:

A. They can be located only on lots that front on Interstate 10, Business 10 or State Route 95.

B. The maximum size shall be six hundred seventy two (672) square feet on lots that front on Interstate 10, and three hundred (300) square feet along Business 10 or State Route 95. (Ord. #02-02)

C. The minimum distance between off premise signs shall be five hundred (500) feet.

D. The minimum set back from Interstate 10 shall be one hundred-fifty (150) feet.

E. The minimum set back from Business 10 or State Route 95 shall be twenty-five (25) feet.

F. The maximum height shall be thirty-five (35) feet along Interstate 10 and twenty-five (25) feet along Business 10, or State Route 95.

**Paragraph 12** Limited to pennants, banners, balloons, streamers, flags and other attention attracting devices provided all promotional displays must be removed within six (6) days of closure of the business for which they advertise.

## **SECTION 3            GENERAL PROVISIONS.**

**Paragraph 1**        A sign building permit shall be obtained from the Town prior to the construction of a new sign, or alteration of the size, shape or location of an existing sign, and/or display of any sign.

**Paragraph 2**        All signs shall be constructed and attached, mounted, supported or erected in conformance with the adopted building codes of the Town including the electrical code.

**Paragraph 3**        All signs and sign structures shall be maintained to a safe condition. If the Town determines that a sign is not maintained in a safe condition, the Zoning Administrator shall notify the sign owner to repair the sign within forty-eight (48) hours. If the sign is not repaired or removed, the Town Council may cause the sign to be repaired or removed with the cost of same to be assessed to the sign owner.

**Paragraph 4**        Sign area shall be measured as follows:

A.     Each sign may be two-sided and the square footage shall be the measurement of one of the sides.

B.     For three (3) or more faces the sign area shall be fifty (50) percent of the sum of the areas of all faces. Spherical, free-form, sculptural or other non-standard shapes shall be determined by the Zoning Administrator.

C.     Individual letters or words or graphics mounted on a wall shall be measured by summing the rectangles that surround the individual letters, words or graphics.

D.     The square footage of a panel or background made to appear as a panel.

**Paragraph 5**        Except when specifically allowed otherwise, each sign shall be located on the lot for which it advertises, informs or otherwise attracts attention.

**Paragraph 6**        When located above or within two (2) feet of a sidewalk the minimum height shall be eight (8) feet above the grade immediately below the sign.

**Paragraph 7**        When located above a driveway the minimum height shall be fourteen (14) feet above the grade immediately below the sign.

**Paragraph 8**        Signs shall not project beyond the property lines.

## **SECTION 4            EXEMPT SIGNS.**

**Paragraph 1**        The following signs are exempt from permit:

- A. Official signs of a public or governmental agency.
- B. Signs on a vehicle operated in the normal course of business.
- C. On premise real estate signs not exceeding six (6) square feet.
- D. On premise agriculture signs not exceeding six (6) square feet.
- E. Signs not visible beyond the lot or parcel on which they are located.
- F. Private and commercial name plates and street address identification signs or no trespassing signs when such signs do not exceed two (2) square feet.
- G. On premise bulletin boards for charitable or religious organizations provided the signs do not exceed thirty-two (32) square feet.
- H. Political signs erected on private property no earlier than sixty (60) days prior to the day of voting and removed within ten (10) days after the day of voting.

**SECTION 5            PROHIBITED SIGNS**

- Paragraph 1**            All signs not specifically allowed herein.
- Paragraph 2**            Signs located within, on or projecting over any public right-of-way.
- Paragraph 3**            Roof sign.
- Paragraph 4**            Portable sign.
- Paragraph 5**            Projecting sign.
- Paragraph 6**            Pennants, banners, balloons, flags and similar displays except as provided for approved temporary signs.
- Paragraph 7**            Temporary signs except as allowed.
- Paragraph 8**            Signs mounted, attached or painted on trailers, boats or motor vehicles when parked, stored or displayed in a manner intended to attract the attention of the public for advertising purposes.
- Paragraph 9**            Dangerous sign.
- Paragraph 10**           Abandoned sign.

**Paragraph 11** Any sign that interferes with or confuses traffic or presents a traffic hazard.

**Paragraph 12** Signs with animation or intermittent illumination except for a time and temperature sign when a conditional use permit has been secured.

**Paragraph 13** Signs with audible devices except for freestanding drive-through menu boards.

**Paragraph 14** Signs that obstruct any door or fire escape of any building.

**SECTION 6 NONCONFORMING SIGNS.**

**Paragraph 1** Non conforming signs shall be subject to the following provisions:

A. Nonconforming signs shall be maintained in good condition including the repair or replacement of worn or damaged parts in order to return it to original state.

B. Nonconforming signs shall not be altered, reconstructed, replaced or relocated other than to comply with this section, except;

1. Reasonable repair and maintenance limited to a maximum total of fifty (50) percent of the sign's replacement costs.

C. Nonconforming signs shall be removed or brought into conformance with this ordinance when:

1. The sign structure has been taken down, removed, damaged or deteriorated by more than seventy-five (75) percent by any means.

2. The use of the sign or the property on which it is located has ceased, become vacant or been unoccupied for a period of one (1) year or more. The sign shall be removed within thirty (30) days of notice to do so by the Zoning Administrator.