

ARTICLE 10

SIGN AND BILLBOARD REGULATIONS

SECTION 10.0 SCOPE OF REGULATIONS: The regulations set forth herein shall apply and govern signs and billboards in all zones, except as otherwise specifically provided within this Ordinance.

SECTION 10.1 GENERAL RULES, REGULATIONS, AND LIMITATIONS:

- A. All business and identification signs shall be deemed accessory uses and all billboards shall be deemed non-accessory uses.
- B. No sign or billboard shall be erected, maintained, or continued unless it is in full compliance with the regulations for the zone in which it is located, all applicable provisions and regulations of this Ordinance or any other applicable laws, codes, or ordinances of the legislative body. The Zoning Administrator shall have the duty and authority to remove, as provided herein, any sign or billboard not in full compliance with all applicable provisions and regulations of this Ordinance or any other applicable laws, codes, or ordinances of the applicable legislative body when the owner or agent has failed to comply within the time specified by the Zoning Administrator to make said sign or billboard comply.
- C. For the purpose of the order, "sign" does not include signs erected and maintained pursuant to and in discharge of any government function, or required by any law, order, or governmental regulations.
- D. **TIME SCHEDULE FOR COMPLIANCE OF SIGN REGULATIONS:** Compliance with the provisions of this article of this Ordinance shall be according to the following time schedule:
 - 1. All new signs and billboards shall comply when erected.
 - 2. Except as herein provided, signs and billboards which become nonconforming upon the adoption of this Ordinance may be continued and maintained. Nonconforming signs and billboards may not be altered structurally unless such signs and billboards are brought into compliance with all the provisions of this Ordinance.
- E. No sign or billboard constituting a nuisance, because of light, glare, focus, noise, animation, flashing, intensity of illumination as to unduly disturb the use of surrounding properties, as determined by the Zoning Administrator, or causing a traffic hazard, shall be erected, maintained, or continued in any zone.

- F. No radio, phonograph, tape recorder, whistle, bell, gong, siren, or other sound or noise-making or transmitting device or instrument shall be allowed, permitted, or continued in connection with any sign or billboard, or may it be used separately for advertising purposes in any zone.
- G. No sign or billboard shall be erected, maintained, or continued which constricts the flow of air through any window or door.
- H. No sign or billboard shall be erected, maintained, or continued which is misleading, fraudulent, obscene, immoral, indecent, or unsightly in character, as determined by the Zoning Administrator.
- I. No billboard, except those of a governmental entity, shall be erected, maintained, or continued unless the name of the company or person owning, maintaining, or erecting said sign is plainly displayed thereon.
- J. No sign or billboard shall be erected, maintained, or continued over or into any street, public way, or alley right-of-way, unless specifically provided for within this Ordinance.
- K. It shall be unlawful and a violation of this Ordinance for any person to fasten, place, paint, or attach in any way any sign, handbill, poster, advertisement, or notice of any kind, whether political or otherwise, or cause the same to be done in or upon any curb-stone, lamp post, telephone pole, telegraph pole, electric light or power pole, hydrant, bridge, culvert, public drinking fountain, public trash container, courtesy benches, rest station building, tree, or in or upon any portion of any public sidewalk, street, or sign, except as specifically permitted within this Ordinance.
- L. No sign or billboard shall be erected, maintained, or continued upon the inside of a curve of a street which causes any interference to sight distance, as determined by the Zoning Administrator.
- M. No sign or billboard shall be erected, maintained, or continued displaying flashing or intermittent lights, or lights of changing degrees of intensity, with changed alternating on net less than a eight (8) second cycle.
- N. When any sign or billboard becomes defective or dangerous, as determined by the Zoning Administrator or building department, the Zoning Administrator shall have the power and the authority to remove, or cause to have removed, as provided by law, such sign or billboard when the owner or agent has failed to comply within the time specified by the Zoning Administrator to repair or make said sign or billboard safe. If the Zoning Administrator, or applicable building official, determines that said sign or billboard is of possible immediate danger to

persons or vehicles, which may be passing nearby, the Zoning Administrator shall place, or cause to have placed, signs or barriers indicating such danger. Whenever any sign or billboard, which does not comply with the provisions and regulations of this Ordinance, collapses, burns, or if said sign or billboard is removed from its location, except for normal maintenance, said sign or billboard shall not be replaced or reconstructed, except after review and approval by the Board of Adjustment. The Zoning Administrator shall have the power and authority to remove, or cause to have removed, any and all signs and billboards which have been determined to be a traffic hazard, when the owner or agent responsible for the maintenance of said sign or billboard has failed to eliminate such traffic hazards within two (2) weeks from the date that the written notice is mailed by the Zoning Administrator.

- O. Except as otherwise specified in this Ordinance, signs and billboards shall be in conformance with the building code, where applicable, and shall be subject to the inspection and approval.

SECTION 10.2 SIGN PERMIT REQUIRED FOR ERECTION OF SIGNS: No sign or billboard, except temporary signs, shall be erected, except as exempted or specified within this Ordinance, until all required fees have been paid to the proper authorities, or their agents, and a permit has been issued for such, by the Zoning Administrator.

- A. If any sign or billboard is removed and any new sign or billboard is erected in its place, a permit shall be obtained the same as if a new sign or billboard were erected at a new location, subject to all requirements enumerated herein.
- B. If any sign or billboard is removed for maintenance and replaced on the same supports, a new permit will not be deemed necessary if the size or type of sign or billboard is not changed.
- C. If any sign or billboard is removed from one location and erected at a new location, a new permit shall be obtained.
- D. Alteration or enlargement of any sign or billboard shall require a permit the same as for a new sign or billboard.
- E. No permit shall be granted until and after an application has been filed with the Zoning Administrator, showing the plans and specifications, including dimensions, materials, and details of construction of proposed structure nor until all provisions herein have been met.

SECTION 10.3 APPLICATION FOR A SIGN PERMIT:

- A. Application for a sign or billboard permit shall be made and submitted at the office of the Zoning Administrator on the appropriate forms furnished by said administrator.
- B. If any required information is left off of the application, or if any of the submitted information is misrepresented on the application, the permit shall be denied or shall become null and void if already issued, regardless of actual construction being started or completed.
- C. Any sign or billboard not erected or constructed as represented on the application upon which the permit was issued shall not be construed as a hardship case, but shall be construed as a misrepresentation of facts on the application and a violation of this Ordinance, and the owner or agent shall be given a two (2) week notice to remove said sign or billboard, or correct the error.

SECTION 10.4 SIGN PERMIT FEES: The fee for a sign or billboard permit shall be as provided for in the fee schedule or as otherwise established by the legislative body.

SECTION 10.5 PERMITTED USE AND LOCATION OF SIGNS: The following classes of signs may be erected and maintained:

- A. **RURAL ZONE:** Permitted signs within this zone may be either freestanding or wall-mounted unless otherwise specified; no freestanding sign may exceed eight (8) feet in height.
 - 1. One nameplate per residence; not exceeding two (2) square feet in area.
 - 2. One identification sign for a permitted home occupation, not exceeding thirty-two (32) square feet; maximum height of eight (8) feet.
 - 3. One identification sign for a permitted bed and breakfast facility, not exceeding thirty-two (32) square feet; maximum height of eight (8) feet.
 - 4. One identification sign for a farm or estate exceeding five (5) acres in size; not exceeding thirty-two (32) square feet. For farms exceeding 25 acres utilizing more than one point of access no closer than 600 feet, one additional non-illuminated or indirectly illuminated sign per entrance indicating the name of the farm and directional information as necessary to provide information as to the particular farm activity which must be served by only that point of access; not to exceed thirty-two (32) square feet in area; maximum height of eight (8) feet.
 - 5. One non-illuminated business sign advertising agricultural products grown or raised on the premises; not exceeding thirty-two (32) square feet in area.

6. All freestanding signs shall be set back at least five (5) feet from the front property line.
- C. COMMERCE ZONES: Each business in these zones shall be permitted to have permanent outside signs. Signs permitted under this section shall be limited to those as described below:
1. Each business shall be entitled to have a sign or signs which are mounted flush against a building (wall-mount) for each building face that is visible from a public street. The depth of such a sign from a face to the building shall not exceed two (2) feet. The area of such a wall-mount sign or signs shall be limited to a total surface area equivalent to two (2) square feet of sign area for each linear foot of building width occupied by such enterprise, not to exceed one hundred (100) square feet. The Board of Adjustment may grant a variance of the one hundred (100) square feet size limit if the franchisee of a national franchise company presents viable information that the franchisor requires a sign which larger in size in order to approve the location.
 2. Additionally, one (1) free-standing sign structure shall be permitted for each lot of one hundred (100) foot frontage or more; and one (1) additional freestanding sign structure if the lot has an additional one hundred (100) feet of lot frontage on a separate road (corner lots or double frontage lots. Where multiple businesses cohabit a site parcel, each business shall be entitled share the free standing sign. All such freestanding signs shall be set back at least five (5) feet from the front property line. All such free-standing signs shall not exceed one hundred (100) square feet.
 3. Free standing signs shall not exceed a height of twenty-five (25) feet.
 4. No illuminated business signs within a Commerce zone shall be located closer than thirty (30) feet to a Rural zone.
 5. Awnings with signage thereon shall be permitted to be used in lieu of the wall-mount sign in (1) above under the following conditions:
 - a. Such awnings shall extend no further than five (5) feet from the front of a building or to within one foot of the curb of the street to which the awning fronts.
 - b. Awnings shall have a clearance of eight (8) feet above the sidewalk and shall not be supported from the sidewalk.