

TITLE XV: LAND USAGE

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CHAPTER 153: SIGNS AND OUTDOOR DISPLAYS

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§ 153.01 PURPOSE.

The purpose of this chapter is to regulate the outdoor advertising industry to provide that safe structures are built and maintained; to maintain a neat, pleasant-appearing environment; to provide uniform standards of construction and maintenance; and to provide tax revenues by promoting the reasonable, orderly, and effective display of outdoor advertising. (1988 Code, § 9-8-1)

§ 153.02 DEFINITIONS.

For the purpose of this chapter, the following definition shall apply unless the context clearly indicates or requires a different meaning.

OUTDOOR ADVERTISING SIGN.

(1) A sign, including the supporting sign structure, which directs the attention of the general public to a business, service, or activity not usually conducted, or a product not usually offered or sold, upon the premises where the sign is located.

(2) None of the following shall be deemed an *OUTDOOR ADVERTISING SIGN*:

(a) Directional or other official signs authorized by law, including public utility signs (customarily erected and maintained by publicly or privately owned public utilities, as essential to their operations, but not advertising their product);

(b) Service club and religious notices;

(c) Signs advertising activities conducted on, or products sold on, the property upon which they are located; or

(d) Signs which have a significant portion of their face area devoted to giving public service information, such as, but not limited to, time, date, temperature, weather, or similar information. (1988 Code, § 9-8-2)

§ 153.03 SIGN CLASSIFICATIONS.

(A) *Spectacular sign.* A sign advertising copy usually animated, constructed of metal, wired for lights or luminous tubing, or both, with copy action controlled by the flashed circuit breakers or matrographs, and attached on an open face steel structure built especially for that purpose.

(B) *Ground sign.* A sign which is erected on a free-standing framework supported and affixed by one or more uprights or braces in or upon the ground.

(C) *Wall sign.* A sign affixed to the wall of any building, when the sign shall project not more than 12 inches from the building.

(D) *Projecting sign.* Any sign which is affixed to any building wall, or structure, and extends beyond the building wall, structure, building line, or property line more than 12 inches.

(E) *Marquee sign.* A projecting sign attached to or hung from a marquee; and that marquee shall be known to mean a canopy or covered structure projecting from and supported by a building, when the canopy or covered structure extends beyond the building, building line, or property.

(F) *Trailer-type or portable sign.* A movable sign which, if illuminated, must have permanent electrical connections.
(1988 Code, § 9-8-3)

§ 153.04 STRUCTURAL AND DESIGN REQUIREMENTS.

(A) Structural and design requirements shall conform to the Outdoor Advertising Rules and Regulations approved by the State Highway Commission in force or as amended. Signs in excess of 25 feet in height shall require the certification of a registered engineer as to the soundness of footing, construction, wind pressure, and working stresses. All electrical work shall be performed by a licensed contractor of this State.

(B) Signs projecting from a building or extending over public property shall maintain a clear height of nine feet above the sidewalk, and all signs of this type shall not extend closer than 18 inches to the curb line.

(C) (1) All signs shall observe setback requirements; shall not be placed with illumination that interferes with the effectiveness of any official traffic sign or device; cause beams or rays of light of such intensity or brilliance as to be mistaken for a warning or danger signal, or as to cause glare or impair the vision of any driver's operation of a motor vehicle; or which will impair the safe flow of traffic by actually physically intruding upon the right-of-way,

or by being of such a distracting nature so as to dangerously divert a driver's attention from the roadway.

(2) No sign may be erected or maintained which attempts or appears to attempt to direct the movement of traffic, or which interferes with, imitates, or resembles any official traffic sign, signal, or device.

(D) (1) Any outdoor advertising sign in existence on the effective date of this chapter, and which does not comply with the provisions of this chapter, may continue in existence as a matter of right until removed or destroyed.

(2) A landmark sign of historical or of artistic significance, which has been in place at the same location for a period of 25 years or more, may continue to be maintained. Any substantial change in size, lighting, or message content will terminate its status as a landmark sign.
(1988 Code, § 9-8-4) Penalty, see § 10.99

§ 153.05 PERMITTED AREAS.

Outdoor advertising signs which conform with the provisions of this chapter shall be permitted as a matter of right in C-1, PD, PC-C, and PD districts.
(1988 Code, § 9-8-5)

§ 153.06 SPACING REQUIREMENTS.

The spacing of signs shall conform to the Outdoor Advertising Rules and Regulations approved by the State Highway Commission; provided, however, that these spacing requirements shall not apply to structures that are separated by buildings or other obstructions in such a manner that only one sign located otherwise within the above spacing distances is visible from the highway at any one time.
(1988 Code, § 9-8-6) Penalty, see § 10.99

§ 153.07 PERMITS.

Applications for sign permits shall be obtained from the City Clerk/Treasurer, and shall be accompanied by an application fee of \$20 per sign. Completed applications shall be submitted to the City Council and, upon approval of this authority, shall be returned to the applicant for construction.
(1988 Code, § 9-8-7)

§ 153.08 UNSAFE SIGNS; REMEDIES.

(A) All signs for which a permit is required shall be kept in good and safe structural condition. Should any sign become insecure or in danger of falling, or otherwise unsafe in the opinion of the Building Inspector, the owner thereof or the person or firm maintaining same shall, upon written notice from the Building Inspector, forthwith in the case of immediate danger, and in any case within ten days, secure the same in a manner to be approved by the Building Inspector, in conformity with the provisions of this chapter, or remove the sign. If the order is not complied within ten days, the Building Inspector shall remove the sign at the expense of the owner or lessee thereof.

(B) In case any sign shall be installed, erected, or constructed in violation of any of the terms of this chapter, the Building Inspector or the City Clerk/Treasurer shall notify, by registered mail or written notice served personally, the owner or lessee thereof to alter the sign so as to comply with this chapter and zoning regulations, and to secure the necessary permit therefor, or to remove the sign. If the order is not complied within ten days, the Building Inspector shall remove the sign at the expense of the owner or lessee thereof.

(1988 Code, § 9-8-8) Penalty, see § 10.99

§ 153.09 VARIANCES, ADMINISTRATION, AND PENALTIES ADOPTED.

Variances, administration, and penalties shall be governed by Chapter 155 of this Code.
(1988 Code, § 9-8-9)

