

ARTICLE 23. SIGN CODE.

Sec. 10-600 Purpose of the Sign Code.

23.01.01 Statement of purpose.

The purpose of this sign code is to regulate all signs so as to protect the health, safety, and morals; promote the public welfare; enhance the quality of life in the community; and contribute to the economic vitality of the area. Principal features of the ordinance are to define advertising signage for the premises on which the sign is located, and the total sign area permissible per site.

Whereas, in order to maintain the same level of effectiveness, signs have had to become more aggressive, more numerous and more expensive, and, in some areas they threaten to go out of control, and in some areas are already out of control, thus defeating the purpose for which signage was created, and

Whereas, lack of control has caused dangerous conflicts between advertising signs on the one hand and traffic controls on the other, thus destroying the effectiveness of both, and, the situation has been aggravated by a great increase in automotive traffic, and

Whereas, outdoor signs suspended from or placed on top of structures and/or otherwise erected above the ground may become dangerous to the public, and

Whereas, the uncontrolled use of signs and of their shapes, motion, colors, illumination, plus their insistent and distracting demand for attention can be injurious to the mental and physical well-being of the public and can be destructive to adjacent property values and to natural beauty;

Now, therefore, it becomes necessary to reduce destructive competition between signs, and in the public interest to regulate the signs, location, character and other pertinent features of all exterior signs within the jurisdiction of the Greenwood Plan Commission.

23.01.02 Title.

This Code shall be known as the "Sign Code" of the City of Greenwood and may be so cited and pleaded and shall be referred to herein as the Sign Code.

23.01.03 Conflict, severability.

(a) If any portion of this code is found to be in conflict with any other provisions of any zoning, building, fire, safety or health ordinance of the codes of the City of Greenwood, the provision which establishes the higher standard shall prevail.

(b) If any section, subsection, sentence, clause or phrase of this code or its application to any person or circumstance is held invalid by the decision of any court of competent jurisdiction, the remainder of this code, or the application of the provisions to other persons or circumstances is in effect and shall remain in full force and effect. (Ord. No. 83-3, § 1, 3-21-83)

Sec. 10-601 Permits Required, Fees.

23.02.01 *Permits required.* Except as otherwise provided herein, it shall be unlawful for any

person to erect, construct, enlarge, move or convert any sign, or change the copy on an existing sign structure within the jurisdiction of the Greenwood Plan Commission, or cause the same to be done without first obtaining a sign permit for each sign from the Planning Director.

23.02.02 Application. Application for a permit shall be made to the Planning Director upon a form provided, and shall be accompanied by such information as may be required to assure compliance with the laws and regulations of the City, including, but not limited to:

(a) Name and address of the property owner of the premises on which the sign is located or is to be located.

(b) Name and address of the owner of the sign.

(c) Clear and legible drawings with description showing the location of the sign which is the subject of the permit, and all other signs whose construction requires permits, when such signs are on the same premises.

(d) Drawings showing dimensions, construction supports, sizes, electrical wiring and components, materials of the sign; method of attachment and character of structural members to which attachment is made. If required by the Planning Director, engineering data shall be supplied on plans submitted and certified by a duly licensed engineer.

(e) Any individual or company seeking to erect, construct, alter, repair, improve, maintain, convert or manufacture any sign adjacent to or visible from any state or federal roadway shall register, in writing, a statement that they have all necessary licenses and/or approvals from the other affected governmental agencies.

(f) Permission in writing from the person in possession or ownership of shopping centers and/or industrial premises shall be supplied as part of the application documentation.

23.02.03 Permit fees. The application, including all required documentation shall be filed with the Planning Director together with a permit fee as specified by the Plan Commission.

Fee Schedule. If any sign is hereafter erected, placed, installed or otherwise established on any property before obtaining a permit as required herein, the fees specified shall be doubled.

Payment of such double fee shall not relieve any person from compliance with other provisions of this code prescribed herein.

23.02.04 Effect of sign permit issuance. No permit for a sign issued hereunder shall be deemed to constitute permission or authorization to maintain an unlawful sign nor shall a permit issued hereunder constitute a defense in an action to abate an unlawful sign.

23.02.05 Nullification. With the exception of temporary sign permits, a **sign permit shall become null and void if the work authorized there under has not been started within a period of 3 years from the date of permit application, and completed within 7 years from the date of permit application.**

23.02.06 Permit exceptions. The following shall not be considered as creating a sign and therefore shall not be required to have a sign permit unless otherwise specified:

(a) Changeable Copy. The changing of advertising copy or message on an approved sign such as a theatre marquee, a changeable copy reader board, interstate billboards, electronic message centers and similar approved signs, that are specifically designed for use of replaceable copy.

(b) Maintenance. Painting, cleaning or other normal maintenance and repair of a sign or sign structure unless a structural change is involved, or a change in copy is involved.

(c) Temporary or Exempt Sign. Temporary Signs as listed per Sec. 10-607; and Exempt Signs per Sec. 10-606 of this code are exempt from permit requirements unless specified elsewhere.

Sec. 10-602 Administration and Penalties.

23.03.01 Enforcement. The Planning Director is hereby authorized and directed to enforce all the provisions of this code. Upon presentation of proper credentials, the Planning Director and/or his duly authorized representative(s) may enter in and upon, at reasonable times, any building, structure, property and/or premises in the City of Greenwood, Johnson County, Indiana, to perform any duty imposed upon him by this code.

23.03.02 Interpretation. Where there is any ambiguity or dispute concerning the interpretation of this code, the decision of the Planning Director shall prevail, subject to appeal as provided herein.

23.03.03 Right to appeal. Any person aggrieved by any decision or order of the Planning Director may appeal to the Greenwood Board of Zoning Appeals. The Planning Director shall take no further action on the matter pending the Board's decision, except for unsafe signs which present an immediate and serious danger to the public, as provided elsewhere in this code.

23.03.04 Penalties. Any person who violates this code shall be guilty of an infraction and, upon conviction, shall be punishable by a fine of not less than Ten Dollars (\$10.00) nor more than Three Hundred Dollars (\$300.00) and for each day on which any such violation continues, a separate offense will be deemed to be committed.

23.03.05 Civil Remedies. In addition to or instead of proceeding under Subsection 23.03.03, the Board of Zoning Appeals of the City of Greenwood, Johnson County, Indiana, or any enforcement official designated by this ordinance, may institute a suit for an injunction in the appropriate court of jurisdiction to restrain an individual or a governmental unit from violating this ordinance. The Board of Zoning Appeals, the Greenwood Plan Commission or any designated enforcement official may also institute a suit for mandatory injunction directing an individual or governmental unit to remove a structure erected in violation of this ordinance. A suit for mandatory injunction is an additional remedy which does not preclude any designated enforcement officials from utilizing any and all other statutory remedies available to the City of Greenwood for the enforcement of city ordinances.

23.03.06 Administration.

(a) All signs permitted in Sec. 10-610 (Interstate Highway Signage), shall be required to obtain a permit for erection, construction, enlargement, or conversion. This requirement shall not be construed to require a permit for each copy change on a sign that is constructed to facilitate changeable letters, or for billboard-type signs which are designed and intended for frequent copy changes.

(b) The permit application shall include:

- (1) a site plan showing the dimensions of the property, the location of all existing structures, and the location of the proposed sign;
- (2) a copy of a lease or other appropriate, verified statement demonstrating the consent of the property owner;
- (3) detailed construction plans and specifications of the sign structure and the original copy of the sign face;
- (4) a full sign permit fee.

Where there is ambiguity or dispute concerning the interpretation of this section, the decision of the Planning Director shall prevail, subject to appeal to the Greenwood Board of Zoning Appeals. Any party aggrieved by any decision or order of the Planning Director relating to this section may file an appeal with the Board within thirty (30) days of the decision. (Ord. No. 83-3, § 4, 3-21-83)

Sec. 10-603 Inspection, Removal, Safety.

23.04.01 Inspection. Signs for which a permit is required may be inspected periodically by the Planning Director and/or his/her agent for compliance with this and other codes of the City.

23.04.02 Removal of sign. The Planning Director may order the removal of any sign erected or maintained in violation of this code. He shall give thirty (30) days notice in writing to the owner of a permanent sign, or place a notice of such violation on the building, structure, property or sign in violation, to remove the sign or to bring it into compliance within 30 days of the notification. He shall give a three (3) day notice for temporary or portable signs. The Planning Director or his agent may remove a sign immediately and without notice if, in his opinion, and with the consent of the Mayor, the condition of the sign is such as to present an immediate threat to the safety of the public.

Any sign removed by the Planning Director and/or his agent, pursuant to the provisions of this section, shall be held by the City for redemption by the owner. To redeem, the owner shall pay all costs incurred by the City for removal. Should said sign not be redeemed within thirty (30) days of its removal, it may be disposed of in any manner deemed appropriate by the City. The cost of removal of the sign by the City shall be considered a debt owed to the City by the owner of the sign and owner of the property, and may be recovered in an appropriate court action by the City. The cost of removal shall include any and all incidental expenses incurred by the City in connection with the sign's removal.

23.04.03 Maintenance. All signs and components thereof shall be kept in good repair and in safe, neat, clean and attractive condition. Failure to comply will automatically revoke the permit after such noncompliance has been determined by the Planning Director and notice has been given to the owner of the sign as reflected by the records of the Planning Director.

23.04.04 Abandoned signs. A sign shall be removed by the owner or lessee of the premises upon which the sign is located when the business which it advertises is no longer conducted on the premises. If the owner or lessee fails to remove it, the Planning Director shall give the owner ten (10) days written notice to remove it. Upon failure to comply with this notice, the Planning Director or his duly authorized representative may remove the sign at cost to the owner. Where a successor to a defunct business agrees to maintain the sign(s) as provided in this code, this removal requirement shall not apply. The new sign user shall forthwith notify the Planning Director's office,

in writing, of this change. No new sign permit is required, unless the sign is altered or relocated. The Planning Director shall be notified in any matters relating to sign relocations.

23.04.05 Street improvement projects. Any sign projecting over a roadway right-of-way at the time of the effective date of this code which was subject to removal or relocation at the owner's expense, pursuant to a permit or other ordinance of the City, shall be removed by the owner, or altered at the owner's expense to comply with the regulations of this code if, as the result of, or after completion of a roadway improvement project, said sign does not or would not comply with the provisions of this code.

23.04.06 Assurance of discontinuance. As an additional means of enforcement the Planning Director may accept an assurance of discontinuance of any act or practice deemed in violation of this code or of any rule or regulation adopted pursuant thereto, from any owner or person engaging in such act or practice. Such assurance shall be in writing and shall specify a time limit during which such discontinuance is to be accomplished. Failure to perform the assurance shall constitute *prima facie* proof of a violation of this code, or any rule or regulation adopted pursuant thereto, which makes the alleged act or practice unlawful for the purpose of securing any injunctive relief from a court of competent jurisdiction. (Ord. No. 83-3, § 5, 3-21-83)

Sec. 10-604 Nonconforming Uses and Signs.

All illegal signs existing at the time of enactment of this ordinance shall be removed. Illegal signs are those which do not have a valid permit, or do not qualify as nonconforming under prior Ordinance 69-12.

All nonconforming signs shall be kept in good repair, safe, neat, clean and attractive condition. In the event signs are not kept in said condition or are demolished by any force whatsoever to the extent of fifty (50) percent of their use, said signs shall then conform to this ordinance.

Nonconforming signs which are structurally altered, relocated or replaced shall comply immediately with all provisions of this code. Nothing in this code shall be construed to give a legal status to any sign without a sign permit. (Ord. No. 83-3, §6 , 3-21-83)

Sec. 10-605 Prohibited Signs.

The following types of signs are expressly prohibited in all zone districts:

23.06.01 Abandoned signs. Such business signs that advertise an activity, business, product or service no longer conducted or available on the premises shall be prohibited and may be removed by the City, pursuant to Section 10-603, paragraph 23.04.04.

23.06.02 Animated and intensely lighted signs. No sign shall be permitted which is animated by means of flashing, scintillating, blinking or traveling lights or any other device or means not providing constant illumination. Public service information signs and other electronic message centers classified as "changing signs" are permitted under special provisions of this code.

23.06.03 Lights and balloons. Search lights, twirling signs, balloons or other gas-filled figures shall be prohibited except as grand opening signage permitted under a separate section of this Code.

23.06.04 Miscellaneous signs and posters. The tacking, pasting or otherwise affixing of signs of a miscellaneous character, visible from a roadway, located on the walls of buildings, barns, sheds, on

trees, poles, posts, fences or other structures; are prohibited unless otherwise permitted by this code.

23.06.05 Moving signs. No sign or any portion thereof shall be permitted which moves or assumes any motion, or gives the illusion of moving.

23.06.06 Off-premise signs. Off-premise signs shall be prohibited except as expressly permitted by this code.

23.06.07 Public areas. No sign shall be permitted which is placed on any curb, sidewalk, post, pole, electroliner, hydrant, bridge, tree or other surface located on public property, on public right-of-way or over or across any street or roadway, except as otherwise expressly authorized by this code.

23.06.08 Towers (water, radio, etc). No sign shall be placed on any tower or tank without the approval of the Plan Commission.

23.06.09 Unclassified signs. The following signs are also prohibited which:

(a) Bear or contain statements, words or pictures of an obscene, pornographic or immoral character or which contain advertising matter which is untruthful;

(b) Are painted on or attached to any fence or any wall which is not structurally a part of a building, except to identify a residence or residence structure by means of posting the name of the occupant or structure, and the street address;

(c) Operate or employ any stereopticon or motion picture projection or media in conjunction with any advertisements, or have visible moving parts, or any portion of which moves or gives the illusion of movements, except as permitted in this code;

(d) Emit audible sound, odor, or visible matter;

(e) Signs which purport to be, or are an imitation of, or resemble an official traffic sign, signal, traffic control device, or which bear the words "Stop", "Go Slow", "Caution", "Danger", "Warning", or similar words; except as permitted in subsection 23.07.04;

(f) Signs which, by reason of their size, location, movement, content, coloring or manner of illumination, may be confused with or construed as a traffic control sign, signal or device, or the light of an emergency or road equipment vehicle, or which hide from view any traffic or roadway sign or signal or device;

(g) Obstruct any door, fire escape, stairway, or any opening intended to provide air, egress or ingress for any building or structure;

(h) Were erected before the adoption and effective date of these regulations, and for which a proper permit was not issued;

(i) Are not included under the types of signs permitted in this code.

23.06.10 Swinging Signs: Overhead swinging signs are prohibited.

23.06.11 Signs affixed to semi-tractor-trailers of other large vehicle appurtenances: The trailer portion of a semi-tractor rig, box trucks, fire engines and other large vehicles shall not be parked in

a commercially or industrially zoned parking lot or driveway, or along or within a public street or roadway, to function as a freestanding sign.

23.06.12. Bench Signs: The use of benches as signs shall be prohibited.

23.06.13 Audio Signs: Signs or sign structures shall not emit music, noise, recorded speech, or other sounds designed to attract the attention of or to communicate with the general public for advertising purposes.

23.06.14 Banners and pennants as advertising signs. Banners and pennants that include the name of the business, logo, emblem, brand or other advertising text shall be prohibited unless utilized as a wall sign and regulated under the appropriate section of this Code for the zoning district wherein the sign is located and affixed at each corner to the wall of the building. Banners and pennants shall not be used as a freestanding sign or as a component thereof.

Sec. 10-606 Exempt Signs.

The following types of signs are exempted from the permitting requirements of this Code.

23.07.01 Business identification sign. An identification sign on or near (above or beside) a public entrance or service entrance to a business in a business, commercial, or industrial zone is permitted, provided such signs state only the street address number and/or name of the business or building. Such sign shall not exceed six (6) square feet. Such sign may be mounted flush against the wall or perpendicular to the wall (projecting over a sidewalk permitted, but not over a street within the public right-of-way). Such sign may be on the surface of a canopy or awning or be attached to the underside thereof.

23.07.02 Damaged signs. A sign erected under a legally-obtained permit, which is damaged or destroyed by wind, weather, or other accidental means beyond the control of the applicant, may be replaced or restored to its original size, shape and location (as prior to the accident) without obtaining an additional permit. Replacement of a damaged or destroyed sign with a new sign of different size, shape, or location from the original sign shall require a permit.

23.07.03 Integral signs. Names of building, date of erection, monumental citations, commemorative tablets and the like, when carved into stone, concrete or similar material or made of bronze, aluminum, or other permanent-type construction, and made an integral part of the structure.

23.07.04 Parking signs. Signs for public and private parking shall be permitted. Such signs shall be subject to a three-foot setback from right-of-way, and shall not be used for advertising purposes. Signs shall be no higher than six (6) feet and no greater than six (6) feet in area. Such signs shall be installed so as to not present a hazard to traffic entering or leaving the premises.

23.07.05 Private traffic direction signs. Signs directing traffic movement onto or within premises. Illumination of these signs shall be permitted in accordance with Sec. 10-606, Illumination. The leading edge of such signs shall be a minimum of three (3) feet from any curb or traffic movement aisle, and the sign shall be no higher than three (3) feet, and no greater than six (6) square feet in area.

23.07.06 Public signs. Signs of a noncommercial nature and in the public interest erected by or on the order of public officer(s) in the performance of his (their) public duty, such as safety signs, danger signs, trespassing signs, traffic signs, memorial plaques signs of historical interest, signs

directing the traveling public to public and quasi-public facilities, or signs on public buildings or structures, and the like. The Planning Director may, at his/her discretion, authorize the installation of public signs such as freestanding and multiple sided structures and located in the public rights-of-way that display direction information to residential developments.

23.07.07 Small signs. A nameplate which shall not exceed two (2) square feet in area is permitted for each dwelling unit of a single-family or row-structure; such nameplate shall state nothing other than the name and/or address of the occupant, and/or legal customary home occupation. No other sign shall be allowed. This paragraph shall not be construed to prohibit each dwelling unit from also displaying a house numbering plate for identification, or signs on the premises announcing rooms, apartments or house for rent and not exceeding four (4) square feet in area, provided that the signs are located at least ten (10) feet from the street right-of-way.

23.07.08 Social or charitable organizations. Signs indicating the names and locations of churches, charitable organizations, and community service organizations are permitted, provided that the sign area shall not exceed four (4) square feet, shall be located at least ten (10) feet off of the street right-of-way, and shall in no way obstruct the view of pedestrians or vehicular traffic. Such signs shall be permitted as "off-premises" signs; providing, however, such signs have a minimum spacing of five hundred (500) feet between any two (2) signs in this category on the same street frontage.

23.07.09 Vehicle signs. It shall be prohibited to park or use a vehicle in such a way as to function as a sign, defined to include the parking of any vehicle, trailer or similar movable structure containing or supporting any signage between the right-of-way line and any public street and the greater of two distances: forward of the Front Line of Building of the Principal Building or one hundred-fifty (150) feet from the public right-of-way, with the exception of:

- (i) Vehicles actively involved in construction on or serving of the site;
- (ii) Vehicles delivering products to the site in designated loading areas;
- (iii) Vehicles parked in designated truck parking areas of a development that have been screened from or are not generally visible from the public right-of-way;
- (iv) Vehicles parked on sites where parking is not available one hundred-fifty (150) feet or more from the public right-of-way. In such cases, vehicles supporting signage shall be located as far as possible from the public right-of-way, subject to determination by the Planning Director.
- (v) Passenger vehicles, pick-up trucks, and vans of a size that can fully fit within a standard parking space, containing signs painted on or permanently affixed on the doors or integral body panels that do not exceed sixteen (16) square feet in area.

23.07.10 Window signs. Window signs are permitted, provided such signs conform to the construction, illumination and safety regulations of this Code. (Ord. No. 83-3, § 8, 3-21-83)

23.07.11 Greenwood Parks and Recreation Department Signs. Signs erected on City property or public right-of-way, or on Park and Recreation Board property, by the Greenwood Parks and Recreation Department for general public information, directions, warnings, or park facility identification, shall be exempt from the standards and regulations of this Sign Code. Signs that provide advertising (paid or unpaid) for program sponsors or business services or products, when approved by the Greenwood Park and Recreation Board, shall also be exempt.

23.07.12 Holiday Decorations: Banners, pennants and other decorations may be used for decorative purposes, provided they include no business name, logo, brand, or other such advertising text, in association with established holiday celebrations. Banners and pennants shall be kept at

least ten (10) feet from any street right-of-way and located so as not to obstruct vision or otherwise create a hazard to traffic. Such decorations shall be located no earlier than 30 days prior to the holiday and removed within 5 days of the conclusion of the holiday or event.

23.07.13 City-recognized Special Events: Banners, pennants and other decorations may be used for decorative purposes, provided they include no business name, logo, brand, or other such advertising text (except that indicating sponsorship of said special event) in association with a City-recognized special events as proclaimed by the Mayor or Common Council. Banners and pennants shall be kept at least ten (10) feet from any street right-of-way and located so as not to obstruct vision or otherwise create a hazard to traffic. Such decorations shall be located no earlier than 30 days prior to the holiday and removed within 5 days of the conclusion of the event.

Sec. 10-607 Temporary Signs.

The following signs shall be permitted at any location within the City of Greenwood and shall not be required to have a permit unless otherwise specified:

23.08.01 Construction signs. Construction signs which identify the architects, engineers, contractors and other individuals, firms or financial institutions involved with the construction; but not including the advertisement of any product; and signs announcing the character of the building enterprise or the purpose for which the building is intended, during the construction period, and limited to a maximum sign area of thirty-two (32) square feet and a maximum height of 8 feet. The minimum setback shall be ten (10) feet from any street right-of-way. The sign shall be confined to the site of construction and shall be removed within thirty (30) days after the end of construction as determined by the issuance of a Certificate of Occupancy. A temporary sign permit shall be required.

23.08.02 Garage sale signs. Signs advertising the sale of miscellaneous household items for the purpose of a residential "garage" or "yard" sale shall not exceed six (6) square feet in area. Such signs may be erected on the premises one week in advance of the sale and shall be removed within forty-eight (48) hours after the sale.

23.08.03 Political campaign signs. Political campaign signs announcing the candidates seeking public political office shall be confined within private property and not within the street right-of-way, shall be permitted no more than thirty-one (31) days prior to the scheduled election, and shall be removed within five (5) days after the election for which they were made.

23.08.04 Real estate signs. A real estate sign advertising the sale, rental or lease of the premises or part of the premises on which the sign is displayed shall not exceed six (6) square feet in residential, and thirty-two (32) square feet in commercial zones. Such sign shall be removed within seven (7) days of the sale, rental or lease of the premises. The minimum setback from street right-of-way shall be ten (10) feet, however, said signs shall not be placed between the street and the sidewalk even if the minimum setback were to permit this arrangement. For properties along Interstate 65, real estate signs shall not exceed one-hundred (100) square feet and shall be setback from the interstate highway right-of-way a minimum of 20 feet. One sign per street frontage, as well as one for a common boundary with a waterway, golf course, public park or public trail shall be permitted per property; however, only one sign shall be permitted in all other instances. One off-premise "Open House" sign is permitted per residential property on weekends between the hours of 5:00 p.m. on Friday and 5:00 p.m. on Sunday.

23.08.05 Street banners. Street banners advertising a public entertainment or event and only for

locations designated by the Planning Director, during and for, fourteen (14) days prior and five (5) days after the event. A temporary sign permit shall be required.

23.08.06 Subdivision or multi-family sign. One temporary subdivision or multiple-family project identity sign indicating only the name and/or address of the premises and/or the name of the management. Such a sign shall not exceed thirty-two (32) square feet of face area and shall be located a minimum distance of ten (10) feet from any street right-of-way; excepting, however, that for each additional foot (beyond 10) that the setback distance is increased, the face area of the sign may be increased by one square foot, up to a maximum allowable size of one hundred (100) square feet. The maximum time period will be twelve (12) months from the date the temporary sign permit is issued. Such sign may be extended for another twelve (12) months by the Plan Commission or until the project is eighty-five (85) percent completed or occupied. Permanent identification signs may be obtained pursuant to Subsection 23.10.02 of this Article. The temporary sign shall be removed prior to or at the time of installation of a permanent subdivision or multi-family project sign. (Ord. No. 83-3, § 9, 3-21-83).

23.08.07 Grand Opening Signs. Temporary Grand Opening Signs shall be permitted in the commercial and industrial districts (including commercial PUD Districts) associated with the grand opening of a use upon the parcel whereon the signage is located. Temporary Grand Opening Signs shall be permitted in the residential districts (including residential PUD districts) associated with an open house, model home or multi-family residential development grand opening. Grand opening signage may be placed no more than seven (7) days prior to the event and shall be removed no more than three (3) days subsequent to the event, but in no instance remain more that fifteen (15) consecutive days. Only one grand opening event shall be permitted per use. A temporary sign permit shall be required.

23.08.08 Noncommercial opinion sign. One non-commercial opinion sign shall be permitted per parcel. Such sign shall have a maximum sign height of 8 feet and a maximum sign area of thirty-two (32) square feet. Said sign may be displayed for no more than 15 consecutive days with no more that 3 such events in any calendar year per record parcel. If, however, the noncommercial opinion sign is associated with a remonstrance or referendum, then the sign shall be erected no earlier than 14 days prior to the statutory commencement of the remonstrance period or 30 days prior to a referendum and be removed immediately upon the completion of the remonstrance period/election.

23.08.09 Banners as Temporary Wall Signs: For new tenants coming to a building or shopping center, a banner may be used as a temporary wall sign provided the length of time for which the banner is used shall not exceed thirty (30) days or the date that the permanent wall sign is installed, whichever occurs first. For banners used to advertise a property or space for sale or lease, a banner may be used as a temporary wall sign provided the length of time for which the banner may be used shall not exceed one-hundred eighty (180) days.

23.08.10 Portable Freestanding Signs Associated with a Permitted Use in a Business, Commercial or Industrial Zoning District. . Each business may be permitted forty (40) days of temporary signage per calendar year subject to the following:

- (i) Signage shall be on-premise;
- (ii) Sign size shall not exceed thirty-two (32) square feet per face;
- (iii) Sign height shall not exceed 8 feet;
- (iv) Only one sign shall be permitted with a maximum of two signs permitted per parcel;
- (v) Sign shall not encroach within any public right-of-way; nor be located between the

- right-of-way and a sidewalk; nor encroach upon or impede mobility upon a sidewalk
- (vi) A temporary sign permit shall be required.
 - (vii) Unless otherwise specified by the applicant, the temporary sign permit shall expire 10 days from the date of issuance; however, should the applicant specify an alternate commencement date, the duration of sign display shall not exceed 10 consecutive days. Applicant may not apply for a permit earlier than thirty (30) days prior to the commencement date.
 - (viii) Once the temporary sign permit has expired, no business shall be permitted another temporary permit for thirty (30) subsequent days;
 - (ix) No business shall receive more than 4 temporary sign permits in any calendar year, provided the total duration displayed for temporary signage shall not exceed forty (40) days.
 - (x) The use of removable letters on temporary signs is prohibited.

Sec. 10-608 Illumination.

23.09.01 All illuminated signs must meet the standards as specified in the National Electrical Code.

23.09.02 No sign shall have blinking, flashing, or fluttering lights, nor shall any device be utilized which has a changing light intensity, brightness or color or gives such illusion.

23.09.03 The full number of illuminating elements thereof shall be kept in satisfactory working condition or immediately repaired or replaced. Signs that are only partially illuminated shall meet all electrical requirements for that portion directly illuminated. All electrical wiring shall be in conduit and not exposed to the elements or external stress in any way. All electrical signs shall have a disconnecting switch located in a readily accessible place.

23.09.04 Neither the direct nor reflected light from a primary light source shall create a traffic hazard to operators of motor vehicles on public and/or private roadways.

23.09.05 The light from any illuminated sign in any zoning district shall be so shaded, shielded or directed that the light intensity or brightness shall not exceed three-tenths (0.3) foot-candle at the property line upon any adjoining property located in a residentially zoned district or above one-half (0.5) foot-candle upon any adjoining non-residential property. (Ord. No. 83-8, § 10, 3-21-83)

23.09.06 Electronic Message Centers. Electronic Message Centers, whether monochrome or multi-color, shall be permitted in commercial and industrial zoning districts. Electronic Message Centers shall also be permitted for schools and churches in residential, commercial or industrial zones subject to the regulations established in this Ordinance.

Sec. 10-609 Sign Standards by Zone Districts.

23.10.01 General.

23.10.01.1 The following sign standards by districts are intended to include every zone district within the jurisdiction of the City of Greenwood. The zones are as defined in the zoning ordinance and official zone map. Only signs as described herein, and as may be described under Temporary Signs, Section 10-607 and Exemptions, Sections 10-606, shall be permitted in each particular zone.

23.10.01.2 If any zone is omitted from this ordinance, or if a new zone is created after enactment of

this ordinance, no sign shall be permitted therein until this ordinance has been amended to include the new zone.

23.10.02 Residential.

23.10.02.1 Scope. This section of the sign code shall apply to all zones designated by the zoning ordinance as AG, SF, R-1, R-2, R-2A, R-2B, R-3, and R-4, Single Family, Multiple-Family, Cluster Housing, Condominiums, High-Rise Apartments or any variety of these. (Ord. 02-01, § 9 Add R-2B, 2-18-02)

23.10.02.2 AG, SF, R-1, R-2, R-2A, and R-2B Residential (Light Living Densities).

(a) One nameplate not exceeding a combined area of two (2) square feet in area is permitted. Said nameplate shall not be subject to the permit requirements of this code.

(b) One sign in conjunction with home occupations as stated in the Definitions section is permitted provided the sign shall not be greater than 4 square feet in sign area and is mounted flush against the wall of the residence. Freestanding signs for home occupations shall be prohibited. No illumination shall be permitted.

(c) One church, school or public building sign, not exceeding one-hundred (100) square feet in area. Such sign may be illuminated but shall conform to Sec. 10-608, Illumination and 11.2.4 below. A wall sign stating only the name and/or purpose of the church, school, or public building shall be permitted. Freestanding signs associated with this section shall not exceed twenty (20) feet in height.

(d) Any sign as permitted under Temporary, Sec. 10-607, and Exemptions, Section 10-606, of this code.

(e) One temporary subdivision identity sign as permitted under Temporary, Sec. 10-607 of this code. Such sign shall not be illuminated. In the event the subdivision has entries from more than one street, additional identity signs may be permitted for each additional entry.

(f) Two permanent subdivision identity signs shall be permitted per entrance. Any temporary signs as provided in paragraph (e), above, shall be removed by the property owner or tenant when a permanent sign is erected. Signs shall not exceed a maximum height of eight (8) feet. Signs may be placed on sign structures or decorative walls and/or fences, including masonry walls. Signs may be illuminated in accordance with Section 10-608, Illumination.

23.10.02.3 R-3 & R-4 Residential (Medium & Heavy Densities).

(a) For each duplex and/or multiple-family building, one (1) nameplate per occupancy not to exceed two (2) square feet in area is permitted. Such nameplate shall not be subject to the permit requirements of this code. No illumination shall be permitted.

(b) One sign in conjunction with home occupations as stated in the Definitions section is permitted provided the sign shall not be greater than 4 square feet in sign area and is mounted flush against the wall of the residence. Freestanding signs for home occupations shall be prohibited. No illumination shall be permitted.

(c) One church, school or public building sign, not exceeding one-hundred (100) square feet in area. Such sign may be illuminated but shall conform to Sec. 10-608, Illumination and 11.2.4 below. A wall sign stating only the name and/or purpose of the church, school, or public building shall be permitted. Freestanding signs associated with this section shall not exceed twenty (20) feet in height.

(d) Any sign as permitted under temporary, Sec. 10-607 and exemption, Sec. 10-606 of this code is permitted. Only the multi-family project identity sign may be illuminated, but shall conform to Sec. 10-608, Illumination.

(e) For funeral homes or mortuaries, a nonilluminated nameplate shall be permitted, provided it is not greater than thirty-two (32) square feet in area.

(f) One permanent multi-family project identity sign shall be permitted. In the event the project has entries from more than one street, additional identity signs may be permitted one per entrance. Any temporary sign as provided in paragraph d above shall be removed when a permanent sign is erected. Signs shall not exceed a maximum height of eight (8) feet. Signs may be placed on sign structures or decorative walls and/or fences. Signs may be illuminated in accordance with Section 10-182, Illumination.

23.10.02.4 Location

(a) Permanent identity signs for a single-family or two-family subdivision or for a multi-family project shall be placed a minimum distance of ten (10) feet from any street right-of-way. The face of any such sign shall not exceed thirty-two (32) square feet in area. Excepting, however, for each additional foot (beyond 10) that the setback distance is increased, the face area of the sign may be increased by one square foot; up to a maximum allowable size of one hundred (100) square feet.

(b) Building-mounted signs shall be flush mounted. There shall be no projection of any sign above the roof line.

(c) All signs shall be placed a minimum of ten (10) feet from any street right-of-way.

(d) Permitted signs shall not be placed on utility easements or drainage easements as defined on recorded plats or site plans without the express consent of the Board of Public Works and Safety.

(e) Signs shall not be placed as to interfere with the sight path of vehicular traffic.

(f) The height of any ground sign shall be such that no part of the sign structure shall exceed a maximum height of eight (8) feet above grade level.

23.10.03 Business and professional.

23.10.03.1 Scope. This section of the code shall apply to all zones designated by the zoning ordinance as B-1 - Business, which includes professional offices.

23.10.03.2 Permitted Signs.

(a) Ground Sign:

- (1) Limit of One. One ground sign indicating the name and nature of the business shall be permitted for each business parcel. Such ground sign shall not be illuminated if adjoining a residential use.
- (2) Height. The height of any ground sign shall be such that no part of the sign structure shall exceed a maximum height of eight (8) feet.
- (3) Size and Location. A ground sign shall be placed a minimum distance of ten (10) feet from any street right-of-way. The face of any such sign shall not exceed thirty-two (32) square feet in area.

(b) Wall Sign: Wall signs shall be permitted on each building. Total sign area shall be one and one-half square feet for each lineal foot of building frontage; however, in no instance shall such signage exceed one-hundred (100) square feet for a single business. Location shall be as explained in 23.10.04.4. Such wall sign shall not be illuminated. The face area may be increased by seventy-five (75) percent if the sign is for two (2) or three (3) businesses, and may be increased by one hundred (100) percent if the sign is for more than three (3) businesses.

23.10.04 Commercial and Industrial.

23.10.04.1 Scope

This section of the code shall apply to all zones designated by the zoning ordinance as C-1, C-2, C-3, I-1, and I-2, Neighborhood Shopping, Tourist Commercial, General Commercial, Industrial and Planned Industrial Uses.

23.10.04.2 Permitted Signs

23.10.04.2.1 Permitted Signs for Free Standing Buildings Including Free Standing Buildings Located at Strip and Enclosed Mall Shopping Centers, or within an Integrated Commercial Subdivision.

(a) Ground Signs. Either one ground sign or one pole sign (but not both) indicating only the name and nature of the occupancy shall be permitted for each business parcel. Such sign shall not exceed one hundred (100) square feet in area (except as permitted in Sections 23.10.04.3 and 23.10.04.2.3 hereof) and a pole sign shall not exceed thirty-five (35) feet in height. Such sign shall be installed in accordance with location criteria as explained in paragraph 23.10.04.4. Such ground sign may be illuminated as provided in Sec. 10-608, Illumination, or as approved by the Planning Director or the Plan Commission.

(b) Freestanding Buildings located at Strip and Enclosed Mall Shopping Centers, or within an Integrated Commercial Subdivision.

One ground sign indicating only the name and nature of the occupancy shall be permitted for each free-standing building at a strip or enclosed mall shopping center. Ground signs shall not exceed eight (8) feet in height. Said sign shall not exceed one-hundred (100) square feet of sign face area. Said sign may be illuminated in accordance with Section 10-608. Sign shall not be placed within any visibility triangle created by the intersection of public streets.

(c) Wall Signs. Wall signs for freestanding buildings shall meet the following requirements:

- (1) Front Wall. Signage on a building wall with street frontage shall be permitted four (4) square feet for each lineal foot of building frontage up to a maximum of two-hundred (200) square feet;
- (2) Side Wall. Signage on a side wall of a building shall be permitted two (2) square feet for each lineal foot of building depth up to a maximum of one-hundred (100) square feet;
- (3) Rear Wall. Signage on a rear wall of a building shall be permitted one (1) square foot for each lineal foot of the rear wall up to a maximum of fifty (50) square feet.
- (4) Wall signs may be illuminated in accordance with the requirements of Section 10-608, Illumination, or as approved by the Planning Director or Plan Commission.
- (5) A freestanding building situated on a corner lot (with two street frontages) may have front wall signage on both walls with street frontage. The other building walls would be considered one side and one rear wall.
- (6) Signage on an awning or canopy attached to a business (B-1), commercial (C-1, C-2, C-3) or industrial (I-1, I-2) building shall be considered to be part of the wall signage for that wall of the building and shall be included when calculating maximum square footage allowed.

(d) Marquee Signs. Marquee signs are permitted on the face of marquees subject to approval of the Plan Commission. The lower edge of the marquee sign shall be no less than eight (8) feet above the sidewalk at any point. Unless otherwise approved by the Plan Commission, no part of such sign shall project above the roof line.

(e) Bench Signs. Bench signs shall be prohibited.

(f) Portable Signs. Portable signs as specified in Section 10-607, 23.08.10 shall be permitted.

23.10.04.2.2 Permitted Signs for Strip Shopping Centers and Commercial Subdivisions.

(a) Pole Signs. Strip shopping centers and commercial subdivisions shall meet the following requirements:

- (1) One pole sign shall be permitted, per street frontage;
- (2) Such sign shall indicate only the name and location of the shopping center or commercial subdivision and the tenants/occupants therein;
- (3) Such sign shall have a maximum surface area not exceeding two hundred (200) square feet; except as otherwise permitted in Subsection 23.10.04.3 hereof;
- (4) Where a strip shopping center or commercial subdivision has in excess of three hundred (300) feet of street frontage, one additional pole (free standing) sign may be approved by the Plan Commission.

- (5) Where a strip shopping center or commercial subdivision is authorized by the Plan Commission to have more than one pole (free standing) sign, the distance between each sign shall be not less than two hundred (200) feet;
- (6) Such signs may be illuminated as provided in Sec. 10-608, Illumination or as approved by the Plan Commission.

(b) Wall Signs. Wall signs for strip shopping centers and for freestanding buildings shall meet the following requirements:

- (1) Front Wall. Signage on a building wall with street frontage shall be permitted four (4) square feet for each lineal foot of building frontage up to a maximum of two-hundred (200) square feet;
- (2) Side Wall. Signage on a side wall of a building shall be permitted two (2) square feet for each lineal foot of building depth up to a maximum of one-hundred (100) square feet;
- (3) Rear Wall. Signage on a rear wall of a building shall be permitted one (1) square foot for each lineal foot of that rear wall up to a maximum of fifty (50) square feet.
- (4) Wall signs may be illuminated in accordance with the requirements of Section 10-608, Illumination, or as approved by the Planning Director or Plan Commission.
- (5) A freestanding building situated on a corner lot (with two street frontages) may have front wall signage on both walls with street frontage. The other building walls would be considered one side and one rear wall.
- (6) Signage on an awning or canopy attached to a business (B-1), commercial (C-1, C-2, C-3) or industrial (I-1, I-2) building shall be considered to be part of the wall signage for that wall of the building and shall be included when calculating maximum square footage allowed.

(c) Marquee Signs. Marquee signs as provided in Section 23.10.04.2.1(d) shall be permitted.

(d) Bench Signs. Bench signs shall be prohibited.

(e) Portable Signs. Portable signs as provided in Section 10-607, 23.08.10 shall be permitted.

23.10.04.2.3 Permitted Signs for Enclosed Mall Shopping Centers.

(a) Pole Signs. All pole signs at enclosed mall shopping centers shall meet the following requirements:

- (1) One pole sign shall be permitted along each street or highway right-of-way abutting such enclosed mall shopping center;
- (2) Such sign shall indicate only the name and location of such enclosed mall shopping center or the businesses comprising the same;
- (3) Such sign shall have a maximum surface area not exceeding three hundred

(300) square feet; except as otherwise permitted in Section 23.10.04.3;

- (4) Where an enclosed mall shopping center has in excess of six hundred (600) feet of street frontage along any given street or highway right-of way, one additional pole (free standing pole) sign may be approved by the Plan Commission for placement along such public street, highway or road right-of-way provided that the distance between such signs along such street or highway right-of-way shall be not less than five hundred (500) feet;
- (5) Such sign shall not exceed thirty-five (35) feet in height;
- (6) Such signs may be illuminated as provided in Sec. 10-608, Illumination, or as provided by the Plan Commission.

(b) Wall Signs. Wall signs shall be permitted on each wall facing the enclosed mall shopping center's parking lot. Maximum sign area on each of such walls shall be two (2) square feet for each lineal foot of building frontage on such parking lot; however, in no instance shall any individual sign exceed four hundred (400) square feet. Such sign shall indicate only the name and location of said business and/or products and services available therein. Location shall be as explained in paragraph 23.10.04.4. Such wall sign may be illuminated as provided in Sec. 10-608, Illumination or as approved by the Plan Commission. Signage on an awning or canopy attached to a business (B-1), commercial (C-1, C-2, C-3) or industrial (I-1, I-2) building shall be considered to be part of the wall signage for that wall of the building and shall be included when calculating maximum square footage allowed

(c) Marquee Signs. Marquee signs as provided in Section 23.10.04.2.1(c) shall be permitted.

(d) Bench Signs. Bench signs shall be prohibited.

(e) Portable Signs. Portable signs as provided in Section 10-607, 23.08.10 shall be permitted.

23.10.04.2.4 Signs for Off-premises Industrial Parks. Off-premise signs shall be permitted for directing the traveling public to industrial parks (strip shopping center or malls not included) providing the following requirements are met:

- (a) A permit shall be obtained prior to the erection of the sign;
- (b) Such sign shall indicate only the name, location, and information about the park itself - products or services shall not be advertised;
- (c) Such sign shall have a maximum sign face area of one hundred (100) square feet, a minimum height of nine (9) feet above grade level - and a maximum height of twenty-five (25) feet above grade - a minimum setback of ten (10) feet from street right-of-way;
- (d) Such sign shall be a minimum distance of five hundred (500) feet from any residential zoning district;
- (e) Such sign shall be a minimum distance of five hundred (500) feet from any other "off-premises" sign.

23.10.04.2.5. Signs for Industrial Buildings and Industrial Parks.

(a) Park Identification Signs. One ground sign identifying the industrial park or industrial subdivision shall be permitted for each street frontage. Such sign shall indicate only name and location of the industrial park or subdivision. Where the park or subdivision has in excess of five-hundred (500) feet of street frontage, additional signs may be approved by the Plan Commission provided such signs are spaced at least five-hundred (500) feet apart or located at separate street entrances to the park or subdivision.

(b) Freestanding Building Identification Signs. One ground or pole sign identifying the occupancy of an industrial building or facility shall be permitted for each street frontage of a parcel or lot. Such sign shall be on the same site as the identified occupancy. Such sign shall indicate only the name, location and nature of the occupancy.

(c) Signs permitted in 23.10.04.2.5(a) and (b) above shall meet the following requirements:

- (1) Maximum sign area of the sign shall not exceed two hundred (200) square feet;
- (2) Maximum height of the sign shall not exceed twenty-five (25) feet;
- (3) Minimum front yard setback distance from the street right-of-way shall be ten (10) feet;
- (4) Minimum side or rear yard setback distance from property line shall be fifteen (15) feet;
- (5) The sign may be illuminated as provided for in section 10-608, Illumination, or as approved by the Plan Commission.

(d) Wall Signs. Wall signs for freestanding buildings shall meet the following requirements:

- (1) Front Wall. Signage on a building wall with street frontage shall be permitted four (4) square feet for each lineal foot of building frontage up to a maximum of two-hundred (200) square feet;
- (2) Side Wall. Signage on a side wall of a building shall be permitted two (2) square feet for each lineal foot of building depth up to a maximum of one-hundred (100) square feet;
- (3) Rear Wall. Signage on a rear wall of a building shall be permitted one (1) square foot for each lineal foot of that rear wall up to a maximum of fifty (50) square feet.
- (4) Wall signs may be illuminated in accordance with the requirements of Section 10-608, Illumination, or as approved by the Planning Director or Plan Commission.
- (5) A freestanding building situated on a corner lot (with two street frontages) may have front wall signage on both walls with street frontage. The other building walls would be considered one side and one rear wall.
- (6) Signage on an awning or canopy attached to a business (B-1), commercial (C-1, C-2, C-3) or industrial (I-1, I-2) building shall be considered to be part of the wall signage for that wall of the building and shall be included when calculating maximum square footage allowed.

23.10.04.3 Signs Advertising More Than One Business.

Signs advertising more than one business shall be permitted subject to the following:

(a) If two (2) or three (3) businesses are served, the maximum permitted sign area shall be increased to an area no greater than seventy-five (75) percent larger than the total area permitted for a single business.

(b) If more than three (3) businesses are served by such advertising, the total area shall be increased to no more than double the area permitted for a single business.

(c) In no instance shall a sign exceed four hundred (400) square feet on any face.

23.10.04.4 Location

(a) Ground or Pole Signs. All ground or pole signs shall be subject to a minimum setback from any street right of way of not less than ten (10) feet; and shall not be installed in a manner that obstructs vision of, or otherwise creates, a hazard to traffic entering or leaving the premises. Ground and pole signs shall be no closer to the side property line than fifteen (15) feet. Ground or pole signs shall comply with the following standards for “visibility triangles” at street and driveway intersections:

(1) No fence, wall, hedge, tree or shrub planting or other similar item which can obstruct sight lines at elevations between 2.5 and 8 feet above the street shall be permitted to remain on any corner lot within a triangular area formed by the street right-of-way lines and a line connecting points 25 feet from the intersection of said street right-of-way lines for local and collector streets or 50 feet from the intersection of said street right-of-way lines for arterial streets. In the case of rounded rights-of-way, the lines shall be extended to the intersection.

(2) The same sight line limitations shall apply to any lot within ten (10) feet from the intersection of a street right-of-way line with the edge of driveway pavement or alley line. No driveway shall be located within 70 feet of the intersection of two street centerlines. If the available distance is less than 70 feet, the driveway shall be located at the greatest distance from the intersection of the street centerlines.

The Plan Commission reserves the right to restrict the maximum height of a ground sign or the minimum height of a pole sign or the width and bulk of sign poles or other structural parts in instances where a sign is proposed to be located within the visibility triangles as described above.

(b) Wall Signs. Unless specifically permitted elsewhere in this Sign Code or otherwise approved by the Plan Commission, all wall signs shall be flush-mounted on the building surface and shall not project above the roof line.

(c) Marquee Signs. Unless otherwise approved by the Plan Commission, all marquee signs shall be flush-mounted on the marquee surface; shall not project above the roof line; and shall be no less than eight (8) feet above grade and/or sidewalk at any point.

(Ord. No. 83-3, § 11, 3-21-83)

Sec. 10-610 Interstate Highway Signage.

23.11.01 Purpose and intent.

The purpose of this section is to control and regulate off-premises and on-premises advertising signage along interstate highways located within the jurisdiction of the Greenwood Plan Commission in a manner that is fair and equitable.

With this intent in mind, the scope includes, but is not necessarily limited to, regulations that cover location, size, site and construction specifications, illumination, maintenance, and administrative procedures necessary to carry out effective control. Regulations within this Section (10-610) apply to signs located within six hundred sixty (660) feet of the nearest edge of intersection highway right-of-way. Signs located more than six hundred sixty (660) feet from an interstate right-of-way shall be governed by the other appropriate sections of this ordinance.

23.11.02 Permitted locations.

Outdoor advertising structures and signs are permitted along an interstate highway where the site is zoned commercially or industrially according to Greenwood Zoning Ordinance No. 82-1, subject to the specifications and requirements of this Sec. 10-610.

23.11.03 Prohibited signs.

The following types of outdoor advertising signs are prohibited:

(a) Signs which are illuminated or animated by means of flashing, fluctuating, scintillating, blinking, or traveling lights or any other means not providing constant illumination as provided herein. Public service information signs and electronic message centers are excluded from this provision.

(b) Signs which advertise illegal activities, are obscene, contain untruthful copy, are improperly mounted or erected, or represent a traffic hazard.

23.11.04 Size and height restrictions.

| Type | Min. Setback | Min. Height | Max. Height | Max. Face Area | Permitted Location |
|-----------|--------------|-------------|-------------|----------------|--------------------|
| Billboard | 20' | 12' | 40' | *750 sq.ft. | On-or Off Premise |
| High-Rise | 65' | 50' | 85' | 550 sq.ft. | On-Premises Only |

* includes extensions

On back-to-back or "V-ed" double-faced sign structures, the maximum face area shall be permitted for each face. Signs or advertising structures with more than two (2) faces shall be prohibited.

Extensions to the basic rectangular billboard type sign face area shall not exceed a maximum of four (4) feet along the top and one foot on the sides and bottom; providing, however, no extensions along the bottom shall encroach upon the twelve (12) foot minimum height requirement.

Minimum and maximum heights shall be measured from the grade level at the base of the sign.

23.11.05 Minimum proximity.

There shall be a minimum spacing of one thousand (1,000) feet between any type of off-premise outdoor highway advertising structures and signs on each side of the interstate highway.

No off-premises billboard shall be allowed within five hundred (500) feet of an interchange. Said five hundred (500) feet to be measured along the interstate from the beginning or ending of pavement widening at the exit from or entrance to the main traveled way. (See illustration at Page 952.1) This five hundred (500) foot prohibition does not apply to on-premise signs which otherwise meet the requirements of this ordinance. (Ord. No. 83-3, §12, 3-21-83)

23.11.06 Structure specifications.

(a) All pole and structural members shall be of steel. All billboard type signs shall be mounted on single-pole or I-beam structures. High-rise type signs may be erected on one or more steel support structures. All members shall be painted.

(b) All frames surrounding poster or bulletin signs shall be of painted metal, rough sawn cedar, or of a framing material of equivalent quality.

(c) Each sign structure shall have the name, address, and telephone number of the owner posted thereon. On sign structures utilizing electricity for illumination and so forth, the sign structure shall feature Underwriter's Laboratory approval of said installation.

(d) A sign may be mounted with two (2) faces back-to-back (or "V-ed") at an angle not to exceed sixty (60) degrees.

(e) When a structure is constructed in such a manner as to have copy material facing in a single direction, the exposed rear of the sign and the structural members shall be finished and maintained to a degree equal to that of the copy side of the sign.

(f) All lighting intended to illuminate copy on an outdoor interstate highway sign shall be mounted below the sign and directed upward towards the copy in order to prevent spillover into surrounding uses.

(g) All signs and structures shall be kept in good repair and in a safe, neat, clean, and attractive condition. Failure to comply with the maintenance requirements as determined by the Planning Director following an inspection of the sign may result in revocation of the sign permit. Should the lack of maintenance of the sign provide an immediate threat to public health, safety, or welfare, as determined by the Planning Director, he shall order, in writing, the immediate removal of the sign by the sign owner on record or may, with written notice, undertake immediate removal of the sign himself.

(h) The Planning Director shall, following his inspection of the sign and notification of the sign owner of record, order the removal of any obsolete or abandoned sign by the sign owner of record, or undertake removal of the sign himself. (Ord. No. 83-3, § 12, 3-21-83)

Sec. 10-611 Changing Signs

Changing signs consist of two distinct types of signs: electronic variable message signs and electronic billboards

23.12.01 Electronic variable message signs (EVMS) shall comply with the requirements of this section in addition to all other provisions of this chapter.

(a) *Districts permitted.* Electronic variable message signs shall be permitted as a component of a sign in the ROS, C-1, C-2, C-3, I-1 and I-2 Districts. Additionally, a non-residential use permitted by special exception shall be permitted to maintain an electronic variable message sign as a component of a sign in the AG, R-1, R-2, R-2A, R-2B, R-3, R-4 and R-6 Districts.

(b) *Additional development standards for EVMS.*

(1) *Where permitted.* EVMS shall be permitted as a component of a sign for any freestanding use or integrated center.

(2) *Permitted sign types.* EVMS shall be permitted as a component of any pole or ground sign for freestanding uses or integrated centers. In addition, freestanding uses shall also be permitted EVMS as a component of wall signs.

(3) *Amount of a sign that can contain an EVMS.* The portion of a sign dedicated for an EVMS shall not exceed forty (40) percent of the sign size.

(4) *Distance separation from a signalized intersection.* No sign containing an EVMS as a component shall be located within one hundred twenty-five (125) feet of any signalized intersection of two (2) or more streets. The distance shall be measured from the point where the existing right-of-way lines of the intersecting streets meet. In a case where rounded or cut property corner exists, this measurement shall be taken from the point of the intersection of the existing rights-of-way lines, as extended. The distance shall be measured along the right-of-way line from the point of intersection.

(5) *Distance separation from a residential use.* EVMS shall not be located within three-hundred (300) feet of any residential use.

(6) *Duration.* In all districts the full sign image or any portion thereof must have a minimum duration of 6 seconds and must be a static display. No portion of the image may flash, scroll, twirl, change color, or in any manner imitate movement.

(7) *Transition.* In all districts where the full sign image or any portion thereof changes, the change sequence must be accomplished by means of fading, dissolving, scrolling or traveling, and be completed in no less than 1 second but no more than 2.0 seconds.

(8) *Brightness.* The sign must not exceed a maximum illumination of 460 foot candles during daylight hours and a maximum illumination of 46 footcandles for the time period between one half-hour before sunset and one half-hour after sunrise as measured from the sign's face at maximum brightness, measured at grade level within 10 feet of the sign face.

(9) *Dimmer Control*. Electronic graphic display signs must have an automatic dimmer control to produce a distinct illumination change from a higher illumination level to a lower level for the time period between one half-hour before sunset and one half-hour after sunrise.

(10) *Fluctuating or Flashing Illumination*. No portion of any sign may fluctuate in light intensity or use intermittent, strobe or moving light or light that changes in intensity in sudden transitory bursts, streams, zooms, twinkles, sparkles or in any manner that creates the illusion of movement.

(11) *Video Display*. No portion of any sign may change its message or background in a manner or by a method of display characterized by motion or pictorial imagery, or depicts action or a special effect to imitate movement, or the presentation of pictorials or graphics displayed in a progression of frames that give the illusion of motion or the illusion of moving objects, moving patterns or bands of light or expanding or contracting shapes.

(c) Portable or temporary EVMS shall be prohibited.

23.12.02 Any billboard utilizing electronic display techniques in whole or in part must meet the following operational standards:

(a) *Duration*. In all districts the full billboard image or any portion thereof must have a minimum duration of 20 seconds and must be a static display. No portion of the image may flash, scroll, twirl, change color, in any manner imitate movement, or meet the characteristics of a flashing sign;

(b) *Transition*. In all districts where the full billboard image or any portion thereof changes, the change sequence must be accomplished by means of instantaneous re-pixelization;

(c) *Brightness*. The sign must not exceed a maximum illumination of 460 footcandles during daylight hours and a maximum illumination of 46 footcandles for the time period between one half-hour before sunset and one half-hour after sunrise as measured at grade within 10 feet of the sign's face at maximum brightness;

(d) *Dimmer control*. Electronic graphic display signs must have an automatic dimmer control to produce a distinct illumination change from a higher illumination level to a lower level for the time period between one half-hour before sunset and one half-hour after sunrise;

(e) *Audio or pyrotechnics*. Audio speakers or any form of pyrotechnics are prohibited in association with a billboard;

(f) *Fluctuating or Flashing Illumination*. No portion of any billboard may fluctuate in light intensity or use intermittent, strobe or moving light or light that changes in intensity in sudden transitory bursts, streams, zooms, twinkles, sparkles or in any manner that creates the illusion of movement; and

(g) *Video display*. No portion of any billboard may change its message or background in a manner or by a method of display characterized by motion or pictorial imagery, or depicts action or a special effect to imitate movement, or the presentation of pictorials or

graphics displayed in a progression of frames that give the illusion of motion or the illusion of moving objects, moving patterns or bands of light or expanding or contracting shapes

Sec. 612 through 615 Reserved for Future Use.

Sec. 10-616 Penalties for Violation.

Violation of the provisions of this Article or failure to comply with any of its requirements shall constitute an ordinance violation. Any person who violates this Article or fails to comply with any of its requirements shall be fined not less than Twenty-Five Dollars (\$25.00) and not more than Three Hundred Dollars (\$ 300.00) and, in addition, shall pay all costs and expenses involved in the case.

Each day such violation continues shall constitute a separate offense.

The owner or tenant of any building, structure, premises or any part thereof, and any architect, builder, contractor, agent, or other person who commits, participates in, assists in, or maintains any such violation may each be found guilty of a separate offense and shall suffer the penalties herein provided. (Ord. No. 84-15, § 1, 3-5-1984)

Sec. 10-617 through Sec. 10-625 Reserved for Future Use.