

Town of Vinton:

DIVISION 7. SIGN REGULATIONS*

*Editor's note: Ord. No. 887, adopted June 16, 2009, amended division 7 in its entirety to read as herein set out. Former division 7, §§ 5-41--5-56, pertained to similar subject matter, and derived from Ord. No. 754, adopted August 21, 2001; Ord. No. 789, adopted August 19, 2003; and Ord. No. 845, adopted February 20, 2007.

Sec. 5-41. Purpose, applicability and definitions.

(a) *Purpose.* The purpose of this division is to provide comprehensive sign regulations, which will promote and carry out the following objectives of the town:

- (1) To regulate the type, placement, and size of signs and other graphic devices within the town;
- (2) To ensure equity in the distribution of the privilege of using the public environment to communicate private information;
- (3) To emphasize assets of community appearance and high environmental quality in promoting business, industry and economic development;
- (4) To promote the public health, safety, and welfare of the public by prohibiting improperly designed or located signs which could distract, confuse, mislead, obstruct vision or create traffic hazards or other hazards to the community;
- (5) To protect property values by improving the quality of the environment;
- (6) To promote the economic growth of the town by creating a community image that is conducive to attracting new business and industrial development;
- (7) To permit reasonable legibility and effectiveness of signs and to prevent their overconcentration, improper placement and excessive height, bulk, density, and area;
- (8) To provide for the reasonable advertising of business and civic products and services, with recognition of the effects of signage on the character of the community.

(b) *Applicability.* The regulations contained in this division shall be applicable to signs in all districts. No sign shall be erected, constructed, installed or attached except in conformity with all of the provisions set forth in this division for the particular sign in the district in which it is located.

(c) *Definitions.* Definitions of a sign, the various types of signs and the method of measuring the area of signs.

(1) *Sign.* A presentation of letters, numbers, figures, pictures, emblems, insignia, lines of colors, or any combination thereof which can be viewed from a public right-of-way, private road or another property, and which is displayed for the purpose of information, direction or identification or to advertise or promote a business, service, activity, interest or product, or any otherwise lawful noncommercial message that does not attract attention to a business operated for profit or to a commodity or service offered for sale.

(2) *Sign, animated.* Any sign having a conspicuous and intermittent variation in illumination, message or physical position of any or all of its parts. A time and/or temperature display which changes its messages not more than once every five seconds or any permitted flag or banner which is entirely dependent upon wind for movement shall not be considered an animated sign.

(3) *Sign, banner.* A sign applied to cloth, paper, flexible plastic, nylon, canvas or similar material, and generally intended to be displayed on a temporary basis. No banner sign may be converted to a permanent sign.

(4) *Sign, billboard.* A sign used as an outdoor display for the purpose of advertising or promoting a business, service, activity or product which is not located, offered for sale or otherwise related to use of the premises on which such sign is situated. A "billboard sign" may also be referred to as an "off-premises sign."

(5) *Sign, electronic message board.* A sign which is electronically controlled and which displays event and/or related advertising information for a business which is located on the same premises as the sign, on which the intensity of illumination is maintained at a constant level, and on which the message screen may not change

more frequently than every five seconds. The message may scroll no more than ten words in a sequence, and must remain static for a minimum of five seconds before changing. The message shall not flash.

(6) **Sign, freestanding.** Any affixed sign which is a monument sign or which is supported by upright poles, posts or braces at least three inches in diameter, or five inches if measured diagonally. A freestanding sign shall be considered a structure within the meaning of this appendix.

(7) **Sign, fuel pump accessory.** A sign attached to a gasoline pump or to the island in which the gasoline pump is located, which identifies acceptable methods of payment or other important information related to the use of the pumps and sale of fuel. These signs may not contain any advertising matter for the gas station or its products.

(8) **Sign, fuel pump topper.** A sign located on the top of gasoline pumps, which may display the price per gallon of gasoline or advertisements for products sold on the premises.

(9) **Sign, historic site.** A sign erected and maintained by a public agency, or nonprofit historical society, that identifies the location of, and provides information about, a historic place or event. A maximum of 20 square feet in area shall be allowed per sign and shall be permitted in all districts and not more than one site sign shall be permitted on a lot, subject to approval by the zoning administrator.

(10) **Sign, movable merchandise.** A sign which is not attached to a building or anchored within the ground and is capable of being moved easily from one location to another on its own chassis or by other means, which bears advertising matter for products which are sold on the premises. No movable merchandise sign may be converted to a permanent sign unless a new zoning permit is issued pursuant to section 5-56 of this appendix.

(11) **Sign, nonconforming.** A sign which was lawfully existing at the effective date of this appendix or subsequent amendment thereto, and which does not conform with the area, height, location, placement, type, number, lighting or other regulation pertaining to signs set forth in this appendix or an amendment thereto.

(12) **Sign, off-premises.** Any sign which directs attention to a message, or business, commodity, activity, service or product not conducted, sold, or offered upon the premises where the sign is located. These signs may also be known as location signs, billboards, outdoor advertising signs, or general advertising signs.

(13) **Sign, permanent.** A sign that is intended to be permanently in place for the duration of the permit use. Examples of permanent signs may include, but are not limited to wall signs, projecting signs, freestanding or monument signs, awning and canopy signs, permanent window or door signs, and on-site directional signs.

(14) **Sign, portable.** A sign consisting of a fixed message or a changeable message panel, and which sign is not attached to a building or anchored within the ground and is capable of being moved easily from one location to another on its own chassis or by other means. Portable signs may not be illuminated or include audio equipment. No portable sign may be converted to a permanent sign.

(15) **Sign, projecting.** A sign which is attached to and projects from a wall of a building so that the face of the sign is perpendicular or nearly perpendicular to the face of such wall.

(16) **Sign, public service.** A sign advertising a fair, carnival, festival, or similar event when conducted by or for the benefit of any civic, religious, educational, or charitable cause, provided that the sign shall be displayed no longer than 21 days per calendar year.

(17) **Sign, temporary campaign or election.** A sign announcing or advertising a political campaign, candidacy for public office, a matter to be voted on at public election, or similar activity of a temporary nature.

(18) **Sign, wall.** A sign which is painted on or attached flat against a wall, on the outside of a window or other vertical or nearly vertical surface of a building, and which extends no more than 15 inches from the building, and the message portion of which is parallel or nearly parallel to the surface to which the sign is attached.

(19) **Sign, window and door.** A sign that is applied or attached directly to the interior or exterior of a window or door, or that is suspended from or located within one foot of a window or door, so that it is visible from any street, sidewalk, or public or private outdoor common space. This term shall not include merchandise located in a window. The window sign area shall be the total area of the imaginary rectangles contiguous to and surrounding each word, picture, logo, logotype, symbol, banding, or graphic.

(20) **Sign area.** The area of the smallest individual rectangle, triangle or circle or combination of not more than two contiguous rectangles, triangles or circles which will encompass all elements of the sign which form an integral part of the display, including background, borders and structural trim. The area of a double-faced sign shall be construed to be the area of the largest single face of the sign, provided that the two faces are back-to-back or the interior angle formed by them does not exceed 30 degrees. A pole, post or similar structural support for a freestanding sign, including pole covers, shall be considered as part of the sign area if such pole, post, structural support or pole cover exceeds three feet in width or contains an integral part of the sign display.

(21) **Sign structure.** Any portion of a **sign**, including the area devoted to message or display, and all poles, posts, supports, uprights, bracing, framework, border, background and structural trim.
(Ord. No. 887, 6-16-2009)

Sec. 5-42. Exempted signs, displays and devices.

The following **signs**, displays and devices shall be exempted from the regulations contained in this division:

- (a) **Signs** not exceeding one square foot in area and bearing only property numbers, post box numbers or names of occupant of premises;
 - (b) Flags and insignia of a governmental unit except when displayed in connection with commercial promotions, and decorative flags or banners containing no advertising, commercial logo or message and not displayed as part of a commercial promotion or in connection with any presentation otherwise considered a **sign**;
 - (c) Legal notices; identification, informational or directional **signs** erected or required by governing bodies;
 - (d) Integral decorative or architectural features of a building, except for letters, trademarks, logos or moving parts or moving lights;
 - (e) Public service **signs** that do not to exceed 32 square feet in area.
 - (f) Memorial **signs** and historical markers pertaining to the site on which they are located, when erected and maintained by a public agency or not-for-profit organization;
 - (g) **Signs** not exceeding four square feet in area providing directions to a public use, provided such **signs** contain no advertising matter and are erected and maintained by a public agency or not-for-profit organization;
 - (h) **Signs** placed by a public utility showing the location of underground facilities;
 - (i) Nonilluminated **signs**, not more than four square feet in area, displayed on private property for the direction or convenience of the public and containing no advertising matter, including **signs** that identify restrooms, location of public telephones, freight entrances, no trespassing and similar **signs**;
 - (j) Political campaign or election **signs** located outside of public right-of-way, provided such **signs** are not erected for more than 120 days, each **sign** is not to exceed 32 square feet, and are removed within 14 days after the campaign or election to which they pertain;
 - (k) **Signs** on the inside of establishments, except those specified in subsections 5-43.2(d), (f), and (g). **Signs** located closer than 12 inches from any window or door, whose main purpose is to draw attention to a message, or business, commodity, activity, service or product conducted, sold, or offered upon the premises, shall not be exempted.
 - (l) **Signs** displayed on major holidays;
 - (m) Street address **signs**, not exceeding four square feet in area;
 - (n) Clocks that display time and temperature through the use of mechanical means or the controlled display of lights, provided these devices do not display any other message and do not change more than every five seconds;
 - (o) **Signs** displayed on a truck, bus, or other vehicle while in use in the normal conduct of business. This section shall not be interpreted to permit the parking for display purposes a vehicle to which a **sign** is attached or the use of such a vehicle as a portable **sign**.
 - (p) All **signs** placed within public right-of-way, including the Virginia Department of Transportation's Integrated Directional Signage Program, shall fall under the authority of the town manager or his authorized agent.
- (Ord. No. 887, 6-16-2009)

Sec. 5-43. General provisions.

Sec. 5-43.1. Signs in all districts.

- (a) All **signs** shall conform to applicable provisions of the International Building Code (IBC) and all amendments thereto.
- (b) Pennants, sandwich-board type **signs** and balloons or other air or gas-filled devices shall be permitted only for promotion of a new business within the RB, CB, GB, M-1, or M-2 districts, and shall be removed within 14 days after the opening of such business.
- (c) No **sign** shall be permitted to be nailed or otherwise affixed to any existing **sign** structure unless it is to become an integral part of such existing **sign** structure.
- (d) No **sign** shall be located, arranged or designed so that it interferes with traffic by any of the following means: glare; blocking of reasonable sight lines for streets, sidewalks or driveways; confusion with a traffic

control device by reason of its color, location, shape, or other characteristic; or any other means. If sign is to be placed on a corner lot, it shall be located outside of the visibility triangle, as described in article V, section 5-11, visibility at intersections, of this appendix.

(e) Except as specifically permitted in the CB district, no portion of any sign or its supporting structure shall extend beyond the property lines of the lot on which it is located or extend into or project over the right-of-way of a public street or alley.

(f) No wall sign or other sign shall be attached to or obstruct any window, door, stairway or other opening intended for ingress or egress or for needed ventilation and light.

(g) No person except a public officer or employee in performance of a public duty shall paste, paint, print, nail, tack, erect, place or fasten any sign, pennant, banner or notice of any kind within, facing or visible to any public street or public open space, except as provided for in this appendix.

(h) Within the CB, GB, M-1, and M-2 districts, and at shopping centers, the zoning administrator may issue permits for movable A-frame or "sandwich board" signs to be placed on private property unless permitted on the town sidewalks or right-of-way in locations approved by the zoning administrator. Such signs shall not project over any portion of a street nor shall they obstruct the sidewalk to less than four feet in width. Within the GB, M-1 and M-2 districts, such signs shall not be greater than six feet in height or two and one-half feet in width. Within the CB district, such signs shall not be greater than four feet in height or two and one-half feet in width. All such signs shall be of durable construction, and when displayed shall be anchored in a manner approved by the zoning administrator. Such signs shall only be displayed during business hours. Within the CB, GB, M-1 and M-2 districts, one sandwich board sign is permitted for each business and for shopping centers are not to exceed a total of 12 sandwich board signs.

(i) For gasoline service stations, self-service gasoline stations or convenience stores located within the CB district, GB district, M-1 and M-2 districts, and at shopping centers, the zoning administrator may issue a permit for the following signs:

(1) *Movable merchandise sign.* Such sign shall not project over any portion of a street nor shall it obstruct the sidewalk to less than four feet in width. Such sign shall not be greater than six feet in height or two and one-half feet in width, shall be of durable construction, and shall be anchored in a manner approved by the zoning administrator. Within the CB, GB, M-1 and M-2 districts, one movable merchandise sign is permitted for each gasoline station or convenience store. For gasoline stations located within shopping centers, the movable merchandise sign shall be counted towards the total of 12 sandwich board signs which are allowed for the shopping center. Such signs shall not be required to be taken in after business hours.

(2) *Fuel pump accessory sign.* Not more than two such signs shall be permitted to be displayed per each gasoline island, with the maximum of one sign being displayed on the end of each gasoline island that is visible from the public right-of-way. Each sign shall not exceed six square feet in area. Each sign shall count towards the maximum number of signs allowable in each district.

(3) *Fuel pump topper sign.* One such sign, not exceeding two square feet in area, shall be permitted for each gasoline pump station. Sign shall be permanently anchored to the top of the gasoline pump in a manner approved by the zoning administrator. Such sign shall not be counted towards the maximum number of signs allowable in each district, provided that the sign is not visible from the public right-of-way.

(j) A zoning permit shall be required for each sign or for any changes or additions to existing signs.
(Ord. No. 887, 6-16-2009)

Sec. 5-43.2. Prohibited signs.

(a) Any sign that due to its size, location, color, or illumination obscures a sign displayed by a public agency for the purpose of giving traffic or safety instructions or directions.

(b) Any sign, except an official public notice, which is nailed, tacked, posted, or in any other manner attached to any utility pole, or structure supporting wire, cable, or pipe; or to public property of any description.

(c) Any sign located within a public right-of-way, except for signs displayed by a duly constituted governmental authority, or those signs for which written authorization has been obtained from the town manager or his authorized agent.

(d) Flashing or revolving lights, or beacons intended to direct attention to a location, building or service, or any similar device otherwise displayed that imitates by its design or use, emergency service vehicles or equipment.

(e) Any sign that simulates an official traffic sign or signal, and which contains the words "STOP," "GO," "SLOW," "CAUTION," "DANGER," "WARNING," or similar words.

(f) Animated signs shall not be permitted in any district.

(g) Any **sign** or portion thereof that rotates, or otherwise moves through the use of electrical or wind power, with the exception of the following:

(1) The changing of messages on electronic message boards;

(2) Rotating barber poles not exceeding six feet in height and one foot in width.

(h) **Signs** advertising activities or products that are illegal under federal, state, or town law.

(i) Off-premises directional and advertisement **signs**. **Signs** directing and guiding traffic to a business which is not located on the property on which the **sign** is located, except for those directional **signs** which are permitted under subsection 5-42(g) of this appendix, or those **signs** for which written authorization has been obtained from the town manager or his authorized agent.

(Ord. No. 887, 6-16-2009)

Sec. 5-43.3. Illuminated **signs.**

(a) **Signs** may be illuminated either through the use of backlighting or direct lighting provided the following standards are met:

(1) Information on any illumination proposed as part of a **sign** must be provided by the applicant on the **sign** permit application.

(2) No light from any illuminated **sign** shall cause direct glare into or upon any building other than the building to which the **sign** is related.

(3) No light from any illuminated **sign** shall cause direct glare onto any adjoining piece of property or any adjoining right-of-way.

(4) Arrows or other directional indicators on a **sign** may not be illuminated.

(b) Any **sign** containing electrical components shall conform to current UL, ETL, CSA, or ULC standards and display a label from one of these recognized testing labs; or as an alternative, shall be designed and constructed to standards that would allow one of the above-referenced labels to be affixed and thereafter inspected to insure compliance with these standards.

(Ord. No. 887, 6-16-2009)

Sec. 5-43.4. Damaged or neglected **signs.**

(a) The zoning administrator shall have the authority to order the removal, without compensation, of any **sign** or **sign** structure that due to neglect or damage poses a clear danger to the health, safety, and welfare of the public.

(b) The town may collect the cost of such removal, obliteration or abatement from the person erecting, using, operating, posting or displaying such **signs**.

(Ord. No. 887, 6-16-2009)

Sec. 5-43.5. Historic **signs.**

(a) *Intent.* Identify the architectural, cultural, and historic significance to the town and encourage their preservation, enhancement, and maintenance.

(b) *Designation.* A **sign** may be designated historically significant if it was installed prior to January 1, 1960, and meets at least three or more of the following criteria:

(1) The **sign** exemplifies, symbolizes, or manifests elements of the cultural, social, economic, political or historic heritage of the town;

(2) The **sign** identifies with a person or persons or groups who significantly contributed to the history and development of the town, regional, state or national culture and history;

(3) The **sign** exemplifies one of the best remaining architectural type in a community; or contains outstanding or exemplary elements of attention to architectural design, detail, materials, or craftsmanship of a particular historic period.

(4) The **sign** is in a unique location or singular physical characteristic(s) represents an established and familiar visual feature of the neighborhood, community or the town;

(5) The **sign** has been in existence for more than 40 years and it possesses integrity of location, design, setting, materials, workmanship, feeling and association;

(6) The **sign** has been continually displayed for more than 40 years, with the exception of routine maintenance, repair or restoration;

(c) Designation of historic **sign**(s) shall be subject to approval by the zoning administrator.

(d) A zoning permit will be required for a historic **sign** and any historic **sign** displayed shall comply with all applicable provisions of the IBC and all amendments thereto.

- (e) A historic sign shall be restored to its original condition.
 - (f) A historic sign shall only be allowed in the following zoning districts: CB, GB, RB, M-1, and M-2 and shall be exempted from being included in the maximum permitted sign area and the maximum number of signs allowed in the designated districts.
- (Ord. No. 887, 6-16-2009)

Sec. 5-43.6. Obsolete signs.

- (a) Signs which have been abandoned or have become obsolete due to closing of a business, change in the nature of the business establishment, or for any other reason rendering the sign nonapplicable to the property upon which it is displayed, shall be painted out or otherwise removed by the owner of the building or premises upon which it is situated within 30 days from the date of the action that caused the sign to be abandoned or obsolete.
 - (b) Upon failure to comply within the time specified, the zoning administrator is hereby authorized to order painting out or removal of such sign within 30 days of written notification, and any incidental expenses thereto shall be paid by the owner of the building, structure or lot on which such sign is located.
- (Ord. No. 887, 6-16-2009)

Sec. 5-44. Portable signs.

Portable signs shall be permitted in designated districts subject to the following limitations.

- (a) Purpose. A portable sign shall be used only for the purpose of identifying or directing attention to the business, product, commodity or service conducted, sold or offered on the same lot where it is located.
 - (b) Size, location and lighting. Portable signs shall not exceed 32 square feet in area. No portable sign shall be located within five feet of any street right-of-way, other property line or any driveway. No portable sign shall be illuminated.
 - (c) Number of signs. Not more than one portable sign shall be permitted on a lot, except additional portable signs shall be permitted within a shopping center when spaced not less than 200 feet apart and when not more than one such sign is erected for a particular business.
 - (d) Duration and frequency. No portable sign shall remain on a lot for a period exceeding 21 days at a time, nor shall portable signs be placed on a lot more frequently than six times in a calendar year.
 - (e) Permits required. A zoning permit shall be required for each portable sign.
- (Ord. No. 887, 6-16-2009)

Sec. 5-45. Banner signs.

Banner signs shall be permitted as temporary signs in designated districts subject to the following limitations.

- (a) Purpose. A banner sign shall be used only for the purpose of identifying or directing attention to the business, product, commodity or service conducted, sold or offered on the same lot where such sign is located.
- (b) Area and number.
 - (1) The total area of all banner signs located on a lot at a time shall not exceed:

TABLE INSET:

Linear feet of building frontage on the lot	Maximum square feet of banner sign area
0--75	30
76--125	60
126 or greater	100

- (2) Maximum number of banner signs. Not more than one banner sign shall be permitted on a lot, except that:
 - a. On a building having frontage on more than one street, the maximum permitted area of banner signs shall apply to each frontage, provided that banner signs shall not be attached to more than two building frontages at a given time, nor shall more than one banner sign be attached to any building frontage. In no case shall a banner sign exceed 100 square feet of sign area.
 - b. Where more than one main building is located on a lot, or where more than one business occupies a building, no more than two banner signs may be displayed at one time, per 100 linear feet of lot frontage. In no

case shall more than one banner sign be displayed for each business. For lots with a combined width of 33 feet or less along their principal street frontage, the combined surface area of all banner signs for the lot shall not exceed 30 square feet.

(c) *Duration and frequency.*

(1) No banner sign shall be displayed for a period exceeding 21 days, nor shall banner signs be displayed on a lot more frequently than six times in a calendar year.

(2) Where more than one business is located on a lot, no banner sign shall be displayed on each business more frequently than six times per year, nor shall any banner sign be displayed for a period exceeding 21 days.

(d) *Attachment.* Banner signs shall be securely fastened in a manner to eliminate excessive movement and billowing and shall be capable of withstanding such minimum wind pressure as determined by the zoning administrator. A banner sign shall be removed immediately if it is not securely fastened or becomes torn or damaged, as determined by the zoning administrator. Banner signs shall be erected a minimum of seven feet above grade, except where mounted flush against the face of a building.

(e) *Permits required.* A zoning permit shall be required for each banner sign.

(Ord. No. 887, 6-16-2009)

Sec. 5-46. Signs permitted in all districts.

The following signs shall be permitted in all districts, and the area of such signs shall not be included in calculating the maximum permitted area of signs on any lot.

(a) *Temporary sale or lease signs.* One or more temporary signs not exceeding an aggregate area of six square feet pertaining to the sale, rental or lease of the premises on which they are located shall be permitted in the residential zoning districts, provided such signs shall not be illuminated. One or more temporary signs not exceeding an aggregate area of 18 square feet pertaining to the sale, rental or lease of the premises on which they are located shall be permitted in commercial or industrial zoning districts. Any such sign shall be located at least five feet from any public right-of-way and shall be removed within 14 days after the property has been sold, rented or leased. Zoning permits for such signs shall not be required.

(b) *Temporary construction signs.* Not more than three temporary signs not exceeding an aggregate area of 96 square feet identifying the use to be made of a building under construction on the property or identifying a contractor, architect, lending institution or other party involved with such construction shall be permitted, provided such signs shall not be illuminated and shall be removed upon completion or abandonment of construction. Any such sign shall be located at least five feet from any public right-of-way. Zoning permits for such signs shall not be required.

(c) *On-premises directional signs.* Signs directing and guiding traffic on private property, and bearing no advertising matter, when such signs do not exceed eight square feet in area. If freestanding, such signs shall not exceed four feet in height or be located within three feet of a street line or other property line. Zoning permits shall be required for such signs only if they are freestanding, contain advertising matter and visible from adjacent properties or streets.

(d) *Signs identifying public uses.* The following signs shall be permitted for any public-owned property to identify schools, parks, playgrounds, community centers and other public uses, subject to approval by the zoning administrator.

(1) Identification signs not exceeding in the aggregate 32 square feet in area. Such signs shall be attached flat against a main building or may include one freestanding;

(2) Not more than two bulletin or notice boards with an aggregate area not exceeding 32 square feet;

(3) Not more than two temporary signs or banner signs in connection with special events taking place on the premises, provided such signs shall not exceed an aggregate area of 32 square feet or remain on display for more than the duration of the event, plus one week prior to the event.

(4) A pole, post or similar structural support for a freestanding sign, including pole covers, with presentation of letters, numbers, figures, pictures, emblems, insignia, lines or colors, or any combination thereof, and which is displayed for the purpose of information, direction or identification or to advertise or promote activity, interest or product, or any lawful noncommercial message, should not be considered as part of the sign area.

(Ord. No. 887, 6-16-2009)

Sec. 5-47. Sign regulations in residential districts.

In addition to the regulations generally applicable to signs in all districts, the signs shall be permitted and the following regulations shall apply in the R-LD, R-1, R-2 and R-3 residential districts.

- (a) **Identification sign.** One identification sign not exceeding two square feet in area containing only the name of the premises and/or the occupant, or announcing a home occupation on the premises shall be permitted on each lot.
- (b) **Temporary signs.** In addition to permitted real estate and construction signs, one temporary civic or public event announcement sign not exceeding four square feet in area shall be permitted on a lot.
- (c) **Signs identifying residential neighborhoods.** A maximum of 32 square feet in area identifying the name of a residential neighborhood shall be permitted at each principal entrance to the neighborhood. No residential neighborhood shall be allowed more than two signs. Identification signs may include freestanding signs.
- (d) **Subdivision development signs.** One subdivision development sign shall be permitted advertising the sale, rental, lease, or trade of more than four lots or dwellings in the subdivision, provided such sign shall be located along a street within or at the entrance to the subdivision and shall not exceed 32 square feet in area. No such sign shall be displayed for longer than one year.
- (e) **Signs identifying nonprofit organizations.** The following signs shall be permitted for religious facilities and any nonprofit organizations:
- (1) Identification signs not exceeding in the aggregate 32 square feet in area. Such signs shall be attached flat against a main building or may include one freestanding sign.
 - (2) Not more than two bulletin or notice boards with an aggregate area not exceeding 32 square feet.
 - (3) Not more than two temporary signs or banner signs in connection with special events taking place on the premises, provided such signs shall not exceed an aggregate area of 32 square feet or remain on display for more than the duration of the event, plus one week prior to the event.
- (f) **Signs identifying certain uses.** Signs not exceeding aggregate 20 square feet in area shall be permitted identifying a townhouse development, multifamily use, nursing home, rooming or boarding house, tourist home or child or adult day care center. Such signs shall be attached flat against a main building or may include one freestanding sign.
- (g) **Freestanding signs.** The following restrictions shall apply to all freestanding signs permitted by the provisions of this section:
- (1) No freestanding sign shall exceed a height of eight feet.
 - (2) No freestanding sign shall be located within ten feet of any street line or other property line.
- (Ord. No. 887, 6-16-2009)

Sec. 5-48. Sign regulations in the R-B district.

In addition to the regulations generally applicable to signs in all districts, the following signs shall be permitted and the following regulations shall apply in the R-B residential-business district.

- (a) **Signs permitted in residential districts.** Any sign permitted in residential districts as set forth in section 5-47 of this article shall be permitted. In any case where the provisions of this section are less restrictive or permit a sign of greater area, height or dimension than permitted in a residential district, the provisions of this section shall govern.
- (b) **Wall signs.** Signs may be painted on or attached flat against a wall of a main building, provided that such signs shall not extend more than six inches beyond the surface of the building wall and shall not be attached to any roof. The total area of all wall signs shall not exceed 32 square feet.
- (c) **Window and door signs.** Signs shall not exceed 25 percent of the window or door area to which they are applied or attached, from which they are suspended, or through which they are displayed. No window or door sign shall be placed on the inside or outside of a window or door which will obstruct the view of the cashier and the counter area from the outside.
- (d) **Freestanding signs.** One freestanding sign shall be permitted on each lot, provided such sign shall not exceed 32 square feet in area or ten feet in height. No freestanding sign shall be located within ten feet of any street line or other property line.
- (e) **Projecting signs.** One sign, attached to and projecting from the face of the main building shall be permitted for the main building frontage. Signs, including poles or other support structures, shall not project greater than three feet from the face of the building, shall not be closer than two feet from any curb line, shall not exceed 12 square feet in area, and shall provide a minimum underclearance of seven feet. Any such sign shall not extend above the height of the wall to which it is attached. Signs that extend less than six inches from the surface of the building shall be considered wall signs.
- (f) **Portable signs and banner signs.** Portable signs and banner signs shall be permitted subject to regulations set forth in this division.
- (g) **Maximum number of signs.** Not more than four permanent signs shall be provided on a lot.

(h) *Maximum permitted sign area.* The aggregate area of all permanent signs located on a lot shall not exceed 76 square feet.

(Ord. No. 887, 6-16-2009)

Sec. 5-49. Sign regulations in GB and M-1 districts.

In addition to the regulations generally applicable to signs in all districts, the following signs shall be permitted and the following regulations shall apply in GB general business and M-1 limited industrial districts.

(a) *Maximum permitted sign area.* For lots with a combined width of 33 feet or less along their principal street frontage, the combined surface area of all signs for the lot shall not exceed 50 square feet. For all other lots the aggregate area of all permanent signs located on a lot shall not exceed one and one-half square feet for each linear foot of lot frontage along the street, nor in any case 500 square feet, provided that:

(1) In the case of a lot having frontage on more than one street, permitted sign area shall apply along each street frontage;

(2) In the case of a shopping center, the maximum area of signs attached to any portion of a building devoted to a particular tenant shall not exceed one and one-half square feet for each linear foot of building frontage devoted to such tenant, nor in any case 500 square feet. In addition thereto, each shopping center shall be permitted freestanding signs subject to the restrictions set forth in paragraph [subsection] (f) of this section.

(b) *Maximum number of signs.* Not more than five permanent signs shall be provided on a lot except a shopping center as defined in article X of this appendix.

(1) In the case of a lot having frontage on more than one street, and the main building having multiple tenants, not more than six permanent signs shall be allowed on the lot.

a. In no such case shall more than four permanent signs be displayed on a single lot frontage.

(c) *Wall signs.* Signs may be painted on or attached flat against a wall of a main building, provided such signs shall not extend more than six inches beyond the surface of the building wall and shall not be attached to any roof.

(d) *Window and door signs.* Signs shall not exceed 25 percent of the window or door area to which they are applied or attached, from which they are suspended, or through which they are displayed. No window or door sign shall be placed on the inside or outside of a window or door which will obstruct the view of the cashier and the counter area from the outside.

(e) *Projecting signs.* One sign attached to and projecting from the face of the main building shall be permitted for the main building frontage, provided that:

(1) Signs, including poles or other support structures, shall not project greater than four feet from the face of the building, shall not be closer than two feet from any curb line, and shall not exceed 32 square feet in area;

(2) Projecting signs with less than 15 feet clearance above the sidewalk shall not extend into or occupy more than two-thirds the width of the sidewalk measured from the building. In no case will a projecting sign be allowed to have an underclearance of less than seven feet;

(3) Any such sign shall not extend above the height of the wall to which it is attached;

(4) Projecting signs that extend less than six inches from the surface of the building shall be considered wall signs.

(f) *Awning and canopy signs.* Lettering, symbols and combinations thereof, constituting a sign, may be painted on or affixed to an awning or canopy attached to a main building, when such sign does not extend beyond the extremities of the awning or canopy.

(1) One awning or canopy containing a sign shall be permitted to be attached to each building frontage, provided that no projecting sign shall be attached to the same building frontage;

(2) Not more than one sign shall be attached to each face of an awning or canopy and no such sign shall exceed 50 square feet;

(3) Awnings and canopies with less than 15 feet clearance above the sidewalk shall not extend into or occupy more than two-thirds the width of the sidewalk measured from the building. In no case will an awning or canopy be allowed to have an underclearance of less than seven feet;

(4) Stanchions or columns that support awnings and canopies shall be located not less than two feet in from the curb line;

(5) Any awning or canopy which is not securely fastened or becomes torn or damaged as determined by the zoning administrator, shall constitute a violation of this article and shall be removed or repaired upon written order by the zoning administrator.

(g) *Freestanding signs.* One freestanding sign shall be permitted along each street frontage of 100 feet or more in length, provided that:

- (1) No freestanding sign shall exceed 100 square feet in area or 25 feet in height;
- (2) No freestanding sign shall be located within 50 feet of any lot in a residential district, or within five feet of any street right-of-way line, other property line or driveway intersecting a street;
- (3) Where more than one freestanding sign is permitted on a lot as a result of the lot having multiple street frontages, the distance between freestanding signs on the same lot shall be not less than 100 feet;
- (4) In the case of a shopping center, one freestanding sign not exceeding 200 square feet in area or 35 feet in height shall be permitted when no other freestanding signs are located on the shopping center site or any adjacent out-parcel or pad site.
- (h) *Portable signs and banner signs.* Portable signs and banner signs shall be permitted subject to the regulations set forth in this division.
(Ord. No. 887, 6-16-2009)

Sec. 5-50. Sign regulations in the CB district.

In addition to the regulations generally applicable to signs in all districts, the following signs shall be permitted and the following regulations shall apply in the CB central business district.

(a) *Maximum permitted sign area.* For lots with a combined width of 33 feet or less along their principal street frontage, the combined surface area of all signs for the lot shall not exceed 50 square feet. For all other lots the aggregate area of all permanent signs located on a lot shall not exceed one and one-half square feet for each linear foot of building frontage along the street, nor in any case 50 square feet, provided that:

(1) In the case of a building having frontage on more than one street, permitted sign area shall apply along each street frontage;

(2) Where more than one main building is located on a lot, the aggregate area of all signs attached to each building shall not exceed one and half square feet for each linear foot of building frontage along the street, nor in any case 50 square feet.

(b) *Wall signs.* Signs may be painted on or attached flat against a wall or other vertical surface of a building, provided that such signs shall not extend more than six inches beyond the surface of the building wall. Signs attached to the lower plane of a mansard or gambrel roof of a main building shall be permitted as wall signs, provided they are attached flat to the roof surface or parallel to the building wall above which they are located, and shall in no case extend beyond the extremities of the roof surface to which they are attached.

(c) *Window or door signs.* Signs shall not exceed 25 percent of the window or door area to which they are applied or attached, from which they are suspended, or through which they are displayed. No window or door sign shall be placed on the inside or outside of a window or door which will obstruct the view of the cashier and the counter area from the outside.

(d) *Projecting signs.* One sign attached to and projecting from the face of the main building shall be permitted for the main building frontage, provided that:

(1) Sign, including poles or other support structures, shall not project greater than five feet from the face of the building, shall not extend above the height of the wall to which it is attached, shall not be closer than two feet from any curb line, and shall not exceed 12 square feet in area;

(2) Projecting signs with less than 15 feet clearance above the sidewalk shall not extend into or occupy more than two-thirds the width of the sidewalk measured from the building. In no case will a projecting sign be allowed to provide an underclearance of less than seven feet;

(3) Projecting signs conforming to the provisions of this section shall be permitted to extend over the sidewalk portion of a right-of-way of a public street when authorized by the town council and when such signs do not extend closer than two feet from the face of the curb;

(4) Projecting signs that extend less than six inches from the surface of the building shall be considered wall signs.

(e) *Awning and canopy signs.* Lettering, symbols and combinations thereof constituting a sign may be painted on or affixed to an awning or canopy attached to a main building when such sign does not extend beyond the extremities of the awning or canopy, and provided that:

(1) One awning or canopy containing a sign shall be permitted to be attached to each building frontage, provided that no projecting sign shall be attached to the same building frontage;

(2) Not more than one sign shall be attached to each face of an awning or canopy, and no such sign shall exceed 12 square feet in area;

(3) Awnings and canopies with less than 15 feet clearance above the sidewalk shall not extend into or occupy more than two-thirds the width of the sidewalk measured from the building. In no case will an awning or canopy be allowed to provide an underclearance of less than seven feet;

- (4) Stanchions or columns that support awnings and canopies shall be located not less than two feet in from the curb line;
 - (5) Awnings or canopies containing signs conforming with the provisions of this section shall be permitted to extend over the sidewalk portion of a right-of-way of a public street when authorized by the town council;
 - (6) Any awning or canopy which is not securely fastened or becomes torn or damaged, as determined by the zoning administrator, shall constitute a violation of this article and shall be removed or repaired upon written order by the zoning administrator.
 - (f) *Freestanding signs.* Not more than one freestanding sign shall be permitted along each frontage of a lot, provided that:
 - (1) Freestanding signs shall not exceed 20 square feet in area;
 - (2) Freestanding signs shall not exceed a height of 12 feet;
 - (3) Where more than one freestanding sign is permitted on a lot as a result of the lot having multiple street frontages, the distance between freestanding signs on the same lot shall be not less than 100 feet.
 - (g) *Portable signs and banner signs.* Portable signs and banner signs shall be permitted subject to the regulations set forth in this division.
- (Ord. No. 887, 6-16-2009)

Sec. 5-51. Sign regulations in the M-2 district.

In addition to the regulations generally applicable to signs in all districts, the following signs shall be permitted and the following regulations shall apply in the M-2 general industrial district.

- (a) *Signs permitted in GB and M-1 districts.* Any sign permitted in GB and M-1 districts as set forth in section 5-49 of this appendix shall be permitted.
 - (b) *Billboard signs.* Billboard signs shall be permitted, provided that:
 - (1) No billboard sign shall exceed 378 square feet in area;
 - (2) There shall be no more than one billboard sign attached to or painted on a sign structure, except that two billboard signs may be attached back-to-back on a single structure, in which case such arrangement shall be considered double-faced sign for purposes of calculating permitted area;
 - (3) No billboard sign or sign structure shall exceed a height of 35 feet, nor shall any billboard sign be installed on the roof of any structure;
 - (4) No billboard sign shall be located within 500 feet of another billboard sign;
 - (5) No billboard sign shall be located within 15 feet of any street line or other property line, or within 200 feet of any residential or R-B district.
- (Ord. No. 887, 6-16-2009)

Sec. 5-52. Sign regulations in the planned development district.

In addition to the regulations generally applicable to signs in all districts, the following signs shall be permitted in the planned development district:

- (a) *Signs permitted in residential districts.* Any sign permitted in residential districts as set forth in section 5-47 of this appendix shall be permitted.
 - (b) *Signs permitted in the CB district.* Any sign permitted in the CB district as set forth in section 5-50 of this appendix shall be permitted for commercial uses.
- (Ord. No. 887, 6-16-2009)

Sec. 5-53. Sign regulations in the public/open space district.

In addition to the regulations generally applicable to signs in all districts, the following signs shall be permitted and the following regulations shall apply in the public/open space district.

- (a) *Identification signs.* Not more than two identification signs with a total area of not more than 32 square feet shall be permitted.
 - (b) *Temporary signs.* Not more than two temporary signs or banner signs with a total area of not more than 32 square feet shall be permitted in connection with special events, provided that such signs shall be displayed no longer than the duration of the event plus one week before it begins.
 - (c) *Location of signs.* No sign shall be erected within ten feet of any residential property line or within 15 feet of any street line. Signs advertising the sale or rental of the premises may be erected up to the street line.
 - (d) *Height.* No sign shall exceed a height of eight feet.
- (Ord. No. 887, 6-16-2009)

Sec. 5-54. Signs identifying nonconforming uses.

One sign identifying a nonconforming use located in a residential district shall be permitted, provided that such sign shall be attached flat against the building occupied by the use and shall not exceed eight square feet in area. Signs identifying nonconforming uses located in districts other than residential districts shall conform to the sign regulations applicable in the district in which the use is located.

(Ord. No. 887, 6-16-2009)

Sec. 5-55. Nonconforming signs.

A nonconforming sign shall be permitted to remain subject to the restrictions and limitations set forth in this section.

(a) *Maintenance and alteration.* A nonconforming sign may be maintained and repaired, provided that such sign shall not be moved, replaced, structurally altered, or modified as to size, shape or height except in conformity with the provisions of this article. Lighting or illumination shall not be added to a nonconforming sign. The face of a nonconforming sign or the copy thereon may be changed when all other provisions of this paragraph are met.

(b) *Restoration or removal of damaged signs.* Any nonconforming sign damaged to the extent that it represents a public hazard as determined by the building official or zoning administrator, or any nonconforming sign damaged by fire, explosion, act of God or the public enemy to an extent exceeding 50 percent of its replacement cost, shall be removed or made to conform to the provisions of this article. In the case of damage of 50 percent or less of the replacement cost of a nonconforming sign damaged by fire, explosion, act of God or the public enemy, such sign may be restored as before the damage, if such restoration is completed within six months of the damage.

(c) *Obsolete signs.* Any sign that no longer identifies a use or activity conducted or product sold on the premises, shall be painted out or otherwise removed or made to comply with this article by the owner, agent, or person having the beneficial use of the building, structure or lot upon which such sign is located within 30 days of such cessation. Upon failure to comply within the time specified, the zoning administrator is hereby authorized to order painting out or removal of such sign within 30 days of written notification, and any incidental expenses thereto shall be paid by the owner of the building, structure or lot on which such sign is located.

(d) *Signs nonconforming due to lighting or animation.* Any sign that is nonconforming due to lighting or animation shall be eliminated or made to conform to the regulations pertaining to lighting and animation within 90 days from the effective date of this provision.

(e) *Nonconforming portable or temporary signs.* Any nonconforming portable sign or nonconforming temporary sign shall be eliminated or made to conform with the regulations set forth in this article within 90 days from the effective date of this provision.

(Ord. No. 887, 6-16-2009)

Sec. 5-56. Zoning permits required for signs.

(a) No sign, unless specifically exempted by the provisions of this division, shall be erected or installed unless a zoning permit for such sign has been issued by the zoning administrator after determination that such sign conforms to all applicable provisions of this appendix.

(b) No sign containing electrical components shall be erected or installed unless an electrical permit for such sign has been issued by the zoning administrator after determination that such sign conforms to all applicable provisions of this appendix.

(c) Other permits may be required, as applicable.

(d) Applications for zoning permits, as well as other applicable permits, for signs shall be submitted and considered in accordance with the provisions of article VII of this article. Failure to obtain the required permits shall constitute a violation of this appendix.

(e) No zoning permit shall be required for signs placed within public right-of-way. However, written authorization must be obtained from the town manager prior to any sign being placed within a right-of-way.

(Ord. No. 887, 6-16-2009)