

CHAPTER 12-13 - SIGNS PERMITTED IN EACH ZONING DISTRICT, ADDITIONAL
REQUIREMENTS, GENERAL PROVISIONS, EXEMPT SIGNS, PROHIBITED SIGNS AND
NONCONFORMING SIGNS

Article 12-13.01 – Purpose (Signs). The purpose of this chapter is to establish requirements and to encourage good design that meets the identification and informational needs of all land uses while maintaining the special character of Williams. A basic tenet of adopting and applying these regulations is that unrestricted signs do not benefit either the private business owner or the community at large. Toward this end, the City Council finds that Williams is a unique and historic community that has traditionally depended on tourism and that tourism is affected by the visual quality and character of the City.

These sign regulations are intended to:

- (a) Recognize that signs are a necessary means of useful communication for the convenience of the public
- (b) Maximize the value of signage as a means of locating and identifying business and properties
- (c) Protect, preserve, and enhance the unique aesthetic character, beauty, and charm of Williams and its surrounding areas as a place to live, visit, and conduct business that encourages the continued development of tourism
- (d) Promote signs that are of appropriate scale and integrated with the surrounding buildings and landscape
- (e) Promote clear views of natural surroundings by minimizing visual clutter, reducing competition for airspace, and encouraging the construction of signs of natural materials, which are compatible with the historic, cultural and natural surroundings
- (f) Protect the public from hazardous conditions that can result from signs that are structurally unsafe, obscure the vision of motorists, create dangers to pedestrian traffic, or which compete or conflict with necessary traffic signals and warning signs
- (g) Eliminate distracting lighting, excessive glare, and light pollution by reasonably limiting the illumination of signs and buildings to subdued, adequately shielded, or concealed light sources
- (h) Impose reasonable time, place, and manner restrictions while not interfering with the free exercise of rights granted under the First Amendment of the Constitution of the United States of America
- (i) Maintain and enhance the historic character of Route 66

Article 12-13.02 – Definitions (Signs)

“Advertising Flag” means a flag intended to advertise a business, product, service or event, including a flag with a corporate mark or graphic symbol, with or without words.

“Alteration of sign” means the moving or modification, in any manner, of a sign including, but not limited to, changes to the sign structure, height, size, area, shape, or

foundation, but excluding the exchange, replacement, or repainting of the sign faces of cabinet-type signs where there are no changes to the original cabinet. The changing of movable parts or components of a sign that is designed for such changes, or the changing of copy, display and/or graphic matter, or the content of any sign shall not be deemed an alteration.

“Animated Sign” means a sign or display, other than an Electronic Message Center (EMC), manifesting either kinetic or illusionary motion occasioned by natural, manual, mechanical, electrical, or other means.

“Awning” means an architectural projection that provides weather protection, identity, or decoration and is wholly supported by the building to which it is attached. An awning is comprised of a lightweight, rigid skeleton over which a covering is attached.

“Banner” means a temporary sign, printed on a flexible surface, mounted either horizontally or vertically, and used for special occasions or events.

“Beacon” means any light source with one or more beams directed into the atmosphere or directed at one or more points not on the same lot as the light source; also any light with one or more beams that rotate or move.

“Blight” means the state or result of being deteriorated or ruined: urban blight.

“Building Façade” means that portion of any exterior elevation of a building extending from grade to the top of the parapet wall or eaves for the entire width of the building elevation or that portion comprising the exterior elevation of one business located in a multiple tenant structure.

“Building Graphics” means a mosaic, mural, painting, graphic art technique or combination or grouping thereof, applied or implanted directly onto a building wall or fence.

“Business” means an individual business enterprise or operation in a wholly-owned, leased, or rented space providing product(s) and/or service(s) to customers on premise.

“Canopy” means a roofed structure that covers an area, especially one that shelters a passageway between two buildings.

“Copy” means the graphic content of a sign surface in either permanent or removable letter, pictographic, symbolic, or alphabetic form.

“Dilapidated” means a sign on which:

- (1) The lettering or background material or any part of the sign has flaked, broken off, or changed color;
- (2) Structural supports or frame members are visibly corroded, stained, bent, broken, or dented; or
- (3) Sign supports are twisted, leaning or at angles other than those at which the sign was originally erected.

“Directional Sign” means a sign erected solely to direct pedestrian or vehicular traffic.

“Directory Sign” means a sign that contains name and information for a multi-residential or multi-tenant development.

“Electronic Message Center”- or “EMC” means a sign that is capable of displaying words, symbols, figures, or images that can be electronically ~~or mechanically~~ changed by remote or automatic means.

“Flashing” means a pattern of sudden alternation between a fully-illuminated FRAME and a FRAME without illumination, or a FRAME where the copy color and the background color alternate or reverse color schemes rapidly (less than every three seconds).

“Frame Effects” means a visual effect applied to a MESSAGE to transition from one MESSAGE to the next. TRANSITION METHODS include, but are not limited to the following:

- (1) DISSOLVE – a Frame Effect accomplished by varying the light intensity or pattern, where the first Frame gradually appears to dissipate and lose legibility simultaneously with the gradual appearance and legibility of the second Frame.
- (2) FADE – a Frame Effect accomplished by varying the light intensity, where the first Frame gradually reduces intensity to the point of not being legible (i.e. fading to black) and the subsequent Frame gradually increases intensity to the point of legibility.
- (3) SCROLL – a Frame Effect where the Frame appears to move vertically across the display surface (usually used to describe a Frame Effect where the MESSAGE is too large to ever be seen on the display surface at once).
- (4) TRAVEL – a Frame Effect where the message appears to move horizontally across the display surface (usually used to describe a Frame Effect where the MESSAGE is too large to ever be seen on the display surface at once).

“Freestanding Sign” means a sign not attached to any building and which is supported by one or more uprights set in a fixed position in the ground.

“Ground Sign” means a sign mounted directly on the surface of the ground or on a suitable foundation thereon.

“Height of sign” means the vertical distance measured from the highest point of the sign to the adjacent street grade or surface beneath the sign.

“Historic Sign” means a sign which has historical or cultural significance to the City of Williams as determined by the Historic Preservation Commission or which is listed on the National Register of Historic Places.

“Interstate 40 (I-40) Overlay” means that portion of a strip of land two-thousand two-hundred (2200) feet in width, whose center line coincides with that of Interstate 40 within the Williams City Limits, and which is zoned as Central Business District or Highway Commercial District.

“Leading edge” means the portion of a sign that is closest, in any direction, to the adjacent property line or right-of-way line.

“Manual Reader Board” (MRB) means a board whose display can be changed manually but not electronically.

“Marquee” means a projecting structure over the entrance to a building or structure, especially a theater or hotel.

“Obscene Sign” means a sign that contains offensive language, is hate based, is discriminatory, or on which the dominant theme of material taken as a whole appeals to a prurient interest in sex, or is patently offensive because it affronts community standards relating to the description or representation of sexual matters, and is utterly without redeeming social value.

“Photometric” means the measurement of the intensity of light or of relative illuminating power.

“Property frontage” means a side of a property that borders on a public street.

“Roof Sign” means a sign that is placed on a roof or extends above a parapet or wall.

“Sandwich-Board Sign” also known as **“A-Frame Sign”** means a portable advertising sign usually comprising two top-hinged panels, maximum size two (2) feet by three (3) feet,

“Secondary frontage” means a side of a property that faces a parkway (alleyway) or an interior park.

“Sign” means the means by which anything is made visibly known or used to identify, advertise or promote an individual, firm, association, corporation, professional business, commodity, service or product, that can be viewed from the public right-of-way. For the purposes of removal, “sign” shall also include all sign structures.

“Sign Area” means the surface area of a sign usually measured in square feet and meant to represent the surface area of only one side of any two-sided sign (for irregular shapes, the area of the smallest rectangle, square, circle or triangle that encompasses the sign).

“Sign Walker” means a person who wears, holds or otherwise carries a sign for commercial purposes, or who wears a costume intended for commercial advertising purposes.

“Skylights and Searchlights” mean lights used to illuminate the sky for the purpose of drawing attention to a business or event.

“Temporary Sign” means a sign or banner primarily intended to announce special functions or occasions and not for permanent use (restricted to three consecutive days per event).

“Wall Sign” means a sign painted on or attached flush to the exterior surface of a building. When attached directly to the surface of the building it cannot project no more than eight (8) inches from the building surface and not above the wall.

“Window Sign” means a sign mounted on the interior surface of a window.

Article 12-13.03 – Signs Permitted in Each Zoning District

	Residential Zones	Business Zones	Industrial Zones	Historic Preservation	I-40 Overlay
ZONES	RR, AR, ER, R1-43, R1-7, RMH-1, R2, & R3	CBD, CR, & HC	I-1, & I-2	HPD	I-40
Animated/Electronic		X(n)(i)	X(n)(i)		X(n)(i)
Awning/Canopy				X(k)(l)	
Canopy		X(i)	X(i)	X(n)(i)	X(i)
Directional	X(c)	X(c)	X(c)	X(c)	X(c)
Directory	X(d)	X(d)	X(d)	X(d)	X(d)
Electronic Message Center (EMC)		X(n)	X(n)		X(pn)
Free Standing	X(f)	X(g)	X(g)	X(k)	X(g)
Ground	X(b)	X(b)	X(b)	X(b)	X(b)
Illuminated	X(j)	X(j)	X(j)	X(l)	X(j)
Manual Reader Board (MRB)		X(p)	X(p)	X(p)	X(p)
Name Plate	X(a)	X(a)	X(a)	X(a)	X(a)
Projecting				X(k)	
Sandwich Board Sign				X(p)	
Temporary	X(e)	X(e)	X(e)	X(e)	X(e)
Window		X(o)	X(o)	X(k)	X(o)
Wall		X(h)	X(h)	X(h)	X(h)
Off Site		X(m)	X(m)	X(m)	X(m)

Legend

X indicates the sign type is allowed

C indicates the sign type is a conditional use (see conditional use, Chapter 12-11)

Letters (a)--(pn) indicate additional requirements or clarification as listed in ~~this chapter Article 12-13.04 subsections (a)–(n)~~. (Ord. 758 Exhibit A, 1996; Ord. 747 §1 (part), 1995)

Article 12-13.04 - Additional Requirements and Clarifications

- (a) Maximum size of nameplates is two (2) square feet and fixed flat to the main wall of a residence building, not exceeding one (1) per street frontage. Information on nameplates shall be limited to the name of the occupant and address.
- (b) Ground signs are permitted subject to the following:
 - (1) Allowed for nonresidential uses; or at the entrance from a public street to a multiple-family residence development, or a mobile home park, or a subdivision. Maximum number is one (1) per street frontage. Information is limited to the name of the facility, building or organization and address number. The maximum size is twenty-four (24) square feet. The maximum height is six (6) feet.

- (2) In the Historic Preservation zone, the size is limited to six (6) square feet. The maximum height is six (6) feet.
- (3) In the I-40 Overlay District for non-residential uses: Maximum number is one (1) per street frontage. Information is limited to the name of the facility, building, or organization, **gas pricing board (if applicable)**, and address number. The maximum size is one-hundred (100) square feet. The maximum height is twenty (20) feet.
- (c) Directional signs are allowed when required to assist the flow of traffic in multiple-residence development or other permitted uses containing multiple tenants or building groups. Not to exceed six (6) square feet in area and three (3) feet in height.
- (d) Directory signs are allowed when required in multiple-residence development or other permitted uses containing multiple tenants or building groups. Not to exceed twenty-four (24) square feet in area and six (6) feet in height except in the historic preservation zone where the size is limited to six (6) square feet.
- (e) The following temporary signs are permitted in **all-indicated** zoning districts:
 - (1) For Sale, Lease or Rent.
 - (A) For each single- and two-family residential use one (1) freestanding for sale, lease or rent sign is allowed on each street frontage and on the ~~lot property for which~~ it advertises. The maximum size shall be six (6) square feet in area and five (5) feet in height.
 - (B) For all other uses one (1) freestanding for sale, lease or rent sign is allowed on each street frontage and on the lot for which it advertises. The maximum size shall be six (6) square feet in area and five (5) feet in height. In addition, one (1) for sale, lease or rent wall sign is allowed per each street frontage. The sum of the square footage of all allowed freestanding temporary signs shall not exceed twenty-four (24) square feet in area.
 - (2) On-Site Subdivision or Development. One (1) **group-ground** sign is permitted at each entrance to the subdivision or development from a public street. The maximum size shall be thirty-two (32) square feet. Each sign shall be located on the site for which it advertises and not closer than fifty (50) feet to any existing residential dwelling unit outside of the subdivision or development. All signs must be removed if the subdivision or development is sold out or at the end of five (5) years whichever comes first.
 - (3) Off-Site Directional Sign. Off-site directional signs to a subdivision or development, open house, or other special event are limited to six (6) square feet in area and a maximum of three (3) in number. Other special events include garage sales, yard sales, food sales, craft sales, bazaars, and auctions. Off-site directional signs are only permitted for four three-day special events in any one calendar year. All off-site directional signs can only be placed on private property with the permission of the property owner and must be removed within twenty-four (24) hours after the conclusion of the event.

- (4) Promotional Displays Limited to Grand Openings, a Change in Business Name, or a Change in Business Ownership. Banners are allowed for thirty (30) consecutive days with a permit. Pennants, streamers, flags, and other attention-attracting devices **associated with such events** are allowed for a maximum of three (3) consecutive days per week **in any district except the Historic Preservation District**, and must be well maintained.
- (5) Special Daily Event for businesses, including ~~ed~~ but not limited to; dances, food or drink special, sale items, special activity or function, etc. are allowed one (1) banner for a period not to exceed one (1) day per week **OR** three (3) consecutive days per ~~week~~ occurrence and not more than two (2) occurrences per month.
- (6) Long-term special events such as community events and seasonal activities shall be allowed to display pennants, banners, streamers, flags, and other attention-attracting devices for a maximum of one (1) consecutive month per year, and these items must be well maintained. Each distinctly different event shall be allowed a one (1) month period. Such advertisement shall be allowed to be displayed no more than two (2) weeks prior to the ~~commencement of the event~~ for the duration of the event. ~~and must be removed within twenty-four (24) hours after the event concludes.~~
- (7) Political Signs. One freestanding sign per each street frontage per each candidate or measure is allowed on private property with the property owner's permission. The maximum sign shall be sixteen (16) square feet in size and a maximum of six (6) feet in height if the sign is located in an area zoned for residential use, or a maximum of thirty-two (32) square feet if the sign is located in any other zoning district. Signs must contain the name and telephone number of the candidate or campaign committee contact person. Political signs may be erected 71 days before an election day. The signs must be removed with fifteen (15) days after the specific election to which they refer. Political signs may be placed in a public right-of-way that is owned or controlled by the City, as long as it is not placed in a location that is hazardous to public safety, obstructs clear vision in the area or interferes with the requirements of the Americans with Disabilities Act (42 United States Code sections 12101 through 12213 and 47 United States Code sections 225 and 611). If the City deems that the placement of a political sign constitutes an emergency, the City may immediately relocate the sign. If a sign is placed in violation of Subsection 6 and the placement is not deemed an emergency, the City may notify the candidate of campaign committee that placed the sign of the violation. If the sign remains in violation for at least twenty-four (24) hours after notification, the City may remove the sign. A City employee acting within the scope of the employee's employment is not liable for an injury caused by the failure to remove a sign, unless the employee intended to cause injury or was grossly negligent.

(f) Limited to allowed temporary signs only.

(g) Freestanding signs are permitted subject to the following:

- (1) For all districts other than the I-40 Overlay
 - (A) One sign is allowed per each public street frontage.
 - (B) Each sign can be a maximum of seventy-five (75) square feet in area.
 - (C) The maximum height shall not exceed twenty-five (25) feet.

- (D) Limited to a minimum height of ten (10) feet ~~or a maximum of two (2) feet~~ above the ground surface immediately below the sign.
- (E) Each sign must be set back from any property line a minimum of twenty-five (25) feet except signs for commercial uses in the Central Business District on Railroad Avenue and Route 66, where twenty-five (25) foot cannot be accommodated, the setback shall be determined by staff. In no event shall any sign be closer than thirty (30) feet to any residential zoning district.

(2) ~~Freestanding signs within~~ For the I-40 Overlay District

- (A) One sign is allowed per street frontage.
- (B) Each sign can be a maximum of three-hundred (300) square feet in area, except as provided in 12-13.04(g)(6)(C) below.
- (C) For properties within the I-40 Overlay District that are at least ten (10) acres in size and which have multiple businesses on the same property, the size of the sign may be increased, subject to an approved conditional use permit, by one-hundred (100) square feet in area for each additional business to a maximum of six-hundred (600) square feet (each individual business used to calculate additional signage area must be advertised on the larger sign and must provide its primary product(s) and/or service(s) to customer(s) on the premises). Advertising panels for vacant businesses must be removed from the sign structure within sixty (60) days of such vacancy, and the removed panel must be replaced by opaque, blank panels to match the color and design of the structure.
- (D) Maximum height shall be seventy-five (75) feet.
- (E) Limited to a minimum height of ten (10) feet above the ground surface immediately below the sign.
- ~~(2)~~(F) Each sign must be set back from any property line a minimum of twenty-five (25) feet and in no event shall any sign be closer than thirty (30) feet to any residential zoning district.

~~(g)~~(h) Wall signs are permitted subject to the following:

- (1) For a building that contains a single business -
 - (A) A maximum of one (1) sign is allowed per each public street frontage.
 - (B) If the business has a rear parking lot, a sign is also allowed to the rear of the building.
 - (C) Each sign can be a maximum of two (2) square feet for each linear foot of building frontage but in no event shall the sign exceed seventy-five (75) square feet in area.
- (2) For buildings that contain multiple businesses, i.e., strip malls, indoor malls –
 - (A) A maximum of one sign is allowed per each public street, private driveway or rear parking lot frontage, not to exceed two (2) wall signs. **Shall comply with 12-13.0204(h)(1)(C) above for square footage allowances.**
 - (B) Each business within the building is allowed one sign per each public street or rear parking lot frontage, not to exceed two (2) wall signs. Each sign can be a

maximum of one (1) square feet for each linear foot of business frontage, but in no event shall the sign exceed twenty (20) square feet in area.

- (3) The maximum height shall be no higher than the ~~face of the~~ building ~~façade~~.
- (4) Limited to a minimum height of eight (8) feet above the ground surface immediately below the sign.
- (5) Each sign may project no more than eight (8) inches from the surface of the wall to which it is attached.

~~(h)(i) Limited to nonresidential uses and time and temperature signs only. Each sign shall be located on the site for which it advertises and not closer than fifty (50) feet to any existing residential dwelling unit. Copy may be affixed to a vertical face of a canopy (limited to logo and/or color scheme).~~

~~(i)(j) Lighting including internal and external sources and including neon shall be installed so as to shield the light source by and directing the light downward and to avoid any glare or reflection into any residential building or into any street, alley, or driveway if such glare or reflection might create a traffic hazard. Brightness level shall not exceed 0.3 foot-candles above ambient light measured using foot-candle (Lux) meter at a distance of one-hundred (100) feet.~~

~~(j)(k) Within the historic preservation district (see map-copy provided; PDF file available) the following regulations shall apply:~~

- (1) Each principal building shall be limited to a maximum of two (2) signs (one may be a wall sign and one may be a projecting sign) per each public street frontage and if the business has a rear parking lot, these signs are also allowed to the rear of the building.
- (2) Freestanding signs may be used in lieu of projecting signs. The maximum size free-standing sign is sixteen (16) square feet and the maximum height is sixteen (16) feet. The minimum height above the ground level is eight (8) feet.
- (3) Projecting signs are limited to sixteen (16) square feet in area and must project no more than five (5) feet. The minimum height above the ground is eight (8) feet. The sign may project over public (City) rights-of-way with an approved sign permit pursuant to Article 8-1.04(d) (2), of the City Code.

(4) Wall and projecting signs may not extend above the top of the ~~wall~~ building ~~façade~~ to which affixed.

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

~~(5)(6) Awning signage may be used in lieu of wall and/or projecting signage.~~

~~(6)(7) Luminous paints are not allowed.~~

~~(7)(8) Animated signs are not allowed~~

~~(8)(9) Holiday and seasonal decorations that employ lightning shall be erected no more than one month before the holiday and removed within ~~two (2) weeks~~ fifteen (15) days after the holiday, with the exception of Christmas when decorations may be erected on ~~November~~ October 15.~~

~~(9)~~(10) Window signs to be attached to the interior of the window only are limited in size as follows:

(A) May not exceed twenty-five percent (~~50~~25%) of the window area, and

(B) May not exceed the total allowable signage for all types of signs.

~~(A)~~(C) EMC signs are allowed in windows up to six (6) square feet in area subject to requirements of ~~Article 12-13.02(n)~~this chapter.

~~(10)~~(11) Sign installation shall not damage the building's ~~façade~~façade.

~~(11)~~(12) On ~~unpainted~~ masonry buildings, ~~bolts or screws~~all façade penetrations shall be set into lead sleeves ~~or other approved, engineered fasteners~~, and the sleeves shall be set into masonry joints.

~~(12)~~(13) ~~Portable sandwich signs may be displayed on private property (with the owner's permission) by commercial uses that do not front on Bill Williams Avenue or Railroad Avenue.~~A portable sandwich sign, maximum size six (6) square feet and minimum five (5) foot setback from the sidewalk, may be displayed as follows:

(A) Only on the private property for which it advertises, ~~or~~OR

(B) On public (City) rights-of-way with an approved sign permit pursuant to Article 8-1.04(d) (2), of the City Code.

~~(C) Maximum size of six (6) square feet.~~

~~(13)~~(14) ~~The~~Any existing historical sign must be maintained as close to its original form as possible.

~~(14)~~(15) The reconstruction of a historic sign is allowed upon approval of the Historic Preservation Commission. The reconstruction is allowed based on a historic image of the sign itself and may be subject to conditions approved by the Historic Preservation Commission. The sign should maintain the original colors and style as much as is practical. The location of the historic sign may be in the original location or relocated anywhere in the Historic District subject to the approval of the Historic Preservation Commission.

~~(15)~~(16) The following signs are allowed only if specifically approved by the Historic Preservation Commission:

(A) Signs illuminated with visible bulbs;

(B) Signs illuminated with neon lighting, also known as "Neon Signs."

~~(16)~~(17) ~~Promotional Displays Limited to Grand Openings, a Change in Business Name, or a Change in Business Ownership are allowed in the Historic Preservation District for thirty (30) consecutive days with a permit.~~

~~(18)~~(1) Under canopy signs limited to two (2) square feet in area. (Ord. 786 §1, 1998; Ord. 772 §4, 1997; Ord. 758 §2, 1996; Ord. 747 §1(part) , 1995)

~~(19)~~(m) Off-Site Signs limited to signs owned by a public or quasi-public entity. Off-Site signs shall be permitted as follows: only along those property lines of Commercial or Industrial zoned property which are contiguous with the right of way lines of Railroad Avenue, Bill Williams

Avenue, Rodeo Road and Grand Canyon Boulevard. All Off-Site signs are subject to the following limitations;

- (1) All Off-Site signs shall be Free-Standing Signs, not attached to any building, wall post, or other structure. Off-Site Signs shall be attached to the ground with metal posts and footings that are designed and constructed in accordance with the Sign Code and the Building Codes of the City of Williams. Signs shall measure no more than six (6) feet high by eight (8) feet wide in a solid rectangular shape with the highest point of the sign no more than twelve (12) feet above grade.
- (2) Off-Site Sign shall be located no more than ten (10) feet from the property line/right of way line along which they are allowed. No Off-Site Sign shall be nearer than three-hundred (300) feet from any other Off Site Sign.
- (3) Each Off-Site Sign shall have space for at least four (4) but no more than eight (8) individual advertising copy panels, each of which shall be no more than twenty-four (24) inches high by thirty-six (36) inches wide. No individual Off-Site Sign shall contain more than one advertising copy panel per business or use advertised thereon. No advertiser may advertise on an Off-Site Sign unless all other signs in the City that advertise that particular user are in compliance with all applicable City Codes and regulations.
- (4) The background color of all Off-Site Signs shall be Reflectorized Blue and shall include a 1-1/8 inch wide white border along the outside edges of the sign face except at the corners where it shall have a six (6) inch outside radius. The background color and border shall be identical in shade and composition as the background color and border on standard "Tourist Information" signs as erected by the Arizona Department of Transportation (ADOT). The color of each individual advertising panel will be at the discretion of the individual advertiser.
- (5) All Off-Site Signs must be maintained by the owner of such signs, with all parts of said signs, including faces, paint, structure, individual advertising panels, etc., kept in "like new" condition. Off-Site Signs, including sign faces and advertising copy panels, shall be constructed of aluminum or other metal materials not susceptible to weathering. (Ord. 928, 2012 (Off-side signage); Ord. 892, 2008; Ord. 786 §1(part), 1998; Ord. 772 §4, 1997; Ord. 758 §2, 1996; Ord. 747 §1(part), 1995)

(m)(h) Electronic Message Center (EMC) Signs

(1) Regulations:

- (A) ~~Manual reader board (MRB) are allowed~~ EMC signs are allowed in the following districts: Central Business District (CBD); Highway Commercial (HC); Interstate 40 (I-40) Overlay; and Industrial (I-1 & I-2) Districts, and in any zoning district for school and church marquee use. EMC signs located within one-hundred (100) feet of any residential parcel shall not be displayed between the hours of ten (10) P.M. and six (6) A.M.

(B) ~~Electronic message center (EMC)~~ signs are permissible subject to the following conditions:

- (i) EMC signs may be incorporated into permitted signs so long as they contain static images that are displayed for a minimum hold time of ~~three~~ eight seconds before transitioning from one static image and/or message to the next.
- (ii) Not more than one such sign shall be placed on property held in single and separate ownership unless the property fronts on more than one street, in which case one such sign shall be permitted on each separate street frontage.
- (iii) EMC signs shall be included as part of other allowed flush wall mounted or freestanding signs.
- (iv) EMC signs are only allowed in conjunction with a nonresidential use. EMC signs are not allowed in the Historic Overlay District, except EMC signs are allowed inside windows up to 6 square feet subject to the same requirements as all other EMC signs.
- ~~(i)~~(v) The maximum allowable area of an EMC sign that is incorporated into a larger sign shall not exceed ~~50~~35% of the allowable square footage,
- (vi) All EMC signs shall come equipped with automatic dimming technology which automatically adjusts the sign's brightness based on ambient light conditions.
- ~~(ii)~~(vii) No EMC sign shall exceed a brightness level of 0.3 foot candles above ambient light as measure using a foot candle (Lux) meter at a preset distance depending on sign area at a position five feet to six feet above ground level and perpendicular from the face of the sign, measured as follows:

Area of Sign (sq. ft.)	Measurement Distance (ft.)
10	32
15	39
20	45
25	50
30	55
32	56.7

For Signs of Other Sq. Ft. Measurement: Distance = Square Root of the (area of Sign Sq. Ft. x 100); $\sqrt{(100 \times \text{Area})}$

(viii) Flashing, revolving, moving, rotating, or similar intermittent lights are

prohibited on EMC signs.

~~(iii)(ix)~~ Frame effects ~~are~~ shall not be allowed. All frame changes shall be instantaneous ~~for the transition of messages such as fade in and out and scrolling, or other effects that do not include any type of flashing.~~

- (o) Window signs are to be attached to the interior of the window and are not to exceed ~~fifty~~ twenty-five percent (~~50~~25%) of the window area, and may not exceed the total allowable signage.
- (p) Manual reader boards (MRBs) are allowed as follows: within the Central Business District (CBD), Historic Preservation Overlay, Highway Commercial (HC) District, Interstate 40 (I-40) Overlay, and Industrial (I-1 & I-2) Districts; and in any zoning district for school or church use. MRBs shall not exceed 35% of the signage.
- ~~(q)~~ _____

Article 12-13.05 - General provisions

- (a) A sign building permit shall be obtained from the City prior to the construction of a new sign, or alteration of the size, shape or location of an existing sign, and/or display of any sign.
- (b) All signs shall be construed and attached, mounted, supported or erected in conformance with the adopted building codes of the City including the electrical code.
- (c) All signs and sign structures shall be maintained to a safe condition. If the City determines that a sign is not maintained in a safe condition, the Zoning Administrator shall notify the sign owner to repair the sign within forty-eight (48) hours. If the sign is not repaired or removed, the City Council may cause the sign to be repaired or removed with the cost of same to be assessed to the sign owner.
- (d) Sign area shall be measured as follows:
 - (1) Each sign may be two-sided and the square footage shall be the measurement of one (1) of the sides.
 - (2) For three (3) or more faces the sign area shall be fifty (50) percent of the sum of the areas of all faces. Spherical, free-form, sculptural, or other nonstandard shapes shall be determined by the Zoning Administrator.
 - (3) Individual letters or words or graphics mounted on a wall shall be measured by summing the rectangles that surround the individual letters, words or graphics.
 - (4) The square footage of a panel, or background made to appear as a panel.
- (e) Except when specifically allowed otherwise, each sign shall be located on the lot for which it advertises, informs or otherwise attracts attention.
- (f) When located within a distance of twenty-five (25) feet of a street and/or two (2) feet of a sidewalk, the minimum height of the sign shall be eight (8) feet above the grade immediately below the sign.

- (g) When located above a sidewalk the minimum height shall be eight (8) feet above the grade immediately below the sign.
- (h) When located above a driveway the minimum height shall be fourteen (14) feet above the grade immediately below the sign.
- (i) Except as provided in ~~Article this chapter 12-13.02(k)(5)~~, signs shall not project beyond the property lines. (Ord. 892,, 2008; Ord. 747 §l(part), 1995)

Article 12-13.06 - Exempt Signs

- (a) The following signs are exempt from permit:
 - (1) Nameplate and address signs;
 - (2) Official signs of a public or governmental agency;
 - (3) On premise agriculture signs not exceeding six (6) square feet;
 - (4) On premise bulletin boards for charitable or religious organizations provided the signs do not exceed thirty-two (32) square feet;
 - (5) On premise real estate signs not exceeding six (6) square feet;
 - ~~(5)(6)~~ **Open signs, mounted inside a window (may include lighting)**
 - ~~(6)(7)~~ Political signs as provided in ~~Article 12-13.04(e)(6)~~ **this chapter**;
 - ~~(7)(8)~~ Private and commercial name plates and street address identification signs or no trespassing signs when such signs do not exceed two (2) square feet;
 - ~~(8)(9)~~ Public utility signs;
 - ~~(9)(10)~~ Signs not visible beyond the lot or parcel on which they are located;
 - ~~(10)(11)~~ Signs on a vehicle operated in the normal course of business;
 - ~~(11)(12)~~ Holiday **signs and** decorations no more than thirty (30) days prior to the holiday and removed within ten (10) days following that holiday except for Christmas when the decorations may be erected on ~~November~~ **October 15. Holiday decorations shall be removed not more than 15 days after the pertinent holiday;**
 - ~~(12)(13)~~ Temporary on-site signs such as window signs. (Ord. 892, 2008; Ord. 747 §l(part), 1995)

Article 12-13.07 - Prohibited Signs

- (a) Except when otherwise allowed the following signs are prohibited:-
 - (1) All signs not specifically allowed herein;
 - (2) Animated signs ~~with animation or intermittent illumination except for a time and temperature sign when a conditional use permit has been secured;~~
 - (3) Audible signs with audible devices except for freestanding drive-through menu boards;
 - (4) Confusing sign that interferes with or confuses traffic or presents a traffic hazard;
 - (5) Dangerous sign;
 - (6) Obstruction: signs that obstruct any door or fire escape of any building;
 - (7) Portable sign except as allowed per ~~Article 12-13.02(l)(11)~~ **this chapter**;

- (8) Portable signs mounted, attached or painted on trailers, boats, or motor vehicles when parked, stored or displayed in a manner intended to attract the attention of the public for advertising purposes;
- (9) Signs located within, on, or projecting over any public right-of-way;
- (10) Roof sign;
- (11) Temporary signs except as allowed in ~~Article 12-13.04(e)~~ this chapter;
- (12) Temporary signs such as pennants, banners, balloons, flags and similar displays except as provided for approved temporary signs.
- (13) Billboards and off-premise signs except as specifically allowed in this chapter.
- (14) Menu signs exceeding ~~fifty-three-six (536)~~ square feet for drive-through restaurant lanes or exceeding ~~three-six (36)~~ square feet in any other ~~district~~ location;
- (13)(15) Obscene signs. (Ord. 892, 2008; Ord. 747 §1(part), 1995)

Article 12-13.08 - Nonconforming Signs

- (a) Nonconforming signs shall be subject to the following provisions:
 - (1) Nonconforming signs shall be maintained in good condition including the repair or replacement of worn or damaged parts in order to return it to original state.
 - (2) Nonconforming signs shall not be altered, reconstructed, replaced or relocated other than to comply with this section, except:
 - (A) Reasonable repair and maintenance limited to a maximum of a total of fifty percent (50%) of the cost to reproduce the sign.
 - (3) Nonconforming signs shall be removed or brought into conformance with this title when:
 - (A) The sign structure has been taken down, removed, damaged or deteriorated by more than ~~seventy-five-fifty~~ percent (~~75%50%~~) by any means.
 - (B) The use of the sign or the property on which it is located has ceased, or the property has become vacant or been unoccupied for a period of one (1) year or more. The sign shall be removed within thirty (30) days of notice to do so by the Zoning Administrator.
 - (C) The property is developed or redeveloped and is the subject of a required building permit or other City development review procedure. Nonconforming signs shall be removed prior to the issuance of additional building permits on the property on which the nonconforming sign is located. (Ord. 892, 2008; Ord. 747 §1 (part), 1995)

Article 12-13.09 [INSERT MAPS OF HP & I-40 OVERLAYS]

ALSO RENUMBER PAGES FOR CHAPTERS 12-14 THROUGH 12-18 TO FOLLOW THIS CHAPTER