

# City of Oneonta

## Sign Regulations

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# City of Oneonta

## ARTICLE X

### SIGN REGULATIONS

#### Section 1.0 Purpose and Intent.

The purpose of these Sign Regulations are to encourage the effective use of signs as a means of communication in the City of Oneonta, to maintain and enhance the aesthetic environment and the City's ability to attract sources of economic development and growth, to improve pedestrian and traffic safety, to minimize the possible adverse effect of signs on nearby public and private property; and to enable the fair and consistent enforcement of these regulations. This sign ordinance is adopted under the authority of the Planning Commission of the City of Oneonta in furtherance of the more general purposes set forth in the Zoning Ordinance.

#### 1.1 Definitions Applicable to this Ordinance

**Abandoned Sign.** Any sign which no longer conforms to structural or maintenance specifications of this chapter; or any that displays information which incorrectly identifies the business, owner, lessor or principle activity conducted on the site for a period of one (1) year.

**Animated Sign.** Any sign that uses movement or change in lighting to depict action or create a special effect or scheme.

**Awning Sign.** A Structure supported entirely from the exterior wall of a building and composed of nonrigid material (except for the supporting framework) upon which a sign is indelibly drawn, painted or printed.

**Banner.** Any sign of lightweight fabric or similar material that is temporarily mounted to a pole or a building by a permanent frame on one or more edges. National Flags, State and Municipal Flags or Official Flags or any institution or business shall not be considered a banner.

**Bench Sign.** Shall mean any sign located on any part of the surface of a bench or seat placed on or adjacent to a public right-of-way.

**Billboard.** A **Non-point of sale** sign which directs attention to a business, commodity, service or activity sold or offered for sale at a location other than the premises upon which said billboard is located. **See Off-premise Sign.**

**Building Frontage.** The linear length of a building facing a public street right-of-way, exclusive of alleys.

**Bulletin Board.** A sign which identifies an institution or organization on the premises of which it is located and which contains the name of the institution or organization, the name of individuals connected with it and general information or announcements of events or activities occurring at the institution or similar messages.

**Canopy Signs.** A roof-like cover, attached or unattached, extending from the exterior wall of a building and composed of supporting framework or rigid or nonrigid materials upon which a sign is indelibly drawn, painted or printed.

**Changeable Copy Sign (Electronic).** A sign board that is designed so that the characters, letters or illustrations can be electronically changed or arranged without permanently altering the face or surface of the sign.

**Changeable Copy Sign (Manual).** A sign that is designed so that characters, letters or illustrations can be manually changed or arranged without permanently altering the face or surface of the sign.

**Construction Sign.** Shall mean any sign giving the name or names of the principal contractors, architects and lending institutions responsible for construction on the site where the sign is placed, together with other information included thereon. **See Temporary Sign.**

**Directional Sign.** Any sign which is used principally for the purpose of indicating the direction or location of any object, place or area, including but not limited to those signs which indicate the avenues of ingress and egress from a particular premises.

**Directory Sign.** A sign upon which the name and location of the occupants or the use of a building is given.

**Electronic Message Display.** A sign capable of displaying words, symbols, figures or images that can be electronically or mechanically changed by remote or automatic means.

**Erect.** Shall mean to build, construct, attach, hang, place, mount, suspend or affix and shall include the painting of wall signs upon the exterior wall surface of buildings or structures.

**Establishment.** An establishment is any commercial, industrial, institutional, educational, office, social, business or financial entity.

**Exempt Signs.** All signs for which permits are not required but which must, nonetheless, conform to the other terms and conditions of these regulations.

**Flashing Sign.** A flashing sign is an activated sign on which any electric lighting by any device is either alternated on and off or raised and lowered in brightness or intensity.

**Ground Level.** Ground level shall mean street grade nearest the base of a sign structure.

**Ground Sign.** Any sign which is supported by structures or supports in or upon the ground and independent of support from any building. Also qualifies as a freestanding sign. **A pylon sign shall specifically excluded from the definition of a ground sign.**

**Height.** The vertical distance measured from ground level to the highest point of any sign.

**Illegal Sign.** An unpermitted sign which was not lawfully erected or a permitted sign not constructed in accordance with the representations set forth in the permit documents or a sign constructed in violation of City codes.

**Illuminated Sign.** A sign lighted by or exposed to artificial lighting either by lights on or inside the sign face or directed towards the sign.

1. ***Indirect Light.*** One reflecting light from a separate outside source aimed toward it, including silhouettes on a background or reflected light.
2. ***Direct Light.*** One emitting light from a source within or affixed to the sign face and beaming outward from it.
3. ***Intermittent Light.*** Any flashing, traveling light, including arrangements that spell messages, simulate motion or form various symbols or images.

**Interior Sign.** A sign which is located in the interior of a structure. Additionally, a sign which is located outside a structure but, because of the sign's placement, design or orientation, is not visible to persons from the right-of-way or other public lands.

**Location.** Any lot, premises, building, structure, wall or any place whatsoever upon which a sign is located.

**Mansard Sign.** Any sign which is attached to a mansard style roof with the face parallel to the structure to which it is attached. Since such sign is

to be mounted parallel to and within the limitations of the building wall or mansard roof on which it is to be mounted, a mansard sign shall be considered a wall sign and not a roof sign.

**Marquee Sign.** Any sign which is attached to or hung from a permanent, roof-like structure which is supported by a building wall and which projects out from the building line usually but not necessarily over a public right-of-way such as a sidewalk.

**Multiple-Occupancy Parcel.** Any parcel, under same ownership, which is occupied by more than one (1) establishment.

**Non-Conforming Sign.** Any sign that does not conform to the requirements of these regulations.

**Notice. (Notification).** Unless otherwise specified, where notice is required by this chapter to be given, it shall be given by certified mail delivery to the last known address of the person to be notified, or by hand delivery to such person. Additionally, the sign structure or property on which the sign is located shall be posted with a notice of violation. If certified mail delivery or hand delivery is not possible, an advertisement in any regularly published newspaper in the city shall suffice.

**Off-Premise Sign.** A sign that directs attention to a business, commodity, service, entertainment or activity conducted, sold or offered for sale at a location other than the premises upon which the sign is located.

**On-Premise Sign.** A sign which advertises only goods, services, facilities, events or attractions available on the premises where located or identifies the owner or occupant or directs traffic on the premises.

**Permanent Sign.** A sign which is originally designed, constructed or modified to be permanently affixed to a building, structure or to the ground.

**Person.** Any person, firm, partnership, association, corporation or organization, singular or plural, of any kind.

**Political Sign.** A sign identifying and urging support for or opposition to a particular issue, political party or candidate.

**Portable Sign.** Any sign which is not permanently affixed to the ground or other permanent structure or a sign designed to be transported, including, but not limited to sign designed to be transported by means of wheels, menu and sandwich board signs, balloons used as signs, umbrellas used for advertising and signs attached to or painted on vehicles parked

and visible from the public right-of-way, **unless** said vehicle is used in the day to day operations of a business.

**Premises.** A lot or tract of land upon which a sign is located or is to be located.

**Projecting Sign.** Any sign affixed to a building or wall in such a manner that its leading edge extends more than six (6) inches beyond the surface of such building or wall.

**Principal Building.** The building in which is conducted the principal use of the zone lot on which it is located. Zone lots with multiple principal uses may have multiple principal building, but storage buildings, garages and other buildings, which are clearly accessory in nature, shall not be considered principal buildings.

**Pylon Sign.** A sign supported by structures or supports in or upon the ground and independent of support from any building(s) and which has a sign face that is constructed from ground level. A sign, other than a portable sign, with less than eight (8) feet ground clearance when measured from the grade at the base of the sign to the bottom of the sign face shall be considered a pylon sign.

**Relocate.** Any change in the position of a sign from its original location.

**Roof Sign.** Any sign erected and constructed wholly on and over the roof of a building, supported by the roof structure.

**Roof Sign-Integral.** Any sign erected or constructed as an integral or essentially integral part of a normal roof structure of any design, such that no part of the sign extends vertically above the highest portion of the roof and such that no part of the sign is separated from the rest of the roof by a space of more than six (6) inches.

**Sign.** A name, identification, image, description, display or illustration which is affixed to, painted on or represented directly or indirectly upon a building, structure or piece of land and which directs attention to an object, product, place, activity, facility, service, event, attraction, person, institution, organization or business and which is visible from any street, right-of-way, sidewalk, alley, park or other public property. Customary displays of merchandise or objects and material without lettering placed behind a store window are not considered signs or parts of a sign.

**Sign Area.** The area of a sign, measured as follows:

- A. Freestanding or projecting signs shall be measured as the area within a single rectangle which encompasses the extreme limits of each and every sign face, including all advertising surfaces, background, framing and ornamentation; **but excluding structural members not forming an integral part of the display or pole covers which contain no advertising copy.** The area of all such faces shall be totaled and such resultant area shall be divided by two (2) to determine the total sign area.
- B. All other signs shall be measured as the area with a single rectangle which encompasses all letters, words, symbols or other graphic elements, plus any background area which does not appear as a continuous portion of the building surface.

**Sign Face.** The surface or surfaces used for the display of a sign message as seen from only one direction.

**Signable Wall Area.** The area within a rectangle, which encompasses a continuous portion of a building façade, unbroken by windows, doors or major architectural interruptions of the building surface. For signs located completely within a gable, signable wall area may be triangular in shape.

**Snipe Sign.** Shall mean any sign of materials whatsoever that is attached in any way to a utility pole, tree or any object located on public right-of-way.

**Spacing of Signs.** The distance between signs measured from points directly opposite the signs along the nearest edge of the pavement of roadway edge of the main thoroughfare or traveled way of the street or thoroughfare to which said signs are directed.

**Street Frontage.** The length of the property line for a single parcel which runs parallel to and along each public right-of-way (exclusive of alleys) it borders.

**Subdivision Sign.** Any sign which is designed to identify a subdivision or neighborhood.

**Temporary Sign.** Any sign not originally designed, constructed or intended to permanently be affixed to any building, structure or the ground. Temporary signs shall be removed by the party or parties posting or erecting them and where stipulated, within the specified time period.

**Temporary Subdivision Sign.** A temporary sign advertising the sale of property in an approved subdivision within the City.

**Wall Sign.** Any sign painted on or attached to and erected parallel to the face of or erected and confined within the limits of, the outside wall of any building and supported by such wall or building and which displays only one (1) advertising surface.

**Window Sign.** Any sign, picture, symbol or combination thereof, designed to communicate information about an activity, business, commodity, product, service, event or sale that is placed inside a window or upon the window pane or glass and is visible from the exterior of the building.

## 1.2 General Regulations Applying to all Signs.

- A. No sign shall be erected or maintained at any location where by reason of its position, working, illumination, shape, symbol, color, form or character, it may obstruct, impair, obscure, interfere with the view of or may be confused with any authorized traffic sign, signal or device or interfere with, mislead, confuse or disrupt traffic flow or traffic safety.
- B. Signs incorporating any noisy mechanical device (whistles, horns, noise makers, sirens or any other noisy audible devices) are expressly prohibited within the City of Oneonta.
- C. No sign of any type or foundation or support thereof shall be placed in a public right-of-way.
- D. No signs having flashing, traveling or animated illumination shall be permitted in any zoning district of the City **except for permanent signs located in commercial districts giving public service information such as, but not limited to: time, date temperature, news or weather.**
- E. All portable and temporary signs shall be set back at least twenty feet (20') from the pavement edge of a public street or road; and, in no case shall such signs be closer than ten (10) feet from the property line. No portable or temporary sign of any type shall be permitted within thirty-five (35) feet of an intersection of the pavement edge lines of two (2) public streets or roads or of the edge of pavement line of a public street or road and the right-of-way line of a railroad.
- F. No illuminated sign, **other than a permanent subdivision identification sign**, shall be permitted within fifty (50) feet of any residential zoning district of the City.



- G. The area around all signs shall be kept clean and free of trash and all vegetation, unless such is a part of the landscaping associated with the sign. In this case, such shall be well maintained. In addition, it shall be the responsibility of the sign owner/lessor or property owner to maintain all signs in a safe and proper operating manner at all times.
- H. No person shall park any vehicle or trailer on a public street or public parking area for the sole purpose of advertising.
- I. Snipe signs shall be permitted in any district, except as may be authorized by the City Ordinance.
- J. No permanent freestanding/pole mounted or ground sign of any type shall be permitted within thirty-five (35) feet of the intersection of the pavement edge line of two (2) public roads, unless the same is mounted at a height of at least ten (10) feet from ground level at the base of the sign and upon poles or other means of support which is adequately designed and constructed to support said sign.
- K. No sign shall occupy any portion of a required parking space or aisle.
- L. All signs shall conform with the *Standard Building Code* or as amended, which provides a comprehensive set of construction standards for signs. These specifications include wind loads, vibration resistance, seismic loads, acceptable stresses and electrical wiring and components.
- M. Professional signs for Home Occupations, where permitted shall not exceed three (3) square feet in area. Such sign may be either a wall mounted sign or a ground sign. However, if such is a ground sign, it shall not be located any closer than twenty (20) feet from the street right-of-way.

### 1.3 Exempt Signs, Permit Exceptions.

- A. Except as may be otherwise provided for elsewhere in the Regulations, the following signs are **exempt** from permit requirements and from the provisions of these Regulations, subject, however, to meeting all applicable regulations and codes, as well as established City Policy concerning any of these signs.
  - 1. Permanent or temporary signs required to be posted by law.

2. Permanent or temporary warning signs and no trespassing signs. **No snipe signs.**
3. Permanent or temporary signs established by or by order of, any government agency or official body.
4. Signs indicating the location of bus stops, taxi stands and similar transportation facilities.
5. Signs giving information concerning the location or use of accessory off-street parking facilities or loading and unloading facilities.
6. Permanent or temporary signs required for the control of vehicular or pedestrian traffic.
7. Temporary holiday signs, banners, displays and decorations, subject to established City Policy.
8. Routine sign maintenance and repair, including the changing of copy on changeable copy signs.
9. Decorative flags and bunting for citywide celebrations, conventions and commemorations, when authorized by the City for a specified time period.
10. One (1) construction sign per street frontage located on property where building is actually in progress under a current building permit. This shall be a ground sign not to exceed thirty-two (32) square feet in area, be non-illuminated, be set back at least twenty (20) feet from the pavement edge of a public right-of-way and may include the names of persons and firms performing such services, labor or supplying materials to the premises. Such sign **must** be removed before a Certificate of Occupancy is issued.
11. Flags, banners or insignias of governmental, religious, charitable or fraternal organizations, subject to established City Policy
12. Integral decorative or architectural features of buildings, except letters, trademarks or moving parts.
13. Directory signs located inside the building they will serve.

14. Signs not exceeding three (3) square feet in area and bearing only property numbers, post office box numbers or names of the occupants of the premises to which the sign pertains.
15. Window signs located in commercial zoning districts, which identify or advertise activities, services, goods or products available within the building and which collectively cover twenty (20) percent or less of the window glass surface area.
16. Temporary political campaign posters, provided that they do not create traffic hazards as a result of poor or improper placement, and further provided that they are removed within twenty-four (24) hours after the general or run-off election or political event to which they pertain by the individual or individuals posting them. Such signs shall not be illuminated in any manner whatsoever. **No snipe signs allowed.**
17. Signs which advertise yard sales or garage sales, provided they are not located in such a manner so as to obstruct or otherwise interfere with motorists' vision and further provided that they are removed within twenty-four (24) hours following the end of such sale. The signs shall not exceed four (4) square feet in sign area no shall such sign be illuminated in any manner whatsoever. **No snipe signs allowed.**
18. Temporary, non-illuminated signs, located in residential and agricultural zoning districts, not to exceed four (4) square feet in sign area, pertaining to agricultural products raised on the premises. **No snipe signs allowed.**
19. Temporary, non-illuminated real estate signs, which are used to offer for sale, lease or rent the property upon which signs are located. **No snipe signs allowed.**
20. Fuel price information signs, in any district in which gasoline sales are permitted and signs advertising the price of motor vehicle fuel sold from a dispenser located on the premises, including logos and advertising signs attached to or painted onto, the fuel dispensers themselves.

**Sec. 2.0 Billboard Regulations.**

Billboards, where permitted, shall comply with the following regulations unless otherwise stipulated elsewhere in this Article.

1. No billboard shall be permitted on any lot which has two (2) or more on-premise signs pertaining to an establishment or establishments located on the same lot.
2. No billboard shall be erected closer than one hundred (100) feet from any residential zoning district in the City of Oneonta.
3. Any illumination of a billboard shall be of an indirect type of lighting and the beam of light(s) shall be directed toward the sign face area and away from any adjacent areas and thoroughfares.
4. No flashing, traveling, animated or intermittent illumination of billboards shall be permitted.
5. No portion of any billboard shall project over or be located on public property or public right-of-way.
6. Where permitted, no billboard shall be erected closer to another billboard or off-premise pole sign than the following prescribed distances:

**National or State Highway Systems.** Five hundred (500) feet between sign structure located on the same side of the street, highway or thoroughfare.

**All Other Streets.** Seven hundred and fifty (750) feet between sign structures located on the same side of the street, highway or thoroughfare.

7. No billboard shall exceed the following specified height and or sign area requirements for specified types of streets or thoroughfares:

**National or State Highway Systems.** The maximum sign area shall not be more than two hundred fifty-two (252) square feet, (including

embellishments) nor exceed twenty-five (25) feet in height for an elevated grade nor forty (40) feet in all other locations.

**All Other Streets.** The maximum sign area shall not be more than two hundred fifty-two (252) square feet in area (including embellishments), nor exceed twenty-five (25) feet in height for an elevated grade nor thirty (30) feet in all other locations.

8. All billboards shall be setback twenty (20) feet from any front lot line and fifteen (15) feet from any side or rear lot line. Such sign may be indirectly illuminated only.

### **Section 3.0 Portable Sign Regulations.**

Where permitted, portable signs shall conform with the following requirements and regulations:

1. No portable sign shall contain flashing or traveling lights.
2. No portable sign shall contain lights that consist of those colors used by fire department vehicles, law enforcement vehicles, emergency medical vehicles or other official vehicles. They shall include the following colors: **Red, blue, orange and yellow.**
3. All portable signs shall be set back at least twenty (20) feet from the pavement edge of a public road or highway and in no case shall such sign be located closer than ten (10) feet from the property line. Moreover, no portable sign shall be permitted within thirty-five (35) feet of the intersection of the pavement edge lines of two (2) streets, or right-of-way lines of a railroad. Under no circumstances shall these signs be placed on a public right-of-way.
4. Portable signs shall be situated in such a manner which will not impede with or interfere with motorist' vision at points of ingress and egress to any establishment.
5. No portable sign shall exceed one-hundred (100) square feet in sign area.
6. All portable signs shall be UL listed, when illuminated.

7. No portable sign shall be permanently or temporarily mounted on any pole, roof, tree or other suspended structure.

#### **Section 4.0 Signs Permitted in Residential Districts.**

The following types of signs are permitted in residential zoning district of the City of Oneonta, subject to the following requirements, unless otherwise provided for elsewhere in these Regulations. **Also see Subsection 1.2 and 1.3.**

1. In detached and attached single-family, two-family and multi-family district, nameplates, not to exceed three (3) square feet in sign area shall be permitted for each dwelling unit. Such nameplates shall indicate nothing more than the name and address of the occupants to which the sign pertains. **Such nameplates shall be indirectly illuminated only.**
2. Professional sign for **home occupations**, where permitted, shall not exceed three (3) feet square feet in area. Such signs may be either wall mounted or ground signs and shall not be illuminated in any manner; only the use of neutral colors, such as earthtones shall be permitted. If such sign is ground sign, said sign shall not be located closer than twenty (20) feet from the street right-of-way.
3. Temporary ground signs, non-illuminated, advertising yard sales, garage sales or the sale of personal property. Such signs shall not exceed four (4) square feet in sign area and shall not be located any closer than twenty (20) feet from the street right-of-way. Such signs shall be removed within twenty-four (24) hours after such sale by the individuals posting them.
4. Permanent subdivision identification signs. Such shall be ground signs (which, if illuminated, shall utilize only indirect illumination) which may include a masonry wall, landscaping and other similar materials or features, designed and intended to form a display for neighborhood or subdivision identification. Such signs shall be limited to one (1) each at the principal entrance to the subdivision, and located at the entrance of the main street leading to the subdivision. Such sign shall not exceed forty-eight (48) square feet in sign area and shall not be located in such a manner so as to create a traffic visibility problem with respect to placement. Such sign shall not be located any

closer than fifteen (15) feet from the street or thoroughfare to which it is directed.

5. Temporary ground subdivision signs, which are non-illuminated. Such signs shall be limited to one (1) each at the principal entrance to the subdivision and located at or near the entrance to the main thoroughfare leading into the subdivision. Such sign shall not exceed thirty-two (32) square feet in sign area and shall be displayed **only during such time as some portion of the property within the subdivision is unsold**. Such signs shall be located no closer than fifteen (15) feet from the street or thoroughfare to which it is directed. Such signs shall not be used concurrently with the permanent subdivision sign referred to in Section 4.4 above.
6. For **multi-family residential development or mobile home park identification signs**: One (1) wall, pylon or ground sign may be located at each entrance to such development provided that such sign does not exceed two (2) square feet in sign area for each dwelling unit up to and including sixteen (16) units. In no event shall the sign exceed thirty-two (32) square feet in sign area. Such signs shall not exceed ten (10) feet in height and shall be located no closer than fifteen (15) feet from the pavement edge of the street or thoroughfare to which it is directed.
7. **Permanent church, school or other public building bulletin boards or identification signs**, including manually-operated, changeable copy signs not to exceed thirty-two (32) square feet in sign area. Such signs may be illuminated or non-illuminated and shall be located no closer than fifteen (15) feet from the pavement edge of the street or thoroughfare to which it is directed.
8. Signs permitted in **Planned Residential Districts** shall be determined using the calculation process in Section 4.6 above.

**Note: Billboards, portable signs and signs containing animated, traveling or flashing lights are prohibited in all residential zoning districts of the City of Oneonta.**

## **Section 5.0 Signs Permitted in the O-1 Office Building District.**

Permanent, free-standing, on-premise ground or pylon signs, limited to one (1) such sign per street frontage of lot, regardless of the number of businesses on a lot. These may include **either**:

1. **A permanent, on-premise ground sign**, either illuminated or non-illuminated, provided such sign shall not exceed one hundred (100) square feet in sign area for the first three hundred (300) feet of public street frontage and one (1) additional sign shall be permitted for each additional three hundred (300) feet or portion thereof of public street frontage. In addition, such signs shall have a minimum clearance of then (10) feet from the ground level to the lowest point of the sign face and shall not be located closer than fifteen (15) feet from the pavement edge of the street or thoroughfare to which it is directed, however, notwithstanding any of the above requirements, no such sign shall, at any time, be located on public right-of-way.
2. **A permanent, on-premise pylon sign**, either illuminated or non-illuminated, which may include a masonry wall, landscaping and similar features or materials. Such sign shall not exceed forty-eight (48) square feet in sign face area and shall not be located any closer than fifteen (15) feet from the pavement edge of the street or thoroughfare to which it is directed. However, notwithstanding any of the above requirements, no pylon sign shall be placed on public right-of-way.
3. In addition to **either Section 5.1 or 5.2 above**, each business located on the parcel shall be allowed one (1) sign per street frontage consisting of one (1) of the following:
  - A. **Wall or mansard sign**, either illuminated or non-illuminated. Such signs shall be limited to one (1) such sign per street frontage, provided no other signs for such establishment are located on the same wall. Such signs shall not extend above the roof line of the building upon which it is mounted and shall not project outward from the building more than twelve (12) inches. Such sign shall not exceed two (2) square feet of sign area for each one (1) linear foot of store frontage. Wall sign may also be permitted which identify the rear entrance of the principal building, provided such sign does not exceed ten (10) square feet in sign area.



- B. **Projecting sign**, either illuminated or non-illuminated, which are attached to the wall of the establishment it serves, provided no other signs for such establishment are located on the same building wall. Such sign shall not project outward more than thirty-six (36) inches. Such sign shall not exceed sixteen (16) square feet in sign area.
- C. **Roof Sign**, shall be permitted only when the property owner can demonstrate to the Inspection Department that no other sign is feasible due to the physically restrictive characteristics of the parcel to which the sign shall serve. If permitted, no roof sign shall exceed fifty (50) square feet in sign area nor extend more than eight (8) feet above the front wall of the building on which it is erected. In no case, shall the maximum height of a roof sign exceed forty-five (45) feet above ground level.

#### **Section 6.0 Signs Permitted in B-1, B-2 and B-3 Zoning Districts.**

Permanent free-standing, on-premise, pole mounted or pylon signs, wall signs, canopy signs, marquee signs and roof signs shall comply with the following regulations:

1. **One (1) permanent, on-premise, free-standing, ground sign**, illuminated or non-illuminated, shall be allowed for each single occupancy parcel having frontage on a public street or thoroughfare, not to exceed one hundred fifty (150) square feet in sign area. In addition, one (1) pole mounted sign shall be allowed, not to exceed one hundred-fifty (150) square feet in sign area for each multiple-occupancy parcel having frontage on a public street or thoroughfare of three hundred (300) feet or less. If a multiple-occupancy parcel has frontage on a public street or thoroughfare in excess of three hundred (300) feet, one (1) additional sign shall be allowed, not to exceed one hundred fifty (150) square feet in sign area. If a multiple-occupancy parcel is entitled to more than one (1) pole sign under this section, than all existing and proposed sign areas shall be combined to determine the maximum allowable sign area. In no case shall the maximum allowable sign area exceed three hundred (300) square feet in sign area for any parcel under single ownership. In addition, such sign(s) shall have a minimum clearance of ten (10) feet from the ground to the lowest point on the sign face and shall not exceed thirty-five (35) feet to the highest point of the sign. Such sign(s) shall not be located any closer than fifteen (15) feet from the property line and shall not, at any time, be placed on public right-of-way.

2. **A permanent, on-premise pylon sign**, either illuminated or non-illuminated, which may include a masonry wall, landscaping and similar features or materials. Such sign shall not exceed forty-eight (48) square feet in sign face area and fifteen (15) feet in height measured from the ground level to the highest point on the sign face. Such sign shall not be located any closer than fifteen (15) feet from the property line. However, notwithstanding any of the above requirements, pylon signs shall not be placed on public right-of-way.
3. In addition to **either Section 6.1 or 6.2** above, each business shall be limited to one (10) such sign per street frontage, which may consist of the following:
  - A. **Wall or mansard sign**, either illuminated or non-illuminated. Such sign shall be limited to one (1) such sign per street frontage, provided no other signs for such establishment are located on the same building wall. Such signs shall not extend above the roofline of the building upon which it is mounted and shall not project outward from the building more than twelve (12) inches. Such sign shall not exceed two (2) square feet of sign area for each one (1) linear foot of store frontage. Wall signs may also be permitted which identify the rear entrance of the principal building provided such sign is non-illuminated and does not exceed ten (10) square feet in sign area.
  - B. **Projecting sign**, either illuminated or non-illuminated, which is attached to the wall of the establishment it serves, provided no other signs for such establishment are located on the same building wall. Such signs shall not project outward more than thirty-six (36) inches from the face of the building upon which it is mounted and shall have a minimum clearance of ten (10) feet from the ground level to the lowest point on the sign. Such signs shall not project into public right-of-way, nor exceed sixteen (16) square feet in sign area.
  - C. **Roof sign**, shall be permitted only when the property owner can demonstrate to the Inspection Department that no other sign is feasible due to the physically restrictive characteristics of the parcel to which the sign shall serve. If permitted, no roof sign shall exceed fifty (50) square feet in sign area nor extend more than eight (8) feet above the front wall of the building on which it is erected. In no case

shall the maximum height of a roof sign exceed forty-five (45) feet above the ground level.

- D. **Marquee, canopy or awning signs**, shall be permitted but shall be affixed flat to the surface and shall not rise above the vertical dimension above the marquee, canopy or awning. Such sign shall be limited to a maximum of ten (10) square feet in sign area.
- E. **Portable signs** shall be permitted subject to **Section 3.0** of these Regulations.
- F. **Billboard signs** shall be permitted in B-2 and B-3 zoning districts subject to **Section 2.0** of these regulations. Billboards shall be prohibited on the B-1 zoning district.
- G. **Electronic message displays** shall be permitted, subject to the following requirements:
  - 1. Only pole signs or pylon signs shall be allowed to have electronic message displays attached. No exterior wall signs shall be permitted to have electronic message displays.
  - 2. The maximum area allowed for any electronic message display shall be no more than 45 square feet of the total installed sign area.
  - 3. Each electronic message must be displayed for a minimum of eight (8) seconds.
  - 4. Each Electronic Message Display (EMD) shall be required to have an automatic dimming control to reduce light level at night and under cloudy or other darkened conditions. The maximum daylight brightness level shall not exceed 5,000 nits when measured from the sign face at its maximum brightness during daylight hours. The EMD shall not exceed 500 nits between sunset and sunrise hours.
  - 5. Requirement of Installation Affidavit to be signed by the Property Owner, Sign Installer and Business Owner/Operator.

6. EMD's shall be limited to the US Highway 231 and AL 75 Traffic Corridors.
7. Only one (1) EMD shall be allowed for each parcel.

*(Amended Ord.: G. 1-7, 6/25/2019)*

### **Section 7.0 Signs Permitted in M-1 and M-2 Zoning Districts.**

The following signs shall be permitted in M-1 and M-2 zoning districts, subject to specified requirements:

1. **A permanent, on-premise, ground sign**, either illuminated or non-illuminated, provided such sign shall not exceed one hundred and fifty (150) square feet in sign area and shall not exceed a minimum height of forty (40) feet from the ground level to the highest point on the sign. In addition, such sign shall have a minimum clearance of ten (10) feet from the ground level to the lowest point on the sign face and shall not be located any closer than fifteen (15) feet from the property line. No sign shall, at any time, be located on public right-of-way.
2. **A permanent, on-premise pylon sign**, either illuminated or non-illuminated, which may include a masonry wall, landscaping and similar features or materials. Such sign shall not exceed sixty (60) square feet in sign area and shall not be located any closer than fifteen (15) feet from the property line. Such sign shall not exceed fifteen (15) feet in height measured from the ground level to the highest point of the sign. No sign shall, at any time, be located on public right-of-way.
3. In addition to **either Section 7.1 or 7.2 above**, each business shall be limited to one (1) such sign per street frontage, which may consist of the following:
  - A. **Wall or mansard sign**, either illuminated or non-illuminated. Such sign shall be limited to one (1) such sign per street frontage. No other signs for such establishments shall be located on the same wall. Such sign shall not extend above the roof line of the building upon which it is mounted and shall not project outward from the building

more than twelve (12) inches. Such sign shall not exceed two (2) square feet in sign area for each one (1) linear foot of building frontage. Wall and mansard signs may also be permitted which identify the rear entrance of the principal building provided such sign is non-illuminated and does not exceed ten (10) square feet in sign area.

- B. **Projecting sign**, either illuminated or non-illuminated, which is attached to the wall of the establishment it serves, provided no other signs for such establishment are located on the same building wall. Such signs shall not project outward more than thirty-six (36) inches from the face of the building upon which it is mounted and shall have a minimum clearance of ten (10) feet from the ground level to the lowest point on the sign. Such sign shall not project into public right-of-way, nor exceed sixteen (16) square feet in sign area.
  - C. **Roof sign**, shall be permitted only when the property owner can demonstrate to the Inspections Department that no other sign is feasible due to the physically restrictive characteristics of the parcel to which the sign will serve. If permitted, no roof sign shall exceed fifty (50) square feet in sign area not extend more than eight (8) feet above the front wall of the building on which it is erected. In no case shall the maximum height of a roof sign exceed forty-five (45) feet above the ground level.
  - D. **Marquee, canopy or awning signs**, shall be permitted but shall be affixed flat to the surface and shall not rise above the vertical dimension above the marquee, canopy or awning. Such sign shall be limited to a maximum of ten (10) square feet in sign area.
- 4. **Portable signs** shall be permitted, subject to **Section 3.0** of these regulations.
  - 5. **Billboards** are permitted in M-1 and M-2 zoning districts, subject to the provisions of **Section 2.0**.

### **Section 8.0 Signs Permitted in the AG Zoning District.**

- 1. Those signs permitted in residential areas as specified in **Section 4.0**.

2. Signs customarily incidental to uses permitted in the AG zoning district.

### **Section 9.0 Construction and Maintenance of Signs.**

All signs shall comply with the following construction and maintenance requirements and regulations:

- A. All signs shall conform with the City building codes, which provide a comprehensive set of construction standards for signs. These specifications include wind loads, vibration resistance, seismic loads, acceptable supports, allowable stresses, materials and electrical wiring and components.
- B. All signs and components, thereof, including structural supports shall be kept in a state of good repair.
- C. The area surrounding the base of any free-standing sign shall be kept clean of all trash, debris and undergrowth at all times.
- D. No person may, for the purpose of increasing or enhancing the visibility of any sign, damage, trim, destroy or remove any trees, shrubs or other vegetation within the right-of-way (unless express written authorization is obtained from the agency having jurisdiction of the right-of-way) or on any area where landscaping is required by City Zoning regulations.

### **Section 10.0 Required Permits, Fees and Inspections.**

- A. Permits Required.
  1. Except where this article explicitly exempts a sign, all signs erected shall require a sign permit be issued by the Inspections Department.
  2. An electrical permit shall be required for all illuminated signs, regardless as to whether such sign is exempt or not.
  3. All outdoor advertising signs to be located within six hundred and sixty (660) feet of the right-of-way of a Federal Aid Highway System (Which includes State Highway 75 and State Highway 231) shall file an application for permit with the State of Alabama Highway Department as required by the Highway Beautification Act-Outdoor Advertising.

B. Application.

1. Name, signature and address of property owner, authorized agent of the property owner, if any, and sign contractor.
2. Address of property owner where the sign is to be erected.
3. A complete description of the sign(s) to be erected, including, but not limited to number, type, method of illumination, dimensions, height, etc.
4. A dimensional sketch of the sign and a plot plan, including a legal description, showing the location of each sign on the lot and the setback(s) from the property line(s).
5. Other details sufficient for the Inspections Department to determine compliance with the requirements of the Article, which may include a building elevation, survey and method of installation or other drawing or documentation satisfactory to assess compliance with all applicable codes.
6. Required permit fees.

**10.1 Issuance Denial.**

When a permit is denied by the Inspection Department, written notice shall be given to the property applicant stating the reason or reasons for denial. A copy of said statement shall be made as an attachment to the permit application.

**10.2 Appeals of Permit Denial.**

Appeal may be taken to the Zoning Board of Adjustment upon denial by the Inspection Department to issue a building permit.

**10.3 Permit Fees.**

Application for permits shall be filed with the Inspection Department, together with a permit fee, as specified by the Inspection Department, for each sign in accordance with this Ordinance. Building permit fees shall be determined by the City in the same manner as other building permits issued by the Inspection Department.

**10.4 Inspection of Signs.**

The person erecting, altering, relocating, enlarging or converting any sign shall notify the Inspection Department upon completion of the work for which permits are required and issued.

#### **10.5 Illegal Signs.**

Every sign in the City of Oneonta shall be maintained in good structural condition at all times. The Building Inspector may inspect and shall have the authority to order the painting, repair, alteration, movement or removal of signs which become dilapidated or abandoned or which constitute a physical hazard to public safety. Any repair, painting, alteration, relocation or removal shall be done at the sign owner's expense. **See Subsection 10.6**

#### **10.6 Confiscation of Signs Located in Public Right-of-Way.**

Any sign installed or erected in the public right-of-way, except in conformance with the requirements of this Ordinance shall be forfeited to the public and subject to confiscation. In addition to other remedies provided for under this Article, the City of Oneonta shall have the right to recover from the owner or person placing the sign in public right-of-way the full costs of removal and disposal of said sign.

#### **10.7 Abandoned Signs.**

Except as may otherwise be provided for in this Article, any sign that is located on property which becomes vacant and is unoccupied for a time period of four (4) months or more, or any sign which pertains to a time, event or purpose which no longer applies, shall be deemed to have been abandoned. Permanent signs applicable to a business temporarily suspended because of a change in ownership or management of such business shall not be deemed abandoned unless the property remains vacant for a time period of one (1) year or more. An abandoned sign is prohibited and shall be removed by the owner of the sign or owner of the premises.

#### **10.8 Notification.**

All notices mailed by the Inspections Department shall be sent by Certified Mail. Any time periods provided in this section shall be



deemed to commence on the date of the receipt of the Certified Mail. The notice shall be mailed to the owner of the property on which the sign is located as shown on the most recent records of the Tax Assessor of Blount County, as well as the occupant which the sign serves. Any person or persons having an interest in the sign or the property may appeal the determination of the Building Inspector ordering the removal or measures deemed necessary to bring the sign into compliance with the provisions of this Ordinance by filing a written notice of appeal with the City of Oneonta Zoning Board of Adjustment within thirty (30) days after the date of the mailing of the notice.

**10.9 Removal of Signs.**

The Building Inspector shall cause any sign to be removed that endangers the public safety, such as abandoned, dangerous or materially, electrically or structurally defective signs or a sign for which no permit has been approved and issued. The Building Inspector shall prepare a notice which shall describe in detail the nature of the violation or violations involved and which shall state that if the sign is not removed or the violation is not corrected within thirty (30) days of receipt of this notice, this sign shall be removed in accordance with the provisions of the Ordinance.

**Section 11.0 Effective Date.**

This Ordinance shall take effect and be in force from and after its passage and adoption.

Duly adopted by the City Council this the 25<sup>th</sup> day of May, 1997.

Danny B. Hicks, Mayor

ATTEST: Martha Walker, City Clerk