

ORDINANCE #462

SIGNS, CANOPIES, AWNINGS, MARQUEES, BILLBOARDS

SIGN REGULATIONS

SECTION ONE

Purpose of Sign Regulations. The public has a legitimate interest and concern in the construction, maintenance, and regulation of outdoor advertising within the City. While Dadeville acknowledges the legitimate public need for business visibility, local businesses must also recognize legitimate public need for a beautiful and uncluttered community and the City's legitimate need to ensure safe traffic circulation on City streets. Competing signage along public streets can create a visual clutter, which makes it difficult for motorists to see traffic control and highway safety signs and to quickly judge where entrances to adjoining businesses are located. The City also has determined that excessive, competing signage can divert motorist attention from the highway, which contributes to traffic accidents. The City wishes to protect its established historic small city character from the appearance of cluttered and excessive signage. The City of Dadeville, has therefore determined that it is desirable to prescribe the manner of sign construction and to compel the use of safe materials; limit the number, type, surface area, height, and location of signs; and require clean and sanitary maintenance of signs in order to protect and promote the public health, safety, and welfare of the community. These sign regulations are intended to lessen hazards to pedestrian and vehicular traffic; preserve property values; prevent unsightly and detrimental development which has a blighting influence upon the community; and, in general, preserve the character and aesthetic quality of the various zones within the City.

SECTION TWO

Sign Descriptions by Type, General Descriptions and General Definitions

For the purpose of this Chapter, signs and certain categories of signs shall be defined as follows:

Sign. Any identification, structure, illustration, or device, illuminated or non-illuminated, that is visible to the general public and directs attention to a product, message, service, place, activity, person, institution, business, or solicitation. A sign shall also include any emblem, painting, flag, statue, banner, pennant, balloon, or placard designed to advertise, identify, or convey information to the public.

1. *Traffic control signs.* Such sign may include legal notices required by law; warning signs and no trespassing signs; identification, informational, or directional signs erected by any governmental agency or public utility.

2. *Directional signs.* Such sign may indicate bus stops, taxi stands, off-street parking or loading facilities; other signs required for the control of vehicular or pedestrian traffic; restroom

identification and direction; drive-thru window direction; telephone identification, and similar directional information. Such signs shall not exceed four (4) square feet in total sign area. When such signs are located within five (5) feet of a public right-of-way line, they shall not stand higher than two and one-half (2.5) feet above the grade of the adjacent street.

3. **Flags.** Any official flag of a government entity and banners of a religious, charitable, or fraternal organization. This listing shall include the supporting device or flag pole. However, no property shall display more than one (1) flag per each fifty (50) feet of street frontage adjacent to the property without prior approval from the City Council.

4. **Artistic displays.** Such displays may include decorative ornamentation or architectural features of a building; public art works, murals, displays, statues, and signs of historic value or significance; and similar artistic displays which have been approved by the City Council as a work of public art.

5. **Advertiser.** Any person, corporation, or other entity that seeks to convey a visual or audio message to the public.

6. **Animated Sign.** Any sign of which all or any part thereof visibly moves, imitates movement, or changes appearance in any fashion whatsoever.

7. **Balloon Sign.** Any device which is inflated by gas or air and intended to serve as a sign or to direct attention to a specific property or location.

8. **Banner.** A temporary sign intended to be hung either with or without a frame or suspended from wires, cables, or rope. Banners generally possess letters, characters, illustrations, or ornamentations applied to paper, plastic, or fabric. Banners shall include pennants, but shall not include office flags of a government entity or political subdivision.

9. **Beacon or searchlight.** Any light with one or more beams (including laser beams), which may be stationary, moving, or rotating, directed into the atmosphere or directed at one or more points not on the same property as the light source.

10. **Building nameplate.** A small memorial plaque, usually composed of metal or wood, affixed flush to an exterior wall near the main entrance of a building and bearing the name of the building or occupant, the date of construction, and/or the persons, entities, or corporations that financed its construction.

11. **Billboard.** Any sign owned by a person, corporation, or other entity that is erected for the purpose of selling, leasing, or donating the display space on that sign to an advertiser.

12. **Canopy.** Any permanent roof-like structure projecting from the wall surface of a building or structure, generally located at or below the roof line and designed to provide shelter from the elements. A canopy shall include all structures commonly known as awnings and marquees.

13. **Canopy sign.** Any sign attached to or made part of the front, top, or side of a canopy.

14. **Construction site identification sign.** A non-illuminated single face sign on property, public or private, and more particularly described in Section Three, subparagraph G.

15. **Copy.** The permanent or removable wording and/or graphics placed upon, painted upon, or bonded to the display surface of a sign.

15. **Erect a sign.** To build, construct, attach, hand, place, suspend, paint, or affix a sign.

16. **Exempt sign.** A sign not subject to a sign permit, in accordance with Section 3 (Signs Exempt from Sign Permits).

17. **Face.** That portion of a sign upon which the copy of placed, attached, bonded, or painted.

18. **Flashing sign.** Any lighted sign or sign containing a reflective surface which changes color, twinkles, or flashes regularly or intermittently. Flashing signs shall not include sign displaying the current time and temperature, as permitted by the City Council, or traffic control signs.

19. **Freestanding sign.** Any permanent sign that is either mounted independently upon the ground or supported by one or more columns or poles, and independent of support from any other building or structure on the site. Freestanding signs shall include, but shall not be limited to, all signs commonly known as ground signs, pole signs, pylon signs, A-frame signs, sandwich signs, and billboards.

20. **Gas pump logos and pricing information.** Any sign where land use engaging in the sale of motor vehicle fuels are permitted more particularly described in Section Three, subparagraph R.

20. **Hanging sign.** Any sign which is attached to and projects down or dangles from a roof, canopy, or projecting brace that is attached to the face of an exterior building wall.

21. **Historic marker.** A sign prepared in accordance with National Trust for Historic Preservation guidelines and approved by the City Council which identifies an historic landmark or district on the property. Such sign may contain a narrative describing the historic significance of the landmark or district.

22. **Inspecting Officer:** A designee of the City of Dadeville who shall have authority to enforce this Ordinance.

22. **Number of signs.** For the purpose of determining the number of signs, each sign shall be considered a single display surface or display device containing elements organized, related, and composed to form a unit. Where copy is displayed in a random manner without organized relationship of elements, each element shall be considered a single sign. A multi-sided sign shall be considered one sign.

23. **Permanent sign.** Any sign, other than a temporary sign, designed with a permanent display face. If a sign face is permanent but the copy displayed is subject to periodic changes, that sign shall

still be regarded as permanent.

24. **Political signs.** Temporary political signs advertising campaigns of candidates for political offices or advertising, proposing, opposing, or relating views or positions upon a political question appearing or to appear on an official election ballot and more particularly described in Section Three, subparagraph I.

24. **Portable sign.** Any sign that is not mounted upon a stationary object or structure that has a footing or that is not implanted beneath the surface of the soil. Such signs are commonly mounted on wheels or a frame that rests upon the ground. Portable signs shall include vehicles or portions of vehicles upon which signs or sign copy have been affixed that are permanently parked or displayed in one or more locations to serve exclusively as a business or political advertisement.

25. **Principal use sign.**

26. **Projecting sign.** Any sign containing not more than two (2) faces, that is affixed directly to the exterior wall of a building or structure or to a solid brace or frame that is attached to the exterior wall of a building or structure in such a manner that the sign face extends outward from the wall surface.

27. **Real estate sign.** Any sign advertising the sale or rental of real property by an individual, company, real estate agent or agency, and more particularly described in Section Three, subparagraph F.

28. **Roof sign.** Any sign that is mounted upon, affixed to, or painted upon the roof of a building or structure or that extends above the building or structure roof line.

29. **Sign area.** That gross area, in square feet, of the advertising copy surface of a sign, as delineated by one continuous perimeter line, enclosing the extreme limits of the writing, representation, or other display. Where a sign contains multiple faces, only one (1) face of the sign shall be used in computing the sign area.

30. **Sign structure.** Any construction used or designed to support a sign.

31. **Snipe sign.** A sign of any material that is attached in any way to a utility pole, tree, fence, rock, or other similar object located on public or private property. Snipe signs shall not include real estate, political, yard sale, "beware," "keep out," "posted," "private property," or "no trespassing" signs.

32. **Temporary sign.** Any sign fabricated of paper, plywood, fabric, window whitewash, or other light, impermanent material and intended to be displayed for a limited duration. If a sign display area is permanent but the message displayed is subject to periodic changes, that sign shall not be regarded as temporary whether moveable or fixed in a place. Any moveable or portable sign or advertising display shall be defined as a temporary sign for the purposes of this Ordinance.

33. **Time and temperature sign:** Any sign within a business district, which may possess a flashing

or changing digital display which indicates only the current time and temperature and more particularly described in Section Three, subparagraph S.

34. **Traffic control sign.** A sign or electronic device, such as a traffic signal or signs denoting stop, danger, handicap parking, one-way traffic, no parking, fire lane, etcetera, for the purpose of directing or regulating the movement of traffic and/or pedestrians.

35. **Vehicle sign.** A sign depicting or identifying name, business, product, service, logo, and similar information painted, strapped, or otherwise affixed to a registered vehicle or trailer attachment that is in operating condition and is used regularly for business transportation.

36. **Wall sign.** Any sign displaying only one (1) face that is mounted flat upon, affixed flat to, or painted upon an exterior wall surface of a building or structure and is located entirely below the roof line.

37. **Window sign.** A temporary sign placed inside or upon a building or structure, window and intended to be seen from the exterior of the building or structure.

38. **On-site sign.** A sign relating in its subject matter to the premises on which it is located, or to products, accommodations, services, or activities on the premises. On-site signs do not include signs erected by the outdoor advertising industry in the conduct of the outdoor advertising business.

39. **Off-site sign.** A sign other than an on-site sign.

40. **Dilapidated sign.** Any sign which is structurally unsound, has defective parts, or is in need of painting or maintenance, or is unsightly.

41. **Nonconforming Sign.** A sign lawfully erected and legally existing at the time of the effective date of adoption or amendment of this Chapter, that could not be built under the terms of this chapter by reason of restrictions on size, spacing, height, illumination, number, location, construction technique, or other requirements concerning the structure.

SECTION THREE

Signs Exempt from Sign Permits

Any changes to the copy of a sign or routine maintenance or replacement of a sign or components of a sign shall not require a sign permit, provided that said changes or maintenance work shall not alter the physical dimensions (including height and sign area) of the sign or the number of sign faces in any way. In addition, the following signs are exempt from required sign permits and all associated fees, and are permitted in accordance with the standards contained within this section and any other applicable provisions of these sign regulations. All exempt signs are permitted in any district, if related and applicable to a permitted land use activity on a lot.

A. **Historic Markers.** Where approved by the City Council.

B. **Traffic control signs.** Such sign may include legal notices required by law; warning signs and no trespassing signs; identification, informational, or directional signs erected by any governmental agency or public utility.

C. **Directional signs.** Such sign may indicate bus stops, taxi stands, off-street parking or loading facilities; other signs required for the control of vehicular or pedestrian traffic; restroom identification and direction; drive-thru window direction; telephone identification, and similar directional information.

D. **Flags.** Any official flag of a government entity and banners of a religious, charitable, or fraternal organization. This exemption shall include the supporting device or flag pole.

E. **Artistic displays.** Such displays may include decorative ornamentation or architectural features of a building; public art works, murals, displays, statues, and signs of historic value or significance; and similar artistic displays which have been approved by the City Council as a work of public art.

F. **Real estate or rental signs.** Each property may have up to one (1) non-illuminated real estate or rental sign, containing a maximum of two (2) sign faces in compliance with the following requirements:

1. The maximum sign area shall not exceed six (6) square feet and the maximum height shall not exceed two and one-half (2.5) feet above the grade of the adjacent street for signs in a residential zone. In a non-residential zoning district, the maximum sign area shall not exceed twenty (20) square feet.

2. Real estate sale or rental signs shall not be located within the public right-of-way.

3. Multiple listing strips, sale pending, and sold signs shall be allowed when attached to the real estate sign, as long as the combined sign area does not exceed the maximum allowed in subparagraph "1" above.

4. One (1) on-premise 'open house' or 'open for inspection' sign, not exceeding three (3) square feet in sign area, may be allowed per property. Similar off-premise signs for directional purposes shall be allowed within the public right-of-way at subdivision entrances or on other private properties with the consent of the property owner. These signs must be removed when the premises are no longer open for inspection.

5. All real estate signs shall be removed when ownership or occupancy of the property has changed and the property is no longer listed for sale, lease or rent.

G. **Construction site identification sign:** Each construction site shall be allowed to erect not more than one (1) non-illuminated, single face, temporary construction sign on a property which has been authorized for construction by the issuance of a zoning permit. Construction site signs shall not be allowed on properties where only one (1) single family or duplex home is to be constructed. Said sign shall be freestanding, and the sign area shall not exceed twenty (20) square feet within any

residential zone or thirty-two (32) square feet within any non-residential zoning district. Construction signs must be set back at least ten (10) feet from all property lines. The sign may include the names of the persons and firms performing services or labor, or supplying materials for the construction project. Any temporary construction sign shall be removed before any building or structures built on the property may be occupied. Temporary construction signs for residential developments shall be allowed to remain erect until seventy-five (75) percent of the total residential lots or units have been sold, or until a permanent identification sign has been erected, whichever occurs first.

H. **Window signs:** Properties not located within a residential zoning district may display window signs, provided that the sign area of any individual window sign shall not exceed six (6) square feet and no more than twenty (20) percent of the total surface area of any window may be obscured by window signs.

I. **Political signs:** Temporary political signs advertising campaigns of candidates for political offices or advertising, proposing, opposing, or relating views or positions upon a political question appearing or to appear upon an official election ballot may be erected in connection with elections or political campaigns. No political signs shall be allowed within or upon a public right-of-way. Within residential districts only one (1) sign per candidate or political issue may be placed upon any single lot of record. Within all other regular zoning districts, not more than two (2) signs per candidate or political sign which shall not exceed six (6) square feet are allowed. Political signs shall not be erected more than ninety (90) days prior to the date of the election, whether general or special, for which the person or issue advertised will appear on the ballot. Such signs must be removed within five (5) days after the date of the election or run-off election (if necessary) has occurred.

J. **Garage or yard sale sign:** A temporary sign advertising the sale of personal property on a lot may be erected on the lot where the sale is to take place. Such signs shall not exceed four (4) square feet in sign area and shall be displayed only on the day immediately prior to and day(s) during which the sale is conducted.

K. **Special event sign and decorations.** A temporary sign indicating a special event such as a grand opening, traveling public exhibits, major convention, fair, carnival, circus, festival, commemoration, personal announcements of births, marriages, birthdays, or similar events may be erected on the lot where the event is to take place, provided that such signs do not exceed the maximum applicable height and surface area requirements for the type of sign used and the sign is installed not more than thirty (30) days prior to the event and removed not more than ten (10) days after the event has occurred. Decorative flags, banners, and bunting shall be allowed only for City-wide celebrations, conventions, and commemorations when specifically authorized by the Mayor and City Council. This exemption also shall apply to decorative lights and displays celebrating any legal holiday.

L. **Entrance/exit signs.** Entrance and/or exit signs which have a maximum sign face length of three (3) feet, a maximum sign face height of one and one-half (1.5) feet, and a total maximum sign height of two (2) feet. Only one (1) entrance/exit sign shall be allowed per curb cut. Entrance/exit signs shall not be allowed in residential zones or for any single or two family residential uses located within any zoning district.

M. *Farm information sign.* Such sign may include farm logos or product information affixed to vehicles, equipment, buildings, silos, and tanks, and similar non-freestanding agricultural displays.

N. *Vehicle signs.* This exemption shall not apply to vehicles or portions of vehicles that are permanently parked in one or more locations to serve exclusively as a business advertisement. Such vehicles or portions thereof shall constitute a portable sign under the context of these regulations.

O. *Building nameplates.* Not more than one (1) nameplate per non-residential building, which shall not exceed two (2) square feet in total sign area.

P. *Legal notices and official instruments.* Legal notices and instruments required by a government or public regulatory entity to be posted or displayed shall be exempt from all aspects of these regulations.

Q. *Church bulletin boards.* Not more than (1) non-illuminated bulletin board or reader board not to exceed fifteen (15) square feet in area.

R. *Gas pump logos and pricing information.* Where land uses engaging in the sale of motor vehicle fuels are permitted, signs may be placed on gasoline pumps in order to identify the company logo or brand and provide required information to the public regarding price per gallon or liter, type of fuel and octane rating.

S. *Time and temperature signs.* The City Council may authorize the erection of not more than one (1) sign per property within a business district, which may possess a flashing or changing digital display, which indicates only the current time and temperature. Such sign shall not exceed twenty (20) square feet in total sign area and shall not be closer than five hundred (500) feet from another time and temperature sign.

SECTION FOUR

Interpretation

For the purpose of determining number of signs, a sign shall be considered to be single display surface or display device containing elements organized, related, and composed to form a unit. Where matter is displayed in a random manner without organized relationship of elements, or where there is reasonable doubt about the relationship of elements, each element shall be considered to be a single sign. The surface area of a sign shall be computed as including the entire area within a rectangle, triangle, circle, or other regular geometric form comprising all of the display area of the sign and including all of the elements of the matter displayed. Frames and structural members not bearing advertising matter shall not be included in computation of surface area.

SECTION FIVE

Required Permits, Fees, and Inspections

A. Except where this chapter explicitly exempts a sign, all signs erected shall require a sign permit, and if applicable business license, issued by the City. In addition, whether a sign is exempt under

the terms of this ordinance or not, City building and electrical codes may require additional permits which must be obtained prior to erection or construction of any sign that falls within the jurisdiction of said building or electrical codes. All permits issued for a sign shall be clearly and conspicuously displayed on the site where the sign will be erected until construction is completed.

B. Each application for a sign permit shall include the following items.

1. Name, signature, and address of the property owner, authorized agent of the property owner, if any, and sign contractor.

2. Address of the property where the sign is to be erected.

3. Lot area, zoning and principal land use(s) on the lot subject to erection of a sign.

4. A complete description of the sign(s) to be erected, including, but not limited to number, type, freestanding or attached, method of illumination, on or off-premises display, and setbacks.

5. A dimensioned sketch of the sign and a plot plan showing the location of each sign on the lot.

6. Other details sufficient for the Inspecting Officer to determine compliance with the requirements of this chapter.

C. An application fee of \$100.00 shall accompany each application for a sign permit. A building permit also may be required, depending upon the type of sign.

D. The Inspecting Officer shall inspect each sign authorized by permit to determine compliance with the permit application.

SECTION SIX

Sign Prohibitions

Except where qualified below, the following signs are specifically prohibited throughout Dadeville:

A. Any sign or advertising structure which, by reason of location, position, shape, or color, interferes with, obstructs the view of, resembles, or can be confused with an authorized traffic control sign, signal, or device, or which incorporates the words "stop," "look," "danger," "turn back," or any other word, phrase, or symbol or character that would interfere with, mislead, or confuse motorists.

B. Any sign incorporating any noisy mechanical device (whistles, horns, sirens, or any other noisy audible devices) or emitting smoke or steam.

C. Any sign of any type or support thereof placed, extending, or projecting into or upon a public right-of-way, except as expressly authorized.

- D. Animated or revolving signs.
- E. Any sign located so that it substantially interferes with the view necessary for motorists to proceed safely through intersections or to enter onto or exit from public streets or private drives.
- F. Any sign with illegal, obscene, or prurient words, scenes, or graphics.
- G. Any sign that blocks another sign, fire escape, door, window, parking or loading aisle or space.
- H. Any sign that is damaged or not in a structurally safe condition and good state of repair.
- I. Roof signs.
- J. Snipe signs, including signs attached to, painted upon, or otherwise affixed to any public bench, trash receptacle, or other street furniture located within a public right-of-way.
- K. Portable signs.
- L. Beacons or searchlights.
- M. Flashing signs, with the exception of time and temperature signs, as may be permitted by the City Council.
- N. Banners, unless approved by the Mayor or City Council for a grand opening or an City wide celebration, convention or legal holiday.
- O. Balloon signs.

SECTION SEVEN
Treatment of Abandoned Signs and Signs
Advertising, Abandoned Uses, Products or Services

- A. Any sign copy or billboard copy identifying or announcing a use or business activity that has been abandoned, closed, or relocated, or which advertises a product, service, or entertainment the production, sale, or provision of which has been discontinued or canceled, shall be removed within six (6) calendar months of the date of abandonment or discontinuance.
- B. If a sign face is left blank (without any copy) or the sign copy has been left in a state of disrepair and is, for all intents and purposes, illegible (missing or broken letters, torn, shredded, or vandalized advertising copy or graphics, etc.), unattractive, or generally ineffective as an advertising tool for a continuous period of one hundred twenty (120) days, that sign shall be considered abandoned, and within fifteen (15) days after abandonment the owner of the property where the sign is located shall cause the sign to be removed or immediately replace the sign face or copy with an appropriate display or advertisement and otherwise make the sign fully compliant with the requirements of this ordinance.

C. Any pre-existing, nonconforming portable sign that is moved or relocated from its original conforming location upon the effective date of these regulations (without prior approval from the City Council) shall be deemed abandoned and no longer grandfathered under Section 8, Subparagraph A of this Ordinance. Any portable sign which is located partially or wholly within a public right-of-way not more than one hundred twenty (120) days after the effective date of these regulations also shall be deemed abandoned and no longer grandfathered under Section 8 of this Ordinance.

SECTION EIGHT

Nonconforming signs

Nonconforming Sign. Where a lawful off-site sign exists at the effective date of adoption or amendment of this section that could not be built under the terms of this section by reason of restrictions on size, spacing, height, illumination, number, location, or other requirements concerning the structure, such structure shall be deemed a nonconforming structure. A nonconforming sign may be maintained only by painting or refinishing the surface of the sign face or sign structure so as to keep the appearance of the sign as it was when the original permit for construction was issued. Upon a determination by the Chief Building Official and notice to the owner of the sign that a nonconforming sign has become dilapidated or structurally unsound, such sign shall be removed within 30 days unless an appeal of such determination has been previously filed with the Board of Adjustment. Any structural or other substantive maintenance to a nonconforming sign shall be deemed an abandonment of the nonconforming sign and shall render the sign a violation of the provisions of this Chapter.

A. ***Grandfather status.*** Any permanent sign legally existing on or before the date of adoption of this Ordinance, or any future amendment thereto, that does not conform with the requirements of this Ordinance may be continued and maintained. Portable signs which fall under the scope of Section 7, Subparagraph C of this Ordinance shall not be deemed grandfathered.

B. ***Alterations.*** A nonconforming sign shall not be rebuilt, expanded, moved, or altered in a way that would increase the degree of nonconformity as it existed at the time the grandfather status was conferred. This requirement shall not be interpreted so as to prohibit proper maintenance of a nonconforming sign or changes to the copy of the sign that do not increase the existing degree of nonconformity.

C. ***Expiration.*** A nonconforming sign shall not be rebuilt or re-established after its use has been discontinued or abandoned under the terms of Section 7, Subparagraph B, unless approved by the City Council.

D. ***Damage repair.*** A nonconforming sign shall not be reconstructed or repaired to a nonconforming status if it has sustained damage exceeding sixty percent (60%) of its fair market value immediately prior to damage, unless approved by the City Council. Fair market value shall be determined by the City Council.

E. ***Additional signs on lots with nonconforming signs.*** No permits for additional signs shall be issued for any premises upon which any nonconforming signs are located.

SECTION NINE
Dimensional Requirements for Permitted Signs

All permitted signs requiring the issuance of a sign permit shall comply with the applicable requirements below for each type of sign. No signs shall be located within five feet of an intersection of a street right-of-way and the nearest edge of a driveway or entranceway to the property. In addition, no sign shall be located in such a way as to prevent, obstruct, or hinder free access to or egress from any door, window, or fire escape.

A. **Canopy signs.** In zoning districts where permitted, canopy signs shall be allowed to extend beyond the edges of the vertical face of a canopy, awning, or marquee. In addition, the following absolute dimensional requirements shall apply.

1. *Maximum sign area per single canopy face:* Ten (10) square feet.
2. *Total cumulative sign area for all sign faces on an individual canopy, awning, or marquee:*
Twenty-five (25) square feet.
3. *Maximum sign face or copy height:* Two (2) feet.
4. *Maximum sign face or copy width:* Five (5) feet.

B. **Freestanding signs.** In a zoning district where freestanding signs are permitted, each lot of record may have not more than one (1) freestanding sign as an accessory structure to a principal use structure on the property. Freestanding signs shall be securely fastened to the ground or to some other metallic or concrete supportive structure so that there is no danger that either the sign or the supportive structure may be moved by the wind or other forces of nature and cause injury to persons or property. The City Council may approve one (1) additional freestanding sign for any existing lot of record that is accessed by more than one collector or arterial street on opposing sides of the property. Furthermore, if a development is located on a corner lot that has at least two hundred-fifty (250) feet of frontage on each of the two intersecting public streets, then the City Council may allow not more than one (1) freestanding sign along each side of the development bordered by such streets. When approving additional freestanding signs, the City Council may increase the maximum cumulative sign area allowed for the property as needed to permit the intended additional freestanding sign. Freestanding signs shall be located as close as possible to the main traffic access to the property, but shall not be located closer than five (5) feet to the right-of-way of a public street. In addition, no freestanding sign shall be located less than fifty (50) feet from another freestanding sign on the same side of the street or less than one hundred (100) feet from another freestanding sign on the same property. All freestanding signs shall comply with the following dimensional requirements.

1. *Maximum sign area:* One hundred (100) square feet. However, the City Council may increase the maximum sign area to a total sign area of not more than one hundred fifty (150) square feet for a freestanding sign that will serve all businesses in a shopping plaza or office park containing more than three (3) businesses.

2. *Maximum sign, height, including the supporting structure and sign face:* Thirty (30) feet. However, the City Council may increase the maximum height of a freestanding sign to ensure sign visibility from an adjoining public street, where the elevation of the street exceeds the elevation of the property by more than five (5) feet at the point where the freestanding sign will be erected. In no instance shall the increased height allow the top of the freestanding sign face or copy to extend more than twenty-five (25) feet above the nearest surface elevation of the paved street.

3. *Maximum sign face or copy height:* Ten (10) feet. A greater maximum sign face height may be granted by the City Council for a freestanding sign that will serve all businesses in a shopping plaza or office park containing more than three (3) businesses.

4. *Maximum sign face or copy width:* Ten (10) feet. A greater maximum sign face width may be granted by the City Council for a freestanding sign that will serve all businesses in a shopping plaza or office park containing more than three (3) businesses.

C. ***Hanging and projecting signs.*** In zoning districts where hanging and/or projecting signs are allowed, each building may have not more than one (1) hanging or projecting sign per building wall that has an exterior entrance. Hanging or projecting signs may extend into a public right-of-way, but shall not extend any more than five (5) feet from the building face to which it is attached and shall not extend beyond the inside face of a street curb or the outer edge of the paved travel lane of a street, whichever is applicable. Hanging or projecting signs shall be located as close as possible to said exterior building entrance in accordance with the following requirements:

1. *Maximum sign area:* Ten (10) square feet.

2. *Maximum sign face or copy height:* Five (5) feet.

3. *Maximum sign face or copy width:* Five (5) feet.

4. *Maximum elevation from the bottom of the sign face or copy (including all supporting frames or braces) to the finished ground level directly beneath the sign:* Nine (9) feet.

D. ***Wall signs:*** In a zoning district where wall signs are allowed, no portion of a wall sign shall extend above the building roof line or beyond the edges of the wall. In addition, no portion of a wall sign shall obscure any portion of a window or entranceway to the building. Each wall sign shall be affixed flush to the wall, and shall not project more than twelve (12) inches away from the wall surface, exclusive of any approved lighting fixtures. Where wall signs are to be placed on a building of historical significance (especially if located within the downtown area or an older neighborhood), the wall sign shall be sized and positioned in a way that will complement the historic character and charm of the building. The following dimensional requirements also shall apply to all permitted wall signs:

1. *Maximum sign area of any individual wall sign:* Thirty (30) square feet.

2. *Maximum cumulative sign area of all wall signs on a single building.* Sixty (60) square feet, or not more than ten (10) percent of the surface area of an affected wall, whichever is less.

3. *Maximum sign face or copy height:* Four (4) feet.

4. *Maximum sign face or copy width:* Eight (8) feet.

SECTION TEN

Signs Allowed Within Residential Zoning Districts

The following types of signs and no others shall be permitted in Residential Districts.

A. One (1) sign on any one premises announcing the conduct of a home occupation, provided that such sign shall not exceed six (6) square feet in area, shall be non-illuminated, and shall be mounted flat against the wall of the principal building.

B. One (1) identification sign each for schools, churches, hospitals, or similar institutions provided that the area on any one side of any such sign shall not exceed twenty-four (24) square feet; and one identification sign each for clubs, lodges, farms, or similar uses, provided that the area on one side of any such sign shall not exceed twenty-four (24) square feet.

C. Real estate signs advertising the sale, rental, or development of premises, provided that the area on one side of such sign shall not exceed six (6) square feet. Real estate signs shall not be located within the public right-of-way.

D. Temporary signs of building contractors or artisans, provided that such signs shall be removed upon completion of the work.

E. An ornamental gateway leading to a residential subdivision or district may incorporate a sign announcing the name of such subdivision or district, but not including the name of the developer or other commercial information. Such a sign shall not exceed thirty-two (32) square feet in area. Such a gateway shall comply with all regulations of this Chapter relating to vision at street corners.

F. When a funeral home, nursing home, or medical or dental clinic is authorized in a residential district as a special exception, the City Council shall specify the number, type, and size of signs to be allowed for such use.

G. The City Council may, as a special exception, permit temporary signs and displays in connection with civic activities such as clean-up and fund-raising activities.

H. Signs expressing a message protected by the First Amendment to the United States Constitution, provided that all such signs placed on any single premises shall not exceed six (6) square feet in total aggregate area, shall be non-illuminated, shall not be placed so as to obstruct the view of motorists and shall not be placed on the public right-of-way.

Within residential zoning districts the only signs that shall be allowed are those classified as exempt from these regulations under Section 3 and residential subdivision entrance signs in accordance with the following requirements:

A. Permanent freestanding ground signs to residential subdivision, manufactured home park, or multi-family (including townhouse and condominium) developments containing ten (10) or more lots or units may be erected at principal entrances to the project. One sign shall be permitted at each principal entrance to the development. An entrance sign may be attached to the wall of a multi-family apartment building.

B. Entrance signs shall not exceed fifteen (15) square feet in sign area and three (3) feet in height as measured from the base of the sign. Where an entrance sign is attached to the wall of a multi-family apartment building, it shall not exceed six (6) square feet in sign area and two (2) feet in height as measured from the base of the sign.

C. Entrance signs shall be securely fastened to the ground or to some other substantial supportive structure in accordance with applicable building codes, so that there is no danger that either the sign or the supportive structure may be accidentally toppled or moved by the wind or other forces of nature and cause injury to persons or property.

D. Residential subdivision entrance signs shall not be illuminated, unless indirect illumination is afforded by a street light or shielded ground spotlight positioned at the entranceway.

E. Development entranceways, and, specifically, the area adjoining the entrance sign, should be appropriately landscaped and maintained to provide an attractive and inviting entrance to the subdivision.

F. Institutional uses (public or semi-public) allowed within residential districts (including churches, schools, parks, etc.) shall be permitted to establish not more than one (1) non-illuminated freestanding or wall sign (which may include or contain a bulletin board) with a total sign area of not more than twenty-four (24) square feet.

SECTION ELEVEN

Signs Allowed Within Non-residential Zoning Districts

On-Site Signs. On-site signs in Business and Industrial District shall be subject to the following regulations:

1. In Business Districts, there shall be not more than one (1) on-site sign, with a total sign surface area not exceeding FORTY (40) square feet, for each two hundred (200) feet of frontage on a street, provided that a maximum of at least two (2) signs and a total of forty (40) square feet of sign surface area shall be permitted on any one premises.

2. In the Central Business District, on-site signs shall be flush with the face or side of the building and shall not project more than twelve (12) inches beyond the face or side of the building, or they shall be mounted perpendicular to the face or side of the building, and shall not extend more than twelve (12) inches beyond the face or side of the building and shall be located such that the bottom of such sign, including its supporting structure, shall be at least eight (8) feet about the surface of the sidewalk at the location of the sign. No sign shall be mounted on a road in the Central Business District except as permitted by a variance approved by the City Council.

3. In Industrial Districts, there shall be not more than one (1) on-site sign, with a total sign surface not exceeding fifty (50) square feet, for each two hundred (200) feet of frontage on a street, provided that a minimum of at least two (2) signs and at least one hundred (100) square feet of total sign surface shall be permitted on any one premises.

4. In highway related Commercial Districts, no sign shall exceed sixty (60) feet in height. In other business and industrial districts, no sign, except a sign painted or mounted flush on the face or side of a building, shall exceed twenty (20) feet in height.

5. In all Business and Industrial Districts, the bottom of an on-site sign or sign frame shall be not less than twelve (12) feet above finished grade, except for unlighted portable signs or signs painted or mounted flush on a building.

All signs that are exempt from these regulations shall be permitted in any non-residential zoning district in accordance with the conditions specified in Section 3. In addition, owners of land within a non-residential zoning district may erect any sign identified in Section 3 subparagraphs one through seven in accordance with all dimensional requirements prescribed therein. However, in no instance shall the cumulative total sign area for all signs permitted under Subparagraphs one through seven of this Section that are erected on a single lot of record exceed the limits specified below for the applicable non-residential zoning districts, the cumulative total sign area limitation of the more restrictive zoning district shall apply to the entire non-residentially zoned area of the subject lot of record.

1. C-1- Neighborhood Commercial District. Forty (40) square feet of cumulative total sign area.

2. C-2-General Business District. One hundred thirty (130) square feet of cumulative total sign area (not including billboards.)

3. C-3- Central Business District. Fifty (50) square feet of cumulative total sign area.

4. M-1-Light Industry District. Fifty (50) square feet of cumulative total sign area (not including billboards).

5. M-2- General Industry District. Fifty (50) square feet of cumulative total sign area (not including billboards).

6. FH-Flood Hazard District. The total permitted cumulative sign area shall be determined by the underlying zoning district requirements.

7. PUD-Planned Unit Development District. Sign dimensional requirements for specific nonresidential building sites within a Planned Development shall be determined in accordance with the applicable requirements for the B-1 Zoning District.

SECTION TWELVE
Traffic Visibility Provisions

No permanent or temporary sign shall be located in a way that it will create an obstruction to traffic, visibility, within five (5) feet of any right-of-way line for a street or railroad, except where specifically authorized in this section. However, in no event, shall any sign, regardless of size, heights, or design, extend into any right-of-way.

SECTION THIRTEEN **Construction and Maintenance of Signs**

A. All signs shall conform with applicable 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.

B. All signs and all components thereof, including structural supports, shall be kept in a state of good repair.

C. The area immediately surrounding the base of any freestanding sign shall be kept clear of all debris and undergrowth, unless the undergrowth is established to serve as decorative planting adjacent to a monument sign.

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 any right-of-way (unless express written authorization is obtained from the agency having jurisdiction over the right-of-way) or on any area where landscaping is required by this chapter.

SECTION FOURTEEN **Billboards**

Billboards shall be permitted only within areas zoned General Business, Light Industry, or Heavy Industry that are not more than one thousand (1,000) feet from the right-of-way of U.S. Highway 280 or a controlled access freeway. No billboard or portion of a billboard shall be placed upon or project over public land or a public right-of-way. In addition, all billboards shall comply with the following requirements:

A. *Minimum spacing between any two or more billboards:* Eight hundred (800) feet.

B. *Maximum sign area:* Two hundred (200) square feet.

C. *Maximum sign face or copy height.* Ten (10) feet.

D. *Maximum sign face or copy width:* Twenty (20) feet.

E. *Maximum elevation from the top of the sign face or copy (including all supporting frames or poles) to the finished ground level directly beneath the sign:* the maximum height shall not exceed the structure height limitation for the applicable zoning district. In addition, the lowest portion of any billboard sign face must be at least twelve (12) feet above grade.

F. **Maximum number of sign faces:** Each sign structure may support not more than two (2) sign faces, each of which must be oriented in opposing directions, either through the construction of a double-sided sign face or a V-type design. Billboard sign faces shall not be double-stacked on a sign structure.

G. **Lighting:** The use of flashing lights or moving beacons to illuminate a billboard shall be prohibited. All lighting used to illuminate a billboard shall be properly directed and shielded as necessary to prevent glare on adjoining properties and to prevent the blinding of motorists on the adjacent highway.

H. **Setback from residential zones and properties:** No billboard shall be sited less than one hundred (100) feet from the boundaries of any residential zoning district or any lot or property actively used for residential purposes.

I. **Construction materials:** All billboards shall be constructed of all metal, either steel beams or steel single-pole construction, except for the sign face and trim, which may be of other durable materials in accordance with all applicable building code requirements.

J. **Compliance with special requirements:** In addition to the requirements contained in this Section, all billboards shall comply with all applicable zoning district dimensional requirements imposed by the Alabama Department of Transportation.

SECTION FIFTEEN

A. **Off-site Signs.** In districts where off-site signs are permitted, the following regulations shall apply to such signs:

1. The maximum area for any one sign shall be sixty-four (64) square feet, with a maximum height of eight (8) feet and maximum length of eight (8) feet, inclusive of border and trim but excluding the base supports, and structural members.

2. The bottom of the sign or sign frame shall not be less than twelve (12) feet above finished grade. This twelve foot space shall be open and unobstructed except for sign supports and structural members.

3. A sign structure may contain one or two signs per facing and may be placed doublefaced, back to back, or Vee-type, provided that if two signs are used facing the same direction the total area shall not exceed sixty-four (64) feet.

4. Off-site signs shall not be erected or maintained which contain, include, or are illuminated by any flashing, intermittent, or moving lights, except those giving public service information such as time, date, temperature, weather, or news.

5. On all highways classified as freeways in the Major Street Plan, there shall be not less than _____ feet between the off-site sign structures on the same side of the highway.

6. On all streets and highways not classified as freeways in the Major Street Plan, there shall be not less than two hundred (200) feet between sign structures.

B. *Variances*. It is the explicit intent that this section be enacted to accomplish the purposes as set forth in subparagraph (1) and any variance granted by the zoning board of adjustment would be detrimental to these purposes. Accordingly, the board of adjustment should only grant a variance under the most extreme circumstances.

* The above underlined measurements reflect workable choices, but are merely suggestions.

A. *Non-durable and Temporary Signs*. Signs which do not conform to the requirements of this ordinance with respect to number, sign surface area, location on the lot, or otherwise, and which are made of paper, cloth or other non-durable material or are freestanding signs not affixed to a building or the ground shall be removed within sixty (60) days after the effective date of this Chapter.

B. *Signs in Public Right of Way*. Any sign existing and installed on the effective date of this Chapter which is in or projects into a public street right-of-way (provided its construction was not unlawful at the time), shall be permitted to remain until sixty days of identification, except as provided in paragraph A above. No such existing sign shall be changed or enlarged, but only maintained until said date. From and after sixty days, it shall be unlawful for any person to maintain or keep any such sign in, on, or over a public street right-of-way.

SECTION SIXTEEN

General Regulations

A. No sign, canopy, awning, marquee, or the like structure shall be placed in such a position that it will cause danger to traffic on a street by obscuring the view. No sign shall be erected or maintained which imitates or resembles any official traffic sign, signal, or device. No sign incorporating red, amber, or green lights shall be permitted in such proximity to a traffic signal light that, in the opinion of the Inspecting Officer, it could be mistaken for such traffic signal by a driver.

B. No sign, canopy, awning, marquee, or like structure shall be erected in or project into any public park, street, or highway, or over, or in, or into any sidewalk in the city except as herein provided. Temporary awnings projecting over a public sidewalk may be permitted during the summer or customary seasons of the year, provided that they are erected and maintained in a safe and proper manner. On business buildings constructed with no front yard, a sign mounted flush on the face of such building may project not more than six (6) inches into or over the sidewalk. The Board of Adjustment may permit, as a special exception in the Central Business District only, a permanent canopy or marquee over a public sidewalk.

C. Signs of any size mounted on trailers, and other portable signs with an area on one side in excess of 4 feet in width by 8 feet in length are strictly prohibited, and no variance or special exception shall be granted authorizing such a sign. A truck or other vehicle displaying a sign larger than 4 feet in width by 8 feet in length in area may circulate in the street of the city, but no vehicle displaying such a sign shall be parked outside an enclosed building for longer than twenty (20)

minutes.

D. No sign shall incorporate a bare incandescent bulb with wattage exceeding twenty (20) watts, except as a shielded, indirect light source. No illuminated sign shall be permitted which produces an illumination exceeding 0.5 foot candles in a residence district.

E. Electric or illuminated signs shall be installed in strict conformity with the Electrical Code of the City of Dadeville. No electrical wire or cable serving an electric or illuminated sign shall be laid on the surface of the ground.

F. Signs shall not be erected or maintained upon trees, or painted or drawn upon rocks or other natural features.

G. All signs, canopies, awnings, marquees, and like structures shall be kept in good repair and shall not be permitted to become unsightly or dilapidated.

SEVERANCE

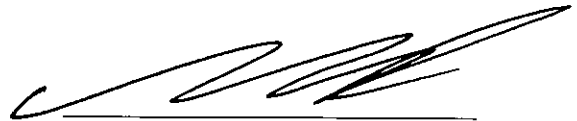
1. If for any reason, any clause, sentence, section, subsection, or provision of this ordinance, or the application thereof to any person or circumstance is held invalid or inoperative, the remainder of the application thereof to the other person and/or circumstance, shall not be affected thereby.

2. This ordinance shall become effective on April 14, 2009, upon its adoption and publication as required by law.

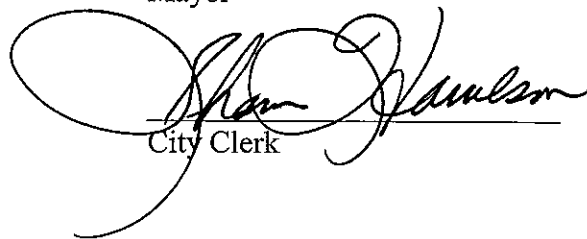
3. All ordinances or parts of ordinances in opposition and not in accord with this ordinance are hereby repealed.

ADOPTED this 14th day of April, 2009.

ATTEST:



Mayor

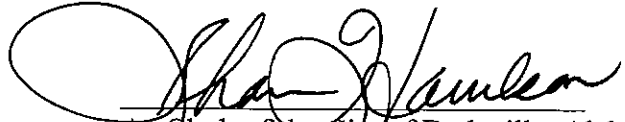


City Clerk

CERTIFICATION OF CITY CLERK

The undersigned, as Clerk of the City of Dadeville, Alabama, hereby certifies that the foregoing is a true, correct, and complete copy of Ordinance No. 462, which was adopted by the Council on the 14th day of April, 2009.

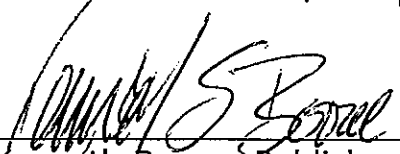
WITNESS MY SIGNATURE, as Clerk of the City of Dadeville, Alabama, under the seal thereof, this 14th day of April, 2009.


As Clerk of the City of Dadeville, Alabama
SEAL



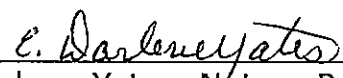
AFFIDAVIT OF PUBLICATION

I, Kenneth Boone, publisher of the Dadeville Record, published five days a week in Dadeville, Alabama, do solemnly swear that a copy of the notice, as per clipping attached, was published 1 times in the said newspaper and not in a supplement thereof, commencing with the issue dated 4/23/09 and ending with the issue dated 4/23/09.



Kenneth Boone, Publisher

Subscribed and sworn before me,



Darlene Yates, Notary Public

My commission expires
September 16, 2010

cash, in front of the main entrance of the Courthouse at Dadeville, Tallapoosa County, Alabama, on May 22, 2009, during the legal hours of sale, all of its right, title, and interest in and to the following described real estate, situated in Tallapoosa County, Alabama, to-wit:

Lot #6, Blue Creek Subdivision in the Southeast Quarter of the Southeast Quarter of Section 6, Township 20 North, Range 23 East, Tallapoosa County, Alabama, described according to plat of survey of said subdivision by John H. Ford, Registered Land Surveyor, recorded in Plat Book 3 at Page 67 in the Office of the Judge of Probate of Tallapoosa County, Alabama. Said Realty being and intended to be that same realty described on Card Number 082984 and in Deed Book 183 at Page 159, all recorded in the Office of the Judge of Probate of Tallapoosa County, Alabama. This conveyance is made subject to covenants, restrictions, reservations, easements and rights of way, if any, heretofore imposed of record affecting title to the said property, and municipal zoning ordinances now or hereafter becoming due against said property.

Property Street Address: 72 Woodbridge Court, Dadeville, Alabama 36853-7011

THIS PROPERTY WILL BE SOLD ON AN "AS IS, WHERE IS" BASIS, SUBJECT TO ANY EASEMENTS, ENCUMBRANCES, AND EXCEPTIONS REFLECTED IN THE MORTGAGE AND THOSE CONTAINED IN THE RECORDS OF THE OFFICE OF THE JUDGE OF PROBATE OF THE COUNTY WHERE THE ABOVE-DE-

scribed in the payment of the indebtedness secured by that certain mortgage executed by James E. Ogden, a married person and Robert Newell, a married person, to Bank of Dadeville, on the 10th day of July, 2006, said mortgage recorded in the Office of the Judge of Probate of Tallapoosa County, Alabama, in Card # 218076; the undersigned RBC Bank (USA), successor by merger with Bank of Dadeville, as Mortgagee/Transferee, under and by virtue of the power of sale contained in said mortgage, will sell at public outcry to the highest bidder for cash, in front of the main entrance of the Courthouse at Dadeville, Tallapoosa County, Alabama, on April 17, 2009, during the legal hours of sale, all of its right, title, and interest in and to the following described real estate, situated in Tallapoosa County, Alabama, to-wit:

Lot No. 22, Block 2, Unit 1 of Holiday Shores Subdivision, described according to the plat of survey of E.B. Brown, a registered land surveyor, recorded in Plat Book 4 at Page 15, in the Office of the Judge of Probate of Tallapoosa County, Alabama. Said property is subject to the restrictive covenants of Holiday Shores Subdivision recorded in Deed Book 153 at Page 91, in the Office of the Judge of Probate of Tallapoosa County, Alabama. (to which Declaration the By-Laws of Golf Colony at Still Waters are attached as Exhibit "E") and as shown on the map and attached certificate of architect or engineer as recorded in Plat Book 8 at Page 48 in the Probate Office of Tallapoosa County, Alabama together with all undivided interest in the Common Elements and Limited Common Elements

of the indebtedness secured by that certain mortgage executed by James E. Ogden, a married person and Robert Newell, a married person, to Bank of Dadeville, on the 10th day of July, 2006, said mortgage recorded in the Office of the Judge of Probate of Tallapoosa County, Alabama, in Card # 218076; the undersigned RBC Bank (USA), successor by merger with Bank of Dadeville, as Mortgagee/Transferee, under and by virtue of the power of sale contained in said mortgage, will sell at public outcry to the highest bidder for cash, in front of the main entrance of the Courthouse at Dadeville, Tallapoosa County, Alabama, on May 22, 2009, during the legal hours of sale, all of its right, title, and interest in and to the following described real estate, situated in Tallapoosa County, Alabama, to-wit:

Unit 201 of Golf Colony at Still Waters, a Condominium as by the Declaration of Condominium recorded on Fiche # 106308, as amended by the First Amended Declaration of Golf Colony at Still Waters, a Condominium dated February 10, 1997 recorded December 29, 1997 on Fiche # 124156, all in the Probate Office of Tallapoosa County, Alabama (to which Declaration the By-Laws of Golf Colony at Still Waters are attached as Exhibit "E") and as shown on the map and attached certificate of architect or engineer as recorded in Plat Book 8 at Page 48 in the Probate Office of Tallapoosa County, Alabama together with all undivided interest in the Common Elements and Limited Common Elements

THIS PROPERTY WILL BE SOLD ON AN "AS IS, WHERE IS" BASIS, SUBJECT TO ANY EASEMENTS, ENCUMBRANCES, AND EXCEPTIONS REFLECTED IN THE MORTGAGE AND THOSE CONTAINED IN THE RECORDS OF THE OFFICE OF THE JUDGE OF PROBATE OF THE COUNTY WHERE THE ABOVE-DE-

RESERVED OR IMPLIED AS TO TITLE, USE AND/OR ENJOYMENT AND WILL BE SOLD SUBJECT TO THE RIGHT OF REDEMPTION OF ALL PARTIES ENTITLED THERETO.

This sale is made for the purpose of paying the indebtedness secured by said mortgage, as well as the expenses of foreclosure.

The Mortgagee/Transferee reserves the right to bid for and purchase the real estate and to credit its purchase price against the expenses of sale and the indebtedness secured by the real estate.

This sale is subject to postponement or cancellation; contact Colleen McCullough at the phone number shown below prior to attendance at sale.

RBC Bank (USA), successor by merger with Bank of Dadeville, Mortgagee/Transferee

Colleen McCullough
SIROTE & PERMUTT, P.C.
P.O. Box 55727
Birmingham, AL 35255-5727
Attorney for Mortgagee/Transferee
(205) 930-5327
www.sirote.com/
foreclosures

The Dadeville Record
April 16, 23, 30, 2009

ORDINANCE #462

SIGNS, CANOPIES, AWNINGS, MARQUEES, BILLBOARDS

SIGN REGULATIONS

SECTION ONE

Purpose of Sign Regulations. The public has a legitimate interest and concern in the construction, maintenance, and regula-

