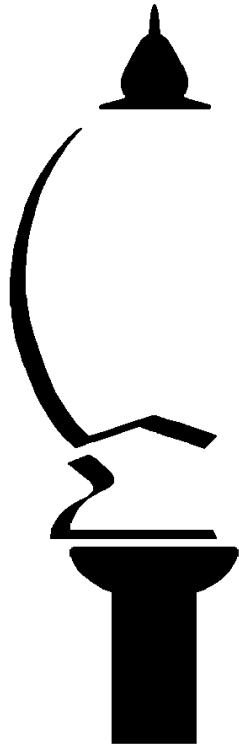


SIGN ORDINANCE

**CITY OF
HOMEWOOD, ALABAMA**

\$5.00



**REVISED
1/11/2010**

INCLUDES WILDWOOD SECTION

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Wildwood Centre – Rules and Regulations – Signage
Architectural Review Committee

Homewood Sign District Map

ARTICLE V. SIGNS*

DIVISION 1. GENERALLY

Sec. 5-150. Purpose of sign regulations.

The City Council has carefully assessed a comprehensive study of sign conditions existing within the City. It has heard community opinions and values expressed at a public hearing; through a special committee formed to represent the concerns of residents, the business community, and sign industry; and through a survey of community attitudes towards sign issues. Further, the Council has considered various sign ordinances and professional studies regarding signs and sign controls. Upon so doing, the City Council has determined that sign blight is the functional equivalent of a public nuisance adversely affecting the aesthetics, vitality, and value of the City's various zones, among other adverse effects on the public safety and general welfare. In response to these findings, the Council enacts these regulations which are intended to advance the interests of community residents and businesses and fulfill the following express purposes:

- (1) To eliminate unsightly and detrimental signage which has a blighting influence upon the community;
- (2) To reduce excessive size or numbers of signs that obscure one another to the detriment of all concerned;
- (3) To lessen hazards to pedestrian and vehicular traffic caused by distracting or unsafely located signs;
- (4) To eliminate detrimental effects of sign blight on property values;
- (5) To enhance the character and aesthetic quality of the various zones within the City; and
- (6) To reasonably insure the protection of the public's safety and general welfare.

(Ord. No. 1738, § 1, 10-22-90)

*Editor's note--Section 1 of Ord. No. 1738, adopted Oct. 22, 1990, enacted Art. III, §§ 5-50--5-110, in lieu of those provisions repealed by § 1 of the ordinance. At the editor's discretion, the new provisions were renumbered and included as Art. V, §§ 5-150--5-210. See also the editor's footnote to the title of Art. III.

Cross reference(s)--Signage for sexually oriented businesses, § 6-221; handbills generally, § 11-35 et seq.; erection, maintenance, use of poles, wires, conduits, signs, etc., § 18-2; use of sidewalks for display purposes, § 18-3; lighting in parking lots and on buildings shining onto streets, § 18-4.

Sec. 5-151. Establishment of Sign Districts and Sign District map.

A. Sign Districts.

- (1) The City Council hereby divides the City into Sign Districts which shall be known as Sign Districts I, II, III, IV and V.
- (2) All properties annexed since the enactment date of this ordinance shall be deemed to lie within Sign District I.

B. Sign District map.

- (1) The Sign Districts established by this article are bounded and defined by an official map which shall be known as the *Homewood Sign District Map* and shall be on file in the City Clerk's Office which, together with all explanatory materials contained therein, is hereby made a part of this article.
- (2) The City Council may, from time to time, amend the official map of Sign Districts, by its own initiative or by application by an owner or authorized agent of the property subject to change in Sign District.

(Ord. No. 1738, § 1, 10-22-90; Ord. No. 2183, § 1, 09-15-2003; Ord. No. 2289, § 1, 4-24-2006; Ord. No. 2384, § 1, 3-09-2009)

Sec. 5-152. Requirements held minimum.

In their interpretation and application, the provisions of this article shall be held to be the minimum requirements for the promotion of the public health, safety, and general welfare.

(Ord. No. 1738, § 1, 10-22-90)

Sec. 5-153. Conflicting provisions.

These regulations are not intended to interfere with, abrogate, or annul any other ordinance, rule, regulation, statute or other provision of law. Wherever any provision of these regulations imposes restrictions different from those imposed by any other provision of these regulations or any other ordinance, rule, or regulation or other provision of law, whichever provisions are more restrictive or impose higher standards shall control. Further, these regulations are not intended to abrogate any easement, covenant or any other private agreement or restriction, provided that where any provision of these regulations is more restrictive or imposes higher standards or regulations than such easement, covenant, or other private agreement or restriction, the requirements of these regulations shall govern. Where any provision of the easement, covenant, or private agreement or restriction imposes duties and obligations more restrictive, or higher standards than the requirements of these regulations, then the requirements of such private provisions shall govern.

(Ord. No. 1738, § 1, 10-22-90)

Sec. 5-154. Severability.

The provisions of these regulations are severable and should any provision be held by a court of competent jurisdiction to be invalid, these regulations in their entirety and remaining parts, other than the part so held to be invalid, shall still be valid.

(Ord. No. 1738, § 1, 10-22-90)

Sec. 5-155. Saving provision.

These regulations shall not be construed as abating any action now pending under, or by virtue of, prior existing sign regulations, or as discontinuing, abating, modifying or altering any penalty accruing or about to accrue, or as affecting the liability of any person, or as waiving any right of the City under any section or provision existing at the time of adoption of these regulations, or as vacating or annulling any rights obtained by any person by lawful action of the City except as shall be expressly provided for in these regulations.

(Ord. No. 1738, § 1, 10-22-90)

Sec. 5-156. Effective date and repeal.

A. *Effective date.* These regulations shall become effective upon their adoption and publication as required by law.

B. *Repeal.* Upon adoption of this article according to law, all previously existing sign regulations contained within Chapter 5 and Appendix A, Zoning, of the Code of Ordinances of the City are hereby repealed to the extent necessary to give these regulations full force and effect.

(Ord. No. 1738, § 1, 10-22-90)

Secs. 5-157--5-159. Reserved.

DIVISION 2. ADMINISTRATION AND ENFORCEMENT

Sec. 5-160. Designation of Code Enforcement Officer.

The *Code Enforcement Officer* shall refer to the person(s) charged with the administration and enforcement of this article. The Code Enforcement Officer shall be any City employee(s) charged by the Mayor with the administration and enforcement of this article. Such employee(s) shall have the right to enter upon any premises at any reasonable time for the purpose of making inspections necessary to carry out prescribed duties in the enforcement of this article.

(Ord. No. 1738, § 1, 10-22-90)

Sec. 5-161. 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 issued by the Code Enforcement Officer.
- (2) Whether a sign is exempt or not, an electrical permit shall be required for all illuminated signs.
- (3) All outdoor advertising signs to be located within six hundred sixty (660) feet of the nearest edge of the right-of-way of a highway on the Interstate or Federal Aid Primary Highway System shall file an application for a permit with the State of Alabama Highway Department, as required by the *Highway Beautification Act--Outdoor Advertising*.

B. *Application.* 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) Sign District, zoning district, 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 and dimensional characteristics necessary to determine maximum sign area, height, number, spacing, etc., such as lot area, lot frontage, building frontage, building face area, etc.
- (6) Other details sufficient for the Code Enforcement Officer to determine compliance with the requirements of this article, which may include a building

elevation, survey, or other drawings or documentation satisfactory to assess a permit.

(7) Application fees.

C. *Application fees.* Each application for a sign permit shall be accompanied by a permit fee of twenty five dollars (\$25.00) plus twenty-five cents (\$0.25) for each square foot of sign area. Additional building and electrical permit and inspection fees shall be established by Chapter 5 of the City Code.

(Ord. No. 2349, § 1, 04-28-08)

D. *Additional fees for freestanding signs in excess of fifty square feet.* All freestanding signs in excess of fifty (50) square feet existing upon enactment of this article, whether or not in conformity with the provisions of this article, shall be registered with the Code Enforcement Officer within ninety (90) days of enactment of this article. Upon registration, the Code Enforcement Officer shall determine the lawfully conforming status of each sign, notify the owner of the conforming/nonconforming/unlawful status of the sign, and inform the owner when and if a sign must be removed or altered to conform with the terms of this article. At the time of registration of existing signs, a registration fee of fifty cents (\$0.50) per square foot per sign structure shall be due. In no event, however, shall a sign not lawfully erected with a valid sign/building/electrical permit be registered as lawfully nonconforming.

(Ord. No. 2349, § 1, 04-28-08)

E. *Inspection.* The Code Enforcement Officer shall inspect each sign authorized by permit to determine compliance with the permit application and the terms of this article. A continual inspection of signs shall be required.

F. *Nullification.* A sign permit shall become null and void if:

- (1) The work for which the permit was issued has not been completed within a period of six (6) months after the date of the permit.
- (2) The sign varies in any respect from the approved design or location.

G. *Permit exceptions.* The repairing, cleaning, touch-up painting or bulb replacement and other normal maintenance to prolong the life of a sign shall not require a sign permit. Any maintenance or repair to improve the structural integrity of the sign must be permitted. Changing the logo, or name of any sign face insert shall require a sign permit.

(Ord. No. 1738, § 1, 10-22-90; Ord. No. 2349, § 1, 04-28-08)

H. *Temporary Banner (exterior).* A banner, as defined in this Article, may be displayed to advertise or identify activities, grand openings, sales, services, goods or products available and must be erected on the address where the event is to take place. Banner shall not be placed on city right of way. Such banner shall be limited to one (1) per address, not to be displayed longer than the special event or 30 days which ever comes first, not to exceed thirty two (32) square feet in area and be removed immediately following the event or at the end of the expiration date of the permit, whichever accure first. Each banner shall require a sign permit along with a date sticker that must be attached to such banner. Anyone that is required to have a business license in the city

must have a current business license at the address where the banner is to be located before a banner/sign permit can be issued. Only Two (2) temporary banner/sign permits shall be issued for each address for each calendar year. No less than 30 days shall pass before the second permit can be issued. In the event new business is located at the same address then the new business license holder shall be exempt from the temporary sign or banner permits issued holder shall be exempt from the temporary sign or banner permits issued to the previous occupant. Permit and stickers cost twenty-five (25) dollars and be issued by the code enforcement officer.

(Ord. No. 2359, § 1, 07-14-2008)

I. *Temporary Non-Profit (501©-3) Special Event Signs and Banners.* All Non-Profit charitable organizations must acquire a sign permit. The permit shall be at no cost. The location of the signs and/or banners, number and the size, are at the direction of the Mayor. Signs and Banners must be removed within 48 hours following event, failure to do so may effect future issuing of permits. Permits are required but stickers are not.

(Ord. No. 2349, § 1, 04-28-2008; Ord. No. 2359, § 1, 07-14-2008)

Sec. 5-162. Violations and penalties.

A. *Responsibility for compliance.* For the purpose of this section, *responsible owner* shall refer to the owner or other person(s) in charge or control of signs and the owner or other person(s) in charge of the property on which signs are located; each shall be responsible for compliance with the terms of this article.

B. *Citation for violations.* The Code Enforcement Officer may serve upon the responsible owner of the sign which is in violation of this article, a UNTCC as provided for in Article II of Chapter 8 of the Code of Ordinances. Provided, however, that the defendant charged with such violation has not previously settled or been convicted of three (3) or more such violations within twelve (12) months of the date of the issuance of such UNTCC, which defendant may plead guilty before a magistrate as provided for in Article II of Chapter 8 and pay the sum of One Hundred Dollars (\$100.00), plus any and all other charges or assessments otherwise payable to the City pursuant to the terms and conditions of this Article or any other ordinances of the City. If the offense charged is the third such offense by the responsible owner charged within twelve (12) months from the date of such UNTCC, settlement cannot be voluntarily made to the magistrate as referred to above and as provided in Article II of Chapter 8 of the Code of Ordinances. If a person receiving a citation as herein provided has, within the prescribing twelve (12) months from the date of such citation, settled or been convicted of three (3) or more such violations, he shall not be permitted to settle the instant alleged offense, but shall be required to stand trial in the municipal Court. Any person receiving a citation, as provided for herein, failing to appear in Court at the date and time set out in the citation, shall be guilty of failure to appear, which shall be a separate and additional offense of the Code of Ordinances, which shall be in addition to any violations of this Article.

C. *Penalty for violation.* Once a citation or warrant has been issued and tried before the municipal Court, a person found guilty of such violations shall be guilty of a misdemeanor and shall be punished as provided in Section 1-8 of the General Ordinances of the City which shall include the payment of any fines levied by the Court, plus any court costs as therein provided and issued by the Court. Each day such offense continues shall constitute a separate offense.

D. Issuance of citation.

- (1) All citations shall be signed by the enforcement officer finding such violations and shall be issued by personal appearance or sent by certified mail to the responsible owner of the sign for which the violation is found.
- (2) A warning of violation may be issued to the responsible owner in writing, personal appearance, or telephone by the enforcement officer finding such violations. The warning shall give an opportunity for correction of any violations within thirty (30) or less days before a citation is sent, as provided in subsection (1) above.

(Ord. No. 1738, § 1, 10-22-90; Ord. No. 1962, § 1, 10-6-97)

Sec. 5-163. Confiscation of signs in public right-of-way.

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

(Ord. No. 1738, § 1, 10-22-90)

Sec. 5-164. Nonconforming signs.

A. General restrictions on nonconforming signs.

- (1) If a sign displays or advertises information or any activity that is no longer current, in a state of needed repair or is left blank for a continuous period of thirty (30) days, that sign shall be considered abandoned and within thirty (30) days after abandonment the owner of the property where the sign is located shall cause the sign to be removed or replace the display or advertisement with a current message.
- (2) Illumination may not be added to a nonconforming sign.
- (3) A nonconforming sign may not be moved or replaced except to bring the sign into complete conformity with these sign regulations.
- (4) The message of a nonconforming sign may be changed so long as the change does not create any new nonconformities, such as creating an off-premises sign where such a sign would not be permitted.
- (5) If a sign is removed or damaged in any manner to the extent that the restoration costs exceeds fifty (50) percent of the original value of the sign immediately before the damaging occurrence, such sign shall be removed or altered to conform with these sign regulations.

(Ord. No. 2349, § 1, 04-28-08)

B. Amortization schedule. Unless otherwise provided in this Section or elsewhere in this Article, any lawfully erected sign that does not conform with the provisions of these sign regulations shall be amortized to conform with this Article, as follows:

- (1) Nonconforming signs prohibited by Section 5-171, nonconforming portable signs, nonconforming temporary signs, nonconforming internally illuminated window signs, and nonconforming wall signs painted directly on the surface of a building shall, within one hundred eighty (180) days after the effective date of this Article, be altered to comply with these sign regulations or be removed.
- (2) All other nonconforming signs shall, within five years after the effective date of this Article, be altered to comply with these sign regulations or be removed.

C. *Notification of nonconforming sign status.* As soon as possible after the effective date of this Article, the Code Enforcement Officer shall make reasonable effort to notify the person responsible for each such sign and inform such person of the nonconformity, required corrections to bring such sign into conformity, by what date the corrections need to be completed, and the consequences of failure to make the necessary corrections.

D. *Unlawfully erected signs.* Any sign that had been erected in violation of any previously existing sign regulations, building codes, electrical codes, or any other ordinance of the City shall not be deemed lawfully nonconforming. Such signs shall be altered to conform with the provisions of this Article or be removed immediately following the effective date of this Article upon notice by the Code Enforcement Officer. It shall be the obligation of the sign owner to show proof of a valid permit for lawful erection of such sign if the Code Enforcement Officer can not readily obtain proof of a valid permit in the records of the City offices.

(Ord. No. 1738, § 1, 10-22-90)

Sec. 5-165. Appeal to City Council.

Variations to the terms of these sign regulations may be granted in individual cases upon a finding by the City Council that the requested variance will not be contrary to the public interest, where, owing to special conditions, a literal enforcement of the provisions of this Article subject to a variance will result in unnecessary hardship and so that the spirit of this Article shall be observed and substantial justice done. A written request for a variance shall be filed with the City clerk requesting a hearing before the City Council. The City Council will, at its next regularly scheduled meeting, schedule a public hearing to consider the variance request from the provisions of this Article. After the public hearing, the City Council may deny the request, grant the request as made, or grant a variance to the provisions of this Article based on conditions as required by the City Council as they deem, in their sole discretion, in the best interest of the City and the enforcement of the provisions of this Article. The decision of the City Council shall be final as relates to the variance request.

(Ord. No. 1738, § 1, 10-22-1990; Ord. No. 2079, § 1, 2-12-2001)

Secs. 5-166--5-169. Reserved.

DIVISION 3. PERMIT EXEMPTIONS AND SIGN PROHIBITIONS

Sec. 5-170. Signs exempt from sign permits.

The following signs are exempt from required sign permits and are permitted in accordance with the standards contained within this Section and any other applicable provisions of these sign regulations. However, an electrical permit shall be required for all illuminated signs. All exempt signs are permitted in any zoning district if incidental to a permitted activity on a lot.

- (1) *Informational sign.* Such sign shall not exceed four (4) square feet in area and may give the names, addresses, and business of the occupants of premises.
- (2) *Official sign.* 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; and historical markers.
- (3) *Directional sign.* 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 direction; drive-through window direction; telephone identification; and similar directional information. Such signs shall not exceed four (4) square feet in area and be limited to display for directional purposes only, i.e., no advertising logos, etc.
- (4) *Noncommercial display.* Such noncommercial display may include temporary holiday signs, displays and decoration; flags and banners of a governmental, religious, charitable or fraternal organization; personal announcements of births, marriages, birthdays and similar personal events.
- (5) *Artistic display.* Such display may include decorative or architectural features of a building; public artworks or displays; and similar artistic displays.
- (6) *Informational display.* Informational displays of four (4) or less square feet that are not designed to inform or attract the attention of persons not on the premises may include vending machines; gasoline price and octane information on pump islands; oil and supply rack identification; pricing, check cashing, and credit card policies; business hours; car wash directions; automated teller information; designated smoking areas; restroom facilities; and similar minor informational displays incidental to activities permitted in the zoning district.
- (7) *Vehicle sign.* Such sign may identify the name, business, product, service, logo and similar information painted or otherwise affixed to a vehicle. However, such vehicle shall not intentionally be parked for the purposes of advertising a business product or service.
- (8) *Stadium sign.* Scoreboards and incidental advertising signs intended to be viewed from within a stadium shall be exempt from required sign permits.

- (9) Temporary real estate signs. Any real estate company or property owner for the sole purpose of selling or renting property in the City shall be permitted to have signs on private property only (on-premise signs). On-Premises signs shall not exceed six (6) square feet in area on a residential lot of thirty-two (32) square feet on a nonresidential lot; shall not interfere with traffic visibility at intersections or public street and private drives; and shall be removed within seven (7) days after a sale, lease or rental. An on-premise real estate sign may only contain the message that the real estate on which the sign is located (including buildings) is for sale, lease, or rent, together with information identifying the owner, property manager, or agent. Temporary real estate signs, signs directing people to such properties, signs advertising open house or other amenities relating to the properties shall not be placed in a public right-of-way, median of any street or highway or public easement or public property.

(Ord. No. 2359, § 1, 07-14-08)

- (10) *Temporary construction site identification sign.* Not more than one (1) construction sign per street frontage shall be permitted on the site where building is actually in progress under a current building permit. Such sign shall not exceed thirty-two (32) square feet in area. A construction sign may identify the project on the site and include the owner or developer, architect, engineer, contractor, subcontractor, funding sources and related information such as, but not limited to, sale or leasing information. Such sign shall not be erected before a building permit is issued and must be removed before a certificate of occupancy is obtained.
- (11) *Temporary promotional sign.* A temporary promotional sign may identify or advertise activities, services, goods or products available within a development. Such sign shall be mounted to the interior of a display window.
- (12) *Temporary political sign.* A temporary political sign may be erected in connection with elections or political campaigns. Such sign shall not exceed four (4) square feet in area on a residential lot or thirty-two (32) square feet on a nonresidential lot; shall not be placed in a public right-of-way; median of any street or highway or any public easement or public property; shall not interfere with traffic visibility at intersections of public streets and private drives and shall be removed within seventy-two (72) hours after the election or campaign.

(Ord. No. 2359, § 1, 07-14-08)

- (13) *Temporary garage or yard sale sign.* A temporary sign advertising the sale of personal property on a lot may be erected only on the lot where the sale is to take place. Such sign shall not exceed four (4) square feet in area on a residential lot; shall not be placed in a public right-of-way; median of the street or highway or any public easement or public property; shall not interfere with traffic visibility at intersections of public streets and private drives. Further, such signs shall not be erected more than seventy-two (72) hours before the sale and shall be removed within twenty-four (24) hours after the sale.

(Ord. No. 2359, § 1, 07-14-08)

- (14) *Other temporary sign.* Any other temporary sign of four (4) or less square feet may be deemed exempt from required sign permits if determined by the Code

Enforcement Officer to be of insubstantial impact and designed solely to inform or attract the attention of persons on the premises on which the sign is located.

- (15) *Temporary Governmental Special Event Signs and Banners.* Signs and banners owned and/or erected by the city (Police, Park Board, Library, etc.) are exempt from permits, number, location, size and the amount of time displayed is at the direction of the Mayor.

(Ord. No. 1738, § 1, 10-22-90; Ord. No. 2098, § 1, 7-9-2001, Ord. No. 2349, § 1, 04-28-2008)

Sec. 5-171. Sign prohibitions.

Except as provided for exempt signs, the following signs are prohibited throughout the City:

- (1) Any sign erected or maintained at any location where by reason of its position, illumination, shape, symbol, color, form or character 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 safety or flow.
- (2) Any sign incorporating any noisy mechanical device (whistles, horns, sirens or any other noisy audible devices) or emitting smoke or steam.
- (3) Any sign of any type or support thereof placed, extending, or projecting on a public right-of-way or located or projected beyond a property line, unless expressly authorized.
- (4) Any flashing, revolving, moving, reflecting or animated sign; beacons; streamers, pennants or propellers. The restriction of this subsection shall not apply to barber poles or sign display areas indicating time, date and weather.
- (5) 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.
- (6) Any sign with illegal, obscene, or prurient words, scenes, or graphics.
- (7) Any sign painted on or attached to a utility pole, rock, tree, fence, telephone booth (except telephone information may be displayed), automated bank teller (except teller information may be displayed), bench, or the like.
- (8) Any circular or throwaway flyer attached to vehicles or mounted on any object outdoors.
- (9) Any sign that blocks a fire escape, door, window, parking or loading aisle or space.
- (10) Any unsafe sign.
- (11) Menu and sandwich boards; searchlight stands; hot-air or gas- filled balloons, or umbrellas used for advertising; and similar signs.

- (12) Guy wire and similar insubstantial supports of a projecting sign.
- (13) A sign display on a vehicle parked primarily for the purposes of advertising a business product or service.
- (14) Illuminated tubing or strings of light that outline property lines, sales areas, roof lines, building lines, and similar areas. Illumination of architectural features of a building, such as doors, windows, and similar features shall not be prohibited.
- (15) Any unlawful sign.
- (16) Graffiti – Any painted or attached sign on any surface displaying gang symbols, territory symbols and/or scenes or graphics. Any non-permitted signs of which property owner/occupant did not contract services for.
- (17) Any signage located in residential zoning, noting a home occupation or delivery services.
- (18) All real estate signs advertising property for sale, rent or lease, signs directing people to such properties, sign advertising open house or other amenities relating to the properties shall be prohibited from any public right-of-way, median, street or highway, easement or property, and shall be solely permitted on the private property to which the real estate sign relates to the sale or lease of such property.

(Ord. No. 1738, § 1, 10-22-90, Ord. No. 2349, § 1, 04-28-08; Ord. No. 2359, § 1, 07-14-08)

Cross reference(s)--Noise control, § 11-13 et seq.

Sec. 5-172. Prohibition on portable signs.

A. *Council findings.* The City Council hereby prohibits portable signs throughout the City owing to the following findings related to the protection of the public health, safety, morals, and general welfare:

- (1) Portable signs are not a uniquely valuable mode of communication; that is, ample methods of communication are available as alternatives to portable signs.
- (2) Evidence has shown that portable signs are a threat to traffic safety.
- (3) Portable signs are not in keeping with the City's aesthetic standards. Portable signs contribute to visual clutter in commercial and industrial centers.
- (4) The City's only effective alternative in controlling the detrimental effects of portable signs is an outright prohibition in all cases.

B. *Removal.* All portable signs shall be deemed in violation of this Article if not removed within one hundred eighty (180) days of the effective enactment date of this Article.

(Ord. No. 1738, § 1, 10-22-90)

Secs. 5-173--5-179. Reserved.

DIVISION 4. FREESTANDING SIGNS

Sec. 5-180. Freestanding sign limitations.

A. *General limitations.*

- (1) Freestanding signs shall be separated from all driveways, parking aisles, loading aisles, parking spaces, and loading spaces. Freestanding signs shall be securely fastened to the ground or to some other substantial 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. Any signage material placed over an existing sign shall be considered temporary and therefore must have prior approval of the Code Enforcement Officer. Permit fee shall be twenty five (25) dollars and duration shall be sixty (60) days and may be extended with council approval.
- (2) Freestanding signs, other than residential project entrance signs, shall not be permitted on a residential lot.

B. *Maximum number.*

- (1) No development may have more than one (1) freestanding sign per property owner.
- (2) Billboards shall be included in the determination of maximum number of freestanding signs per development.

C. *Maximum sign area and height.*

- (1) Except as otherwise provided in this Article, the maximum sign area and height for each freestanding sign on a nonresidential lot shall be determined by Sign District, as follows:

Table of Freestanding Sign Area and Height Limitations

<i>Sign District</i>	<i>Maximum Sign Area</i>	<i>Maximum Height</i>
I	15 square feet of sign area plus 0.5 square feet of sign area per 1,000 square feet of lot area but in no event exceeding 50 square feet	6 feet
II	30 square feet of sign area plus 1.0 square feet of sign area per 1,000 square feet of lot area but in no event exceeding 150 square feet	15 feet
III	<p>In District III, the only freestanding signs permitted are monument ground signs and monument signs as defined by this Article, which monument ground signs and monument signs are limited as follows:</p> <p>(1) Monument Ground Signs.</p> <p style="padding-left: 20px;">a. Up to 25 square feet for lots having less than one hundred (100) lineal feet of road frontage. Each sign shall have a landscaped area of no less than twice the square footage of the sign area. Location shall have approval of Engineering Department.</p> <p style="padding-left: 20px;">b. Up to 30 square feet for lots having one hundred (100) lineal feet or more of road frontage. Each sign shall have a landscaped area of no less than twice the square footage of the sign area. Location shall have approval of Engineering Department.</p> <p>(2) Monument Signs.</p> <p>Monument signs shall have a minimum of two (2) ground anchor points. Each side shall not exceed twenty-five (25) square feet. Each sign shall have a landscaped area of no less that twice the square footage of the sign area. Location shall have approval of Engineering Department.</p>	<p>3.5 feet</p> <p>6 feet</p> <p>6 feet</p>

(3) Maximum number for Sign District III. Property owner may choose up to two (2) different choices from the following type of signs:

a. One Attached Building face sign (see Sec. 5-190 D); or

b. One Projecting Blade sign (see Sec. 5-193); or

c. One Monument Ground Sign or one Monument Sign (see Sec. 5-180 C).

IV Area and height limitations established by the rules and regulations governing signage approved in the final development plan for the Wildwood Centre, as provided by the PMUD district. All signs in district IV shall otherwise comply with all requirements of this Article.

V

No freestanding sign shall be permitted within Sign District V.

(2) Any freestanding sign existing at the enactment date of this Article that exceeds the area or height limitations of the above table, but otherwise complies with this Article, shall be deemed in compliance with this Section if the existing sign area/height is within twenty (20) percent of the standards of this Section.

D. All freestanding signs must not create a public safety hazard as to location, size and design.

E. For the purposes of measuring square footage for this ordinance,

(1) “height” shall be measured form the ground to the highest point of the sign;

(2) “width” shall be measured from the widest point;

(3) the sign shall include all structures, framing, borders, monuments, brickworks and related items;

(Ord. No. 1738, § 1, 10-22-90; Ord. No. 2189, § 1, 10-13-2003; Ord. No. 2289, § 1, 4-24-2006; Ord. No. 2349, § 1, 04-28-08; Ord. No. 2384, § 1, 3-9-2009)

Sec. 5-181. Freestanding signs in shopping centers.

Except as otherwise provided in this Article, shopping centers shall be permitted additional freestanding sign area and height equal to fifty (50) percent of the limitations set forth in the above *Table of Freestanding Sign Area and Height Limitations* in Section 5-180. The additional sign area and height shall be added to the maximum set in the above table to determine the total maximum freestanding sign area and height permitted

for a shopping center. In no event, however, may the total sign area for a shopping center exceed seventy-five (75) square feet in Sign District I, two hundred twenty-five (225) square feet in Sign District II, and three hundred seventy-five (375) square feet in Sign Districts IV. Such freestanding sign may display the shopping center name and a directory of individual businesses within the center, among other permitted on-premises displays.

(Ord. No. 1738, § 1, 10-22-90; Ord. No. 2384, § 1, 3-9-2009)

Sec. 5-182. Special freestanding sign controls in Sign District I.

In addition to other requirements of this Article, all freestanding signs where permitted on nonresidential lots within Sign District I shall be limited to monument ground signs, as defined by this Article.

(Ord. No. 1738, § 1, 10-22-90; Ord. No. 2384, § 1, 3-9-2009)

Sec. 5-183. Pole signs directed toward Interstate 65.

Except as otherwise provided by this Article, pole signs on lots within Sign District II and IV and adjoining the right-of-way of Interstate 65 may exceed the height limitation in the above table of freestanding sign area and height limitations in Section 5-180, subject to the following conditions:

- (1) The maximum height of such signs shall be forty (40) feet above the centerline elevation of Interstate Highway Number 65, at a point determined by drawing a line which is perpendicular to the centerline of the highway, to the sign.
- (2) The maximum area of such signs shall be three hundred (300) square feet.
- (3) The message of such signs must be intended to be only viewed from the main traveled way of Interstate Highway Number 65, defined as the through traffic lanes exclusive of frontage roads, auxiliary lanes and ramps.

(Ord. No. 2384, § 1, 3-9-2009)

Sec. 5-184. Limitations on billboards and other off-premises signs.

Billboards and other off-premises signs are permitted in Sign District II within the C-3, C-5, and M-1 zoning districts, on lots adjoining the right-of-way of Interstate 65, and within three thousand (3, 000) feet of the center point of intersection of I-65 with Oxmoor Road. Such off-premises shall be subject to the following conditions:

- (1) The message of the off-premises sign must be intended to be only viewed from the main traveled way of Interstate Highway 65, defined as the through traffic lanes exclusive of frontage roads, auxiliary lanes and ramps.
- (2) Off-premises signs may not be stacked or erected side by side on the same support structure.
- (3) Neither face of a "V" type off-premises sign may protrude from the opposite face at an interior angle greater than twenty-five (25) degrees.

- (4) The sign area of an off-premises sign may not exceed six hundred seventy-two (672) square feet, excluding cut-out extensions. Cut-out extensions may not exceed one hundred (100) square feet in area.
- (5) Off-premises signs may not be animated.
- (6) Maximum height of off-premises signs shall be forty (40) feet above the centerline elevation of Interstate Highway 65, at a point determined by drawing a line which is perpendicular to the centerline of the highway, to the sign.
- (7) An off-premises sign shall not be erected closer than seven hundred fifty (750) feet from another off-premises or pole sign intended to be viewed from the same side of Interstate Highway 65; measured along the centerline of the through traffic lane closest to the proposed sign, between points determined by drawing a line which is perpendicular to the centerline, from the center of each sign.
- (8) No off-premises sign shall be attached to any building, any part of any building, or any structure other than structural support members specifically designed for support of the sign.

(Ord. No. 1738, § 1, 10-22-90; Ord. No. 2384, § 1, 3-9-2009)

Sec. 5-185. Limitations on residential project entrance signs.

Permanent ground signs to residential developments may be erected at principal entrances to the project, in accordance with the following limitations:

- (1) One (1) sign shall be permitted on each side of the principal entrance to the development.
- (2) Entrance signs shall not exceed thirty-two (32) square feet in area and six (6) feet in height.
- (3) Entrance signs shall be securely fastened to the ground or to some other substantial 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.
- (4) No entrance sign shall be internally illuminated.

(Ord. No. 1738, § 1, 10-22-90)

Secs. 5-186--5-189. Reserved.

DIVISION 5. ATTACHED SIGNS

Sec. 5-190. Attached sign limitations.

A. General limitations.

- (1) Attached signs shall be securely fastened to the building or to some other substantial supportive structure attached to the building 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. Guy wires and similar insubstantial supports shall be prohibited. Any signage material placed over an existing sign shall be considered temporary and therefore must have prior approval of the Code Enforcement Officer. Permit fee shall be twenty five (25) dollars and duration shall be sixty (60) days and may be extended with council approval.

(Ord. No. 2349, § 1, 04-28-08)

- (2) Except as provided for exempt signs, attached signs shall not be permitted on a residential lot.
- (3) Any sign existing at the enactment date of this Article that exceeds the area limitations of this Section, but otherwise complies with this Article, shall be deemed in compliance with this Section if the existing sign area is within twenty (20) percent of the standards of this Section.

B. *Maximum number for sign districts I, II, IV & V.* Except as provided for exempt signs, attached signs shall be restricted to building faces containing the main entrance of the occupant and building faces whose primary orientation is the public street or a customer parking lot. The maximum number of attached signs per building face shall be:

- (1) Either one (1) roof sign or wall sign;
- (2) Either one (1) projecting sign or canopy or marquee sign;
- (3) Except as provided for neon signs displayed in windows in Section 5-195 no limit on the number of window signs; and
- (4) Each property owner may have no more than one (1) attached sign per business.
- (5) Those businesses that front 18th Street in the City and have a rear parking lot may have in addition to the number of signs permitted by this article a second attached sign that is reduced in size by at least 25% of the permitted main entrance sign.

(Ord. No. 2410, § 1, 1/11/2010)

C. *Maximum number for sign districts III.* Property owner may choose up to two (2) different choices from the following types of signs:

- (1) One (1) Attached Building face sign (see Sec 5-190 D); or
- (2) One (1) Projecting Blade sign (see Sec 5-193); or
- (3) One Monument Ground Sign or one Monument Sign (see Sec 5-180 C).

D. *Maximum sign area.* Except as otherwise provided in this Article, the maximum attached sign area per building face for all nonresidential lots shall be determined by Sign District, as follows:

Table of Attached Sign Area Limitations

<i>Sign District</i>	<i>Maximum Sign Area</i>
I, III, V	2 square feet of sign area for each foot of building frontage
II	3 square feet of sign area for each foot of building frontage
IV	Area limitations established by the rules and regulations governing signage approved in the final development plan for the Wildwood Centre, Brookwood Mall, as provided by the PMUD district. All signs in District IV shall otherwise comply with all requirements of this Article.

The maximum sign area shall not exceed 50 square feet regardless of the district.
(Ord. No. 1738, § 1, 10-22-90; Ord. No. 2189, § 1, 10-13-2003; Ord. No. 2384, § 1, 3-9-2009)

Sec. 5-191. Additional roof sign limitations.

In addition to the requirements of Section 5-190, roof signs shall be subject to the following limitations:

- (1) Attached signs shall not be placed upon any roof surface, unless such roof has a pitch of forty-five (45) degrees or more.
- (2) The height of any attached sign shall not extend above the highest point of the roof line.

(Ord. No. 1738, § 1, 10-22-90)

Sec. 5-192. Additional wall sign limitations.

In addition to the requirements of Section 5-190, wall signs shall be subject to the following limitations:

- (1) Wall signs with a single face mounted parallel to a building face shall not project more than twelve (12) inches from the building wall and shall not extend beyond the limits of the building face.

- (2) The area of a wall sign shall not exceed fifteen (15) percent of the face of the building at its ground story to a height not exceeding fifteen (15) feet.

(Ord. No. 1738, § 1, 10-22-90)

Sec. 5-193. Additional projecting sign limitations.

In addition to the requirements of Section 5-190, projecting signs shall be subject to the following limitations:

- (1) Projecting signs with two (2) or more faces extending perpendicular from the building wall shall not project more than four (4) feet from the wall.
- (2) Projecting signs shall not exceed fifteen (15) square feet in area and shall provide at least eight (8) feet of clearance underneath the sign.

(Ord. No. 1738, § 1, 10-22-90)

Sec. 5-194. Additional canopy or marquee sign limitations.

In addition to the requirements of Section 5-190, canopy or marquee signs may be attached to roof-like structures extending from a building wall or covering a fuel service island, provided such signs are made a part of the canopy or marquee and do not extend beyond its face.

(Ord. No. 1738, § 1, 10-22-90)

Sec. 5-195. Additional window sign limitations.

In addition to the requirements of Section 5-190, window signs shall be subject to the following limitations:

- (1) The total area of all permanent window signs shall not exceed twenty-five (25) percent of the transparent surface area of the building face.
- (2) The maximum number of internally illuminated window signs, such as neon signs, shall be two (2) per building face. Such signs shall require an electrical permit and comply with Underwriters Laboratory (UL) or equivalent standards and shall be prohibited in the residential, institutional, C-1 office and PCD-1 office zoning districts.

(Ord. No. 1738, § 1, 10-22-90)

Secs. 5-196--5-199. Reserved.

DIVISION 6. ADDITIONAL SIGN REGULATIONS

Sec. 5-200. Residential sign limitations.

Except as provided for exempt signs and residential project entrance signs, no other signs shall be permitted on a residential lot.

(Ord. No. 1738, § 1, 10-22-90)

Sec. 5-201. Illuminated sign limitations.

Illuminated signs shall be subject to the following limitations:

- (1) The impact of lighting on adjacent residential zones beyond the boundaries of the lot where an illuminated sign is located shall be clearly inconsequential.
- (2) Lighting directed toward an externally illuminated sign shall be shielded so that it illuminates only the face of the sign and does not cast glare on surrounding properties or the public right-of-way.
- (3) Internally illuminated signs shall be prohibited in the Residential, Institutional, C-1 Office, and PCD-1 Office zoning districts, except for vending machines, telephone booths, automated tellers, vacancy information, open or closed messages, public service information (time, date, weather, etc.) displays that do not convey an advertising message where permitted in the district.
- (4) Except exempt signs and signs displaying time, date, and weather, signs illuminated by flashing or intermittent light or lights of changing degrees of intensity are prohibited.
- (5) All illuminated signs whether deemed exempt from sign permits or not shall require an electrical permit and comply with Underwriters Laboratory (UL) or equivalent standards and City electrical code standards.
- (6) Temporary signs shall not be internally illuminated.

(Ord. No. 1738, § 1, 10-22-90)

Sec. 5-202. Traffic visibility provisions.

No permanent or temporary sign exceeding four square feet in area shall be permitted within twenty-five (25) feet of an intersection street right-of-way line (fifty (50) feet if the intersecting street is an arterial highway), within fifteen (15) feet from the front lot line, or within ten (10) feet from a private drive. This limitation may be waived if such sign does not obstruct visibility between a height of thirty (30) inches and eight (8) feet above the nearest street grade level or otherwise does not interfere with traffic visibility for entrance onto and exit from the lot and adjacent lots and the visibility of traffic flow through nearby intersections, as determined by the Code Enforcement Officer. In any event, no sign, regardless of size, height, or design shall extend into any right-of-way, except for attached signs projecting over a public sidewalk or as otherwise expressly authorized.

(Ord. No. 1738, § 1, 10-22-90)

Sec. 5-203. Construction and maintenance of signs.

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

- (1) All signs shall conform with City building and technical 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.
- (2) All signs and all components thereof, including structural supports, shall be kept in a state of good repair.
- (3) The area surrounding the base of any freestanding sign shall be kept clear of all debris and undergrowth.
- (4) 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 City regulations.

Sec. 5-204. Regulation of signs at Brookwood Mall.

A. *This Section shall apply to that property defined in Exhibit A and hereinafter referred to as "Brookwood Mall".*

Editor's note--Exhibit A referenced above is not set out at length herein, but is on file and available for inspection on the office of the City Clerk.

B. *Definitions:* The following definitions shall apply to this Section:

Awning signs: Awning signs are mounted to awnings of cloth, canvas, vinyl or other appropriate materials and are of the same or similar material as the awning.

Banner signs: Banner signs can be mounted either parallel with or perpendicular to the supporting building wall. Banner signs can be permanent or temporary. The sign can be supported from the wall with tubes, brackets, cables, or other appropriate mounting hardware. Banner signs do not require support from the ground.

Blade signs: Blade signs are mounted perpendicular to the supporting building wall or the underside of a canopy. The sign can be supported from the wall with tubes, brackets, cables, or other appropriate mounting hardware. Blade signs do not require support from the ground.

Sign affixed to storefront glass: Such signage can be vinyl, paint, or other appropriate material. Such signage will be applied to the interior face of the glass. Such signage can be permanent or temporary.

Sign ordinance: Shall refer to Article V, "Signs" of Chapter 5, " Buildings; Construction and Related Activities" of the Code of Ordinances of the City of Homewood, Alabama.

C. *Business signs:* Business signs are defined for two (2) locations as follows:

(1) Business signs on Main Mall Structure (continuous facade facing Lakeshore Drive): Businesses may choose to utilize any three (3) of the following types of signs:

a. Attached signs:

- 1) Attached signs may or may not be located on the facade adjacent to the respective business.
- 2) The total of all business signage on the Main Mall Structure shall not exceed twenty (20) percent of the total wall area of the Lakeshore face of the Main Mall Structure.
- 3) No single attached sign shall exceed four feet, six inches (4'6") in height or twenty-five (25) feet in length.
- 4) All attached signs shall be mounted flat against the wall and shall not project more than one (1) foot from the building wall (except rooftop signs).
- 5) Rooftop signs shall be allowed to project a maximum of five (5) feet above the parapet and must be mounted parallel with the face of the building.
- 6) Multiple attached signs for the same business may be allowed at the discretion of the property owner.

b. Blade signs:

- 1) Blade signs may or may not be located on the facade adjacent to the respective business.
- 2) Blade signs may be double-sided and mounted perpendicular to the building wall. A double-sided blade sign is counted as one (1) sign.
- 3) No blade sign will be more than six (6) feet in length or two (2) feet in height.
- 4) Multiple blade signs for the same business may be allowed.

c. Banner signs:

- 1) Banner signs may or may not be located on the facade adjacent to the respective business.

- 2) Banner signs may be mounted either flat against or perpendicular to the building wall and may be single-sided or double-sided. A banner sign may be mounted either horizontally or vertically. A double-sided banner sign is counted as one (1) sign.
 - 3) No banner sign may be more than fourteen (14) feet long or more than three (3) feet wide.
 - 4) Multiple banner signs for the same business may be allowed at the discretion of the property owner.
- d. Awning signs:
- 1) Awning signs may or may not be located on the facade adjacent to the respective business.
 - 2) An awning sign shall not exceed thirty (30) percent of the total awning area and will not exceed two (2) feet in height.
 - 3) Awning signs shall be of similar material to the awning.
 - 4) Business logos displayed on an awning will be exempt from the above restrictions.
 - 5) Multiple awning signs for the same business may be allowed at the discretion of the property owner.
- e. Signs affixed to storefront glass:
- 1) Signs affixed to storefront glass may or may not be located on the storefront adjacent to the respective business.
 - 2) Signs affixed to storefront glass shall not exceed twenty (20) percent of the storefront area and shall not exceed twelve (12) inches in height.
 - 3) Multiple storefront signs for the same business may be allowed at the discretion of the property owner.
- f. Identification pylon signs:
- 1) One (1) identification directory listing or combination thereof pylon sign may be utilized.
 - 2) Maximum allowable height is six (6) feet.
 - 3) Maximum allowable width is six (6) feet.
 - 4) Maximum allowable signage area is seventy-two (72) square feet (thirty-six (36) square feet per side).

- (2) Business signs on freestanding structures: Businesses may choose to utilize any three (3) of the following types of signs:
- a. Attached signs:
 - 1) No attached sign on a building side shall exceed in area twenty (20) [percent] of the wall area of each respective side.
 - 2) All attached signs shall be mounted flat against the wall and shall not project more than one (1) foot from the building wall (except rooftop signs).
 - 3) No single attached sign shall exceed four feet, six inches (4'6") in height or twenty-five (25) feet in length.
 - 4) Rooftop signs shall be allowed to project a maximum of five (5) feet above the parapet and must be mounted parallel with the face of the building.
 - 5) Multiple attached signs for the same business may be allowed at the discretion of the property owner.
 - b. Blade signs:
 - 1) Blade signs will be double sided and mounted perpendicular to the building wall. A double-sided blade sign is counted as one (1) sign.
 - 2) No blade sign will be more than six (6) feet in length or two (2) feet in height.
 - 3) Multiple blade signs for the same business may be allowed at the discretion of the property owner.
 - c. Banner signs:
 - 1) Banner signs may be mounted either flat against or perpendicular to the building wall and may be single-sided or double-sided. A banner sign may be mounted either horizontally or vertically. A double-sided banner sign is counted as one (1) sign.
 - 2) No banner sign may be more than fourteen (14) feet long or more than three (3) feet wide.
 - 3) Multiple banner signs for the same business may be allowed at the discretion of the property owner.
 - d. Awning signs:
 - 1) An awning sign shall not exceed thirty (30) percent of the total awning area and will not exceed two (2) feet in height.
 - 2) Awning signs shall be of similar material to the awning.

- 3) Business logos displayed on an awning will be exempt from the above restrictions.
 - 4) Multiple awning signs for the same business may be allowed at the discretion of the property owner.
- e. Signs affixed to storefront glass:
- 1) Signs affixed to storefront glass shall not exceed twenty (20) percent of the storefront area and shall not exceed twelve (12) inches in height.
 - 2) Multiple storefront signs for the same business may be allowed at the discretion of the property owner.
- f. Ground signs:
- 1) Lots having less than one hundred (100) feet of street frontage shall be permitted one (1) ground sign per street frontage indicating only the business name and address. The sign shall have a maximum of twenty-five (25) square feet in surface area per side, a total aggregate of fifty (50) square feet, and shall be a maximum of three and one-half (3.5) feet high. The sign shall have a minimum of fifty (50) square feet of landscaped area at the base of the sign.
 - 2) Lots having more than one hundred (100) feet of street frontage shall be permitted two (2) signs per street frontage indicating only the business name and address, with a minimum of two hundred (200) feet between signs for lots having more than two hundred (200) feet of street frontage. Each sign shall have a maximum of thirty (30) square feet in surface area per side, a total aggregate of sixty (60) square feet, be a maximum of six (6) feet high and shall be located a minimum of twelve (12) feet from the street right-of-way. Each sign shall have a minimum of fifty (50) square feet of landscaped area at the base of the sign. If the sign is located in a median, the median shall be a minimum of ten (10) feet wide and fifty (50) feet long.
- g. Identification pylon signs:
- 1) One (1) identification directory listing or combination thereof pylon sign may be utilized.
 - 2) Maximum allowable height is thirty-five (35) feet.
 - 3) Maximum allowable width is thirty (30) feet.
 - 4) Maximum allowable signage area is four hundred fifty (450) square feet (two hundred twenty-five (225) square feet per side).

D. *Miscellaneous.*

- (1) Project identification signs: Such signs shall be for the purpose of identification, directory listing, or combination thereof. The long-range Brookwood Village development may include several individual "projects"; therefore, multiple project identification signs shall be utilized to distinguish one part of the overall development from another as necessary.
 - a. Signs identifying the project may be of any type allowed in (b)(2) [subsection (c)(2)].
 - b. Project identification signs that are attached signs shall not exceed two hundred (200) square feet in area per sign.
 - c. Project identification signs that are Banner signs, Blade signs, Awning signs or Signs affixed to storefront glass shall not exceed the size allowed in (c)(1).
 - d. Project identification signs that are Ground signs shall not exceed one hundred (100) square feet (per side). If the frontage per street or highway exceeds five hundred (500) feet, an additional ground sign may be allowed provided that it does not exceed one hundred (100) square feet (per side) in area. The maximum height of any ground sign shall not exceed eight (8) feet.
 - e. Project identification signs that are Pylon signs shall not exceed two hundred (200) square feet (per side) in area. If the frontage per street or major roadway exceeds five hundred (500) feet, an additional pylon sign may be allowed provided that it does not exceed two hundred (200) square feet per side in area. The maximum allowable height is forty-five (45) feet.
 - f. In addition, at each vehicular entrance to the development, one (1) Ground or Pylon sign may be allowed for the purpose of identification, directory listing, or combination thereof and not exceeding seventy-five (75) square feet (per side).
 - g. Back-to-back signs and V-sign structures shall be considered as one (1) sign for purposes of spacing requirements.
- (2) Illumination:
 - a. Unless otherwise expressly prohibited, signs may be illuminated (either internally or externally), provided that lighting directed toward a sign shall be shielded so as to illuminate only the surface area of the sign.
 - b. No illuminated sign shall be permitted within one hundred (100) feet of any residence.

(3) Prohibited signs:

- a. No trailer signs, billboard-type signs, flashing light signs, tethered balloon signs or temporary signs (except construction-related or real estate or lease signs) shall be allowed.

E. *Maintenance and Enforcement*: In order to insure that all signs are erected and maintained in a safe, secure and visually pleasing manner, the following maintenance requirements shall be observed for all signs visible from any public street, and any deficiency shall be corrected within fourteen (14) days of being detected.

- (1) No sign shall have more than twenty (20) percent of its surface area covered with disfigured, cracked, ripped or peeling paint or poster paper.
- (2) No sign shall stand with bent or broken sign facings, broken supports, loose appendages or struts or be allowed to stand more than fifteen (15) degrees away from the perpendicular.
- (3) No sign shall have weeds, trees, vines or other vegetation growing upon it or obscuring its view from the street from which it is to be viewed.
- (4) The Property Owner shall have the right, in its sole discretion, to reject any sign presentation including those allowed under the signage rules and regulations. These rules and regulations are meant to serve as a guideline for the approvals governed by the City.

(Ord. No. 2063, § 1, 7-10-2000)

Editor's note--Ord. No. 2063, § 2, adopted July 10, 2000, further provided that divs. 4 and 5 and §§ 5-151, 5-170 and 5-201 of the sign ordinance shall not apply to Brookwood Mall.

Secs. 5-205--5-209. Reserved.

DIVISION 7. DEFINITIONS

Sec. 5-210. Sign terms defined.

The following sign terms, when used in this Article, shall have the meanings defined by this Section. Terms not defined in this Section but defined in the zoning ordinance or subdivision regulations of the City shall be given the meanings set forth in such ordinance or regulations. All other terms used in this Article shall be given their common, ordinary meaning, unless the context clearly requires otherwise.

Attached sign. Any permanent on-premises sign, other than a freestanding sign, attached to, erected on or supported by any building, including a canopy or marquee sign, projecting sign, roof sign, wall sign, window sign or similar sign that is permanently attached to a building. Attached signs are distinguishable as follows:

- (1) *Canopy or marquee sign.* A permanent on-premises sign affixed, fastened, painted upon or made part of and erected parallel to a canopy or marquee which projects from a building to shield a doorway or window or provide shelter from the weather. The term also includes a shelter above a fuel service island.
- (2) *Projecting sign.* A permanent on-premises sign affixed to a building and whose leading edge extends more than twelve (12) inches beyond the building or wall.
- (3) *Roof sign.* A permanent on-premises sign affixed to the roof of a building or extending above the roof line.
- (4) *Wall sign.* A permanent on-premises sign that is affixed parallel to the building face, below the roof line, within the outer limits of a building wall, and not projecting more than twelve (12) inches from the building face, including such signs painted directly on the surface of a building.
- (5) *Window sign.* A permanent on-premises sign that is affixed to or painted on the inside or upon a window and which is intended to be seen from the exterior of the building.

Banner. Any temporary on-premises sign, other than a flag, pennant, streamer, canopy or similar sign, of lightweight fabric, plastic, paper or similar materials that is mounted at all of its edges to the exterior of a building face or other outdoor structure. Temporary promotional signs mounted to the interior of a window shall not be considered banners.

Building face. All window and wall area of a building in one (1) elevation exposed to public view. Building face shall also include roof area if such roof has a pitch of forty-five (45) degrees or more. In the case of attached units with separate exterior entrances, building face shall be apportioned to each unit.

Building frontage. The width of a building measured at the two (2) outermost limits of the plane or elevation defining the building face. In the case of attached units with separate exterior entrances, building frontage shall be apportioned to each unit.

City Code. The Code of Ordinances of the City.

Code Enforcement Officer. Any official of the City designated by the City Council or the Mayor as the Code Enforcement Officer which is to include the Zoning Administrator for the City or any police officer of the City of Homewood, or any other person designated to enforce the provisions of this Article by the City Council or the Mayor.

Development. A parcel of land planned and developed in a unified design, used or set aside and available for use as the site of one (1) or more buildings and accessory buildings, or for any other purpose. A development is not divided by a street, and for the purpose of this Article may or may not coincide with a lot of record.

Erect. To build, construct, attach, hang, place, suspend, paint, enlarge, alter or affix a sign (except the alteration of a message on a changeable copy sign).

Exempt sign. A sign made exempt from a sign permit, in accordance with Section 5-170.

Freestanding sign. Any permanent sign, other than an attached sign, supported by some structure or the ground and independent of support from any building, including a billboard, ground sign, pole sign or similar sign that is not mounted on a building. Freestanding signs are distinguishable as follows:

- (1) **Billboard.** An off-premises freestanding sign owned by a person, corporation or other entity that engages in the business of selling or donating the display space on that sign.
- (2) **Monument Ground Sign.** An on-premises freestanding sign attached directly to the ground by its entire sign base. Monument Ground signs shall have a landscaped area of no less than twice the square footage on the monument ground sign.
- (3) **Pole sign.** An on-premises freestanding sign not meeting all of the characteristics of a monument ground sign or monument sign.
- (4) **Monument sign.** Shall have a minimum of two (2) ground anchor points of decorative pillars, braces or posts. Monument signs shall have a landscaped area of no less than twice the square footage of sign area.

Illuminated sign. A sign lighted by or exposed to artificial lighting which is further distinguishable as follows:

- (1) **Externally illuminated sign.** A sign where the source of the illumination is reflected off the surface of the sign from an external artificial lighting source.
- (2) **Internally illuminated sign.** A sign where the source of the illumination is inside the sign and artificial light emanates through the message of the sign, including illuminated neon and exposed bulbs.

Lot area. The area contained within the property of the individual parcels of land shown on a subdivision plat or survey.

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 a display is without organized relationship of elements to form a unit, each element shall be considered a separate sign. A multisided sign shall be considered one (1) sign.

Off-premises sign. A permanent sign which directs attention to or conveys information about a business, profession, service, commodity, accommodation, attraction or other activity that exists or is conducted, sold, offered, maintained or provided at a location other than on the premises where the sign is located.

On-premises sign. A permanent sign which directs attention to or conveys information about a business, profession, service, merchandise, accommodation, attraction or other activity that exists or is conducted, sold, offered, maintained or provided on nonresidential premises where the sign is located. Such sign may also communicate personal, religious, or political statements or announce community events.

Permanent sign. Any sign, other than a temporary sign, designed with a permanent display area and not fabricated of paper, fabric, window whitewash or other light impermanent materials. If a sign display area is permanent but the message displayed is subject to periodic changes, that sign shall still be regarded as permanent. A canopy permanently affixed to a building shall be regarded as permanent, even if fabricated of canvas, plastic or equivalent fabric-like materials.

Portable sign. Any sign that is designed to be transported, including, but not limited to, such signs:

- (1) With wheels removed;
- (2) With chassis or support constructed without wheels;
- (3) Designed to be transported by trailer or wheels;
- (4) Converted to an A- or T-frame sign;
- (5) Attached temporarily or permanently to the ground, structure, or other signs; or
- (6) Mounted on a vehicle for advertising purposes, parked, and visible from the public right-of-way, except signs identifying the related business when the vehicle is being used in the normal day-to-day operations of that business.

Residential lot. A lot zoned for residential use or constructed or intended for residential use within a PMUD district.

Shopping center. A group of commercial establishments located on a lot of three (3) or more acres planned and developed in a unified design with shared parking and driveway facilities and under a common management authority.

Sign. Any temporary or permanent display device (including all of its structural components), partially or fully exposed to public view, that is designed to inform or attract the attention of persons not on the premises on which the device is located.

Sign area. That area delineated by one (1) continuous perimeter line, enclosing the extreme limits of the writing, representation, emblem, or other display, together with any material or color forming an integral part of the background of the display or used to differentiate the sign from the backdrop or structure against which it is placed. The area shall be determined by using the largest sign area or silhouette visible at any one time from any one point. This area does not include the main supporting sign structure, but all other ornamental attachments, interconnecting links, etc., which are not a part of the main supports of the sign, are to be included in computing sign area. If a sign consists of more than one (1) section or module, all of the area, including that between sections or modules, shall be included in the computation of sign area. On a two-sided, multisided, or three-dimensional sign, sign area shall include the total of all sides designed to attract attention or communicate information that can be seen at any one vantage point. However, the sign area of a double-faced, back-to-back sign (less than three (3) feet between sign faces) or V-shape sign (less than thirty-degree angle between sign faces) shall include only the area of one (1) sign face.

Sign height. The average distance from the base of the sign at normal grade to the top of the highest attached component of the sign. Normal grade shall be construed to be the lower of existing grade prior to construction or the newly established grade after construction, exclusive of any filling, berming, mounding, or excavating solely for the purpose of locating the sign.

Sign District III. Sign District III shall be depicted on the Homewood Sign District Map and shall include the following areas:

Central Avenue/28th Avenue South. Start on Central Avenue at its intersection with Oxmoor Road, continue down Central Avenue through the merge with 28th Avenue South, continue along 28th Avenue South until it intersects with 18th Street South.

Oxmoor Road. The portion of Oxmoor Road that lies between the intersection of US Highway 31 (Montgomery Highway/ Independence Drive) and East Glenwood and Park Drive.

Linden Avenue. The entire portion of Linden Avenue.

Crescent Avenue. The entire portion of Crescent Avenue.

Reese Street. The portion of Reese Street that lies between the intersections of Central Avenue and Linden Avenue.

29th Court South. All portions east of Central Avenue.

Temporary sign. Any sign fabricated of paper, plywood, fabric, window whitewash or other light, impermanent materials 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.

Unlawful sign. Any sign erected in violation of any previous or present sign regulations, building codes, electrical codes or any other ordinance of the City.

(Ord. No. 1738, § 1, 10-22-90; Ord. No. 1962, § 2, 10-6-97; Ord. No. 2384, § 1, 3-09-2009)

Secs. 5-211--5-250. Reserved.

Wildwood Centre

City of Homewood

Sign Ordinance Supplement

EXHIBIT B
ARCHITECTURAL REVIEW COMMITTEE

RULES AND REGULATIONS- SIGNAGE
ARCHITECTURAL REVIEW COMMITTEE
WILDWOOD CENTRE

I. BUSINESS SIGNS: All businesses may choose to utilize any two of the following types of on-site signs.

A) ATTACHED SIGNS:

- 1) The sign may be either flat against or painted on the wall or projecting perpendicular to the wall.
- 2) No sign on a building side shall exceed in area twenty (20) percent of the first floor wall area, nor shall it exceed eighty (80) feet in length. The first floor building wall area shall be the side used to determine building frontage.
- 3) No sign shall project more than one foot from the building wall.

B) GROUND SIGNS:

- 1) Lots having less than one hundred (100) feet of street frontage shall be permitted one (1) ground sign per street frontage indicating only the business name and address. The sign shall have a maximum of twenty-five (25) square feet in surface area per side, a total aggregate of fifty (50) square feet, and shall be a maximum of three and one-half (3.5) feet high. The sign shall have a minimum fifty (50) square feet of landscaped area at the base of the sign. If the sign is located in a median on private property, then the median shall be a minimum of ten (10) feet wide and fifty (50) feet long.
- 2) Lots having more than one hundred (100) feet of street frontage shall be permitted two (2) signs per street frontage indicating only the business name and address, with a minimum of two hundred (200) feet between signs for lots having more than two hundred (200) feet of street frontage. Each sign shall have a maximum of thirty (30) square feet in surface area per side, a total aggregate of sixty (60) square feet, be a maximum of six (6) feet high and shall be located a minimum of twelve (12) feet from the street right-of-way. Each sign shall have a minimum of fifty (50) square feet of landscaped area at the base of the sign. If the sign is located in a median, then the median shall be a minimum of ten (10) feet wide and fifty (50) feet long.

C) FREE-STANDING BUSINESS IDENTIFICATION PYLON SIGNS:

- 1) One identification directory listing or combination thereof pylon sign may be utilized.
- 2) Maximum allowable height is thirty-five (35) feet.
- 3) Maximum allowable width is thirty (30) feet.
- 4) Maximum allowable signage area is four hundred fifty (450) square feet (Two hundred twenty five (225) square feet per side).

II. SHOPPING CENTERS, MULTIPLE TENANT BUILDINGS, AND UNIVERSITIES/ COLLEGES: All shopping centers, malls, multiple tenant

buildings, and universities/colleges may utilize the following types of free-standing on-site signs. The sign may be located along each street or highway frontage.

- A) **GROUND SIGNS:** One ground sign for the purpose of identification, directory listing, or combination thereof not exceeding one hundred (100) square feet (per side) may be erected. If the frontage per street or highway exceeds five hundred (500) feet, an additional ground sign may be allowed provided that it does not exceed one hundred (100) square feet (per side) in area and the total area. The maximum height of any ground sign shall not exceed sixteen (16) feet.
- B) **PYLON/POLE SIGNS:** One pylon/pole sign for the purpose of identification, directory listing or combination thereof not exceeding two hundred (200) square feet (per side) may be erected. If the frontage per street or highway exceeds five hundred (500) feet, an additional pylon/ pole sign may be allowed provided that it does not exceed two hundred (200) square feet (per side) in area and the total area. The maximum allowable height is forty-five (45) feet.
- C) In addition, at each vehicular entrance to the shopping center, mall, multiple tenant building and /or institutional structures, one ground or pylon/pole sign may be allowed for the purpose of identification, directory listing, or combination thereof and not exceeding seventy –five (75) square feet (per side).
- D) The total maximum allowable area:
 - 1) For shopping centers, multiple tenant buildings, universities and colleges with five hundred (500) feet of road frontage or less, the maximum total area, computed on a per-side basis, for signs permitted under Section II A) and B), above, shall be three hundred (300) square feet.
 - 2) For shopping center, multiple tenant buildings, and universities and colleges with road frontage exceeding five hundred (500) feet, the maximum total area, computed on a per-side basis, for signs permitted under Section II A) and B), above, shall be six hundred (600) square feet.
 - 3) Individual businesses within a shopping center and /or multiple tenants building may erect flat and /or projecting signs consistent with the provision of IIA.
 - 4) Individual businesses within a complex shall not be allowed to have separate free-standing signs.
- E) Back-to- back signs and v-signs structures shall be considered as one sign for purposes of spacing requirements.
- F) In order to provide information and directional aid to the general public, directional signs may be erected by the Developer only within three hundred (300) feet of intersections of major traveled thoroughfares and secondary roads to identify businesses, services, organizations, agencies, facilities and activities located on the secondary road. Such directional signs shall not be utilized to identify uses on the major traveled thoroughfare.
- G) Directory listing signs will be placed at strategic locations on private property in order to provide pertinent information to tourists and visitors. Such listings are intended to be informational and helpful for the convenience of visitors and not promotional of any particular business or type of business. Listings may be

limited to local area hotels/ motels, restaurants, major residential developments, major retail outlet centers, and the like.

III. MISCELLANEOUS:

- A) Unless otherwise expressly prohibited, signs may be illuminated, providing that lighting directed toward a sign shall be shielded so as to illuminate only the surface area of the sign.
- B) No illuminated sign, other than signs permitted on church property, shall be permitted within one hundred (100) feet of any residential district. No sign located within three hundred (300) feet of a residential district shall be illuminated between the hours of 10:00 p.m. and 6:00 a.m.
- C) No trailer signs, billboard type signs (except those existing on May 1, 1989) flashing lights, tethered balloons, or temporary signs (except construction-related or real estate sale or lease signs) shall be allowed.
- D) In any area designated for office use only, free-standing business identification pylon signs shall not be allowed.

IV. MAINTENANCE AND ENFORCEMENT: In order to insure that signs are erected and maintained in a safe and aesthetic manner, the following maintenance requirements shall be observed for all signs visible from any public street, and any deficiency shall be corrected within 14 days of being detected:

- A) No sign shall have more than 20 percent of its surface area covered with disfigured, cracked, ripped or peeling paint or poster paper.
- B) No sign shall stand with bent or broken sign facings, broken supports, loose appendages or struts or be allowed to stand more than 15 degrees away from the perpendicular.
- C) No sign shall have weeds, trees, vines or other vegetation growing upon it or obscuring its view from the street from which it is viewed.
- D) The Architectural Review Committee shall have the right, in its sole discretion, to reject any sign presentation including those allowed under the signage rules and regulations. These rules and regulations are meant to serve as a guideline for the PMUD approvals governed by the Planning and Zoning Commission of the City of Homewood.