

## **ARTICLE 7. SIGNS**

### **700 Intent and Exemptions From the Terms of this Article**

- A. No sign shall be erected, hung, placed or painted in any District except as hereinafter provided.
- B. Tacking, painting, posting or otherwise affixing of signs or posters of a miscellaneous character on the walls of buildings, barns, sheds, trees, posts, poles, fences, walls or other structures except as provided for in this Ordinance is prohibited.
- C. No sign legally erected before the enactment of these regulations shall be altered in any respect or moved, except in compliance with the provisions of this Ordinance.
- D. The flag, emblem or insignia of a nation, other governmental unit, non-profit educational, charitable or religious group shall be exempt from the terms of this Article.

### **701 Word Interpretation**

For the purpose of this Article and any other sections in this Ordinance relating to signs, the following words are intended to include any tense or the prefix "re": affix, alter, attach, display, erect, hang, move, paint, paper, paste, place, post, repair.

### **702 Area of Sign**

- A. The area of a sign shall be construed to include all lettering, wording, and accompanying designs and symbols, together with the background, whether open or enclosed, on which they are displayed, but not to include any supporting framework and bracing which are incidental to the display itself
- B. The area of a sign painted upon or applied to a building shall be construed to include all lettering, wording, and accompanying designs or symbols together with any backing or bordering associated with the sign.
- C. Where the sign consists of individual letters or symbols attached to or painted on a surface, building, wall or window, the area shall be considered to be that of the smallest rectangle or other shape which encompasses all of the letters and symbols.
- D. In computing square foot area of a double-face sign, only one side shall be considered, provided both faces are identical.

703

**Permit Requirements for Signs**

No on-premises sign over six square feet in area and no off-premises sign (except governmental sign) of any size shall be erected, affixed, painted, hung or otherwise displayed, altered or repaired, unless a permit therefor has been issued and the cost thereof as established by the Mayor and Town Council, by its resolution, paid. No permit shall be required for the repainting or repapering of a sign which conforms to the provisions of this Ordinance. Signs on theaters advertising changes in program shall not require permits except for the initial installation thereof. All signs of any size must comply with all the regulations contained herein, irrespective of whether a permit is required.

704

**Signs Permitted in "Residential" Districts**

A. On-Premises Signs

1. Official traffic signs and other official Federal, State, County or Town government signs.
2. A sign indicating the name or number of the building or premises or the accessory use of a dwelling for a home occupation, provided that such sign shall not exceed two square feet in area; that not more than one such sign shall be erected on a property, unless such property fronts on more than one street, in which case one such sign may be erected on each street frontage. A sign, if illuminated, shall be of any enclosed lamp design and non-flashing.
3. Bulletin or announcement board or identification signs for schools, churches, hospitals and other principal uses and buildings other than dwellings, provided that the area of any such sign shall not exceed twelve square feet and not more than one such sign shall be placed on a property unless such property fronts on more than one street, in which case one such sign may be erected on each street frontage.
4. Signs advertising exclusively the prospective sale or lease of the land or building upon which such signs are displayed, provided that the area of any such signs shall not exceed six square feet and not more than one such sign shall be placed on a property, unless such property fronts on more than one street, in which case one such sign may be erected on each street frontage. Such signs shall be removed immediately upon final settlement or renting of a property.
5. A temporary sign advertising the development of the property upon which it stands or the opening of a new subdivision, provided that the area of any such sign shall not exceed one hundred square feet, that not more than one such sign may be placed on a property, unless such

property fronts on more than one street, in which case one such sign may be erected on each street frontage. Such signs shall be removed immediately upon completion of the development.

6. Temporary contractors', architects', or building signs, provided that the area of any such sign shall not exceed twelve square feet. Such signs shall be removed immediately upon completion of the work or eighteen months after erection of the signs, whichever shall occur first.
7. Traffic control and directional signs not exceeding two square feet in area. Such signs shall not be illuminated, but may be of the beaded reflector type. No advertising matter whatsoever shall be contained on signs of this type.
8. Temporary signs announcing a campaign, drive, or event of a civic, philanthropic, education, or religious organization. Such signs shall not exceed twelve square feet in area and shall be removed not more than five days after the event.
9. No trespassing signs, signs indicating the private nature of a road, driveway, or premises, provided that the area of any such sign shall not exceed two square feet.

B. Off-Premises Signs

1. Signs directing patrons, members or audience to temporary exhibits, shows, or events, subject to the following requirements:
  - a. No such sign shall exceed twelve square feet in area.
  - b. Signs shall be removed within five days after the date of the exhibit, show or event.
  - c. No permit shall be issued for the erection of such signs until a deposit shall be made with the Zoning Administrator in accordance with a fee schedule adopted by the Town Council to guarantee removal within the time prescribed. Failure to remove such signs within the time prescribed shall result in forfeiture of the deposit, and the Mayor and Town Council or any person designated by the Mayor and Town Council shall have the authority to enter upon the premises and remove the sign.
  - d. No such sign shall be posted earlier than two weeks before the occurrence of the event to which it relates.

2. Official traffic signs and other Federal, State, County or Town governmental signs.

**705**      **Signs Permitted in the "Commercial" District**

A.      On-Premises Signs

1. All signs permitted in Section 704 at the standards prescribed therein except as otherwise provided in this Section.
2. Signs for permitted non-residential uses provided:
  - a. The aggregate area of all signs attached to or printed on a building shall not exceed ten percent of the area of the building face to which they are attached or painted, or two hundred square feet whichever is less.
  - b. Free-standing signs identifying a single building or its business or a shopping center in accordance with the following schedule:

<u>Total Street Frontage</u>	<u>No. Signs Permitted</u>
1 to 1,000 feet	1
Each additional 1,000 feet	1

The area of any free-standing sign shall not exceed one square foot for each lineal foot of street frontage occupied by the use on which or in connection with which the sign is to be erected, but in no case **shall** the area of a sign exceed two hundred square feet.

B.      Off-Premises Signs

1. All signs permitted in Section 704 at the standards prescribed therein.
2. Signs used for directing patrons, members, or audience to service clubs, churches, or other non-profit organizations, provided signs shall indicate only the name, emblem, meeting hours, address and the direction of the facility, and shall not exceed four square feet in area.

**706**      **General Sign Regulations**

- A. No sign shall project more than three feet above the roof of a building. No such sign shall be larger than fifteen square feet in area. No sign shall be hung from a building if it shall extend more than four feet from the face of the building, and there shall be a minimum of eight feet clearance from the bottom of the sign to the ground. No sign protruding out over any sidewalk

may exceed ten square feet in area. Such signs are to be properly anchored and maintained, with the maximum thickness of eight inches.

- B. No signs shall be located within any street rights-of-way except signs permitted in Section 704.A. 1.
- C. Signs shall not exceed the height limit permitted in any District in which they are located.
- D. Signs shall not obstruct any window, door, fire escape, stairway or other opening intended to provide light, air, ingress or egress for any building or structure.
- E. No sign shall constitute a public safety and traffic hazard, such as by obstructing traffic signs, road warning signs, street name signs, or the full view of the traffic in all directions. Lighting devices shall be shielded so they do not shine directly into a public street or highway or into a residential district.
- F. All signs except temporary signs shall be constructed of durable material and kept in good condition and repair. Whenever, in the opinion of the Zoning Administrator, a sign becomes structurally unsafe or endangers the safety of a building or premises or the public safety, the Zoning Administrator shall order that such sign be made safe or be removed. Such order shall be complied with within five days of receipt thereof by the person, firm or corporation owning or using the sign or the owners of the building or premises on which such unsafe sign is affixed or erected.
- G. Nonconforming signs, once removed, shall be replaced only with conforming signs; however, nonconforming signs if not removed may be repaired or repainted, provided that such repainted or repaired sign does not exceed the dimensions of the existing sign, and provided no change is made in the general wording or content of the sign.
- H. No sign advertising a business or commercial enterprise shall remain on any property, building, or structure, within the Town of Mountain Lake Park, after the commercial enterprise or business has ceased to exist. The owner of such property upon which such sign remains shall remove said sign within thirty days of the closing of such business. In the event that such sign is not removed, the Town of Mountain Lake Park shall have the right to remove such sign, and assess the cost thereof against the owner of the property upon which such sign is located.
- I. No sign of any kind shall be posted on any traffic control device, utility pole, street light, U.S. Mail box or, any other utility structure not owned by the owner of the property upon which it sits or to which it is adjacent. In the

event that any such sign is so posted, the Mayor and Town Council, or its designee, may remove and dispose such sign. Signs and messages legitimately attached to or made part of any traffic control device, utility pole, street light, U.S. Mail box or other utility structure by the owner or operator of same are exempted from this Section.

- J. No sign shall be erected or maintained which contains any vulgar or profane language nor shall any sign contain any direct insult or fighting words directed at any identifiable person or group. In the event that such sign is erected or maintained, the Zoning Administrator shall immediately upon becoming aware of the existence of said sign give, the owner of the property on which the sign is erected or maintained notice to remove the sign immediately. In the event the sign is not immediately removed, the Town may, in addition to the imposition of property, remove the sign and dispose of it as it sees fit, and assess any costs thereof to the property owner. Any such costs so assessed shall be collectible as any other Town assessment or tax.
- K. LED, LCD, Scrolling Message, and Single Message Electronic signs are not permitted in any zoning district except for public safety purposes.