

CHAPTER 163

SIGN REGULATIONS

SECTION 163.010: PURPOSE AND INTENT.

The intent of this Chapter is to implement and create a comprehensive and balanced system of sign control that accommodates both the need for a well-maintained, safe, and attractive community, and the need for effective business identification, advertising and communication.

- a) Protect and maintain the visual integrity of roadway corridors within the City by establishing a maximum amount of signage on any one site to reduce visual clutter;
- b) Provide for signage which satisfies the needs of the local business community for visibility, identification and communication;
- c) Foster civic pride and community spirit by maximizing the positive impact of development;
- d) Establish procedures for removal of nonconforming signs, enforcement of these regulations, maintenance of existing signs and consideration of variances and appeals;
- e) Lessen the visual clutter that may otherwise be caused by the proliferation, improper placement, illumination, animation, excessive height, and excessive size (area) of signs which compete for the attention of pedestrian and vehicular traffic.

d)f)

SECTION 163.020: SIGN PERMITS.

- a) Permit Required.

It shall be unlawful for any person to erect, construct, alter or relocate any sign within the City without having first obtained a permit therefore, except as provided for in this Chapter.

- b) Work to be Performed by Owner, Lessee or Licensed Contractor.

The work necessary to construct, install, erect, illuminate, paint or modify signage within the City shall conform with the following:

- 1) Work which may be performed by a property owner or lessee:
 - A) Painting the face of any freestanding sign or wall sign;
 - B) Installation or attachment of any individual letters, which does not require electrical service or structural modification of the surface or wall to which such letters are being attached; or

C) Construction and erection of any freestanding sign with a height of less than six (6) feet, which is non-illuminated.

- 2) Work which shall be performed by a sign contractor, general contractor, electrician or building contractor licensed with the City to perform such work:
 - A) Construction, installation, erection or electrical connection of any sign which is internally illuminated (signs requiring electrical connections will require the work to be performed by a licensed electrician);
 - B) Construction, installation or erection of any freestanding sign requiring wind load calculations;
 - C) Construction, installation or erection of any sign which is located above a pedestrian walkway or on the front fascia of a canopy over a pedestrian walkway;
 - D) Construction, installation or erection of any projecting sign;
 - E) Construction, installation or erection of any sign not described in Section 163.020(b)(1) above.

c) Application for Permit.

All applications for permits under this Section shall be filed by either a contractor licensed to erect signs in the City, or the owner of the property where the sign is to be located or his authorized agent. Such application shall include the following:

- 1) Name, address, and telephone number of owner(s) of property;
- 2) Name, address, and telephone number of licensed sign company erecting the sign;
- 3) The street address or legal description of the property upon which the proposed sign is to be located;
- 4) Written permission of the owner, his lessee or agent, to erect the proposed sign;
- 5) The height, size, shape, style, materials and location of the proposed sign;
- 6) Two (2) plans, sketches, blueprints or similar presentations drawn to scale, showing all pertinent structural and electrical details, wind pressure requirements and materials in accordance with the City's adopted Building Code; and
- 7) A statement verifying the height, size, shape and location of existing signage on the premises.

d) Issuance of Permit.

Upon receipt of an application for a sign permit, the Building Department shall review the plans, specifications and other data relating to such sign, and, if considered necessary, inspect the premises upon which the sign is proposed to be erected. If the proposed sign is in compliance with this Chapter and all other applicable laws and codes of the City, a sign permit shall be issued upon receipt of the permit fee.

e) Permit Fees.

Permit fees under the Land Development Code shall be set by the City Commission.

f) Exemptions.

Exemption from the requirement to obtain a sign permit shall be permitted under the following circumstances:

- 1) The erection, construction, installation of any sign described in Section 163.030(a) of this Chapter.
- 2) The repair, maintenance, or repainting of any existing sign which is deemed conforming or allowed to continue as non-conforming under the provisions of this Chapter; and
- 3) The replacement or any sign panel or face in a structure which is deemed conforming or allowed to continue as non-conforming under provisions of this Chapter.

g) Expiration of Permit.

A sign permit shall expire and become invalid in accordance with the rules set forth in the Building Code for all permits in general.

SECTION 163.030: EXEMPT SIGNS.

The following signs are exempt from the regulations of this Section provided that they do not create a hazard of any kind.

- 1) Identification signs of two (2) square feet or less and having no individual letters, symbols, logo, or designs in excess of eight (8) inches in vertical or horizontal dimension;
- 1) "No Trespassing" or "No Dumping" signs of two (2) square feet or less;
- 2) Signs that are necessary to promote health, safety, and welfare, and other regulatory, statutory, traffic control or directional signs erected on public property with permission as appropriate from the State of Florida, Florida Department of Transportation, the United States, the County of Lake and the City of Fruitland Park;

- 3) Within parking lots, directional or instructional signs, where vehicle or pedestrian movements are involved on private property, of four (4) square feet or less in sign area. Freestanding signs of this type should be no greater than four (4) feet in height, and not allowed in the right-of-way;
- 4) Legal notices and official instruments when required by law;
- 5) Decorative flags and bunting for a celebration, convention, or commemoration of significance to the entire community when authorized by the City Commission for a prescribed period of time;
- 6) Holiday lights and seasonal decorations;
- 7) Merchandise displays behind storefront windows;
- 8) Public warning signs to indicate the dangers of trespassing, swimming, animals or similar hazards of two (2) square feet or less;
- 9) Signs incorporated into machinery or equipment by a manufacturer or distributor, which identify or advertise only the product or service dispensed by the machine or equipment, such as signs customarily affixed to vending machines, newspaper racks, telephone booths, and gasoline pumps;
- 10) Advertising and identifying signs located on taxicabs, buses, trailers, trucks or vehicle bumpers;
- 11) ~~Works of art that do not constitute advertising~~ Artwork is allowed in all districts and is not intended to be regulated by this Sign Code;
- 12) Signs carried by a person;
- 13) Under canopy signs for commercial uses placed behind the right-of-way line for pedestrian use, perpendicular to the storefront and less than four (4) square feet;
- 14) Credit card or membership signs of two (2) square feet or less, one of each different organization permitted for each street frontage;
- 15) A maximum of two (2) menu boards or price lists for drive thru facilities of no more than twenty-four (24) square feet each. Such signs shall be located adjacent to and oriented toward the drive thru area;
- 16) Real estate and construction signs allowed under Section 163.080 of this Chapter;
- 17) Menus of less than two (2) square feet mounted at the entrances to restaurants;
- 18) Illuminated awnings allowed under Section 163.090 of this Chapter, which do not display copy or signage of any type;

19) Flags of any kind; ~~and~~

~~20) Non-commercial Free expression signs signs which express an opinion rather than promote or advertise a specific business, group or organization, of up to six (6) square feet in size. The free expression sign may be displaced on each street frontage per parcel of land. The free expression sign may be displayed as a freestanding sign, attached sign, or window sign. If displayed as a freestanding sign, the sign shall not exceed four (4) feet in height. A free expression sign is in addition to any other sign permitted under this Code and is permitted in any zoning district; and~~

~~20)21) Umbrella signs.~~

SECTION 163.040: PROHIBITED SIGNS.

It shall be unlawful to erect, cause to be erected, maintain or cause to be maintained any sign described below:

- 1) Signs that violate any Building Code or Electrical Code adopted by the City.
- 2) Off-site signs except as permitted under Section 163.070(e) of this Chapter.
- 3) Traffic or pedestrian hazards: Any sign which constitutes a traffic hazard or a detriment to traffic safety by reason of its size, location, movement, content, coloring, or method of illumination. Specifically prohibited are signs using:
 - A) Words and traffic control symbols so as to interfere with, mislead, or confuse traffic, such as "stop," "look," "caution," "danger," or "slow."
 - B) Lights or illuminations that flash, move, rotate, scintillate, blink, flicker, or vary in intensity of color except for time-temperature date signs.
- 4) Banners or signs erected over or across any public street, park or other public way or property except when authorized by the City Commission.
- 5) Signs that incorporate projected images, emit any sound that is intended to attract attention, or involve the use of live animals.
- 6) Signs that emit audible sound, odor, or visible matter such as smoke or steam.
- 7) Signs or sign structures that interfere in any way with free use of any fire escape, and emergency exit; made of combustible materials that are attached to or in close proximity to fire escapes or fire fighting equipment; or that obstruct any window to such an extent that light or ventilation is reduced to a point below that required by any provision of the City of Fruitland Park Land Development Code or other ordinance of the City.
- 8) Signs that resemble any official sign or marker erected by any governmental agency, or that by reason or position, shape or color, would conflict with the proper functioning of any traffic sign or signal, or be of a size, location, movement, color, or illumination that may be reasonable confused with or construed as, or conceal, a traffic-control device.
- 9) Signs, within ten (10) feet of public right-of-way or one hundred (100) feet of traffic control lights, that contain red or green lights that might be confused with traffic control lights.
- 10) Signs that contain any lighting or control mechanism that causes unreasonable interference with radio, television or other communication signals.

- 11) Signs that are painted, pasted, or printed on any curbstone, flagstone, pavement, or any portion of any public sidewalk or public street, except house numbers and traffic control signs.
- 12) Signs displaying copy that is harmful to minors as defined by the City of Fruitland Park Code.
- 13) Abandoned signs as defined in Chapter 151, "Definitions and Interpretations."

14) "A" frame and portable signs except as permitted under Section 163.080 of the City of Fruitland Park Code.

15) Wall wrap or building wrap signs.

16) Snipe signs.

17) Animated signs.

18) Wind signs, except temporary special event signs permitted pursuant to to this Sign Code.

19) Signs in or upon any lake, or other body of water within the limits of the City, other than emergency, warning or safety signs as otherwise allowable under this Sign Bode, or required by State or Federal Law.

20) Any feather or flutter flag.

21) Signs attached to docks or seawalls, other than emergency, warning or safety signs as otherwise allowable under this Sign Code, or required by State or Federal Law.

22) Roof signs.

23) Vehicle sign or signs with a total sign area on any vehicle in excess of ten (10) square feet, where the vehicle is not, "regularly used in the conduct of the business" and

A) Is visible from a street right-of-way within one hundred (100) feet of the vehicle, and

B) Is parked for more than six (6) consecutive hours in any twenty-four (24) hour period within one hundred (100) feet of any street right-of-way.

A vehicle shall not be considered "regularly used in the conduct of the business" if the vehicle is used primarily (i) for advertising, or (ii) for the purpose of advertising. This provision is not to be construed as prohibiting the identification of a firm or its principal products on a vehicle operating during the normal hours of business and which is currently licensed, insured and operable; provided, however, that no such vehicle shall be parked on public or private property with signs attached or placed on such

vehicle primarily for the purpose of advertising a business establishment or firm or calling attention to the location of a business establishment or firm.

14)

SECTION 163.050: NONCONFORMING SIGNS.

a) Intent.

It is the intent of this Chapter to allow non-conforming signs permitted before the adoption of the Land Development Code to continue until they are phased out, or become hazardous.

b) Continuance of Non-Conformities.

A non-conforming sign use may be continued, subject to the following provisions:

- 1) Nonconforming signs may remain in place for a period of seven (7) years from the adoption of this ordinance so long as they are not a danger or pose a potential for danger to the public.
- 2) All nonconforming signs are to be maintained in a manner in which they do not endanger the public.
- 3) Signs located on property annexed into the City that are nonconforming can remain in place for a period of not more than seven (7) years from the adoption of the annexation ordinance.
- 4) At the adoption of this ordinance the City will inventory all the existing signs to determine the status as either conforming or nonconforming and issue a free sign permit.
- 5) There may be a change of tenancy or ownership of a nonconforming sign without the loss of nonconforming status, if the property is not abandoned as defined in this Chapter of the City of Fruitland Park Land Development Code.
- 6) Nonconforming sign shall not be enlarged or increased in any way from its lawful size at the time of the adoption of the Land Development Code.

c) Repairs, Maintenance and Improvements

Normal repairs, maintenance and improvements may be made, however, the cost of such improvements made during any two (2) year period shall not exceed twenty-five (25) percent of the replacement cost of the sign.

d) Reconstruction after Catastrophe.

If any nonconforming sign is damaged to such an extent that the cost of repair and reconstruction will exceed fifty (50) percent of the replacement cost at the time of damage, it shall not be used or reconstructed except in full conformity with the provisions of the Land Development Code.

e) Casual, Temporary or Illegal Use.

The casual, temporary or illegal use of any sign shall not be sufficient to establish the existence of a nonconforming use or to create any rights in the continuance of such use.

SECTION 163.060: CONSTRUCTION AND MAINTENANCE STANDARDS.

a) All permitted signs shall be constructed and maintained in accordance with the following standards:

1) Code Compliance.

A) *Sign Area and Use.*

All new freestanding signs shall be monument signs. One (1) freestanding sign per parcel for street frontage shall be permitted of the maximum area as follows:

- i) The maximum sign area for properties zoned Industrial (I) shall not exceed one hundred fifty (150) square feet. The signage can be used as either wall or free standing monument sign or a combination of both.
- ii) The maximum sign area for properties zoned General Commercial (C-2) shall not exceed one hundred fifty (150) square feet. The signage can be used as either wall or free standing monument sign or a combination of both.
- iii) The maximum sign area for properties zoned Neighborhood Commercial (C-1) shall not exceed one hundred (100) square feet. The signage can be used as either wall or free standing monument sign or a combination of both.
- iv) The maximum sign area for properties zoned Residential Professional (RP) shall not exceed twenty-five (25) square feet. The signage can be used as either wall or free standing monument sign or a combination of both.

B) *Height and Setback.*

- i) Freestanding monument signs shall not exceed ~~thirty-five (35)~~ ten (10) feet in height along CR 466A, US Highway 27/441, CR 25A and CR 468 and shall not exceed six (6) feet

elsewhere, except for the Residential Professional (RP) district in which case the sign shall not exceed twenty five (25) feet.

- ii) Freestanding signs shall be setback ~~ten five (105)~~ feet from the right-of-way. The sign must not be a traffic visibility hazard as determined by the city's traffic engineer.

C) *Multiple Frontage Properties.*

- i) For corner lots, an additional sign shall be allowed for the secondary frontage. The sign area allowed shall be based on the chart as shown below:

ZONING CLASSIFICATION	PERCENT OF PRIMARY FRONTAGE SIGN AREA
Industrial (I)	100%
General Commercial (C-2)	75%
Neighborhood Commercial (C-1)	50%
Residential Professional (RP)	25%

- ii) Sign area may not be transferred between frontages.

D) Landscaping.

Permanent freestanding monument signs requiring a sign permit must be landscaped at their base. The landscaped area shall have a minimum area of two (2) square feet for each linear foot of sign face width and shall otherwise comply with the landscaping requirements of Chapter 164 of the Land Development Regulations.

E) Design Requirements.

All permanent signs shall be compatible with the building(s) to which they relate and with the surrounding neighborhood. All signs except temporary signs shall be subject to the design requirements below:

- i. The materials, finishes and colors of the freestanding monument sign base shall match the architectural design of the building. In lieu of a monument base, any combination of landscaping of sufficient density and maturity at the time of planting may be used to achieve the same opacity as would have been achieved with the monument base.
- ii. All panels in any freestanding signs, including those added to existing sign structures, shall be constructed of the same materials and illuminated by the same method. Panels added to existing signs shall match the existing panels with respect to their color, materials, and illumination.

~~2) Wall Signs for Office, Commercial and Industrial Uses.~~

~~A) Sign Area.~~

- ~~i) Maximum sign area for properties zoned Industrial (I) shall not exceed two hundred (200) square feet.~~
- ~~ii) Maximum sign area for properties zoned General Commercial (C-2) shall not exceed one hundred fifty (150) square feet.~~
- ~~iii) Maximum sign area for properties zoned Neighborhood Commercial (C-1) shall not exceed one hundred (100) square feet.~~
- ~~iv) Maximum sign area for properties zoned Residential Professional (RP) shall not exceed twenty five (25) square feet.~~

b) Shopping Centers/Multi-Tenant Complexes.

Shopping centers/multi-tenant complexes may be permitted one (1) freestanding sign as permitted under Section 163.070(a)(1) however, in no case shall the sign area exceed two hundred (200) square feet and individual tenant wall signs as follows:

1) Wall Signs for Individual Tenants.

Maximum sign area shall be determined by multiplying the number of tenants by the maximum sign area permitted in the zoning district (i.e. property is zoned C-1 and there are 4 tenants, $100 \times 4 = 400$ square feet of wall sign allowed).

c) Houses of Worship.

Houses of worship may be permitted signage under this Section.

1) Freestanding Monument Signs.

A) Sign Area, Height and Setback.

- ~~ii) i) The maximum area shall be fifty (50) square feet. The signage can be used as either wall or free standing monument sign or a combination of both.~~
- ~~iv) ii) The maximum height shall be fifteen-ten (1510) feet along CR 466A, US Hwy. 27/441, CR 468, CR 25A and shall not exceed six (6) feet elsewhere.~~
- iii) The minimum setback shall be ten-five (105) feet from the right-of-way and ten (10) feet from side lot lines. The sign

must not be a traffic visibility hazard as determined by the city's traffic engineer.

B) *Spacing.*

- i) Freestanding monument sign structures on the same ownership parcel shall be a minimum of three hundred (300) feet apart. No more than two (2) signs shall be permitted along any one right-of-way.

~~2) Wall Signs.~~

~~A) Sign Area and Height.~~

- ~~i) Maximum area shall be thirty two (32) square feet.~~
- ~~ii) Maximum sign vertical dimension shall not exceed twenty five (25) percent of the building height.~~

2) Landscaping.

Permanent freestanding monument signs requiring a sign permit must be landscaped at their base. The landscaped area shall have a minimum area of two (2) square feet for each linear foot of sign face width and shall otherwise comply with the landscaping requirements of Chapter 164 of the Land Development Regulations.

d) Multi-Family Development.

1) Freestanding Monument Signs.

A) *Sign Area, Height and Setback.*

- i) One (1) freestanding monument sign for each street frontage shall be permitted as follows:
 - ^a Uses of twelve (12) units or less—sixteen (16) square feet.
 - ^b Uses of thirteen (13) units or more—thirty-two (32) square feet.
 - ^c The sign may be a single sign with two (2) faces of equal size or two (2) single face structures of equal size located on each side of the entrance.
 - ^d Maximum height shall be ~~fifteen~~ ten (10) feet along CR 466A, CR 25A, CR 468 and US Highway 27/441. All other areas shall be six (6) feet.
 - ^e Minimum setback from side lot lines shall be ten (10) feet.

^f Minimum setback from road right-of-way shall be five (5) feet.

2) Wall Signs.

One (1) wall sign may be utilized in lieu of a freestanding sign of a maximum size as specified in Section 163.070(d)(1) above.

e) Off-Site ~~Advertising~~ Signs.

Off-site ~~advertising~~ signs shall be permitted in the following zoning districts if located adjacent to U.S. Hwy 441/27: Neighborhood Commercial (C-1), General Commercial (C-2) and Industrial (I).

1) Sign Area.

The maximum sign area shall not exceed three hundred seventy-eight (378) square feet.

2) Height and Setback.

A) The maximum height shall not exceed forty (40) feet.

B) The minimum setback from the right-of-way shall be fifteen (15) feet.

C) The minimum setback from side and rear property lines shall be ten (10) feet.

D) The minimum setback from any intersection shall be one hundred (100) feet.

E) The minimum setback from any residential zoning district shall be one hundred (100) feet.

3) Spacing.

No sign shall be located closer than one thousand five hundred (1,500) feet to another sign which is located on the same side of the street and facing the same direction. (Revised Ord # 2000-004, 03/23/2000)

f) Subdivision Signs.

Permanent subdivision signs may be permitted by the Planning and Zoning Board and the City Commission as part of the subdivision review process, or upon request of property owners after development has occurred. In determining signage, these bodies shall consider size of the sign, materials, location, provision for maintenance, size of the subdivision, functional classification of the adjoining roadway(s) and surrounding land use.

SECTION 163.080: TEMPORARY SIGNS.

a) Temporary Freestanding and Portable Signs.

1) Temporary freestanding and portable signs shall be permitted for the following uses:

A) Any new or relocated use in a non-residential zone whose allowable freestanding sign has not yet been erected may utilize one (1) conforming temporary freestanding or portable sign for a period of not more than sixty (60) days or until installation of the allowable freestanding sign, whichever shall occur first.

B) A new use in a non-residential zone, including those with a permanent freestanding sign, may utilize one (1) temporary freestanding sign or portable sign one (1) time for a maximum of thirty (30) consecutive days in conjunction with a grand opening.

Such signage may only be utilized within the first three (3) months of business for the use.

1) Temporary freestanding signs shall conform to all City codes and criteria, including, but not limited to, those cited or set forth herein below:

A) Structure tie-down pursuant to wind loads in the Building Code.

B) No external electrical illumination is allowed.

C) Maximum sign area shall be thirty-two (32) square feet, maximum height shall be eight (8) feet.

D) No more than one (1) such sign shall be permitted for each lot or parcel.

E) Copy of signs shall be maintained in a legible condition.

3) A sign permit shall be obtained for use of a temporary freestanding or portable sign and shall include the following:

A) A diagram indicating the manner in which the sign will be anchored to meet the specifications outlined above.

B) A plot plan showing that the proposed location is:

i) In compliance with the visual clearance requirements of the Land Development Code.

ii) Not in a required parking lot.

b) Banners/Temporary Exterior Wall Signs.

Banners or other temporary wall signs shall be permitted under the following conditions:

- 1) In addition to signage permitted under Subsection 163.080(a)(1)(B) of this Chapter above for Grand Opening Celebrations one time only per business entity.
- 2) For sidewalk sales and other outdoor sales events except yard/garage sales.
- 3) Maximum sign area shall be thirty-two (32) square feet.
- 4) Banner signs and other temporary wall signs permitted by this Section shall require the approval of a sign permit application, but shall be exempt from permit fees.

c) Real Estate Signs.

Real Estate signs, as defined in the Land Development Code, shall be permitted under the following conditions:

- 1) One (1) non-illuminated sign shall be allowed for each street frontage of the subject property only.
- 2) Properties with more than five hundred (500) feet of street frontage may have more than one (1) sign as provided herein. The number of signs shall be based on the following for each street frontage:
 - A) Less than 500 feet – one (1) sign.
 - B) 500 to 750 feet – two (2) signs.
 - C) 751 to 1000 feet – three (3) signs.
 - D) More than 1000 feet – four (4) signs maximum.

d) Construction Real Estate Signs.

Construction Real Estate Signs, as defined in the Land Development Code, shall be permitted under the following conditions:

- 1) Maximum sign area shall be thirty-two (32) square feet.
- 2) Construction-Real Estate signs shall be removed within thirty (30) days after construction or build-out is completed.
- 3) Subcontractor and additional signs of two (2) square feet or less shall be permitted in addition to total sign area and shall be affixed to, or immediately adjacent to, the main sign structure.

e) Political Campaign Signs.

Candidates for political office may place appropriate campaign signs within the public right-of-way of city streets unless the abutting property owner objects to the placement of such signs. Campaign signs shall not have a surface area larger than thirty-two (32) square feet and must not obstruct a vehicle driver's

view or otherwise create a hazardous condition. Signs must be removed within forty-eight (48) hours of each election. A \$100.00 cash bond must be presented to the City Clerk prior to, receiving permission to install said signs. The cash bond is to be forfeited in the event a candidate's signs are not removed within the specified timeframe.

f) Miscellaneous Temporary Signs.

Temporary signs for public or private non-profit special events, or special events not related to the primary use of the property shall be permitted for a period covering the duration of the event and advance publicity not to exceed a total period of two (2) weeks. One (1) non-illuminated sign not to exceed thirty-two (32) square feet in area and eight (8) feet in height shall be permitted for each street frontage.

g) Temporary Window Signs.

Non-residential properties may utilize temporary window signs displayed on the inside of the window for a period not to exceed 90 days. The temporary window sign(s) shall not exceed an aggregate of twenty-four (24) square feet in sign area, and shall not cover more than twenty-five (25) percent of any window surface, whichever is less.

h) Temporary Commercial Mascots and Commercial Message signs.

Temporary Commercial Mascots and Commercial Message signs shall be allowed for special events (carnivals, craft fairs, festivals, parades, reunions, sidewalk sales, weddings, etc.), grand openings, and tent sales (auto, boat, RV, etc.) for up to one (1) week and not to exceed three (3) times per year.

SECTION 163.090: MISCELLANEOUS SIGNS.

a) Illuminated Awnings.

Use of illuminated awnings shall be regulated under the following:

- 1) The use of copy on an illuminated awning shall be regulated by the applicable provisions of this Chapter for wall signs, including the requirement to obtain a sign permit.
- 2) Maximum height, measured on a vertical plane from the point of attachment at the top of the awning to a point horizontal to the lowest edge of fabric, shall not exceed five (5) feet.

b) Neon.

Use of neon signs and decorative neon for increased visibility shall be regulated under the following:

- 1) Neon wall signs shall be regulated by the applicable provisions of the Land Development Code.

- 2) Decorative neon on buildings shall be counted as a wall sign, measured two-dimensionally by multiplying the length of neon tubing by six (6) inches, and included in the total permitted wall sign area.

c) Directory Signs.

Permanent directory signage for properties in unified development with arterial road frontage and designed without direct access to the arterial road may be permitted by the City Manager upon request of the property owner(s).

- 1) One (1) directory sign may be located at the intersection of the arterial roadway and the side street by which primary access is achieved. Such sign shall be located outside of the road right-of-way and located in such a manner so it does not obstruct vision clearance.
- 2) The applicant for directory signage shall provide documents which verify that the appropriate easements and provisions for maintenance have been secured.
- 3) In determining appropriateness and permitted size, the City Manager shall consider:
 - A) The number of properties for which the request for signage has been made;
 - B) The distance of the properties from the intersection with the arterial road;
 - C) The functional classification of the cross street; and
 - D) Surrounding land uses.

SECTION 163.100: ENFORCEMENT.

a) Removal of Prohibited Signs.

- 1) Prohibited signs on public property or rights-of-way shall be removed immediately, and may be removed by the City or its agent without notice.
- 2) Temporary signs and signs attached to other signs shall be removed within forty-eight (48) hours after receipt of written notification of the Code Enforcement Officer or Building Official.
- 3) Abandoned signs shall be removed by the owner, agent or person in charge of the premises within thirty (30) days after receipt of written notification by the Code Enforcement Officer or Building Official. If the sign is not removed in a timely manner, the Code Enforcement Officer may refer the violation to the Municipal Code Enforcement Board.

b) Removal of Unsafe Signs.

Should any sign become unsecured or in danger of falling, in disrepair or deteriorated, or otherwise unsafe in the opinion of the Building Official, the owner thereof, or person or firm maintaining it, shall, upon receipt of written notification from the Building Official immediately, in the case of imminent danger, or within ten (10) days in other instances, secure the sign or cause it to be placed in good repair in a manner approved by the Building Official, or said sign shall be removed by the owner thereof. If such order is not complied with, the City may remove the sign at the expense of the owner and place a lien for the cost thereof upon the property on which the sign was located together with any other cost incurred by the City by filing such lien. The lien may be foreclosed in the same manner provided by law for the foreclosure of mortgages and the City shall have the right to receive all costs of court including reasonable attorney fees.

c) Removal of Illegally Erected Signs.

Where this Chapter requires work to be done by a licensed contractor and such work is not performed by a licensed contractor, the owner or lessee of the property where such illegally erected sign is located shall either:

- 1) Have the sign immediately removed; or
- 2) Have a licensed contractor secure a permit for such sign. City inspections of the sign shall be performed. If neither of the above actions is completed within ten (10) days after notification by the Building Official or Code Enforcement Officer the violation may be referred to the Code Enforcement Board.

d) Violation; Penalties; Continuing Violations and Penalty Therefor.

Violations of the Land Development Code, including those Sections authorizing City removal of signs or other penalties, may be referred to the Code Enforcement Board as prescribed by the Code of Ordinances.

SECTION 163.110: VARIANCES AND APPEALS.

a) Technical Appeals.

Appeals from technical decisions of the City Manager or any other official empowered to rule on sign issues shall be processed according to the procedures outlined in Chapter 152 of the Land Development Code.

b) Variances.

Variances from the requirements of this Chapter shall be processed according to the provisions of Chapter 168 of the Land Development Code.