

Council Member Ryals introduced the following Ordinance:



**ORDINANCE NO. 161024-032**

**AN ORDINANCE TO AMEND PORTIONS OF SECTION 111 OF THE ALABASTER CODE OF  
ORDINANCES**

THE PUBLIC GOOD REQUIRING IT, BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF  
ALABASTER, ALABAMA AS FOLLOWS:

**Section 1. Sec. 111-13(a)(2) is hereby amended to read:**

(2) A minimum of ten days prior to the planning and zoning commission meeting at which the rezoning request is initially considered, the building official shall mail notification with delivery confirmation to all owners of property within two hundred fifty linear feet of the subject property as their names appear on the plats of the tax assessor. The cost of such mail shall be borne by the applicant. The notice shall state:

- a. The location of the rezoning request (by mailing address and legal description).
- b. The nature of the rezoning request (indicating the current zoning of the site and the proposed zoning classification).
- c. The time, date and location of the planning and zoning commission meeting at which the rezoning request is to be considered, and stating further that all persons who desire shall have an opportunity of being heard in opposition to such ordinance.

**Section 2. Sec. 111-15 – Definitions, is hereby amended by adding the following definition:**

*Building Official* means any official charged with the administration of this zoning ordinance.

*Sign, Directional* means a temporary sign intended to direct traffic to a noncommercial event or gathering.

*Sign, electronic message center (EMC)* means a computer programmable sign capable of displaying words, symbols, figures, or picture images that can be altered or rearranged from a remote location without altering the face or surface of the sign, subject to the requirements of Section 111-235.

*Sign, Wall* means any sign directly attached to an exterior wall or exterior parapet of a building or dependent upon a building for its support with its exposed face parallel or approximately parallel to the plane of the building or structure on which the sign is affixed. Signs directly painted on walls shall be considered wall signs.

Section 3. **Sec. 111-15 – Definitions**, is hereby further amended by replacing the definition of **Shopping Center** with the following:

*Shopping center* means a group of commercial retail establishments (as permitted in the district) located on a lot of five (5) or more acres, planned and developed in a unified design with shared parking and driveway facilities, and under common management authority.

Section 4. **Sec. 111-79(b) – B-3 Community Business District** is hereby amended by adding the following Permitted Use:

Brewpubs

Section 5. **Sec. 111-82(b) – M-1 Light Industrial District** is hereby amended by adding the following Permitted Use:

Brewery

Section 6. The following Sections of Article VII – Sign Regulations are hereby amended to read as follows:

#### **ARTICLE VII. - SIGN REGULATIONS**

##### **Sec. 111-221. - Permits, fees and inspections.**

(a) Permit and license required. Except as otherwise provided in this article, it shall be unlawful for any person to erect, construct, enlarge, move, alter or convert any sign in the city, or cause the same to be done, without first obtaining a building permit for each sign from the building official as required by this section, including any temporary signs and banners set out in Section 111-233(c)(3)-(6). As set out in Section 111-233, permits are not required for routine sign maintenance. Any business, firm or corporation engaged in the business of altering or erecting signs governed by the provisions of this article shall first obtain a business license from the city.

(b) Permit application. The construction or replacement of a sign, sign head, addition of an electronic message center, or conversion to a multi-prism or electronic display screen on any existing sign shall be classified as a major alteration or modification requires a sign permit as herein specified.

An application for a sign permit shall be submitted to the Building Services Department, on forms furnished by said department, and approved prior to the erection, relocation, alteration or modification of any sign located in the City of Alabaster.

Sign permits shall become null and void six (6) months from the original date of issuance if the work authorized under the permit has not been commenced by that time, and shall become null and void eighteen (18) months from the original date of issuance if the work authorized has not been completed by that time, or six months after the last request for inspection of new work on the sign, whichever is shorter.

The application for a sign permit shall contain, at a minimum, the following information:

1. Name, address and telephone number of applicant.
  2. Location of building, structure or lot to which or upon which the sign is to be located.
  3. Affidavit from property owner, if different from sign owner, indicating approval for sign location.
  4. Name of person, firm, corporation or association that will be erecting the sign. A licensed contractor is required for the erection of all signs.
  5. Evidence of liability insurance policy or bond responsibility for sign erection.
  6. Brief description, sketch or drawing of the proposed sign, including all dimensions and estimated cost.
  7. Evidence of setback compliance for all freestanding sign structures. Determination of setbacks shall be as specified in this Zoning Ordinance.
  8. Engineered drawings for any sign exceeding twenty (20) feet in height or one hundred fifty (150) square feet in sign face area. Engineered drawings may be required for other signs if determined as necessary by the Building Official.
  9. Evidence of receipt of Electrical Inspection Permit for any sign requiring electrical power (issued by Alabaster Planning and Safety Division) and evidence of such sign being approved and stamped by Underwriters Laboratory (UL number shall be provided).
- (c) Permit denial. When a permit is denied by the building official, notice shall be given to the applicant of the denial, with a written statement of the reason for the denial. Said statement shall be attached to the permit application.
- (d) Appeals of permit denials. Appeals may be taken to the board of zoning adjustment upon denial of a building permit by the building official.
- (e) Permit fees. A sign permit fee shall be submitted to the City of Alabaster with the application for the sign permit. The permit fee shall be based on the square footage of the sign face area, per sign face as follows:
1. Less than 100 square feet of sign face area:      \$0.25 per square foot with a minimum fee of \$15.00
  2. 100 to 199 square feet of sign face area:      \$0.50 per square foot

- 3. 200 to 299 square feet of sign face area: \$1.00 per square foot
  
- 4. 300 or more square feet of sign face area: \$2.00 per square foot
  
- 5. In addition to the above fees, any sign containing an Electronic Message Center shall pay an additional \$50 permit fee.

For applications involving multiple signs, the permit fee shall be calculated separately for each sign..

- (f) Inspections. The person erecting, altering, relocating, enlarging or converting any sign shall notify the building official upon completion of the work for which permits are required and issued. All freestanding signs shall be subject to a footing inspection and all signs shall be subject to an electrical inspection by the building official.
  
- (g) Maintenance. Every sign in the city shall be maintained in a sound structural condition. The building official may inspect any sign and shall have the authority to order the painting, repair, alteration or removal of any sign which does not comply with the building code, is abandoned for a period of 30 days or more, or advertises a business, place or event which has moved from the premises or no longer exists. Sign removal shall be at the sign owner's expense.

**Sec. 111-222. - Signs permitted in residential districts.**

- (a) A maximum of one indirectly illuminated sign on each side of a public street entrance to a single-family residential subdivision or one sign in a landscaped median of the public street entrance is permitted in the A, E, R-1, R-2, R-3, R-4, R-5, R-7 and R-8 districts. Each sign shall not exceed 32 square feet of sign face area, nor six feet in height, and shall be located so as not to cause a safety hazard. Signs located in a landscaped median of a public street shall only be permitted when shown on a subdivision plat or street plan approved by the planning commission as part of the subdivision or street approval process.
  
- (b) Permitted and special exception uses in the R-6 district and the MHD district may have one freestanding, indirectly illuminated sign, which does not exceed 32 square feet of sign face area, nor eight feet in height, per public street entrance. Said signs may be erected in the landscaped median of a public street when shown on a subdivision plat or street plan approved by the planning commission as part of the subdivision or street approval process.
  
- (c) Special exception uses in the districts stated in subsection (a) of this section are permitted one freestanding sign or one building wall sign, which does not exceed 24 square feet of sign face area. Freestanding signs shall not exceed four feet in height.
  
- (d) Garage and yard sales may have one nonilluminated, temporary sign on the premises, which does not exceed four square feet of sign face area the day before and the day of the event. All such signs shall state the date of the event being referenced.

**Sec. 111-224. - Signs permitted in Institution and B-1 Office Districts.**

- (a) Individual buildings. Signs are permitted for individual buildings in I and B-1 districts as follows:
  - (1) Buildings with less than 20,000 square feet of floor area are permitted an illuminated freestanding sign not to exceed four feet in height, nor 32 square feet of sign face area,

and one building wall sign or one canopy sign not to exceed a maximum of 20 square feet per each visible street front.

- (2) Buildings with more than 20,000, but less than 100,000, square feet of floor area are permitted an illuminated freestanding sign not to exceed four feet in height, nor 32 square feet of sign face area, and one building wall sign or one canopy sign not to exceed a maximum of 30 square feet of sign face area per each visible street front.
- (3) Buildings with more than 100,000 square feet of floor area are permitted an illuminated, freestanding sign not to exceed four feet in height, nor 48 square feet of sign face area, and one building wall sign or one canopy sign not to exceed a maximum of 40 square feet of sign face area per each visible street front.
- (4) A building with a retail tenant may incorporate signs for the retail tenant into a sign face area permitted for the building.
- (b) Multiple buildings.
  - (1) Each office park or institution campus which contains more than five buildings, other than accessory buildings, may have one freestanding sign per public street entrance, which identifies the name of the park or campus and buildings located at that entrance.
  - (2) The maximum height of the sign shall be four feet.
  - (3) The maximum sign face area of an internally illuminated sign shall be 32 square feet, or 48 square feet for developments with buildings which contain a total of more than 500,000 square feet of gross floor area.
  - (4) The maximum sign face area of a nonilluminated or indirectly illuminated sign shall be 48 square feet, or 72 square feet for developments with buildings which contain a total of more than 500,000 square feet of gross floor area.
  - (5) To qualify for a free-standing sign, a lot or parcel must have 150 feet of continuous street frontage.

**Sec. 111-225. - Signs permitted in the B-2, B-3 and B-4 business districts.**

**A. In the B-2 and B-4 district:**

- (1) To qualify for a free-standing sign, a lot or parcel must have 150 feet of continuous street frontage.
- (2) Option 1: Individual buildings may have one freestanding sign which does not exceed 12 feet in height nor 32 square feet of sign face area; and one building wall sign or one canopy sign per facing street not to exceed 20 percent of the building wall.  
 Option 2: Individual buildings may have one monument style sign, not to exceed 10 feet in height, but an allowance of 48 square feet, plus one building wall sign or canopy sign per facing street not to exceed 30 percent of the building wall
- (3) Each establishment located in a shopping center may have one building wall sign not to exceed 20 percent of its storefront. Where an establishment is on the corner, a sign per facing street is allowed.
- (4) Each shopping center may have one free standing shopping center identification sign, which does not exceed 20 feet in height nor 120 square feet of sign face area. Where a shopping center is located on a corner, an additional identification sign, not to exceed 10 feet in height, nor 48 square feet, is allowed which will be a monument style sign.

**B. In the B-3 district:**

- (1) To qualify for a free-standing sign, a lot or parcel must have 150 feet of continuous street frontage.
- (2) Option 1: Individual buildings may have one freestanding sign which does not exceed 20 feet in height nor 48 square feet of sign face area; and one building wall sign or one canopy sign per facing street not to exceed 30 percent of the building wall.

Option 2: Individual buildings may have one monument style sign, not to exceed 10 feet in height, but an allowance of 60 square feet, plus one building wall sign or canopy signage per facing street not to exceed 40 percent of the building wall. The total signage shall not exceed 200 square feet.

- (3) Each establishment located in a shopping center may have wall signage not to exceed 30 percent of its storefront. Where an establishment is on the corner, an additional sign is allowed for the second wall.
- (4) Each shopping center may have one free standing shopping center identification sign, which does not exceed 30 feet in height nor 120 square feet of sign face area for each 500 feet of road frontage. Where a shopping center is located on a corner, an additional identification sign, not to exceed 10 feet in height, nor 48 square feet, is allowed which will be a monument style sign identifying the name of the shopping center only. For each shopping center facing Interstate Highway 65 one free standing sign not to exceed 240 square feet with a maximum height of 70 feet shall be allowed in place of one free standing sign otherwise permitted.
- (5) Gasoline service stations, in addition to other permitted signs, are permitted:
  - a. Canopy signage is limited to two sides of the canopy and shall not exceed 25 percent of the canopy face. All such copy shall be limited to the brand name and logo of the oil company. The signs shall be constructed as an integral part of the canopy and shall not extend above the roofline of the canopy.
  - b. A total of 12 square feet of sign face area on the spandrels for each pump island.
  - c. Each car wash may have one building wall sign not to exceed 24 square feet of sign face area, which identifies the car wash.
- (6) Because of the number of automobile dealerships located in the city and their unique sign requirements, sign regulations for automobile dealerships with one franchise on the premises are as follows:

Signs Permitted for Automobile Dealerships in the B-3 District				
	Auto Dealership with Less than 30,000 Square Feet of Floor Area		Auto Dealership with More than 30,000 Square Feet of Floor Area	
Type of sign permitted	Building wall or canopy sign	Freestanding sign	Building wall or canopy sign	Freestanding sign
Sign face area (square feet)	100	220*	100	380*
Maximum height	Top of building wall	40 feet	Top of building wall	45 feet
Maximum number	N/A	3	N/A	3

\*Permitted freestanding sign face area may be applied to permitted building wall sign or canopy sign face area. The maximum sign face area of a freestanding sign shall be 260 square feet.

Automobile dealerships with more than one automobile franchise may increase the permitted sign face area for building wall and freestanding signs by 33 percent and the maximum number of freestanding signs by two, for each additional automobile franchise on the premises; except that no automobile dealership with floor area less than 30,000 square feet may have more than 540 square feet of total sign face area and no dealership with floor area greater than 30,000 square feet may have more than 800 square feet of total sign face area.

**Sec. 111-226. - Signs permitted in the B-5 district.**

- (a) Each business or other use in the B-5 district may have one building wall sign, one canopy sign or one projecting sign per facing street. Maximum sign face area for a canopy sign or projecting sign shall be 32 square feet. Maximum sign area of each building wall sign shall be ten percent of the front building wall area or portion thereof which encloses the business or other use.
- (b) A movie theater may have any of the signs specified in subsection (a) of this section or one marquee sign. Maximum sign face area of the marquee sign shall be 20 percent of the front building wall area or portion thereof which encloses the theater.

**Sec. 111-227 Signs permitted in Industrial Districts (M1, M2,)**

Individual buildings. Signs are permitted for individual buildings in M-1 and M-2 districts as follows:

- (1) Buildings with less than 20,000 square feet of floor area are permitted one freestanding sign not to exceed four feet in height, nor 32 square feet of sign face area and building wall signage not to exceed a total of 150 square feet
- (2) Buildings with more than 20,000, but less than 100,000, square feet of floor area are permitted one freestanding sign not to exceed six feet in height, nor 48 square feet of sign face area, and building wall signage not to exceed 30 percent of the building wall or 200 square feet total.
- (3) Buildings with more than 100,000 square feet of floor area are permitted one freestanding sign not to exceed six feet in height, nor 60 square feet of sign face area, and one building wall sign or one canopy sign not to exceed 40 percent of the building wall or 300 square feet total.
- (4) Individual buildings located on at least five acres of land abutting Interstate Highway 65 may have a free-standing sign not to exceed 240 square feet with a maximum height of 35 feet. The sign must be at least 100 feet off the right-of-way,
- (5) Industrial Parks abutting Interstate Highway 65 may have a free-standing sign not to exceed 400 square feet with a maximum height of 50 feet.

**Sec. 111-228. - Signs permitted in the PDD Planned Development District.**

Minimum standards for signs in each Planned Development District shall be set forth in the development criteria of the Planned Development District, as approved by the city during the review and approval process. The standards shall not be less restrictive than the applicable regulations of this article. Billboards are prohibited in a Planned Development District.

**Sec. 111-229. - Freestanding signs generally.**

- (a) No freestanding sign shall cause a public hazard, obstruct or impair motorists' vision, diminish safe ingress and egress to any property or impede flow of pedestrian or vehicular circulation in parking areas, sidewalks, or public roads. Except for the supporting structure, no freestanding sign may extend between four feet and ten feet above the ground, measured from the base of the sign.
- (b) The height of a freestanding sign shall be measured from the average elevation of the ground at the base of the sign to the highest point of the sign structure. Berms or fill material which raise the base of the sign above the average elevation of the surrounding ground shall not be used to increase the height of a freestanding sign.
- (c) All freestanding signs shall consist of or be covered entirely in masonry, stone or other decorative cladding to completely conceal supporting pole(s), post(s) or beam(s). If the

freestanding sign is supported by one member, the cladding shall be at least 50 percent of the width of the sign face.

**Sec. 111-230. - Off-premises signs and billboards.**

- (a) Off-premises signs, except billboards as provided herein, are prohibited. However, churches may have off-premises signs which are incorporated into signs which are erected and maintained by the city.
- (b) Billboards are only permitted in the B-3, B-4, M-1 and M-2 districts on parcels which abut the Interstate Highway 65 right-of-way, and oriented so as to be viewed from the main traveling lanes of Interstate Highway 65.
- (c) No billboard shall be erected closer than 500 feet from a residential district boundary, measured from the nearest edge of the sign.
- (d) Any illumination shall be focused upon the sign face and shall not be directed toward a residential district.
- (e) No portion of a billboard shall encroach or project over any public property or right-of-way.
- (f) There shall be at least 1,500 feet between billboard structures on the same side of the highway.
- (g) Maximum sign face area shall be 800 square feet. The maximum height of the sign shall be 30 feet for signs located on an elevated grade and 40 feet in all other locations.
- (h) All billboards shall be set back at least 30 feet from any public right-of-way and property line.

**Sec. 111-231. - Signs permitted in the MXD Mixed Use District.**

Because of the unique nature of mixed use development, this article shall not apply to a MXD Mixed Use District. Requirements for signs shall be established for each mixed use development as part of the development plan review process as required in section 111-87(h).

**Sec. 111-232. - Prohibited signs.**

The following signs are prohibited, unless otherwise exempted or permitted by this article:

- (1) Signs which do not comply with the adopted building, electrical or fire codes.
- (2) Any sign which constitutes a safety hazard, including signs which obstruct visibility at intersections.
- (3) Portable signs and any other signs which are not permanently attached to the ground or a building, except for those expressly permitted as "temporary signs" under section 111-233(c).
- (4) Signs located in the public right-of-way, except those signs permitted in accordance with section 111-230.
- (5) Signs attached to trees, utility poles or other structures located in the public right-of-way, except for instructional signs posted by the owner of a pole or other structure.
- (6) Animated signs, including signs which move, revolve, rotate or appear to be animated by mechanical, electronic or other means.
- (7) Signs with flashing, blinking, moving or intermittent light or with light which varies in intensity or color, except time and temperature signs.
- (8) Strings of light bulbs, inflatable signs and signs which emit noise, odor or visible matter such as smoke or steam.
- (9) Banners, except as permitted in section 111-233(c) of this article.



- (10) Wind-driven signs including pennants, ribbons, spinners, streamers, captive balloons and similar devices; this restriction does not apply to flags permitted in accordance with section 111-233(b)(1).
- (11) Roof signs.
- (12) Off-premises signs, except as permitted in section 111-230.

**Sec. 111-233. - Permit exceptions; exempt; and temporary signs.**

- (a) Permit exceptions. The following is permitted, and exempt from the permit requirements of this article:
  - (1) Changing of the advertising copy of a message on an existing approved sign or marquee which is specifically designed for the use of replaceable copy.
  - (2) Painting, cleaning or other normal maintenance and repair of a sign not involving structural, electronic, or electrical changes.
- (b) Exempt signs. The following are exempt signs:
  - (1) Construction signs, instructional signs, the American flag, governmental signs, holiday decorations, interior signs, plaques, public notices, symbols or insignias, for sale or lease signs located on the premises, warning signs and signs awarded by the city beautification board.
  - (2) Directional signs which do not exceed four square feet of sign face area, nor three feet in height which are placed and removed within 24 hours of the event. Directional signs are not permitted in the right of way. Directional Signs must contain the phone number of the owner of the sign and the date of the event.
  - (3) Signs which are incorporated into vending machines by a manufacturer or distributor, which identify or advertise only the product or service dispensed by the machine.
  - (4) Political campaign signs, subject to the following:
    - a. Political signs shall only be located in a residential zoning district on property which is improved with a dwelling or in commercial zoning districts, subject to the conditions of this chapter.
    - b. Such signs shall not be affixed to utility poles or trees and shall not exceed four feet in height, nor three square feet in sign face area.
    - c. Such signs shall not be illuminated.
    - d. Owners of residential property may grant permission for the placement of such signs in their yard, provided that no such sign shall be placed in a public right-of-way. Any such signs determined by the city to be a hazard to vehicular traffic are prohibited.
    - e. Portable, trailer or mobile signs are prohibited, except signs placed in windows or on the sides of motor vehicles.
    - f. Political signs shall be removed within three days following the election; otherwise, the city shall remove the signs at the candidate's expense.
  - (5) Temporary signs as set out in 111-233(c)(7)-(8).
- (c) Temporary signs and Banners.
  - (1) Banners shall not be greater than 32 square feet.
  - (2) Temporary signs and Banners shall not be located in the public right-of-way.
  - (3) Nonprofit organizations may have a maximum of four banners which announce special events or meetings of the organizations.
  - (4) Each new business may have one temporary sign, not to exceed 32 square feet of sign face area. The sign is permitted for a period not to exceed 60 days, or until a permanent sign is erected, whichever time period is shorter. Once quarterly, each business may

have not more than two banners run concurrently advertising promotional events at the business. The banners are permitted for a period not to exceed 7 days per calendar quarter.

- (5) Commercial property may have one nonilluminated, freestanding, temporary identification sign per facing street, while the property is being developed, which shall not exceed 48 square feet of sign face area, nor ten feet in height. For a single-tenant project, the sign shall be removed when the project is complete, or the permanent sign has been erected, whichever occurs first. For multitenant projects, the sign shall be removed when 75 percent of the tenant spaces have been leased, or the permanent sign has been erected, whichever occurs first.
- (6) Residential subdivisions with five or more lots may have one temporary identification sign while the subdivision is being developed, which shall not exceed 32 square feet, nor ten feet in height. The sign shall not be illuminated and shall be removed when 75 percent of the homes in the subdivision have been constructed or the permanent subdivision identification sign is erected, whichever occurs first.
- (7) The following applies to real estate signs:
  - a. Each residential lot may have one for sale or for rent sign for residential property, provided such sign is located on the lot and does not exceed four square feet of sign face area. The sign shall be removed when the property is sold or rented.
  - b. Each residential lot may have not more than three off-premises signs advertising the sale or rental of such property, each of which shall not exceed two square feet of sign face area. The signs shall be removed when the property is sold or rented.
  - c. Each commercial lot, building or tenant space may have one real estate for sale or for rent sign, provided such sign is located on the subject lot or premises and does not exceed 32 square feet of sign face area. The sign shall be removed when the property or premises is sold or rented.
  - d. Each commercial lot or building may have one off-premises sign advertising the sale or rental of such property, which shall not exceed two square feet of sign face area. The sign shall be removed when the property is sold or rented.
- (8) In addition to the temporary political signs allowed in the residential districts as contemplated by subsection (b)(4)a of this section, each commercial lot, building or tenant space may have one temporary political sign, provided such sign is located on the subject lot or premises and does not exceed 32 square feet of sign face area, and that such display is the only temporary sign allowed thereon. The sign shall be removed in accordance with the policy set forth in section (b)(4) of this section.

**Sec. 111-234. - Nonconforming signs.**

- (a) Intent. All signs constructed after the effective date of the ordinance from which this chapter is derived shall conform in all respects to the requirements and provisions contained herein. Within the districts established by this chapter, or amendments that may later be adopted, there exist signs which were lawful before the ordinance from which this chapter is derived was passed or amended, but which would be prohibited, regulated or restricted under the terms of the ordinance from which this chapter is derived or future amendment. It is the intent of this section to permit these nonconforming signs to remain until they are removed, discontinued or altered, but not to encourage their survival.
- (b) On-premises signs.
  - (1) Nonconforming signs which are structurally altered shall, upon completion of the alteration, conform in all respects to the provisions of this article.
  - (2) Nonconforming signs shall be maintained. If a structural alteration is required to accomplish maintenance, the sign shall, upon completion of the alteration, conform in all respects to the provisions of this article.

- (3) The sign face area of an internally illuminated, nonconforming sign may be removed from the sign structure without jeopardizing the legal nonconforming status of the sign, provided the sign message is not changed.
- (4) Maintenance of the sign face area on a nonconforming sign in which the sign face area is an integral and permanent part of the sign structure shall require the sign to conform in all respects to the provisions of this article.
- (c) Off-premises signs. Structural alteration of a nonconforming off-premises sign shall require its removal. The message of a nonconforming off-premises sign may change without jeopardizing the legal nonconforming status of the sign.
- (d) Restoration after damage. A nonconforming sign which is damaged by fire, wind or other cause, to the extent that repair of the sign requires structural alteration, or the extent of the damage is more than ten percent of the appraised value of the sign immediately prior to said damage, shall, upon completion of the alteration, conform in all respects to the provisions of this article.
- (e) Abandonment. Any on-premises sign which no longer advertises a bona fide business, institution, person, event, location, product or service for a continuous period of 30 days or more shall be altered or removed to conform in all respects to the provisions of this article within 30 days following notification of abandonment.

Section 7. There is hereby adopted Section 111-235 of the Alabaster Code of Ordinances:

**Sec. 111-235. Electronic Message Center Signs.**

1. All Electronic Message Center Signs located within the City shall adhere to the following requirements:

- (a) All EMC signs shall have a minimum hold of twelve (12) seconds, with an additional one (1) second per line of copy.
- (b) An EMC sign shall be free standing and incorporated and embedded into the original design of the total allowable sign face area and blend with the material used for the sign structure, as permitted within the zoning district. The maximum area of an EMC sign shall not exceed fifty percent of the total sign face area. As an EMC sign is a form of readerboard, the EMC sign square footage may not be coupled with any other form of readerboard.
- (c) Minimum separation between EMC signs is 70', unless otherwise approved by the Board of Zoning Adjustments as a special exception based on visibility needs.
- (d) EMC signs shall not be permitted within 150 feet of a residential zoning, unless approved by the Board of Zoning Adjustment as a special exception.
- (e) Every EMC sign shall be equipped with an automatic dimmer device that adjusts the brightness of the sign to the ambient light at all times of day and night, that must be functional and used at all times the sign is illuminated. Electronic message centers shall not increase their luminance by greater than three-tenths (0.3) foot-candle above ambient levels of lighting measured at a distance of one-hundred feet (100') from the sign face at a height of five feet (5') above grade.

(f) Message Display

a. Each screen displayed on an electronic sign must be static or depicted for a minimum of 12 seconds and the screen must completely fade-out before a new screen is displayed.

b. Where text is displayed on a background, the text shall be brighter than the background, i.e., dark text shall not be displayed on a bright background.

c. Electronic signs may not contain animation, or any flashing, scrolling, or moving lights, text or graphics, or any type of video, nor "spell on" display mode.

(g) All EMC signs shall comply with the appropriate City sign and other regulations, including any and all electrical codes adopted by the City.

(h) All EMC signs shall be antiglare.

(i) Any malfunctioning EMC sign must be turned off or display a blank screen until repaired.

(j) All electrical equipment shall be UL listed.

(k) All power to an EMC sign shall be supplied via underground carrier, inside approved conduit, and shall be installed according to the City electrical requirements.

(l) All EMC signs shall be kept in good operating condition and maintained with good external appearance.

(m) Content. The display of electronic signs may only be used to advertise goods and services sold on the premises, time and temperature, and public service announcements. The owner of the sign must register with Amber Alert, and shall be required to display all Amber Alert messages.

(n) The addition of any electronic sign to any nonconforming sign is prohibited.

(o) No more than one (1) electronic sign is permitted per lot, regardless of number of signs permitted or the number of uses.

(p) All construction of and repairs to and EMC require a building permit issued by the Building Official.

2. All repairs to a non-conforming EMC sign shall require a building permit issued by the Building Official. If any non-conforming existing EMC sign is damaged so that repairs would cost as much as fifty percent (50%) or more of the insured value of the non-conforming sign, or \$500, whichever is greater, the sign may be repaired only if it is brought into conformance with this ordinance.

3. Each EMC must be re-permitted annually at the time of the renewal of the business license of the entity owning the sign, or in the case of non-profit organizations by January 31 of each year, and the cost of each annual permit shall be \$50.00 regardless of the size of the sign. The city shall annually inspect each EMC sign for conformity with these regulations and cite owners for any violations herewith. In the event that a permitted EMC sign is found to be in violation of these regulations, and such violations remain uncorrected for a period of fifteen calendar days, the Building Official shall have authority to revoke the permit and order the sign disabled until all violations are corrected. Any business so ordered may appeal the decision to the City Council by filing with the City Clerk a notice of appeal within fifteen days of the notice to disable. During the pendency of any such appeal the sign shall be disabled.

#### Section 8. Severability


Should any section or provision of this ordinance be declared by a court of competent jurisdiction to be invalid, that decision shall not affect the validity of the ordinance as a whole or any part thereof, other than the part so declared to be invalid.

Section 9. This Ordinance shall become effective immediately upon its enactment and publication as required by law.

**ADOPTED AND APPROVED THIS 24<sup>th</sup> DAY OF OCTOBER, 2016**

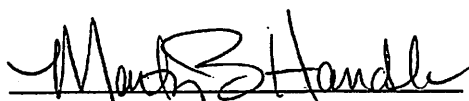
ATTEST:

CITY OF ALABASTER

  
\_\_\_\_\_  
Lisa Glasgow, Acting Clerk

By:   
\_\_\_\_\_  
Scott Brakefield, Council President

APPROVED:

  
\_\_\_\_\_  
Marty B. Handlon, Mayor