

**ORDINANCE NO. 16-3167**

**AN ORDINANCE AMENDING ORDINANCE NO. 15-3143; PROVIDING FOR A NEW EXHIBIT 'A' BEING THE CITY OF BEDFORD SIGN REGULATIONS; PROVIDING A SAVINGS CLAUSE; PROVIDING A SEVERABILITY CLAUSE; AND PROVIDING AN EFFECTIVE DATE.**

**WHEREAS, the City is authorized by Chapter 216, Regulation of Signs by Municipalities by the Texas Local Government Code to license, regulate, control, or prohibit the erection of signs; and,**

**WHEREAS, the City Council of Bedford, Texas deems it necessary, in order to provide for the health, safety, and general welfare of the residents of the City of Bedford, to establish the provisions of this ordinance regarding the regulation of signs as authorized by the State of Texas; and,**

**WHEREAS, The City Council of Bedford, Texas has established regulations for signs, in Chapter 6. "Advertising," Article III. "Signs" of the Code of Ordinances; and,**

**WHEREAS, the City Council of the City of Bedford has after thoughtful deliberation voted to approve these Sign Regulations.**

**NOW, THEREFORE, BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF BEDFORD, TEXAS:**

**SECTION 1. That the findings above are found to be true and correct, and are incorporated herein.**

**SECTION 2. That Ordinance No. 15-3143 is hereby amended by providing for a new Exhibit 'A' being the City of Bedford Sign Regulations as incorporated with this ordinance.**

**SECTION 3. That this ordinance shall be cumulative of all other ordinances and shall not repeal any of the provisions of such ordinances except for those instances where there are direct conflicts with the provisions of this ordinance. Ordinances or parts thereof in force at the time this ordinance shall take effect and that are inconsistent with this ordinance are hereby repealed to the extent that they are inconsistent with this ordinance.**

**SECTION 4. That if any section, article, paragraph, sentence, clause, phrase or word in this ordinance, or application thereof to any person or circumstance, is held invalid or unconstitutional by a Court of competent jurisdiction, such holding shall not affect the validity of the remaining portions of the ordinance, and the City Council hereby declares it would have passed such remaining portion of the Ordinance despite such invalidity, which remaining portions shall remain in full force and effect.**

**SECTION 5. That this Ordinance shall take effect from and on September 1, 2016 in accordance with law, and it is so ordained.**

**PRESENTED AND PASSED this 11th day of July, 2016, by a vote of 7 ayes, 0 nays and 0 abstentions, at a special meeting of the City Council of Bedford, Texas.**

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**Jim Griffin, Mayor**

**ATTEST:**

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**Michael Wells, City Secretary**

**APPROVED AS TO FORM:**

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**Stan Lowry, City Attorney**

# EXHIBIT A

## City of Bedford Sign Regulations

### DIVISION 1. GENERAL PROVISIONS

#### Section 6-66. PURPOSE OF ARTICLE

The purpose of this article is to provide uniform sign regulations for the City of Bedford, and its provisions shall be held to be the minimum requirements in the installation, erection, location, alteration, replacing, improving and maintenance of all signs. It is further intended to encourage signs which are well designed; which preserve locally recognized values of community appearance; which protect public investment in and the character of public thoroughfares; which aid in the attraction of shoppers and other visitors who are important to the economy of the city; which reduce hazards to motorists and pedestrians traveling on the public roadways; and thereby to promote the public health, safety and welfare.

#### Section 6-67. DEFINITIONS

Advertising Matter: The placement on, anchoring of or suspension from any building, pole sign, sidewalk, parkway, driveway, lawn, area or parking area of any goods, wares, merchandise or other advertising object which is, but not limited to, light; inflatable objects, pennants, or flags for the purpose of calling attention to.

Awning: An architectural projection, which provides weather protection, identity or decoration, and is supported by the building to which it is attached. It is composed of a lightweight rigid or retractable skeleton structure over which another cover is attached which may be of fabric or other materials may be illuminated. Sign text and logos on awnings are calculated as signage (not the entire awning area).

Buildings and Standards Commission: A Board composed of members appointed by the City Council to hear and rule upon variance requested to the Sign Ordinance. Building Official: The officer or other persons with the City of Bedford charged with the administration and enforcement of the Sign Ordinance.

Building Cladding: Building cladding is the exterior skin or envelope of a building, and constructed of materials including but not limited to: siding, wood, brick, stucco or stone.

Canopy: A canopy is a roof like structure that shelters a drive lane use such as, but not restricted to, a gasoline pump island. A canopy is open on two or more sides and maybe supported by either columns or by being attached to the building to which it is accessory.

Clearance: The vertical distance from the bottom of a sign face to the ground.

Dilapidated or Deteriorated Condition: Where structural support or frame members are visibly bent, broken, dented, deteriorated or torn sign copy materials and or paint must be to such an extent that a danger of injury to persons or property is created, or where the sign or the structure is not in compliance with the building code adopted by the City.

Erect: To build, construct, attach, hang, place, suspend or affix, and shall also include the painting of the signs on the exterior surface of a building or structure.

Flag: A flag is a rectangular or quadrilateral piece of fabric with a distinctive design that is used as a symbol, as a signaling device, or as decoration.

Flag, Decorative: Decorative flags shall be solid or color flags and may contain Logo, initials, business name or similar content used to attract attention.

**Flag, Feather:** Flags used to bring attention to, or advertising displays including but not limited to blade, feather, shark fin, swooper, teardrop, triangular and wind flags.

**Flag, Pennant:** Any lightweight plastic, fabric or other material, whether or not it contains a message of any kind, suspended from a rope, wire, cord, string or other similar material designed to move in the wind whether existing in a series or individually.

**Framework:** A support structure which meets all existing wind and load requirements as stated in City of Bedford Ordinance, designed to secure a banner or an inter-changeable copy on all sides.

**Height Measurement:** The height of any sign shall be measured vertically at 90 degrees from the ground at the base of the sign.

**Illumination, Internal:** Lighting by means of a light which is within a sign having translucent background, silhouetting opaque letters or designs, on which is letters or designs, which are themselves made of translucent material.

**Illumination, External:** Lighting by means of an unshielded light source, (including neon tubing, etc.) which is effectively visible as an external part of the sign.

**Logo:** A “logo” is any design or insignia of an organization, individual, company, or product which is commonly used in advertising to identify that organization, individual, company or product.

**Maintenance:** The repair or replacement in kind of individual sign components including copy panels; electrical wiring and bulbs; or paint, stucco or other exterior finishes. This definition shall include the replacement of cabinets, structural faces, supporting structural members, primary uprights, posts and poles, or the sign in its entirety.

**Parcel:** A land area represented by a unified grouping of tenants, uses, or owners located in a shopping center, office complex, or industrial complex which utilizes common parking lots, landscaped areas, fire lanes, entrances, and/or signage. Said unified grouping may be located on multiple and separate platted lots or lots of record but may function under a single management system sharing amenities.

**Setback:** The distance from the property line or right-of-way line of all streets adjacent to the premises on which the sign is located.

**Sign:** Every sign, name, number, identification, description, announcement, declaration, demonstration, device, display, flag, banner, pennant, illustration, logo, balloon, streamer, valance, advertising display, poster, beacon, painting with advertising or commercial message, light or insignia, affixed directly or indirectly to or upon any building, window, stakes, posts, poles, trees or outdoor structure, calling attention to any object, product, service, place, or activity.

**Sign, Abandoned:** Any sign which pertains to a time, event or purpose which no longer obtains; any sign which was erected for or by the owner, occupant or business on a property and is now unrelated to the present use of this property; any sign, except a real estate sign, which is located on property which becomes vacant and unoccupied for a period of three months or more.

**Sign, Area:** Calculation means the area of the sign to be computed by drawing a line or lines around the sign in such a way as to form a rectangle oriented horizontally. The sum square footage of these figures shall be considered as the total area of the sign face. A sign face may be single sided or double sided, as with a typical pole sign; however, to calculate the area of a multi-sided sign, the sum of all sides of the sign shall not exceed twice the area specified for sign face.

**Sign, Balloon:** A visible airtight or air-flow through apparatus commonly made of latex, mylar, vinyl, PVC or other similar material that extends by a cord, rope, string, wire, stick or other similar material for the purpose of advertising or attracting attention to a business, commodity, service, sale, or product.

*Sign, Banner-Horizontal:* A temporary sign intended to be hung either with or without a frame, possessing characters, letters, illustrations, or ornamentation's applied to paper, plastic, or fabric of any kind.

*Sign, Banner-Vertical:* A temporary sign of a lightweight fabric or similar material that is mounted in a vertical fashion secured at top and bottom of banner and secured to a building, parking lot pole or other permanent structure on the property. This banner is not considered as being a feather flag.

*Sign, Banner-Vertical Sidewalk:* A "still in business" temporary sign that is attached to an aluminum or fiberglass rod which is inserted directly into the ground or into a sleeve embedded in the ground or portable base. The flag portion of the sign is attached to a horizontal support at the top and the bottom of the banner, securing it to the rod. This banner is not considered as being a feather flag.

*Sign, Billboard:* A sign displaying advertising copy that pertains to a business, person, organization, activity, event, place, service or product not principally located or primarily manufactured or sold on the premises on which the sign is located. These signs are generally located off premise.

*Sign, Box:* The rectangle used to calculate the sign area.

*Sign, Business:* An on-site sign which directs attention to, and/or used to identify a business, profession, organization, institution, commodity, service, activity, entertainment, or other non-residential use conducted, sold, or offered on these premises, (site) where such sign is located, or within the building to which such sign is affixed.

*Sign, Commercial Construction:* A temporary on-site ground sign that pertains to nonresidential development approved or under construction.

*Sign, Changeable Copy:* The changing of advertising copy or message on a painted or printed sign, or the changing of advertising copy or message on a changeable reader board such as a theater marquee, electronic message board or similar signs specifically design for use of replaceable copy. The installation and construction of such signs shall be governed by the appropriate sign type; however the Changeable Copy message does not require a sign permit.

*Sign, Directional:* A permanent on-site attached sign intended to aid in vehicular movement on the site.

*Sign, Directory:* A sign listing the occupants of a building, or group of buildings on the same parcel, and/or identifying the location of and providing directions to any establishment on the same parcel.

*Sign, Electronic Message Center:* A sign or portion thereof that displays electronic, static images, static graphics or static pictures, with or without information, defined by a small number of matrix elements using different combinations of light emitting diodes (LED's), fiber optics, light bulbs or other illumination devices within the display and where the image sequence is accomplished immediately.

*Sign, Enclosed Frame/Changeable Copy:* See *Sign, Changeable Copy*.

*Sign, Existing Building For Sale/Leasing (Permanent):* An on-site free-standing sign intended to advertise a building or buildings in excess of three lease spaces for sale or lease.

*Sign, Existing Building For Sale/Leasing (Temporary):* A temporary on-site free-standing sign intended to advertise a building or buildings with three or less lease spaces for sale or lease. The temporary sign shall not exceed six (6) square feet in area with base/stake(s) commonly made of metal, wood or other similar material approved by the Building Official with an end for driving into the ground.

*Sign, Flashing:* An illuminated sign on which the artificial source of light is not maintained stationary or constant in intensity and color at all times when such sign is illuminated. For the purpose of the ordinance, any moving illuminated sign affected by intermittent lighting shall be deemed (to be) a flashing sign.

*Sign, Freestanding:* A sign not attached to a building. A freestanding sign may include but not be limited to a pole, pylon or a monument sign.

*Sign, Gasoline Pricing:* An outdoor advertising display with changeable copy letters and numerals that displays the current price of fuel or gasoline for sale.

*Sign, Ground:* Any sign connected to the ground by legs, poles, or other supports and which is not an attached, portable, monument, or vehicular sign.

*Sign, Illegal:* The Building Official, Code Compliance Officer or designated representative shall be authorized to abate or impound any temporary or permanent sign which is in violation of these regulations. Inclusive of advertising matter that constitutes a violation of the Bedford Sign Ordinance.

*Sign, Illuminated:* A sign which has characters, letters, figures, or designs illuminated by electric lights, luminous/neon tubes or other means that are specifically placed to draw attention to, or provide nighttime viewing of, the subject matter on the sign face.

*Sign, Incidental:* A sign with copy not to exceed three (3) square feet in surface area, of a non-commercial nature, intended primarily for the convenience of the public. Included but not limited to; signs designating restrooms, occupation, address numbers, hours of operation, entrances to buildings, directions, nameplates, public telephones and similar.

*Sign, Inflatable's:* Inflatable objects used to bring attention to, or advertising displays including but not limited to air puppets, wind dancers, hot air and rooftop inflatable's,

*Sign, Menu Board:* A sign displaying the menu for a drive up window for an establishment such as a food establishment or car wash.

*Sign, Monument:* A permanent ground sign generally constructed out of brick, stone, or cast concrete foundation across the entire base of the structure.

*Sign, Mural:* Artwork applied to the wall of a building depicting a scene or event of natural, social, cultural, or historic significance. Telephone numbers, advertising messages, and addresses may not be included in the artwork; however, logos, trademarks, and icons may be incorporated into the artworks as integral parts of the work.

*Sign, Nonconforming:* Any sign lawfully constructed which fails to conform to the provisions of this article.

*Sign, Off-Premise:* The term "off-premise sign" means a sign which is issued or intended to be used to attract attention to activities, commodities, services or other endeavors not offered on the premise on which the sign is located.

*Sign, On-Premise:* The term "on-premise sign" means a sign which promotes or advertises activities, commodities, services, or endeavors which are offered on the premise on which such sign is located.

*Sign, Pole:* A freestanding sign supported by a pole or poles having no guys or braces to the ground or to any other structure.

*Sign, Political:* A temporary sign pertaining to any national, state, county or local election. A sign that contains primarily a political message.

*Sign, Portable (or moveable):* Any sign which is not attached or affixed to the ground, a building, vehicle, or other fixed structure or object. Portable signs include those signs installed on wheels, trailers, skids, and similar mobile structures.

*Sign, Projecting:* A sign that projects from a building or wall, to which it is affixed, by more than twelve (12) inches.

*Sign, Pylon:* A freestanding multi-tenant sign erected on a premise; said sign having two or more tenants. Pylon poles, shafts, piers shall be solidly affixed to the ground and not attached to a building. The primary supports, columns, or poles shall be located on the outside of the sign structure with the contents of the sign affixed between the columns.

*Sign, Reader-board:* A changeable copy sign with strips attached to the face of the sign to hold removable displays letters and numerals for the purpose of identifying products sold or services provided by the related business tenant on the same premise.

*Sign, Real Estate:* A sign pertaining to the sale, lease or rental of real property.

*Sign, Real Estate Land Sale:* An on-site ground sign on vacant land intended to advertise land for sale including un-platted tracts of land.

*Sign, Residential Construction:* A temporary on-site ground sign that pertains to a new residential development that is approved or under construction.

*Sign, Roof:* A sign erected upon or above a roof or parapet of a building or structure.

*Sign, Sandwich Board:* A portable sign consisting of two panels of equal size, which are hinged at the top and placed on the ground or pavement so as to be self-supporting.

*Sign, Still in Business:* A temporary sign to advertise and notify of the continued operation of a business at a site which may experience trauma due to public construction causing a disruption, decreasing visibility or difficulty of access to the site on which the business is located.

*Sign, Temporary:* Any sign constructed of cloth, canvas, plastic, light fabric, wallboard or other material with or without frames intended to be displayed for a limited period of time only.

*Sign, Vehicular:* Any sign attached to a trailer, skid, or similar mobile structure, where the primary use of such structure is to provide a base for such sign or constitute the sign itself.

*Sign, Video Display:* A sign that changes its message or background in a manner or method of display characterized by motion or pictorial imagery, which may or may not include text and depicts action or a special effect to indicate movement.

*Sign, Walker (Human Directional Sign):* A person, visible from the public R.O.W., which is holding, twirling, or wearing a sign or costume to draw attention to a business, project, place, or event.

*Sign, Wall:* A sign which is attached or affixed to the wall of a building or is an integral part of the wall of a building with the exposed face of the sign in a plane parallel to and not extending more than twelve (12) inches from said wall. A wall sign shall not extend above, the wall/parapet to which the sign is attached. For the purpose of this section, awnings, canopy fascias, mansards extending along a building side shall be considered a part of the wall. The roof (including mansard and fake mansard roofs) and roof area are not included in the wall area.

*Sign, Wall-Primary:* The wall determined to be the primary signage wall, subject to its incorporating either the major entrance or the common street address.

*Sign, Wall-Secondary:* The wall of a building which is determined to be of secondary importance to the business or establishment occupying the premises, and shall include any wall not designated as a primary wall; and shall not limit the number of secondary signs placed on the building.

*Sign, Weekend Builder's Directional:* A sign providing direction or instruction to guide persons to sites where new homes are under construction, usually off-premise.

*Sign, Window:* Any sign, poster, advertising decals, advertising decorative film, advertising or decorative painting, illuminated object or other similar displayed item, located on the internal or external surface of a window for the purpose of advertising or calling attention to any object, place, business' name, telephone number, website information, services, commodities, and/or products offered or sold that are available within the building that is visible from a public street or sidewalk.

*Vehicle:* Every mechanical device, in, upon, or by which any person or property is or may be transported or drawn upon a public street or highway, including any motor vehicles,

commercial motor vehicles, truck, tractor, bus, motorcycle, motor home, camper, recreational vehicle, trailer, golf cart, watercraft or aircraft.

Wall Area: The area of the wall from the finished floor elevation (or top of foundation) to the top of the parapet wall or to the bottom of the eave, whichever is highest. This wall area is as shown on the architectural elevation of the wall including glass area and recessed wall areas.

Wall Area, Multistory Building: The sign wall area calculation for multistory buildings shall be based upon the height of the first story (including any mezzanine level).

## **Section 6-68. ADMINISTRATION & ENFORCEMENT**

- (a) Building Official: The provisions of this article shall be administered and enforced by the Building Official, Code Compliance Officer or designated representative. All other officers and employees of the city shall assist and cooperate with the Building Official, Code Compliance Officer or designated representative in administering and enforcing the provisions of this article.
- (b) Permits required. No sign shall be erected, re-erected, constructed, attached, altered, except as provided by this article and after a permit for the same has been issued by the building official. A separate permit shall be required for a sign for each business entity, and a separate permit shall be required for each group of signs on a single supporting structure. In addition, electrical permits shall be obtained for electric signs.
- (c) Application for permit. The application for a sign permit shall be in a form approved by the Building Official which shall contain the following information:
  - 1. Sign use classification.
  - 2. Name, address and telephone number of the applicant.
  - 3. Name, address and telephone number of the owner of the property on which the sign is to be located.
  - 4. Name, address and telephone number of the lessee the sign is to benefit, if any.
  - 5. Name, address and telephone number of the person erecting the sign.
  - 6. Scaled site plan showing:
    - a. location of the building, structure or tract to which or upon which the sign is to be attached or erected,
    - b. the position of the sign in relation to nearby structures or other signs, and
    - c. dimensions of setbacks, building lines, distances between sign and streets and property lines.
  - 7. Scaled drawing of the sign including the height, width, area, design and text.
  - 8. Engineered drawings (subject to requirement by the Building Official)
  - 9. Such other information as may be requested by the Building Official.
- (d) Fees. Sign permit fees and plan review fees shall be paid in accordance with the sign permit fee schedule established by the Bedford City Council. Sixty-five percent of the sign permit fee shall be charged as a plan review fee.
- (e) Sign Maintenance Required. All signs and sign support structures, together with all of their supports, braces, guys and anchors, shall be kept in good repair and in proper state of preservation. The display surfaces of all signs shall be kept neatly painted or posted at all times.
- (e) Double permit fee: The permit fee for a sign permit shall be doubled when the installation or alteration of a sign is commenced or completed before the necessary permit is obtained.
- (f) Time limit for exercise of sign permit: In all cases where a sign permit has been approved, the sign permit shall be obtained and the sign(s) erected within a period not to exceed 180 days from the date of approval. In the event such sign or signs are not erected within this period the permit shall become null and void.



- (g) Only permitted signs to be erected: No person shall erect, reconstruct, alter, relocate or place any sign within the city except such signs as are permitted by this article. All signs, including the frames, braces or supports thereof, shall be constructed and maintained in compliance with this title, the building and electrical codes, the zoning ordinance and all other applicable ordinances of the city.
- (h) Inspections: All signs for which permits are required shall be subject to inspection by the building official. Footing inspections may be required by the building official for all signs having footings. All signs containing electrical wiring shall be subject to the provisions of the governing electrical code, and the electrical components used shall bear the label of an approved testing agency. The building official may order the removal of any sign that is not maintained in accordance with the provisions of this section. All signs may be re-inspected at the discretion of the building official.
- (i) Fines for Noncompliance: Violators of any provision of this section shall be subject to fines set forth in this Code and/or signs may be removed by agents and employees of the city and may be either stored or destroyed without liability to the city or its agents or employees. The City may maintain custody of a confiscated sign up to ten (10) days. After ten (10) days the sign is subject to disposal. The owner of a sign confiscated by the City may claim the sign if it is still in the custody of the City upon payment to the City of an administrative fee of \$60.00 per sign. Violators are subject to municipal action for signs confiscated by the City and are subject to a fine as provided by State law.
- (j) Permit Revocable: The Building Official may suspend or revoke any sign permit whenever it is determined that the permit has been issued in error or on the basis of incorrect or false information supplied, or whenever such permit was issued in violation of any provision of this ordinance, any other ordinance of the City, the laws of the State of Texas or the federal government. Such revocation shall be effective when communicated in writing to the person to whom the permit is issued or the owner of the sign or the owner of the premises on which the sign is located. Any sign the subject of a revoked permit shall be immediately removed by the person in control of the sign or premises upon which the sign is located within 15 days of written notice of revocation.
1. A person may appeal the revocation of the sign permit to the Building and Standards Commission by filing with the Building Official written notice of an intention to appeal within 10 days after receipt of written notice of revocation. The decision of the Building and Standards Commission is final.
  2. Notice of revocation shall be deemed to have been received when deposited in the mail, postage prepaid, addressed to the owner of the premises, the owner of the sign, and the tenant for whose benefit the sign is erected as listed in the permit application.
- (k) Existing Signs: Existing Signs shall be subject to the following restrictions:
1. Existing signage regulated under Sections 6-70 (a), 6-70 (h), 6-74 (j), 6-74 (k) and 6-74 (q) of this ordinance and installed prior to the adoption date of this ordinance, shall be required to become compliant with the requirements of this ordinance not later than September 01, 2016.
  2. All other existing signs not identified in Section 6-68 (k) 1, and are lawfully legal non-conforming may exist in their present form but no such signs shall be altered or moved unless a permit is issued pursuant to the provisions of this ordinance. Non-conforming signs shall be removed. Replacement or new signage shall be required to comply with the current sign regulations.
  3. All existing signs are subject to requirements of the code regarding safety, maintenance and repair. Repair and maintenance of all existing signs may be performed as necessary provided not more than fifty percent (50%) of the sign is repaired, altered, or replaced. If more than fifty percent (50%) of the sign is affected regarding repair, alterations, or replacement, then any existing conforming status is lost and the sign must be brought into compliance with the current sign regulations.
- (l) Sign Removal: The owner or owner's representative of any property upon which any of the following signs are located shall immediately remove the sign upon notice from the Building Official, Code Compliance Officer or designated representative:
1. Upon determination by the Building Official, Code Compliance Officer or designated representative that a sign is in a dilapidated or deteriorated condition, the Building Official, Code Compliance

Officer or designated representative shall give notice of said determination to the owner of the sign, or the owner of the property on which the sign is erected, and the lessee that the sign is to benefit. Said notice shall further specify a time period in which said dilapidated or deteriorated condition must be corrected. In the event the dilapidated or deteriorated condition is not corrected within the time provided in the notice of the Building Official, Code Compliance Officer or designated representative, then the owner of the property on which said sign is erected and the owner of the sign shall immediately remove the sign and all parts of the sign including supports, bracing and post.

- (m) Removal by City: In the event any owner of property on which a sign is situated fails to comply with any order issued by the Building Official, Code Compliance Officer or designated representative for removal of a sign under the provisions of this ordinance, then the City may undertake to remove said sign in compliance with the order. The owner of the land on which the sign is situated and the owner of the sign shall pay all costs incurred by the City in the removal of the sign.
- (n) Relief by the Building and Standards Commission for Permanent Signs: In order to prevent or lessen practical difficulties and unnecessary hardship inconsistent with the objectives of this article, the Building and Standards Commission may grant relief in the form of a waiver from the regulations prescribed herein relating to the height, area, location and number of said permanent signage; in such cases, however, the following circumstances shall be found to apply when granting a waiver:
  - 1. Any waiver granted shall be subject to such conditions as will assure that the waiver thereby granted shall not constitute a special privilege inconsistent with the limitations upon other properties in the vicinity and district in which the subject property is situated; and
  - 2. Due to special circumstances applicable to the subject property, including size, shape, topography, street frontage, location or surrounding land use, the size or height of the building on which the sign is to be located; the classification of the street or highway on which the sign is located or designed primarily to be viewed from, the strict application of sign regulations is found to deprive subject property of privileges enjoyed by other properties in the vicinity and under identical zone classification.
- (o) Appeal- Decision of Building Official: All questions of interpretation and enforcement shall be first presented to the building official and such questions shall be presented to the Building and Standards Commission (established by Section 22-31 of this Code), only on appeal from the decision of the administrative official. Any person aggrieved by any interpretation or by any decision or ruling of the building official for under the Sign Ordinance, shall have the right to make an appeal to the Building and Standards Commission. Notice of appeal shall be in writing and must be filed within 30 days. A fee of \$100.00 shall accompany such notice of appeal. Such an appeal shall be considered at a commission meeting and shall be subject to the regulations contained herein for commission meetings.
- (p) Building and Standards Commission Appeal Hearing: Within a period of 30 days from the filing of the appeal, the commission shall hear the appeal, together with the testimony of all parties concerned, and render a decision thereon within three (3) days thereafter. In hearing such an appeal, the commission shall not have the power to unconditionally waive or set aside the requirements of the sign ordinance, but shall have the power to interpret its provisions, and in case of alternate signage, shall determine whether such alternate signage is in fact equal to the standards of the sign ordinance, considering adequacy, stability, strength and safety to the public health and welfare.
- (q) Appeal to District Court: Any person who may be aggrieved by the decision of the Building and Standards Commission from a public hearing shall have a right of appeal to the District Court within ten (10) days from the date of the commission decision.
- (r) Precedent of Regulations: Where the rules and regulations of any other ordinance conflicts with these sign regulations, the regulations contained herein shall prevail and take precedence over any other regulation, including provisions as recorded in any zoning overlay district; however, with the exception of any Planned Unit Development district adopted after the effective day of this sign regulation.

## DIVISION 2. CONSTRUCTION; INSTALLATION

### Section 6-69. GENERAL REGULATIONS

- (a) Sign Placement: All signs advertising the name of the business, services provided, or products sold, shall be located on the premises.
- (b) Existing and Proposed Sign area: Each establishment shall be entitled to sign area within the as set forth herein limitations. However, the area of all existing signs to remain on the premises occupied by the establishment shall be reported by the applicant and shall be added to the proposed new sign(s) for comparison with these limitations, which shall govern total sign area, existing and proposed.
- (c) Setback Limitation: There shall be a separation of ten feet between stand-alone signs. In addition, no part of any sign shall overhang the property line into the public right-of-way or into the adjacent property. Signs shall be located a minimum of ten feet (10') from any overhead power line.
- (d) Street Visibility Triangle: No sign or other advertising structure shall be erected in the 25' by 25' visibility triangle at the intersection of two streets. The street visibility triangle is formed by the property lines and a diagonal line connecting them at points twenty-five feet (25') from the intersection of the property lines in compliance with the provisions provided in the Bedford Development Codes. Any sign projecting into the visibility triangle shall have a clearance of at least ten feet above the centerline grades of the intersecting streets.
- (e) Driveway Visibility Triangle: No sign or other advertising structure shall be erected in the 7' by 60' visibility triangle at the intersection of driveway with a street. The driveway visibility triangle is formed by the property line, the edge of the driveway and a diagonal line connecting a point seven feet (7') along the edge of driveway from the right-of-way and a point 60 feet along the right-of-way line from the edge of driveway. This driveway visibility triangle shall be in compliance with the provisions provided in the Bedford Development Codes. Any sign projecting into the visibility triangle shall have a clearance of at least ten feet above the centerline grades of the intersecting streets.
- (f) Traffic hazard: No sign shall be erected at any location where, by reason of the position, shape or color it may interfere with, obstruct the view of, or be confused with any authorized traffic sign or signal device; or which makes use of the words "stop", "go", "caution", "look", "danger", or any other word, phrase, symbol or character in such a manner as to interfere with, mislead or confuse traffic. Nor shall any person or individual (sign, walker) carry a sign in a public right-of-way.
- (g) Pedestrian hazard: All signs or other advertising structures, which are erected at any point where pedestrians might be endangered, shall have a smooth surface. No nails, tacks or wires shall be permitted to protrude therefrom.
- (h) Lighting restrictions: Illuminated signs shall be erected in such a manner as not to interfere with traffic or pose other health or safety hazards. Spotlights or floodlights shall be shielded and shall be specifically directed at the sign itself. Spotlights or floodlights shall be fully shielded so that they are not visible from streets or adjoining property.
- (i) Wind Pressure and dead load requirements: All signs shall be designed and constructed to withstand wind pressure of not less than 90 mph wind load factor and shall be constructed to receive loads as required by the Building Code.
- (j) Site plan: Whenever a site plan is required to be filed, the site plan shall show the proposed location of any signs to be erected on the property and shall define the size and height of the signs with dimensions and elevation views.
- (k) Sign Buffer Area at edge of a building: The edge of a wall sign shall be a minimum distance of one foot from the edge of the building wall or tenant space divider.
- (l) Sign Face: No more than two sign faces (sides) are allowed per sign.
- (m) Wall Sign Setback Bonus: Wall signs that are setback from the public street right-of-way over one hundred and fifty feet (150') can increase the maximum primary wall signage size by 25%, and increase it an additional 25% for every additional one hundred feet (100') of setback; up to a maximum of 200% of the allowed sign area (i.e. 20% of the primary wall area) at four hundred and fifty feet (450').

1. Over 150' setback, 125% of allowed sign area, or 12.5% of primary wall area,
2. Over 250' setback, 150% of allowed sign area, or 15% of primary wall area,
3. Over 350' setback, 175% of allowed sign area, or 17.5% of primary wall area,
4. Over 450' setback, 200% of allowed sign area, or 20% of primary wall area\*

\*Under no circumstances shall the primary wall signage exceed 400 square feet regardless of wall size or increased setbacks.

(n) Required Parking Space: No sign shall be located in a required parking space.

(o) Flag Display:

- (1) The City of Bedford does not intend to prohibit, restrict, or have the effect of prohibiting or restricting an owner from the display of:
  - (a) the flag of the United States of America;
  - (b) the flag of the State of Texas; or
  - (c) an official or replica flag of any branch of the United States armed forces.
- (2) The following requirements apply to the display of any flag in the City of Bedford:
  - (a) The flag shall be displayed on a flagpole in a safe, secure manner that ensures the flag will not fly away or become a hazard.
  - (b) For residential lots, flag dimensions shall not exceed twenty-four (24) square feet. Commercial, Non-residential uses that are permitted in residentially zoned districts and Multi-Family zoned districts shall be exempt from this provision.
  - (c) A flagpole shall be supported and be constructed of permanent, long-lasting materials, with a finish appropriate to the materials used in the construction of the flagpole, and any flag pole shall be made of safe materials and not be corroded.
  - (d) A flag shall not display obscenities in which the dominant theme of material taken as a whole appeals to a prurient interest in sex or is patently offensive because it affronts community standards relating to the description or representation of sexual matters and is utterly without redeeming social value.
  - (e) The display of a flag, or the location and construction of the supporting flagpole, shall not be located in a dedicated easement or public right of way.
  - (f) A displayed flag and the flagpole on which it is flown shall be maintained in good condition and a deteriorated flag or deteriorated or structurally unsafe flagpole shall be repaired, replaced, or removed.
  - (g) A maximum of two (2) flags or flagpoles may be located on a residential lot. Commercial, Non-residential uses that are permitted in residentially zoned districts and Multi-Family zoned districts shall be exempt from this provision.
  - (h) A flagpole or flag on a residential lot shall not be more than twenty (20) feet in height from the ground if located in the front yard of the property. Commercial, Non-residential uses that are permitted in residentially zoned districts and Multi-Family zoned districts shall be exempt from this provision.
  - (i) Flagpoles in excess of twenty (20) feet in height shall require a permit.
  - (j) Intensity of lights used in the display of the flag shall not shine upon a dwelling or property of another in such a manner as to causes distress, discomfort or injury to persons or in such a manner as to cause a glare or brightness to a degree that it constitutes a hazard or nuisance to traffic or person.
  - (k) Flag or flagpole shall not cause noise to the degree that would disturb a person of reasonable sensitivities on the adjoining property or the nearby neighborhood in regard to the noise caused by the flapping of a flag or noise caused by the external halyard of a flagpole.

- (l) Flags depicting or relating to a national, local or religious holiday or season shall be exempt from the display regulations of this ordinance if installed maintained or displayed for not more than 45 consecutive days and coinciding with a national, local or religious holiday or season.
- (m) Flags four (4) square feet and less shall be exempt from the display regulations of this ordinance.

## Section 6-70. SIGN TYPES

(a) Electronic Message Center: Electronic Message Centers shall be subject to the following restrictions:

1. No Electronic Message Center shall:
  - a. Display animated, full-motion or other moving images, display strobe, flashing, blinking images, expanding or contracting shapes, rotation or any similar visual effects of animation or movement.
  - b. Change the display of an image, graphic, text, or information on the sign for a period not less than once each eight (8) seconds. Any changes shall occur with fade, dissolve or an instant on/off cycle only.
  - c. Include any audio message.
2. Electronic Message Centers shall be permitted in districts zoned “S”, “L”, “H”, “I”, “PUD”, “MHC” and non-residential uses that are permitted in residentially zoned districts.
3. Electronic Message Centers shall not be allowed for primary or secondary wall signs but shall be allowed for incidental signage only.
4. Electronic Message Centers shall be equipped with both a dimmer control and a photocell which automatically adjusts the display's intensity according to natural ambient light conditions.
5. As measured from the nearest residential property line, no light emanation from an adjacent Electronic Message Center shall be in excess of 3 foot-candles.
6. Electronic Graphics Display Signs shall be illuminated at a level no greater than 0.3 foot-candles over ambient light levels for the location and shall employ light cutoff devices such as, but not limited to, louvers in order to minimize light escaping above the horizontal plane. Foot-candle readings shall be measured at ground level at the distances shown in Table 6.1.

Table 6.1

Sign size (Square Feet)	Distance from source
0 to 100	100 feet
101 to 350	150 feet
351 to 400	250 feet

(b) Video Display Signs: shall be permitted by granting of a waiver to the Sign Types regulations on a site-specific basis upon approval of the Building and Standards Commission.

(c) Vehicular Signs.

1. It shall be unlawful to attach any sign to a trailer, skid, or similar mobile structure, where the primary use of such structure is to provide a base for such sign or constitute the sign itself. This provision does not restrict the identification signs on vehicles used for bona fide transportation activity.
2. Unless otherwise provided by another ordinance, vehicles that display signage with advertisement and parked on the same site or premise of such business that it represents shall be permitted provided that such vehicle shall be parked on the side or rear of the building. Vehicles not able to be parked on the side or rear of the building shall be located adjacent to the front of the building and shall not be parked adjacent to the public right-of-way unless the vehicle is temporarily being used for loading or unloading of goods or merchandise.

Government vehicles and vehicles operating under a City franchise are excluded from this requirement.

3. Signs placed on or affixed to vehicles and or trailers which are parked on public right-of-way, public property, or private property so as to be visible from a public right-of-way where the apparent purpose is to advertise a product or direct people to a business or activity located on the same or nearby property are prohibited.

(d) Grand Opening. Grand opening events may utilize inflatable objects, pennant flags, feather flags and banner signs for a period not to exceed 30 days. Grand opening events are limited to the first 90 days after a certificate of occupancy has been issued. No searchlights or flashing type lights are allowed and are strictly prohibited during these events. When an existing business has substantially remodeled, as determined by the building official, the business will have the option of having a Re-Grand Opening. Permit is required.

(e) "Still in Business" signs: Temporary signage necessary for operation of a business located on site during construction caused by public police authority in which access or visibility of the business is substantially hampered may be approved by the building official upon submitting plans addressing such condition.

1. Permit Required.
2. Shall not exceed 50 square feet in area.
3. A sidewalk vertical banner may be used. The sidewalk vertical banner, including frame, shall not exceed twenty-six (26) inches in width and ten (10) feet in total height.
4. At his/her discretion, the building official may defer such approval to the City Manager's Office or his or her designee. The decision of the City Manager is final.
5. Is exempt from permit fee.
6. Excluding feather flags, decorative flags and balloons, all other signs described in section 6-72 "Temporary Signs" shall be allowed for "Still in Business" signage.

(f) Political Signs:

1. Political signs shall be subject to Section 216.903 of the Local Government Code.
2. The following shall apply to political signs:
  - (a) A permit fee shall not be required.
  - (b) A political sign shall be allowed in any zoning district.
  - (c) Political signs shall not be located on any utility, light, traffic signal or sign pole.
  - (d) Political signs shall not be located so as to cause a safety or traffic hazard.
  - (e) Political signs shall not have an area greater than 36 square feet.
  - (f) Political signs shall not be more than eight feet in height.
  - (g) Political signs shall not be illuminated or projected.
  - (h) Political signs shall not contain any moving elements or parts.
  - (i) Political signs shall not be placed within public right-of-way.
3. Political signs are allowed on private real property only with the consent of the property owner.
4. Except as provided for in Subsection five (5), no political sign may be placed on public property owned, leased, or controlled by the City of Bedford. Provided, however, this subsection does not prohibit an individual from carrying or displaying political signs, nametags, badges, banners, or other political or campaign materials on public property so long as such activity is conducted in accordance with Chapter 61 and Chapter 85 of the Texas Election Code, as now or hereafter amended.

5. Time, place and manner restrictions – signs on public property during voting periods.
  - (a) Time. In accordance with Texas Election Code §61.003, signs shall be allowed at polling sites during early voting periods or on Election Day. Signs so posted must be removed within forty-eight (48) hours after the close of the early voting period or the close of the polls on Election Day, whichever is applicable.
  - (b) For so long as required by Texas Election Code section 61.003 and 85.036, all public property upon which there is located a polling place, outside the area described in §61.003, and within the area which is allowed to have signs posted shall meet the following requirements:
    1. that is not on impervious surfaces;
    2. that is not a traffic or safety hazard;
    3. that is attached to a stake not to exceed a 9 gauge diameter (American Wire Gauge standard (AXG)) driven into the ground well clear of tree roots, irrigation lines and any other underground vegetation or structures
    4. not to be attached to any building or structure;
    5. not in a landscape bed to include flower beds;
    6. shall not have an area greater than six square feet; and
    7. an area which meets all the requirements of this ordinance.

*(g) Projecting Signs:*

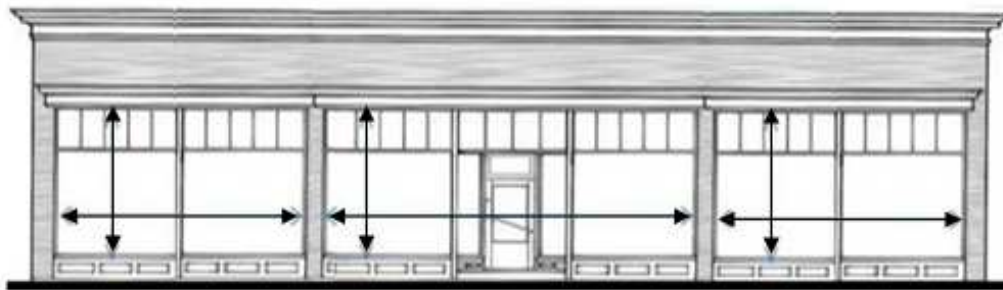
1. One sign shall be allowed to project from the building face for each street-level business.
2. Signs shall not be located above the top of parapet wall or roof eave of a building.
3. Projecting Sign over a pedestrian walkway or drive must be a minimum of eight (8) feet clearance between the grade of the sidewalk or drive and the lowest portion of a Projecting Sign.
4. Signs shall not exceed twenty-five (25) square feet in area.
5. Signs horizontal length shall not exceed thirty-six (36) inches.
6. The near edge of a projecting sign shall be no more than twelve (12) inches from the wall of the building to which the sign is attached.
7. Signs including mounting hardware, shall not project more than forty-eight (48) inches from the wall of the building to which the sign is attached.
8. Individual sign letters shall not exceed twelve (12) inches in height.
9. Projecting signs may be illuminated.
10. Projecting signs shall not include electronic components such as message boards, video and graphic displays.
11. Projecting signs shall not be designed to include changeable copy.
12. A Projecting Sign may not project into the right-of-way.

*(h) Window Signs:*

1. No sign permit required. Window Signs shall be regulated in districts zoned “S”, “L”, “H”, “I”, “PUD”, “MHC” and non-residential uses that are permitted in residentially zoned districts.
2. With the exception of illuminated Open/Closed Signs, Window Signs shall not be illuminated.
3. Window signs may occupy a maximum of 33% of the window area.
4. Window area for window signs shall be calculated by multiplying the window width times the height of each window area, including the mullions but excluding building cladding.

5. Where a window sign consists solely of lettering or other sign elements printed or mounted on a window of a building without any distinguishing border or background, The entire area within a circle, triangle, or parallelogram enclosing the extreme limits of writing, representation, emblem, or any figure of similar character shall be treated as a single sign for purposes of area computation.
6. Window signage shall not obstruct the view of any cashier area.
7. Window signs shall be limited to the first floor of a multi-story building.
8. In addition to Window Signs, illuminated Open/Closed Signs shall be limited to one (1) per street frontage and shall:
  - (a) Only read "Open" or "Closed".
  - (b) Only be located in the window of the business.
  - (c) Remain static and not blink, flash, oscillate or intermittently turn on and off.
  - (d) Not exceed four (4) square feet in sign area.
9. The following shall be exempt:
  - (a) Non-Illuminated addresses, hours of operation, credit card logos, signs allowed by Local and State law, Local and State mandated signage and signs that display the words "Now Hiring" only and do not include a commercial message or any form of advertisement.
  - (b) Mannequins and storefront displays of merchandise visible from the public right-of-way.

Example: Window area calculation not to exceed 33%.



Width x height of window including mullions.

(i) Existing Building For Sale/Lease Sign (Permanent)

1. Existing Building For Sale/Leasing Signs shall be permitted in districts zoned "S", "L", "H", "I", "PUD", "MHC" and non-residential uses that are permitted in residentially zoned districts.
2. Sign structure shall be mounted on the ground.
3. Maximum sign height shall be five (5) feet plus a maximum of nine (9) inch finial on top of each post.
4. Maximum sign area shall not exceed twelve (12) square feet per sign face.
5. One (1) ground sign per street frontage.
6. Sign structure shall be permitted only when space is available for sale or lease on the same site.
7. Existing Building For Sale/Leasing Signs shall be designed and installed in accordance with the following guidelines:



(a) Sign Post:

1. Material shall be of 3 – 4 inch extruded metal with decorative finials.
2. Height shall not exceed five (5) feet in height, excluding finials. Finials shall not exceed nine (9) inches in height.
3. Color shall be black

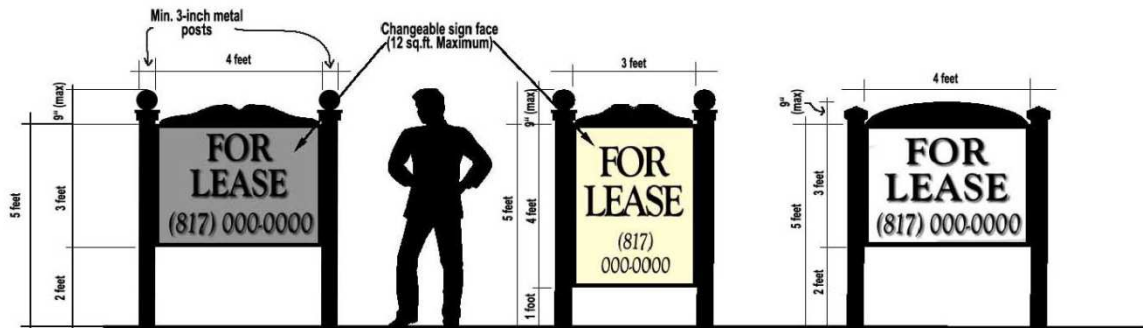
(b) Sign Frame:

1. Same material as the sign post
2. Same color as the sign post
3. Height of any decorative element over the sign frame shall be limited to a maximum of nine (9) inches.

(c) Sign Face:

1. Material shall be made up of ¼" to ½" plastic or aluminum coated MDO or plastic cored aluminum
2. Area of each sign face shall not exceed 12 square feet. Sign may be two-sided.
3. Color copy shall be allowed for sign face and background. Sign face and background shall not have neon colors.

Example: Existing Building For Sale/Lease Signs



## Section 6-71. PERMANENT SIGNS

PERMANENT SIGNS					
TYPE OF SIGN	DISTRICTS PERMITTED	MAXIMUM AREA	MAXIMUM HEIGHT & CLEARANCE	NUMBER OF SIGNS	REQUIREMENTS**
<b>Primary Wall Sign (Attached)</b>	Non-residential* “S”, “L”, “H” “I” & “MHC”	Two square feet of sign area for each foot of store front width.	Top of parapet wall or roof eave height. Maximum height of sign is 6 feet	Not applicable, Signage area can be composed of multiple signs	Min. horizontal and/or vertical separation between signs shall be a two feet.  Also see Setback Bonus.
<b>Secondary Wall Sign (Attached)</b>	Non-residential* “S”, “L”, “H” “I” & “MHC”	50% of allowed Primary wall sign area	Top of parapet wall or roof eave height	Not applicable, Signage area can be composed of multiple signs	Min. horizontal and/or vertical separation between signs shall be two feet.  No sign permitted to face a residential property
<b>Freestanding Freeway Pole</b>	Non-residential* “S”, “L”, “H” “I” & “MHC” (in “MHC” must be within 25’ of frontage road)	300 s.f. each side	65 ft. max height with 10 ft. minimum ground clearance	1 freestanding (either pole or monument) sign per street frontage	Not allowed in public R.O.W.
<b>Freestanding Freeway Pylon</b>	Non-residential* “S”, “L”, “H” “I” & “MHC” (in “MHC” must be within 25’ of frontage road)	300 s.f. per tenant per parcel not to exceed the maximum height & clearance regulation	65 ft. max height, 10 ft. min height, 20 ft max width, 3 ft. minimum ground clearance to bottom of sign	1 freestanding pylon sign per street frontage, per platted lot or lot of record	Not allowed in public R.O.W
<b>Freestanding Non-Freeway Pole</b>	Non-residential* “S”, “L”, “H” “I” & “MHC”	100 s.f. each side	25 ft. max height with 10 ft. minimum ground clearance	1 freestanding (pole or monument) sign per street frontage	Not allowed in public R.O.W.
<b>Freestanding Non-Freeway Pylon</b>	Non-residential* “S”, “L”, “H” “I” & “MHC”	100 s.f. each per tenant per parcel not to exceed the maximum height & clearance regulation	25 ft. max height, 10 ft. min height, 20 ft max width, 3 ft. minimum ground clearance to bottom of sign	1 freestanding pylon sign per street frontage, per platted lot or lot of record	Not allowed in public R.O.W.
<b>Electronic Message Center</b>	Section 6-70 (a)	Section 6-70 (a)	Section 6-70 (a)	Section 6-70 (a)	Section 6-70 (a)
<b>Video Display</b>	Section 6-70 (b)	Section 6-70 (b)	Section 6-70 (b)	Section 6-70 (b)	Section 6-70 (b)

PERMANENT SIGNS					
TYPE OF SIGN	DISTRICTS PERMITTED	MAXIMUM AREA	MAXIMUM HEIGHT & CLEARANCE	NUMBER OF SIGNS	REQUIREMENTS**
<b>Freestanding Monument</b>	Non-residential* “S”, “L”, “H” “I” & “MHC”	75 sq. ft. Entire Structure	7 feet	1 (either pole or monument) per street frontage, 2 max	Minimum ground contact: 75% of structure’s width
<b>Existing Building with more than three lease spaces, For Sale/Leasing Sign (Permanent)</b>	Non-residential* “S”, “L”, “H” “I” & “MHC”	Section 6-70 (i)	Section 6-70 (i)	Section 6-70 (i)	Section 6-70 (i)
<b>Canopy</b> (covering gas pumps, drive thru lanes or parking areas)	Non-residential* “S”, “L”, “H” “I” & “MHC”	30 square feet per side with maximum of 18 inch letters	Top of canopy fascia	On 3 sides of canopy only	Canopies not considered separate buildings for signage purposes
<b>Mural</b>	Non-residential* “S”, “L”, “H” “I” & “MHC”	Not applicable	Not applicable	Not applicable	No name, logo, text or slogan.  Murals are considered <u>Art</u> , not advertising
<b>Enclosed Frame/Changeable Copy</b>	Non-residential* “S”, “L”, “H” “I” & “MHC”	12 s.f. with no dimension greater than 4 ft.	Not applicable	2 per wall max., 4 per site max.	Enclosed frame permanently attached to wall
<b>Multifamily Entry Monument</b>	Multifamily: all MD & MF	75 sq. ft. Entire Structure.	7 ft.	1 per “main” entrance	Minimum ground contact: 75% of structure’s width
<b>Subdivision Entry Monument</b>	All Residentially zoned districts	75 sq. ft. Entire Structure	7 ft.	1 <u>pair</u> per “main” entrance	Minimum ground contact: 75% of structure’s width

## Section 6-72. TEMPORARY SIGNS

TEMPORARY SIGNS						
TYPE OF SIGN	PERMIT REQ.	DISTRICTS PERMITTED	MAXIMUM AREA	MAX HEIGHT & CLEARANCE	TIME LIMIT	REQUIREMENTS**
<b>Horizontal Banner</b>	Yes	Non-residential* “S”, “L”, “H” “I” & “MHC”	50 s.f.	Highest point of roof, Attached to building	60 days per calendar year, in a minimum of 10 day increments	Only 1 allowed No lighting
<b>Vertical Banner</b>	Yes, per each change out	Non-residential* “S”, “L”, “H” “I” & “MHC”	35 s.f. freeway frontage, 12 s.f. for non-freeway	35 ft. max., 6 ft. min. to bottom of vertical banner, Attached to building or parking lot pole	Not applicable	50 ft. min. spacing 100 ft. min. street frontage 25’ min. to side property line
<b>New Business “Coming Soon” Banner</b>	Yes	Non-residential* “S”, “L”, “H” “I” & “MHC”	50 s.f.	Highest point of roof, Attached to building	During lease space finish out, 60 day max. or 30 day max. with no finish out	1 sign per lease space, on bldg. No lighting
<b>New Business “Now Open” Banner</b>	Yes	Non-residential* “S”, “L”, “H” “I” & “MHC”	50 s.f.	Highest point of roof, Attached to building	30 days from C.O.	1 sign per lease space, on bldg. No lighting
<b>Multifamily Units for Rent or Lease Banner</b>	Yes	Multifamily: all MD & MF	50 s.f.	Highest point of roof on building, or 15 ft. max. for free-standing signs	180 days per year, in 10 day periods	1 per street frontage Maximum 2 No lighting
<b>HOA Group Garage Sale Banner</b>	No	Residential	50 s.f.	Placed at subdivision entrance wall/fence	2 per Calendar Year	1 per subdivision entrance Maximum 2
<b>Com. Unit(s) Sale or Lease Banner</b>	Yes	Non-residential* “S”, “L”, “H” “I” & “MHC”	50 s.f.	Highest point of roof Attached to building	Unit sold or leased	1 per street frontage No lighting
<b>“Still in Business” Sign</b>	Yes, No Fee	Section 6-70 (e)	Section 6-70 (e)	Section 6-70 (e)	Section 6-70 (e)	Section 6-70 (e)
<b>Pennant Flags</b>	Yes	Non-residential* “S”, “L”, “H” “I” & “MHC”	Not applicable	Highest point of roof	During event	Only during approved Grand Openings
<b>Feather Flags</b>	Yes	Non-residential* “S”, “L”, “H” “I” & “MHC”	Not applicable	15 ft.	During event	Only during approved Grand Openings and Events Max 4 flags

TEMPORARY SIGNS						
TYPE OF SIGN	PERMIT REQ.	DISTRICTS PERMITTED	MAXIMUM AREA	MAX HEIGHT & CLEARANCE	TIME LIMIT	REQUIREMENTS**
<b>Decorative Flag</b> (solid or color, Logo, business name allowed)	No	Non-residential* “S”, “L”, “H” “I”, “MF” & “MHC”	6 s.f.	25 ft. max., 6 ft. min. to bottom of flag	Not applicable	Street frontage 0-150’ 4 flags 151-200’ 5 flags 201-250’ 6 flags 251-300’ 7 flags over 300’ 8 flags
<b>Balloons &amp; Inflatable Objects</b>	Yes	Non-residential* “S”, “L”, “H” “I” & “MHC”	Not applicable	50 ft.	During event	Only during approved Grand Openings and Events
<b>Existing Building with three or less lease spaces, For Sale/Leasing Sign (Temporary)</b>	Yes, No Fee	Non-residential* “S”, “L”, “H” “I” & “MHC”	6 s.f.	4 ft.	Unit sold or leased	1 per street frontage No lighting
<b>Political Signs</b>	No	Section 6-70 (f)	Section 6-70 (f)	Section 6-70 (f)	Section 6-70 (f)	Section 6-70 (f)
<b>Window Signs</b>	No	Section 6-70 (h)	Section 6-70 (h)	Section 6-70 (h)	Section 6-70 (h)	Section 6-70 (h)
<b>Vehicle</b>	No	Section 6-70 (c)	Section 6-70 (c)	Section 6-70 (c)	Section 6-70 (c)	Section 6-70 (c)
<b>Weekend Builders Directional</b>	Yes	All	6 s.f.	3 ft.	12:00 pm Friday till 12:00 pm Monday	25 max. 200 ft. or 1 block apart 40 ft. min. from intersection Not allowed in public R.O.W. No lighting
<b>Open House Advertising</b>	Yes	All	4 s.f.	3 ft	Signs can be displayed one hour before and removed within an hour after the “Open House.”	Open houses can be Saturday and Sunday only A maximum of 5 signs in addition to 1 on premise sign allowed Signs must say, “Open House” with a directional arrow. May have the company name, logo, and/or home address. Permit sticker must be attached to the signs.

TEMPORARY SIGNS						
TYPE OF SIGN	PERMIT REQ.	DISTRICTS PERMITTED	MAXIMUM AREA	MAX HEIGHT & CLEARANCE	TIME LIMIT	REQUIREMENTS**
<b>Multi-Family Rent or Lease</b>	No	Multi-Family Districts	4 s.f.	3 ft	From Friday 5:30 PM till Monday 9:30AM	Can be Saturday and Sunday only A maximum of 5 on premise signs allowed
<b>Sandwich Board Sign</b>	No	Non-residential* “S”, “L”, “H” “I” & “MHC”	8 s.f.	4 ft	Only allowed during business hours	1 sign per lease space Non-illuminated freestanding A-frame style signs are permitted. Signs must be weighted down to provide stability. Signs must be placed within five feet of the building entrance. Signs must maintain a pedestrian path not less than four feet.
<b>Church, charity &amp; civic, <u>On-Premises</u></b>	Yes, No fee	All	50 s.f.	15 ft. max. for free-standing signs.	10 days prior to event, 30 days max.	On private property Not in R.O.W. No lighting
<b>Church, charity/civic, <u>Off-Premises</u></b>	Yes, No fee	All	12 s.f.	3 ft. max. for free-standing signs.	10 days prior to event, 30 days max.	On private property Not in R.O.W. No lighting Removed 24 hr. after event
<b>Real Estate Land Sale (vacant lot)</b>	Yes	All	100 s.f.	15 ft.	Remove prior to development	1 acre min. 2 signs max. 1 per street frontage No lighting
<b>Residential Construction</b>	Yes	All Residentially zoned districts	32 s.f.	5 ft.	Remove upon final/C.O.	1 per 4 lots per street frontage No lighting
<b>Commercial Construction</b>	Yes	Non-residential* “S”, “L”, “H” “I” & “MHC”	32 s.f.	5 ft.	Remove upon final/C.O.	1 per 4 lots per street frontage No lighting
<p>* Non-residential uses that are permitted in residentially zoned districts.</p> <p>**All signs are subject to setback regulations as set forth in Section 6-69 (c).</p>						

## **Section 6-73. EXEMPTIONS**

A permit shall not be required for any of the following signs; provided, however, such signs shall otherwise comply with all other applicable provisions of the sign code:

- (a) Standard maintenance, painting, repainting or cleaning of an existing advertising structure and not more than fifty percent (50%) of the sign is repaired, altered, or replaced. This exemption shall include but not be limited to theater marquees and similar signs that are specifically designed for the use of replaceable copy.
- (b) Government signs and signs for organizations sponsored by government including flags, insignia, legal notices, informational, directional, decorative displays for holidays, public demonstrations and traffic signs which are legally required or necessary to the essential functions of government agencies shall not be regulated by the sign ordinance.
- (c) Any traffic sign, public notice or warning required by a valid and applicable federal, state, or local law, regulation, or ordinance.
- (d) Directional signs, on premise not exceeding four (4) square feet in area and three (3) feet in height giving directions or instructions.
- (e) Menu board signs for drive-thru lanes at restaurants.
- (f) Gasoline pricing signs less than fifteen square feet (15 s.f.)
- (g) Signs that display the words "Now Hiring" and business name and do not include a commercial message or advertisement. Employment ads are exempt.
- (h) With the exception of multi-family zoned districts and non-residential uses that are permitted in residentially zoned districts, all other residentially zoned districts with a sign not exceeding nine (9) square feet in area, which advertises the sale, builder, construction, rental or lease of the premise shall be exempt. The sign shall be removed upon the completion of the construction, sale or lease of the premises.
- (i) Signs provided in Section 6-72 "Temporary Signs" shall be allowed for Special or Civic events.
- (j) Political signs as defined in Section 6-67.
- (k) Organization identification signs attached to a donation bin.
- (l) Traffic control signs on private property including but not limited to; "Stop", "Yield", "No Parking", "Towing", Handicap Parking" and similar signs which contain no commercial message.
- (m) Directory signs on private properties.
- (n) "No Dumping Allowed" signs posted to deter illegal dumping.
- (o) Warning and security signs, including signs placed by a public utility for the safety, welfare, or convenience of the public, including, but not limited to signs identifying high voltage, public telephone, neighborhood watch or crime watch signs or underground cables.
- (p) Incidental signs

## **Section 6-74. PROHIBITED SIGNS**

- (a) Unless allowed by State, local law or other City ordinances, off-premises advertising signs.
- (b) Billboard signs.
- (c) No signs shall be allowed in a public right-of-way excluding government signs, signs sponsored by government including flags, government insignia, government informational, government sponsored decorative displays for holidays, public demonstrations and traffic signs which are legally required or necessary to the essential functions of government agencies.
- (d) Unless allowed by State, local law or other City ordinances, signs attached to light fixtures, poles, curbs, sidewalks, gutters, utility poles, fences, railings and trees.
- (e) Signs which prevent free ingress to, or egress from any door, window, or fire escape.

- (f) Signs erected or displayed in such a manner as to obstruct free and clear vision at any location, street, intersection, or driveway. All signs placed at intersections shall prevent such problem by observing a sight triangle as provided for in the Development Codes.
- (g) Obscene signs in which the dominant theme of material taken as a whole appeals to a prurient interest in sex or is patently offensive because it affronts community standards relating to the description or representation of sexual matters and is utterly without redeeming social value.
- (h) Portable signs as defined in Section 6-67 Definitions.
- (i) "V" type signs with a face that protrudes from the opposite face at an interior angle greater than twenty-five (25) degrees.
- (j) With the exception of illuminated Open/Closed signs in Section 6-70 "Sign Types" (h) 3, exposed neon tubing, luminous tubing, LED or any luminous lighting product that is specifically placed to draw attention to, shall not be used for display inside, outside, or outline of, any window or portion of a window in districts zoned "S", "L", "H", "I", "PUD", "MHC" and non-residential uses that are permitted in residentially zoned districts.
- (k) With the exception of illuminated Open/Closed signs in Section 6-70 "Sign Types" (h) 3, no other luminous signs shall be used for display in a window, or portion of a window in districts zoned "S", "L", "H", "I", "PUD", "MHC" and non-residential uses that are permitted in residentially zoned districts.
- (l) Exposed neon tubing, luminous tubing or any luminous lighting product shall not be used on, or outline of any or portion of an exterior sign.
- (m) Signs illuminated to such intensity or in such a manner as to cause a glare or brightness to a degree that it constitutes a hazard or nuisance to traffic.
- (n) Spotlights or floodlights shall not be mounted on pole, pylon or monument signs for other reasons than for external illumination for the sign its self, specifically lights shall be located, aimed, or shielded so as to focus solely on the intended sign façade thereby reducing glare and stray light constituting a hazard or nuisance to traffic.
- (o) Search lights or flashing lights.
- (p) Any illuminated sign or portion of an illuminated sign with motion or visual impression that primarily changes through electronic means. Said signs include visual simulation of motion characteristic of chasing, running, blinking, oscillating, twinkling, changing colors or expanding or contracting light patterns.
- (q) Change the display of an image, graphic, text, color or information on any sign or any portion of any sign for a period less than once each eight (8) seconds.
- (r) Unless specifically approved by Planning and Zoning or City Council, roof signs. However, signs are allowed on building towers or other architectural features of the building.
- (s) Sign, Walker in a public right-of-way.
- (t) Structural or non-structural additions or attachments to monument signs, excluding structural modifications for which a valid permit has been issued.
- (u) Balloons, inflatables and feather flags shall not be allowed for display on multifamily or commercially zoned properties.
- (v) Unless specifically allowed in Section 6-72 "Temporary Signs", feather flag type signs used to bring attention to, or advertising displays including blade, feather, shark fin, swooper, teardrop, triangular and wind flags shall be prohibited.
- (w) Any sign not specifically permitted by this ordinance.