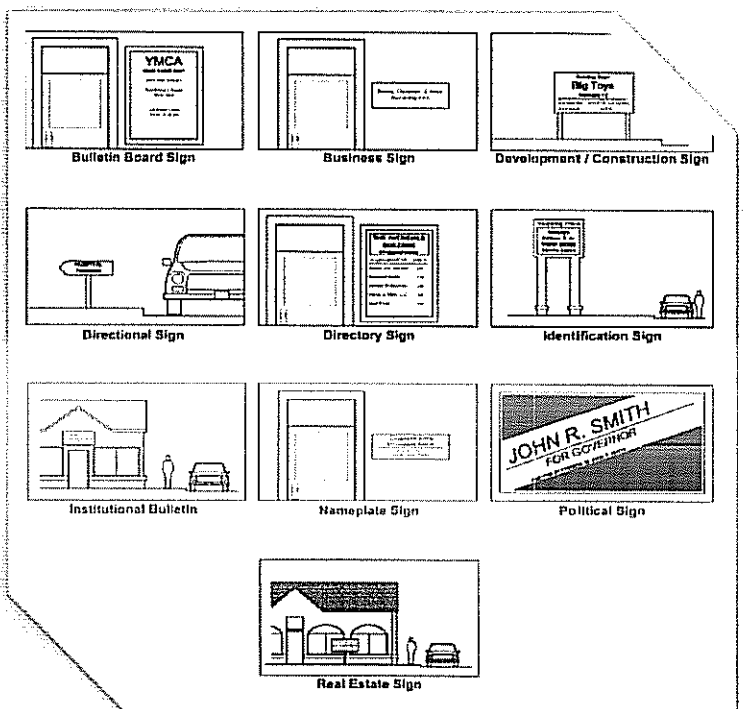
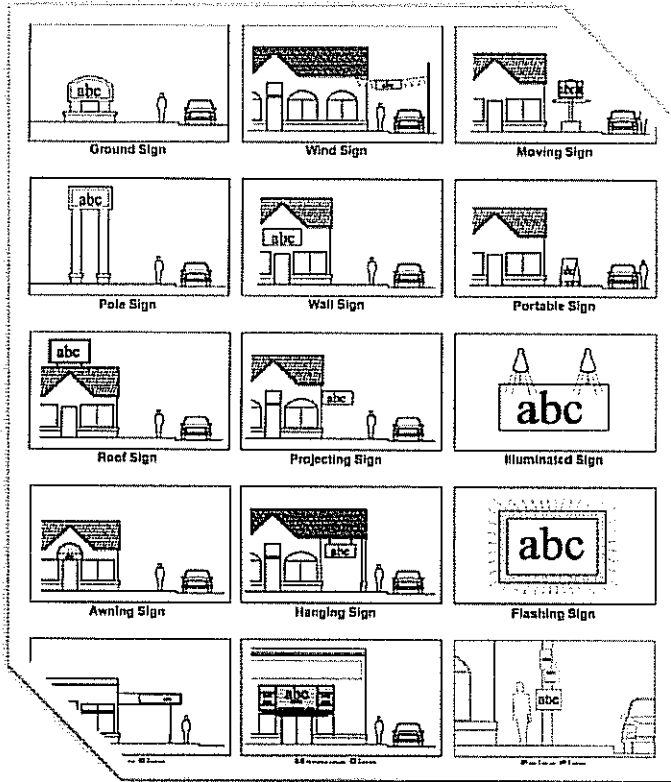


# City of Pell City Sign Ordinance Proposed Draft Revisions



<b>ARTICLE XV. SIGN AND OUTDOOR ADVERTISING REGULATIONS .....</b>	<b>1</b>
<b>SECTION 1501. DEFINITIONS .....</b>	<b>1</b>
1501.01. General Definitions .....	1
1501.02. Functional Types .....	4
1501.03. Structural Types .....	7
<b>SECTION 1502. SIGN STANDARDS BY ZONING DISTRICT .....</b>	<b>10</b>
1502.01. Sign Standards for R-A and F-C Zoning Districts.....	10
1502.02. Sign Standards for R-1, R-1MH, R-2, R-3, R-4, R-MHP & P-R Zoning Districts.....	10
1502.03. Sign Standards for O-1 and B-1 Zoning Districts .....	10
1502.04. Sign Standards for B-2 Zoning Districts .....	11
1502.05. Sign Standards for B-3, M-1 and M-2 Zoning Districts.....	11
<b>SECTION 1503. EXCEPTIONS &amp; MODIFICATIONS.....</b>	<b>12</b>
1503.01. Public Signs.....	12
1503.02. Temporary Signs .....	12
1503.03. Integral.....	13
1503.04. Interstate Advertising Signs.....	13
1503.05. Private Traffic Direction .....	13
1503.06. Rental .....	13
1503.07. Vehicles .....	13
1503.08. Human, Animal or Product Form Signs.....	13
1503.09. Business Signs on Unimproved Lots.....	14
1503.10. Scoreboards .....	14
1503.11. Flags, Banners, and Insignia.....	14
1503.12. Security Company Signs .....	14
1503.13. Portable Signs.....	14
1503.14. Accessory Signs.....	14
1503.15. Holiday Signs.....	14
<b>SECTION 1504. PROHIBITED SIGNS.....</b>	<b>15</b>
1504.01. ....	15
<b>SECTION 1505. SIGNS PERMITTED IN ALL ZONES .....</b>	<b>16</b>
1505.01. Development Signs .....	16
1505.02. Construction Signs .....	16
1505.03. Real Estate Signs .....	16
<b>SECTION 1506. GENERAL REGULATIONS AND SPECIAL STANDARDS.....</b>	<b>17</b>
1506.01. Automobile Service Stations .....	18
1506.02. Shopping Center, Neighborhood .....	18
1506.03. Shopping Center, Minor / Community .....	19
1506.04. Shopping Center, Major.....	19
1506.05. Shopping Center, Regional .....	20
1506.06. Off-Premise Directional Signs.....	21
<b>SECTION 1507. ILLUMINATION.....</b>	<b>22</b>
<b>SECTION 1508. OUTDOOR ADVERTISING STRUCTURES, BILLBOARDS &amp; POSTER         PANELS .....</b>	<b>23</b>
1508.01. Location .....	23
1508.02. Requirements .....	23
<b>SECTION 1509. NONCONFORMING SIGNS.....</b>	<b>24</b>
<b>SECTION 1510. REMOVAL, MAINTENANCE &amp; SAFETY.....</b>	<b>25</b>
1510.01. Structural Requirements.....	25
1510.02. Maintenance .....	25
1510.03. Removal of Signs .....	25
1510.04. Abandoned Signs .....	25
<b>Ordinance No. 2006-1883.....</b>	<b>25</b>
Section 1.....	25
Section 2.....	26
Section 3.....	26
Section 4.....	26

**ARTICLE XV  
AMENDED AUGUST 3, 2006  
ORDINANCE NO. 2006-1883**

**SIGN AND OUTDOOR ADVERTISING REGULATIONS**

The purpose of this Article is to regulate all exterior signs and interior signs placed for exterior observance so as 1) to protect health, safety, morals, and to promote the public welfare, 2) to protect property values and the public investment in streets and highways, 3) to protect the character of the various communities of the City, 4) to prevent the uncontrolled erection of outdoor signs in that indiscriminate erection and maintenance of large signs seriously detracts from the enjoyment and pleasure of the natural scenic beauty of the city which in turn injuriously affects the tourist trade and thereby the economic well-being of the City, 5) to ensure that information in the specific interest of the traveling public is presented safely and effectively, 6) to provide for the above while recognizing that a reasonable freedom to advertise is necessary to attain such objectives.

The principal features are the restriction of advertising to the business or use of the premises on which the sign is located and the restriction of the total sign area permissible per site. Any sign placed on land or on a building for the purpose of identification or for advertising a use conducted therein or there on shall be deemed to be accessory and incidental to such land, building or use. It is intended that the display of signs will be appropriate to the land, building or use to which they are appurtenant and be adequate, but not excessive for the intended purpose of identification or advertisement. With respect to signs advertising business use, it is specifically intended among other things, to avoid excessive competition and clutter among sign displays in their demand for public attention. It is further intended that in commercial areas now in existence and more so in proposed commercial and industrial areas that all signs within one complex be coordinated with the architecture in such a manner that an overall appearance is harmonious in color, form and proportion.

It is also intended by this section that all temporary signs erected for directional purposes, for public information or to call attention to special events shall be confined to those that are of general public interest and that such signs shall be limited to the giving of information.

All other signs commonly referred to as outdoor advertising, billboards or poster panels which advertise products or businesses not connected with the site or building on which they are located, are deemed by this section to constitute a separate use. Any widespread display of outdoor advertising is deemed to be inappropriate to the character and sound development of the City and it is intended that such advertising be confined to unimproved commercial or industrial property subject to the restrictions set forth under Section 1508 below.

**SECTION 1501. DEFINITIONS.**

The following general definitions and sign classification definitions by function and by structure are provided to facilitate administration and enforcement of the provisions in this Article.

**1501.01. General Definitions**

1. Awning – (See Canopy).
2. Billboard Advertising – The use of a freestanding, off-premises sign located on a lot not containing a building. See Section 1508.
3. Canopy – A roof-like cover extending from a building over a pedestrian way or right-of-way as a shelter or shield. This definition shall include the terms “awning” and shall apply regardless of the materials used in its construction.

4. **Grade Level** – The mean established centerline elevation or grade of the street or road fronting on the property in question as determined by the public authorities having supervision. If no grade level has been established by public authority, the determination and certification thereto of the existing grade level by a registered professional engineer in the State of Alabama is required. See Figure 2.
5. **Holiday Decorations** – Decorative elements of a temporary nature intended for the acknowledgment of a holiday or holiday season, exclusive of decorations which contain business, product, sales, or service advertising content. Holiday decorations shall not be considered signs.
6. **Indirect Light** - Light reflected from a separate outside source aimed toward it, including silhouettes on a background or reflected light.
7. **Intermittent Light** - Any flashing, traveling, animated, blinking, or fluctuating light, including arrangements that spell messages, simulate motion, or form various symbols or images.
8. **Location** - A lot, premise, building, wall or any place whatsoever upon which a sign is located.
9. **Marquee** – A roof-like structure extending from a building over a pedestrian way used primarily as a sign, but which may also act as a shelter or shield.
10. **Off-Premises** – The location of a sign used to direct attention to a business, commodity, service, or entertainment conducted, sold, or offered for sale at a location other than the premises on which the sign is located.
11. **On-Premises** – The location of a sign used to advertise **only** goods, services, facilities, events, or attractions available on the premises where the sign is located; to identify the owner, occupant, or business name; or to direct traffic on the premises.
12. **Outdoor Advertising** - The use of exterior attached or free-standing signs conveying any information, knowledge, or idea to the public.
13. **Permanent** - Designed, constructed, and intended to be permanently affixed to a building, structure, or to the ground.
14. **Premises** - The lot or tract of land upon which a sign is located or to be located. The land upon which an activity is conducted for which a sign is used to advertise.
15. **Projection** - The distance a sign extends over public property or beyond the building line.
16. **Seasonal Sales and Promotions** – Extended sales activities, which may include special pricing, advertising, events, signage, and other promotions, occurring during or throughout a season for a period of no longer than six (6) months. Such shall include sales and promotions of agricultural and garden products, outdoor furnishings, and other products and services associated with a recurring season.
17. **Shopping Center** - A group of commercial establishments (as permitted in the district) located on a common lot, planned and developed in a unified design with shared parking and driveway facilities, and under common management authority.
18. **Shopping Center, Community** - (See Shopping Center, Minor).
19. **Shopping Center, Major** – A Shopping Center located on a lot of twenty-five (25) or more acres. These establishments are designed to furnish, in addition to the retail goods and services found in Minor Shopping Centers, such less frequently needed goods and services as clothing and

automobiles, banking and theaters, and the wider range of retail goods and services to satisfy the needs of the residents of a community of neighborhoods.

20. Shopping Center, Minor – A Shopping Center located on a lot of three (3) to less than twenty-five (25) acres. These establishments are designed to furnish the retail goods, such as groceries and drugs, and the services, barbering and shoe repairing, to satisfy the daily household needs for the surrounding community. Also referred to as a Community Shopping Center.
21. Shopping Center, Neighborhood - A Shopping Center located on a lot of three (3) acres or less. These establishments are designed to furnish retail goods, such as groceries and drugs, and services, barbering and shoe repairing, to satisfy daily household needs for the surrounding residential neighborhood.
22. Shopping Center, Regional - A Shopping Center located on a lot of fifty (50) acres or greater. These establishments are designed to furnish, in addition to the retail goods and services found in Major Shopping Centers, the wider range of retail goods and services required by residents of the Pell City area and of the trade area.
23. Sight Triangle – A triangular-shaped portion of land established at street or driveway intersections in which nothing is erected, placed, planted, or allowed to grow in such a manner as to limit or obstruct the sight distance of motorists entering or leaving the intersection.

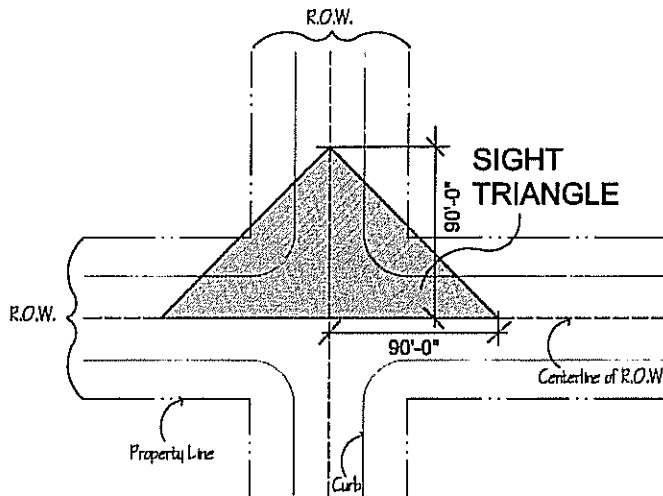
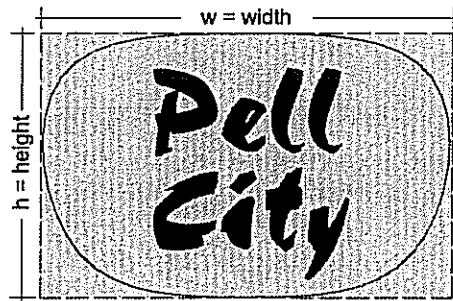


Figure 29 - Sight Triangle

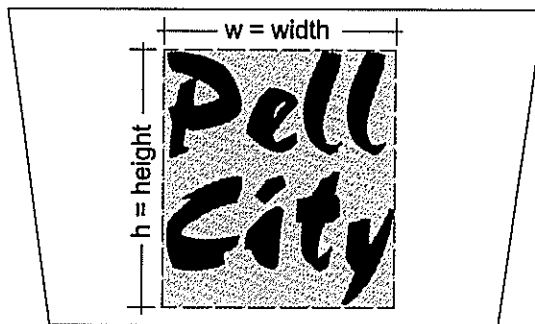
24. Sign – Any name, identification, description, display, illustration, or structure, which is affixed directly or indirectly upon a building, structure, or the ground, which is intended to communicate with the public or directs attention to an object, product, place, activity, service, person, institution, organization, or business; specifically excepting all public signs designed, constructed and placed in accord with the most recent edition of the Alabama Manual on Uniform Traffic Control Devices.
25. Sign Area - The entire area of a sign shall be computed as the entire area circumscribed by a rectangle enclosing all of the display area of the sign including those frames surrounding display areas. Where a sign has two or more faces, the area of all faces shall be included in determining the area of the sign, except that where two (2) such faces are placed back to back and are at no point more than two feet (2) from one another, the area of said sign shall be taken as the area of one face if the two faces are of equal area, or as the area of the larger face if the two (2) faces are of unequal area. The area of ball-shaped, or spherical, signs shall be the square of their diameter.



Sign Area =  $h \times w$

Figure 30 - Sign Area

26. **Sign Copy Area** – The copy area of a sign shall be computed as the entire area circumscribed by a rectangular shape enclosing the extreme limits of all writing, representation, emblem, or any figure or character, together with any frame or other material or color forming an integral part of the display or used to differentiate such sign from the background against which it is placed. Permitted copy area for double face signs shall be applied to the area of each of the two sign faces.



Sign Copy Area =  $h \times w$

Figure 31 - Sign Copy Area

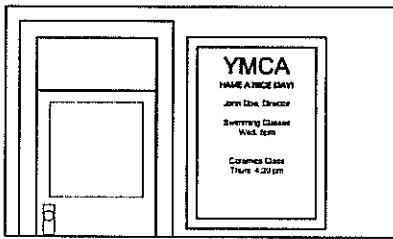
27. **Street, Major** – A street primarily used for heavy traffic, where the majority of abutting development is non-residential and travel speed is 35 miles per hour or greater. Any portion of a U.S. highway, state highway, state or county road shall be considered a major street.
28. **Street, Minor** – A street used primarily for moderate traffic where travel speed is less than 35 miles per hour.
29. **Temporary** - Designed, constructed, and intended to be temporarily displayed and not permanently affixed to a building, structure, or to the ground.

**1501.02. Functional Types** – The following definitions describe and classify signs based on the function they serve and their informational content. For further reference, see "Sign Illustrations - Functional Types" following.

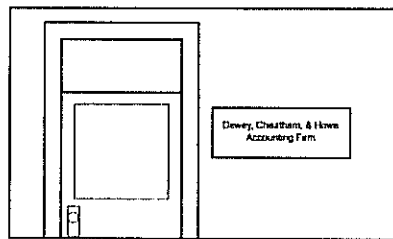
1. **Accessory Sign** – Any sign attached to a building, canopy, shopping cart corral, appurtenance or other structure indicating general information, such as trading, stamps, credit cards, official notices or services required by law, or giving directions to offices, restrooms, exits, and like facilities. Accessory signs are typically permanent though content may change.

2. Advertising Signs - A sign which directs attention to a business commodity, service or entertainment conducted, sold, or offered at a location other than the premises on which it is affixed.
3. Bulletin Board Signs - A sign that indicates the name of an institution or organization on whose premises it is located and which contains the name of the institution or organization, the name or names of persons connected with it, and announcements of persons, events, or activities occurring at the institution. Such sign may also present a greeting or similar message.
4. Business Sign - A sign which announces a business or profession conducted, or to a commodity or services sold, offered, manufactured, or an entertainment offered on the premises where the sign is located or to which it is affixed.
5. Construction Sign - A temporary sign indicating the names of architects, engineers, landscape architects, contractors, and similar artisans involved in the design and construction of a structure or project only during the construction period and only on the premises on which the construction is taking place.
6. Directional Sign - A permanent, off-premise sign directing and guiding pedestrian and/or vehicular traffic or parking to a business or entity located within one thousand (1000') feet of said entity bearing no advertising matter.
7. Directory Sign - A sign identifying the name and location within the building of individuals, businesses, organizations, or other tenants occupying a multi-tenant building. Directory signs for professional office buildings are generally located within the interior of the building; however when they are located on the exterior they shall be considered *identification signs* (See Identification Sign).
8. Holiday Signs – Signs and displays of a temporary nature acknowledging and promoting a holiday or holiday season and which include business, product, sales, or service advertising content. Such signs and displays shall be subject to Section 1503.02.
9. Identification Sign - A sign identifying the name of an individual, profession, occupation, organization, hotel, or motel occupying the premises, or the name of the street number of the building. Information directly related to principal or accessory uses of the property may also be included. Such signs may be wholly or partly devoted to a readily recognized symbol.
10. Institutional Bulletin - A sign of any government agency, religious group, fraternal or philanthropic organization, hospital, or school, and located on the premises, indicating the institution's name, persons involved, or other identification information.
11. Nameplate Sign - A sign giving the name and/or address of the owner or occupant of a building or premises on which it is located, and, where applicable, a professional status.
12. Political Sign - A sign identifying or urging support for an election issue, political party, or candidate for public office.
13. Real Estate Sign - An on-premise sign pertaining to the sale or lease of the lot or tract of land thereon, or to the sale or lease of one or more structures, or a portion thereof located on the premises.
14. Rental Sign - (See Real Estate Sign).

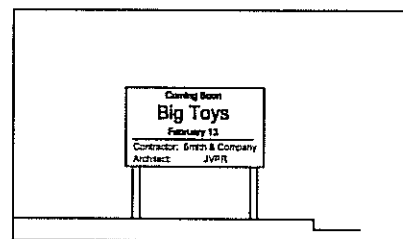
Figure 32 - Sign Illustrations by Functional Type



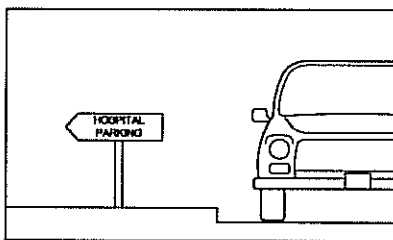
Bulletin Board Sign



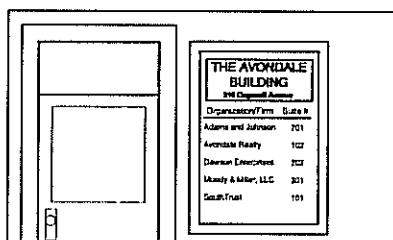
Business Sign



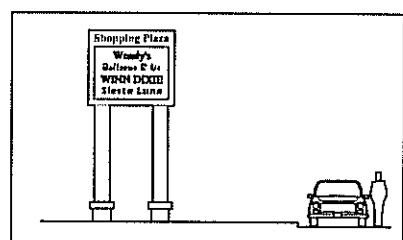
Development / Construction Sign



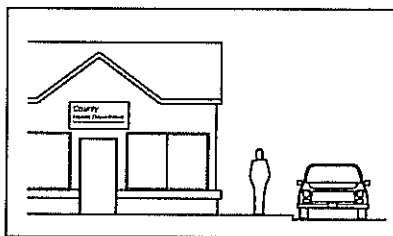
Directional Sign



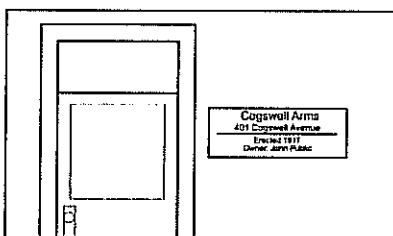
Directory Sign



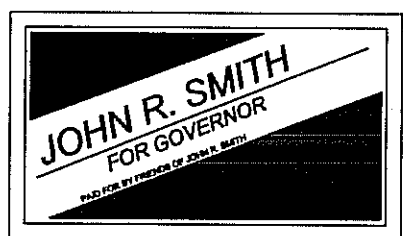
Identification Sign



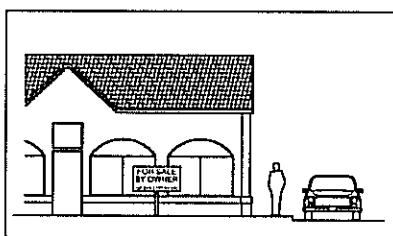
Institutional Bulletin



Nameplate Sign



Political Sign



Real Estate Sign



**1501.03. Structural Types** - The following definitions describe and classify signs based on their design, construction, and location. For further reference, see "Sign Illustrations - Structural Types" following.

1. Attached Sign – Any sign that is permanently fastened to, attached to, connected to, or supported by a building or structure permanently attached to the ground.
2. Awning, Canopy, and Marquee Sign - A sign that is mounted or painted on or attached to, an awning, canopy, or marquee that is otherwise permitted.
3. Banner - A sign of lightweight fabric or vinyl, or similar material temporarily mounted to a building, structure, or fence at one or more edges. National, state, and municipal flags and the official flag of any institution shall not be considered banners. See also Wind Sign.
4. Detached Sign – See Portable Sign.
5. Double-Face Sign - A sign, both sides of which are visible and used as signs. The sign area of a double-faced sign, where the two sign faces are never greater than twenty-four (24") inches apart, shall be computed as the area of one sign face, whichever is greater. When the two sign faces are greater than 24" apart, the sign area shall be computed as the sum of both faces.

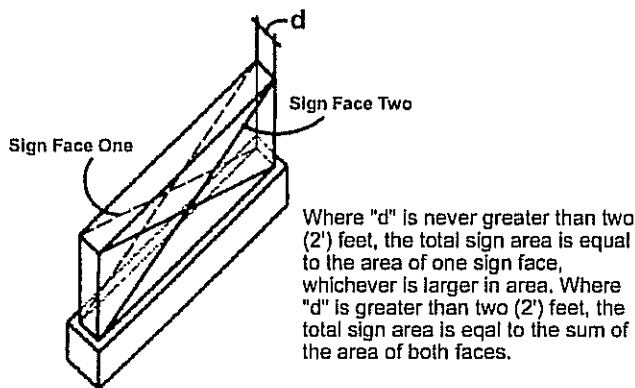
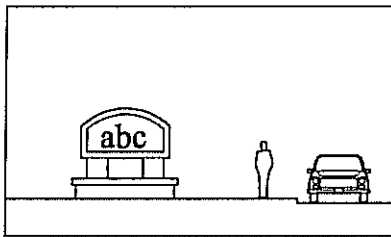


Figure 33 – Double-Face Sign

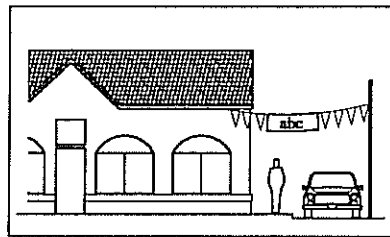
6. Electric Sign - Any sign containing electric wiring. This does not include signs illuminated by an exterior floodlight source.
7. Flashing Sign - A sign designed to attract attention by the inclusion of a flashing, changing, revolving, or flickering light source or a change of light intensity.
8. Ground Sign - Any sign placed upon, or supported by, the ground independently of the principal building or structure on the property. Signs on accessory structures shall be considered ground signs.
9. Hanging Sign - A sign which hangs down from and is supported by and attached to the underside of a canopy, awning, or marquee.
10. Illuminated Sign - Any sign designed to give forth any artificial light, or designed to reflect such light deriving from any source which is intended to cause such light or reflection.

11. Moving Sign - A sign designed to attract attention by physical movement of all or parts of the sign including rotation, motion, or the perception of motion.
12. Pole Sign - A sign that is mounted on a free-standing pole or poles, the bottom edge of which sign is ten (10) feet or more above grade level.
13. Portable Sign - A sign which is carried, wheeled, or moved about without having to detach the sign from a secure anchoring device which is set in the ground or to a building which is set on an approved foundation, or a sign which is not secured in a manner approved by the Building Official, this includes but is not limited to "A frame" signs and sandwich board signs.
14. Projecting Sign - A sign constructed or erected so as to be attached to a building, pole, or other structure, and projecting out there from a distance greater than twelve (12") inches.
15. Roof Sign - A sign erected on a vertical framework supported by or located entirely over the roof of a building.
16. Snipe Sign - A sign attached to utility poles, trees, other signs or structures or objects not specifically designed to accommodate signs
17. Wall Sign - A sign which is painted to or affixed to an exterior wall of any building, projecting not more than twelve inches (12") from the building wall and does not extend above the exterior wall of said building.
18. Wind Sign - Any sign or display including but not limited to flags, banners, balloons, streamers, and rotating devices, fastened in such a manner to move upon being subjected to pressure by wind or breeze.

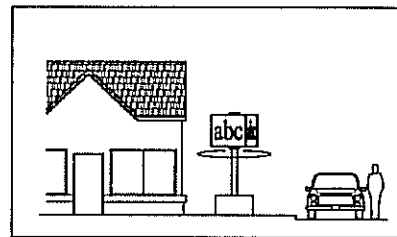
Figure 33 - Sign Illustrations by Structural Type



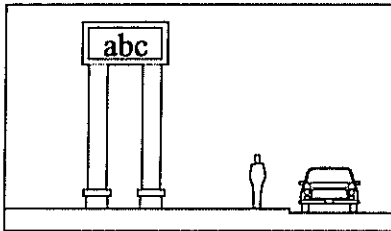
Ground Sign



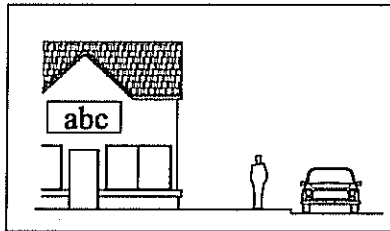
Wind Sign



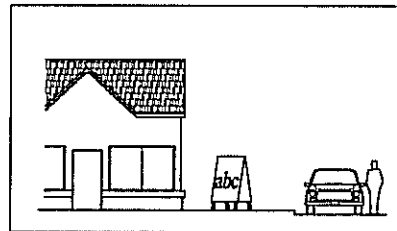
Moving Sign



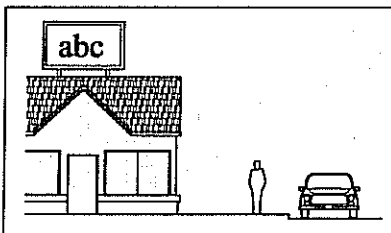
Pole Sign



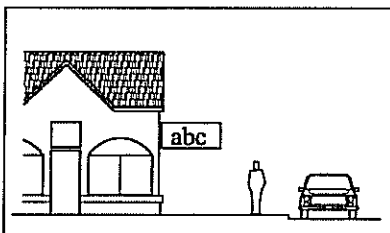
Wall Sign



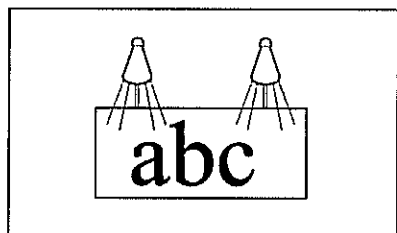
Portable Sign



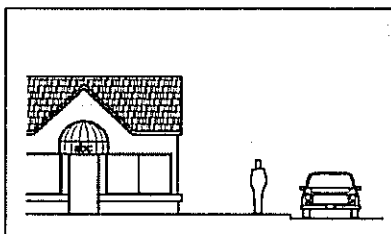
Roof Sign



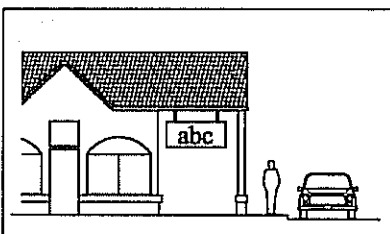
Projecting Sign



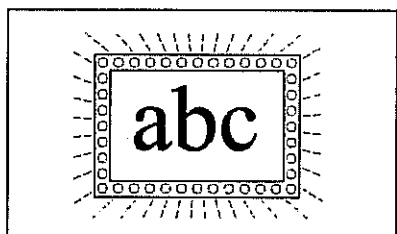
Illuminated Sign



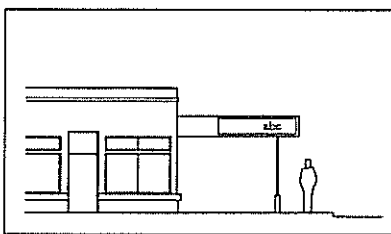
Awning Sign



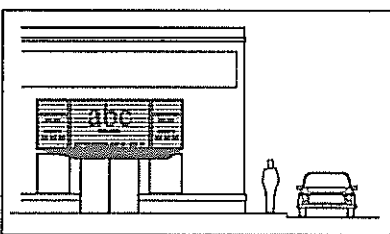
Hanging Sign



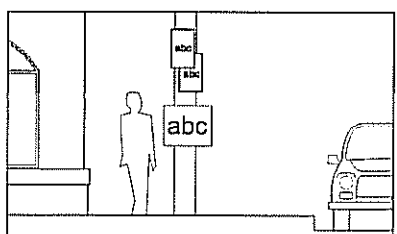
Flashing Sign



Canopy Sign



Marquee Sign



Snipe Sign

**SECTION 1502. SIGN STANDARDS BY ZONING DISTRICT.**

**1502.01. Sign Standards for R-A Agriculture and F-C Flood Conservation Zoning Districts.**

1. Signs will be allowed incidental to an approved or permitted use. Further, only one identification sign for an approved or permitted use shall be allowed not to exceed one-half (1/2) square foot for each linear foot of building lot frontage or thirty-two (32) square feet whichever is smaller.
2. Outdoor Advertising is permitted on a conditional basis subject to the provisions of Article IX Special Use Regulations and Section 1508 of this Ordinance and further provided that; within sixty (60) days of the time that the zoning map is amended to cause outdoor advertising structures which have been erected in an R-A or F-C District to be located within five hundred feet (500') of any other Residential District, such structures shall be removed.

**1502.02. Sign Standards for Residential Zoning Districts: R-1, R-1MH, R-2, R-3, R-4, R-MHP, and P-R.**

1. One identification or nameplate sign shall be allowed for permitted professional, home occupation, or non-residential uses provided that such sign is attached to the building and does not exceed two (2) square feet in area. Identification and nameplate signs may be lighted with indirect illumination only.
2. For permitted multiple family dwellings one identification sign for each street frontage of the lot shall be allowed not to exceed two (2) square feet in area or five feet (5') in height, and is attached to the building.
3. Church or school bulletin board signs displaying the name of the institution and other related information will be allowed provided that, any such sign shall not exceed eighteen (18) square feet in area and shall be located a minimum of twenty feet (20') from the street right-of-way and ten feet (10') from all property lines.
4. Signs in P-R Districts are required to be designed in character with the development.
5. House numbers shall be a minimum of two (2) inches in height and no more than three (3) inches in height.

**1502.03. Sign Standards for O-1 Office and B-1 Neighborhood Business Zoning Districts.**

1. For permitted multiple family dwellings one identification sign for each street frontage of the lot shall be allowed not to exceed one (1) square foot in area for each housing unit or eighteen (18) square feet overall whichever is smaller. Such sign shall not be within the public right-of-way nor shall it exceed six feet (6') in height.
2. For each permitted non-residential use one identification sign shall be allowed not to exceed one (1) square foot in area for each linear foot of the building frontage or forty-eight (48) square feet overall whichever is smaller. Such sign shall not be within the public right-of-way, nor above sixteen (16') feet in height, nor shall such sign project above the roof line.
3. Further, a secondary wall identification sign shall be allowed not to exceed four (4) square feet in area, nor above sixteen feet (16') in height, nor shall such sign project above the roof line.

**1502.04. Sign Standards for B-2 General Business Zoning District.**

1. For permitted multiple family dwellings one identification sign for each street frontage of the lot shall be allowed not to exceed one (1) square foot for each housing unit or thirty-two (32) square feet overall, whichever is smaller.
2. For other uses, one (1) permanent, freestanding on-premise sign and one (1) permanent, attached on-premise sign shall be permitted for each street frontage of no less than 75 feet.
  - a. Freestanding Signs - Each permanent, freestanding on-premise sign shall be allowed one (1) square foot per linear foot of street frontage and shall not exceed one hundred (100) square feet. Freestanding signs shall be set back a minimum of five (5) feet from the nearest property line. Freestanding signs for multiple tenant shopping centers shall be in accordance with the applicable provisions of Section 1506.
  - b. Attached Signs - Each permanent, attached on-premise sign shall be allowed a maximum sign area of 25% of the total area of the building façade on which the sign is to be attached not to exceed 150 square feet. For individual businesses with a gross leasable area of 50,000 square feet or greater, upon submission and review of plans, the Planning and Zoning Commission may approve a sign area for an attached sign greater than 150 square feet not to exceed 25% of the total area of the building façade on which the sign is to be attached.
  - c. Temporary Signs – Temporary signs shall be allowed in accordance with the provisions of Section 1503.02.
  - d. Accessory Signs – Accessory signs shall be allowed in accordance with the provisions of Section 1503.14.

**1502.05. Sign Standards for B-3 Heavy Business, M-1 Light Manufacturing, and M-2 Heavy Manufacturing Zoning Districts.**

1. For permitted uses, one (1) permanent, freestanding on-premise sign and one (1) permanent, attached on-premise sign shall be permitted for each street frontage of no less than 75 feet.
  - a. Freestanding Signs - Each permanent, freestanding on-premise sign shall be allowed (1) square foot per linear foot of street frontage and shall not exceed one hundred (100) square feet. Freestanding signs shall be set back a minimum of five (5) feet from the nearest property line.
  - b. Attached Signs - Each permanent, attached on-premise sign shall be allowed a maximum sign area of 25% of the total area of the building façade on which the sign is to be attached not to exceed 150 square feet. For individual businesses with a gross leasable area of 50,000 square feet or greater, upon submission and review of plans, the Planning and Zoning Commission may approve a sign area for an attached sign greater than 150 square feet not to exceed 25% of the total area of the building façade on which the sign is to be attached.
  - c. Temporary Signs – Temporary signs shall be allowed in accordance with the provisions of Section 1503.02.
  - d. Accessory Signs – Accessory signs shall be allowed in accordance with the provisions of Section 1503.14.

- e. Billboards - Outdoor advertising billboards shall be permitted on a conditional basis subject to the provisions of Article IX Special Use Regulations and Section 1508 of this Ordinance.

## **SECTION 1503. EXCEPTIONS AND EXEMPTIONS.**

The following types of signs are exempted from all provisions of this Ordinance, except for construction and safety regulations and the following standards.

### **1503.01. Public Signs.**

Signs of a non-commercial nature and in the public interest, erected by, or on the order of, a public officer in the performance of his public duty, such as official public notices, governmental signs and lights for control of traffic and other regulatory purposes, street signs, directional signs, danger or warning signs, informational signs, and signs of public service companies indicating danger and aids to service or safety; memorial plaques, cornerstones and historical tablets.

### **1503.02. Temporary Signs.**

Temporary signs shall be located entirely within the premises on which the event or function occurs, and shall be set back no less than five (5') feet from the property line up to a combined sign area of seventy-two (72) square feet with no individual sign exceeding twenty-four (24) square feet in area. Such signs shall be allowed no more than twenty-one (21) days prior to the event or function and must be removed within seven (7) days after the event or function except as otherwise noted below. If building mounted, these signs shall be flat wall signs and shall not project above the roof line. If ground mounted, the top shall be no more than six feet (6') above grade level. Such signs may be illuminated in accordance with the restrictions set forth in Section 1507.

1. The following signs shall be considered temporary signs and shall meet all requirements of this section, except as otherwise noted:
  - Signs announcing any public, charitable, educational, or religious event or function including political signs related to an election or voting event;
  - Informational and directional signs, such as those for yard sales and social events;
  - Holiday signs and displays;
  - Decorative flags, bunting, banners, and signs publicizing City-wide celebrations, conventions, commemorations, and recognized community-wide events as approved by City Council resolution;
  - Signs used for fundraising located within the confines of athletic fields, not exceeding four (4') feet by eight (8') feet in size, and generally visible from the seating area of such fields only;
  - Temporary, non-illuminated signs, located in the R-A Agriculture District and R-E Residential Estate District, pertaining to agricultural products raised on the premises, subject to Section 1502; and
  - Temporary, non-illuminated window signs, located in Commercial Districts, pertaining to a special event; which advertise activities, services, or goods available within the building; and which do not exceed twenty-five (25%) percent of the window glass surface area.
2. All temporary signs shall have the name of the person(s), organization, or other entity posting or erecting the sign and the date of posting or erection on the back of the sign or otherwise where most applicable.

3. Temporary, non-illuminated political signs shall not exceed eight (8) square feet in area and shall not be posted more than three (3) months prior to the day of voting to which the sign refers. Such signs shall be removed by the person(s), organization, or entity posting the sign within seven (7) days after the day of voting to which the sign refers.
4. Temporary signs that do not exceed eight (8) square feet shall be allowed without permit in commercial districts for seasonal sales and promotions. Temporary signage within a parking lot shall not block or take up any parking spaces required in Article XIV: Off-Street Parking and Loading Requirements. Temporary seasonal signs greater in area than two (2) square feet and used for longer than six (6) months shall be considered permanent and therefore regulated as such.

**1503.03. Integral.**

Names of buildings, dates of erection, monumental citations, commemorative tablets and the like when carved into stone, concrete, or similar material or made of bronze, aluminum or other permanent type construction and made an integral part of the building structure.

**1503.04. Interstate Advertising Signs.**

Within the B-2, B-3, M-1, and M-2 Zoning Districts, permanent, free-standing, pole-mounted signs, located within one thousand feet (1000') of an Interstate Highway right-of-way, may be allowed to exceed the size and height restrictions imposed for such signs in this district upon review of plans by and approval of the Zoning Board of Adjustment.

**1503.05. Private Traffic Direction.**

Signs directing traffic movement onto a premise or within a premise, not exceeding three (3 sf) square feet for each sign. Illumination of these signs shall conform to Section 1507, except that standard traffic signal light devices may be used if needed. Horizontal directional signs on and flush with paved areas are exempt from these standards.

**1503.06. Rental.**

Signs on the premises announcing rooms for rent, table board, and apartment for rent and set back no less than six feet (6') from the nearest property line and no more than five feet (5') above ground level shall be allowed up to twelve (12 sf) square feet in area.

**1503.07. Vehicles.**

Signs on vehicles of any kind, provided the sign is painted or attached directly to the body of the original vehicles and does not project or extend beyond the original manufactured body proper of the vehicle.

**1503.08. Human, Animal, or Product Form Signs.**

Signs which are shaped to resemble any human, animal, or product form, or any animation of any human, animal or product form shall be permitted in commercial zones and commercial areas and in industrial zones and in industrial areas, subject to all other requirements for signs in the zone or area in which located and provided further that the sign shall be reviewed and approved by the Planning Commission as consistent with the requirements, intent and purposes of this Ordinance.

**1503.09. Business Signs on Unimproved Lots.**

Signs for businesses conducted on unimproved lots with a small business office shall be allowed a total area for no more than two signs not to exceed one-half (1/2 sf) square foot for each linear foot of lot frontage or thirty-two (32 sf) square feet overall, whichever is smaller. Signs on unimproved property shall comply with all other restrictions of this Ordinance and the zones in which they occur.

**1503.10. Scoreboards.**

Scoreboards in athletic stadiums which are not visible from any residence or any public street.

**1503.11. Flags, Banners, and Insignia.**

Flags, banners, or insignia of a governmental, religious, charitable, or fraternal organization shall be limited to eighty (80 sf) square feet.

**1503.12. Security Company Signs.**

Signs identifying the company providing an alarm security service to a premises shall not exceed one (1 sf) square foot in area.

**1503.13 Portable Signs.**

Upon the date of adoption of this ordinance, the following regulations shall apply to the use, maintenance, and repair of portable signs:

1. Existing portable signs shall comply with all applicable City building codes pertaining to allowable stresses and loads, structure, and electrical wiring. The maintenance and repair of existing portable signs shall comply with the requirements of Section 1509.
2. New installation of portable signs shall be prohibited. One portable sign per business, existing on the date of adoption of this Ordinance, shall be regarded as nonconforming signs and may be continued for a period of four (4) years. At the end of this period, they shall be removed in accordance with Section 1510.
3. Prior to the end of the designated four (4) year "grandfathering" period, one existing portable sign per business may be replaced with a conforming sign or structurally converted into a permanent sign which conforms to all applicable requirements of the Sign and Outdoor Advertising Regulations of the City of Pell City and the City building code.

**1503.14 Accessory Signs.**

Accessory signs indicating general, non-advertising information and all accessory signs no larger than two (2) square feet shall be exempt. Accessory signs greater than two (2) square feet shall be considered permanent signs, the square footage of which shall be included in the calculation of the maximum attached sign area for the property as permitted within the district. No accessory sign shall be greater than eight (8) square feet each per business property.

**1503.15 Holiday Decorations and Signs.**

Holiday decorations which exclude advertising content shall be exempt from the provisions of this ordinance in all zoning districts. However, all such decorations shall not extend into a public right-of-way except as specifically authorized by the Planning Commission. Holiday signs shall be subject to the provisions of 1503.02.



**SECTION 1504. PROHIBITED SIGNS.**

**1504.01.** The following signs are prohibited and shall be removed in accordance with Section 1510 hereof.

1. Signs containing statements, words, or pictures of an obscene, indecent, or immoral character, such as will offend public morals or decency.
2. Signs which imitate an official traffic sign or signal or which contain the words "stop", "go", "slow", "caution", "danger", "warning", or similar words.
3. Signs which are of a size, location, content, coloring, or manner of illumination which may be confused with or construed as a traffic control device or which hide from view any traffic or street sign or signal or which obstruct a clear line of sight within the sight triangle of a street intersection.
4. Signs which advertise a terminated activity, business, product or service no longer produced or conducted. Such signs may be maintained for up to six (6) months from the date of vacancy or termination as applicable. To allow for the future re-use of a conforming sign as connected with the re-use of the business, property or structure and to allow for the preservation of signs of historical significance to the community, the sign owner may apply for an extended use permit as approved by the Planning Commission contingent on the continued maintenance of said sign.
5. Snipe signs.
6. Signs which move in any manner, have a major moving part or give illustration of motion, or which swing or otherwise noticeably move as a result of wind pressure as a result of the manner of suspension or attachment. This prohibition shall not include signs that depict only time, temperature, date, and limited news information.
7. Roof signs which are not specifically approved by the Planning Commission.
8. Portable signs, subject to the provisions of Section 1503.13.
9. Street banners which are placed across a municipal or federal right-of-way in the City of Pell City.
10. Signs on window surfaces covering more than twenty-five percent (25%) of the glass surface window area.
11. Signs with any lighting or control mechanism which causes radio, TV, or other communication interference.

## **SECTION 1505. SIGNS PERMITTED IN ALL ZONES.**

Subject to the other provisions of this Ordinance, the following signs shall be permitted anywhere within the city.

### **1505.01. Development Signs.**

One (1) development sign, temporary in nature, not to exceed twenty-four (24) square feet in residential districts nor thirty-two (32) square feet in all other districts, may be affixed to each lot or parcel of property to designate that such property is to be occupied at a future date by the business or use designated thereon. However, such a sign is limited to a sixty (60) day period prior to the beginning of construction of the premises by the announced business or use. Such signs shall be removed before a Certificate of Occupancy is issued.

### **1505.02. Construction Signs.**

One sign shall be permitted for all building contractors, all professional firms, and all lending institutions on a site under construction. This one permitted sign shall not exceed sixteen (16) square feet in any residential district or thirty-two (32) square feet in other districts; and may include the name of persons and firms performing services, labor, or supplying materials to the premises. The sign shall be confined to the site of the construction, construction shed, or trailer and shall be removed before a Certificate of Occupancy is issued.

### **1505.03. Real Estate Signs.**

1. One (1) temporary real estate sign not exceeding six (6) square feet in residential zones and ten (10) square feet in other zones shall be allowed for each lot, parcel or tract of less than two (2) acres. If the lot, parcel or tract has multiple frontage, one (1) additional sign not to exceed four (4) square feet in area in residential zones, or eight (8) square feet in area in other zones shall be allowed on the property to be placed facing the additional frontage. Under no circumstances shall more than a maximum of two (2) signs be permitted on the property.
2. One (1) temporary real estate sign not exceeding twelve (12) square feet in residential zones, and twenty-four (24) square feet in other zones shall be allowed on each lot, parcel, or tract of two (2) acres or more. If the lot, parcel or tract has multiple frontage, one (1) additional sign not exceeding twenty-four (24) square feet in area shall be allowed on the property to be placed facing the additional frontage. Under no circumstances shall more than two (2) signs be permitted on the property.
3. One (1) temporary subdivision identification sign not exceeding thirty-two (32) square feet in area and located on the property shall be allowed for each development of ten (10) lots or more.
4. One (1) temporary approach sign near each major intersection leading to a subdivision of ten (10) lots or more may be erected with a maximum of four (4) such signs permissible for any one subdivision. However, none of the permitted directional signs shall be erected at a distance greater than two (2) miles from the tract advertised. Each sign shall be not more than three feet (3') long and one foot (1') high. No illumination will be permitted and such signs shall not be less than fifteen feet (15') from the nearest edge of the pavement and shall not be erected within the sight triangle of an intersection of two public streets. The content of such directional signs shall be restricted to the name of the subdivision, the name of the developer and/or agent, and the name of the real estate company if different from agent or developer name. Multiple agents involved in the development and/or sale of properties within one subdivision may combine such signs affixed to one shared post. Each individual sign face shall meet the size regulations listed herein with the combined sign faces not to exceed ten (10) square feet. Such a shared sign shall be considered one of the four possible temporary approach signs allowable for any one subdivision.

5. To accommodate weekend sales activities, from 5:00 pm Friday through 8:00 am Monday, the number of temporary approach signs may exceed four (4) per subdivision of ten (10) lots or more; though all other size and placement requirements shall be met. All signs exceeding the normally allowable number of four (4) per subdivision shall be removed by 8:00 am Monday.

## **SECTION 1506. GENERAL REGULATIONS AND SPECIAL STANDARDS.**

Signs located within district where permitted shall be subject to the following general restrictions:

1. Flat Wall Signs - Flat wall signs may be located any where on any wall of a building, except that, above the first floor, no window or part of a window shall be situated within the area, or surface area, as defined herein, of such sign, or its supporting structure cover any window or part of a window. No flat wall sign shall extend above the roof line. In the case of multi-story building which has screening enclosing elevator shafts, stairs, or heating and air conditioning units, a flat wall sign may be permitted within the area of the screening.
2. Projecting Signs - Projecting signs may project over the public right-of-way only where there is no building set-back, and then may project no more than forty-two (42) inches beyond the right-of-way line, but no closer than eight feet (8') to a curb line and must have a minimum clearance of ten feet (10') above the finished grade of a sidewalk, and eighteen feet (18') above any road, driveway or alley. No projecting sign or supporting structure shall project more than forty-two inches (42") from the wall of a building, nor higher than twenty-five feet (25') from the ground level to the top of the sign on a multistory building, and above the first floor no window or part of a window shall be situated within the area, as defined herein, of such sign or its supporting structure nor shall any such sign or part of such sign, or its supporting structure cover any window or part of a window. Furthermore, no projecting sign or supporting structure shall be located in such a manner as to obstruct the light and vision of a window. Every face of a projecting sign shall be considered as a separate sign for purposes of computing the allowable area. No projecting sign or supporting structure shall extend above the roof line.
3. Free-standing Signs - Where a building does not cover the full area of the property, signs may be freestanding or ground supported and may be located anywhere back of the building restriction lines as provided for the Ordinance. Such a sign may extend up to twenty-six feet (26') above the ground level to the top of the sign and shall only be permitted where there is a minimum of fifty linear feet (50') of lot frontage, although the frontage requirements may be higher in some districts. Every face of a free standing sign shall be considered as a separate sign for purposes of computing allowable area, except as otherwise provided for double-faced signs. No part of the sign shall extend beyond a property line, building restriction line or right-of-way line.
4. Marquee Signs - Signs may be placed on the vertical faces of a marquee or may project below the lower edge of a marquee not more than twenty-four inches (24"), but the bottom of a sign placed on a marquee shall be no less than eight feet (8') above the sidewalk or grade at any point no part of the sign shall project above the top of the vertical faces of a marquee. Signs shall not be permitted anywhere on a marquee which projects over any public right-of-way except that an exception may be granted for theater marquees by the Planning Commission.
5. Roof Signs - Roof signs shall not be allowed as an integral part of the building design and shall require approval of the Planning Commission.

**1506.01. Automobile Service Stations.**

Only the following business and identification signs are permitted, subject to the standards set forth below and to all other requirements in this Ordinance.

1. One permanent, free-standing oil company sign per street frontage not exceeding the maximum height permitted within the Zoning District in which such sign is located and not exceeding the maximum area permitted within the district. Further such sign shall not project over the public right-of-way.
2. Other permanent and temporary signs, customary and incidental to the service station use, with the combined area of all such signs not to exceed the maximum sign area otherwise permitted within the district in which the use is located. No such sign shall extend above the roof line if attached to a building or in any case project over or into any public right-of-way.
3. When fuel price information is part of a gasoline service station sign, the total area occupied by fuel price information shall not exceed 50% of the total sign area.
4. Fuel price information and changes to such information are exempt from permitting.

**1506.02. Neighborhood Shopping Center.**

1. Freestanding signs - One permanent, freestanding on premise sign shall be permitted for identification of the center and major tenants. If the center has frontage on more than one major street, one such identification sign may be allowed for each frontage. The area of each freestanding sign shall not exceed one (1) square foot for each linear foot of the lot frontage nearest which the sign is located or one hundred fifty (150) square feet overall, whichever is smaller. The height of such sign(s) shall not exceed twenty-five (25') feet from grade at the base of the sign.
  - a. Where all individual tenants within a center have individual frontages of seventy-five (75) feet or greater, tenants may waive the right for a shopping center sign as provided above. In such cases where the right to a shopping center sign is unanimously waived, each qualifying tenant shall be permitted one freestanding sign of no greater than sixty-four (64) square feet. The height of such sign(s) shall not exceed twenty-five (25') feet from grade at the base of the sign. The minimum distance between individual freestanding signs shall be seventy-five (75) feet.
2. Attached signs - Each tenant shall be allowed one permanent, attached on-premise sign with a maximum sign area of 25% of the total building frontage per tenant space not to exceed 150 square feet. Where a tenant space includes multiple frontages, an additional attached sign on the secondary façade shall be permitted with a maximum sign area of 75 square feet.
3. Temporary Signs – Temporary signs shall be allowed in accordance with the provisions of Section 1503.02.
4. Accessory Signs – Accessory signs shall be allowed in accordance with the provisions of Section 1503.14.

**1506.03. Minor / Community Shopping Center.**

1. Freestanding signs - One permanent, freestanding on premise sign shall be permitted for identification of the center and major tenants. If the center has frontage on more than one major street, one such identification sign may be allowed for each frontage. The area of each freestanding sign shall not exceed one (1) square foot for each linear foot of the lot frontage nearest which the sign is located or three hundred (300) square feet overall, whichever is smaller. The height of such sign(s) shall not exceed forty feet (40') from grade at the base of the sign.
  - a. Where all individual tenants within a center have individual frontages of seventy-five (75) feet or greater, tenants may waive the right for a shopping center sign as provided above. In such cases where the right to a shopping center sign is unanimously waived, each qualifying tenant shall be permitted one freestanding sign of no greater than sixty-four (64) square feet. The height of such sign(s) shall not exceed forty (40') feet from grade at the base of the sign. The minimum distance between individual freestanding signs shall be seventy-five (75) feet.
2. Attached signs - Each tenant shall be allowed one permanent, attached on-premise sign with a maximum sign area of 25% of the total building frontage per tenant space not to exceed 150 square feet. Where a tenant space includes multiple frontages, an additional attached sign on the secondary façade shall be permitted with a maximum sign area of 75 square feet. For individual tenants with a gross leasable area of 50,000 square feet or greater, upon submission and review of plans, the Planning and Zoning Commission may approve a sign area for an attached sign greater than 150 square feet not to exceed 25% of the total area of the building façade on which the sign is to be attached.
3. Temporary Signs – Temporary signs shall be allowed in accordance with the provisions of Section 1503.02.
4. Accessory Signs – Accessory signs shall be allowed in accordance with the provisions of Section 1503.14.

**1506.04. Major Shopping Centers.**

1. Freestanding signs - One permanent, freestanding on premise sign shall be permitted for identification of the center and major tenants. If the center has frontage on more than one major street, one such identification sign may be allowed for each frontage. The area of each freestanding sign shall not exceed one (1) square foot for each linear foot of the lot frontage nearest which the sign is located or five hundred (500) square feet overall, whichever is smaller. The height of such sign(s) shall not exceed forty-five feet (45') from grade at the base of the sign. Where excessive grades, building interference, bridge obstruction, and the like exist, upon submission and review of plans, the Planning and Zoning Board may approve an increase in sign height not to exceed sixty (60) feet.
  - a. Where all individual tenants within a center have individual frontages of seventy-five (75) feet or greater, tenants may waive the right for a shopping center sign as provided above. In such cases where the right to a shopping center sign is unanimously waived, each qualifying tenant shall be permitted one freestanding sign of no greater than sixty-four (64) square feet. The height of such sign(s) shall not exceed twenty-five (25') feet from grade at the base of the sign. The minimum distance between individual freestanding signs shall be seventy-five (75) feet.
2. Attached signs - Each tenant shall be allowed one permanent, attached on-premise sign with a maximum sign area of 25% of the total building frontage per tenant space not to exceed 150 square feet. Where a tenant space includes multiple frontages, an additional attached sign on the secondary façade shall be permitted with a maximum sign area of 75 square feet. For individual

tenants with a gross leasable area of 50,000 square feet or greater, upon submission and review of plans, the Planning and Zoning Commission may approve a sign area for an attached sign greater than 150 square feet not to exceed 25% of the total area of the building façade on which the sign is to be attached.

3. Temporary Signs – Temporary signs shall be allowed in accordance with the provisions of Section 1503.02.
4. Accessory Signs – Accessory signs shall be allowed in accordance with the provisions of Section 1503.14.

**1506.05. Regional Shopping Center.**

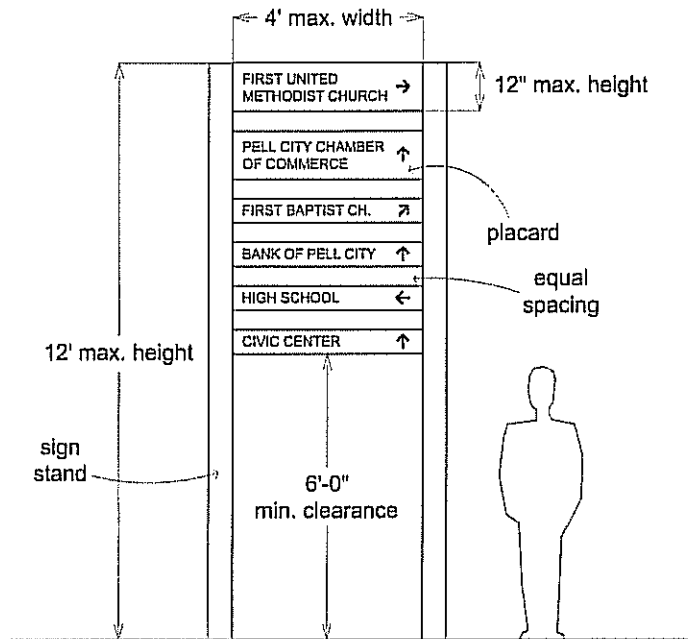
1. Freestanding signs - One permanent, freestanding on premise sign shall be permitted for identification of the center and major tenants. If the center has frontage on more than one major street, one such identification sign may be allowed for each frontage. The area of each freestanding sign shall not exceed one (1) square foot for each linear foot of the lot frontage nearest which the sign is located or seven hundred fifty (750) square feet overall, whichever is smaller. The height of such sign(s) shall not exceed sixty feet (60') from grade at the base of the sign. Where excessive grades, building interference, bridge obstruction, and the like exist, upon submission and review of plans, the Planning and Zoning Board may approve an increase in sign height not to exceed seventy-five (75) feet.
  - a. Where all individual tenants within a center have individual frontages of seventy-five (75) feet or greater, tenants may waive the right for a shopping center sign as provided above. In such cases where the right to a shopping center sign is unanimously waived, each qualifying tenant shall be permitted one freestanding sign of no greater than sixty-four (64) square feet. The height of such sign(s) shall not exceed twenty-five (25') feet from grade at the base of the sign. The minimum distance between individual freestanding signs shall be seventy-five (75) feet.
2. Attached signs - Each tenant shall be allowed one permanent, attached on-premise sign with a maximum sign area of 25% of the total building frontage per tenant space not to exceed 150 square feet. Where a tenant space includes multiple frontages, an additional attached sign on the secondary façade shall be permitted with a maximum sign area of 75 square feet. For individual tenants with a gross leasable area of 50,000 square feet or greater, upon submission and review of plans, the Planning and Zoning Commission may approve a sign area for an attached sign greater than 150 square feet not to exceed 25% of the total area of the building façade on which the sign is to be attached.
3. Temporary Signs – Temporary signs shall be allowed in accordance with the provisions of Section 1503.02.
4. Accessory Signs – Accessory signs shall be allowed in accordance with the provisions of Section 1503.14.

#### 1506.06 Off-Premise Directional Signs.

The following provisions are intended to provide opportunities to businesses and institutions for off-premise directional signage balanced with the community's desire to manage and minimize "visual clutter". Design and development of new off-premise directional signs shall conform to the standards below to establish a consistent, well-organized system for wayfinding throughout the community to serve its residents, businesses, institutions, and visitors.

1. Off-premise directional signs shall be permitted only within commercial and industrial zoning districts.
2. Off-premise directional signs shall be permitted only along a major street to direct pedestrian or vehicular traffic to a business or entity described on said sign.
3. Off-premise directional signs shall be located no further than 1,000 yards from the business or entity indicated and shall be located no closer than 1,000 feet from a pre-existing off-premise directional sign.
4. Written authority from the owner of the property on which the sign is to be located must accompany a permit application for an off-premise directional sign.
5. Off-premise directional signs shall conform to all of the following dimensional regulations and design standards and as depicted in the diagram following:
  - Signs shall be composed of two major elements – a stand or structure on which signs are affixed and a sign or placard on which text and directional graphics are provided.
  - No portion of said signs shall be located within a public right-of-way.
  - The design of the stand or structure shall be limited to twelve (12') feet in height at grade and when placed at or near an intersection shall be placed and constructed in such a way as to minimize any visual obstruction within the sight triangle of the intersection.
  - Signs may include up to six (6) placards on one sign facing with a minimum visual clearance of six (6') feet from the ground to the bottom edge of the lowest placard. A sign with multiple facings shall be limited to a total of twelve (12) placards.
  - The maximum size for a placard shall be twelve (12") inches in height by four (4') feet in width.
  - Content on each placard shall be limited to the name of the business or institution, a corporate/institutional logo, and an "arrow" giving the general direction of the destination.
  - All placards on one sign or on multiple facings of a sign shall be uniform in color. Graphic content may include colors associated with the business or institution as desired.
  - Each business or institution is permitted one placard per facing of a directional sign. Placards may be double-sided where appropriate.

Figure 34 – Off-Premise Directional Sign



#### SECTION 1507. ILLUMINATION.

1. The light from any illuminated sign or from any light source, including the interior of a building, shall be so shaded, shielded or directed that the light intensity or brightness shall not adversely affect surrounding or facing premises nor adversely affect safe vision or operators of vehicles moving on public or private roads, highways or parking areas. Light shall not shine or reflect on or into residential structures.
2. No sign shall have blinking, flashing, or fluttering lights or other illuminating devices which have a changing light intensity, brightness, or color, or which are so constructed and operated as to create an appearance or illusion of writing or printing. An exception may be granted by the Planning Commission for movement showing the date, the time and temperature exclusively. Nothing contained in this Ordinance shall, however, be construed as preventing the use of lights or decorations related to religious and patriotic festivities. Beacon lights or search lights shall not be permitted as a sign or for advertising purposes.
3. No colored lights shall be used at any location or in any manner so as to be confused with or construed as traffic control devices.
4. Neither the direct, nor reflected light from primary light sources shall create a traffic hazard to operators of motor vehicles on public thoroughfares.
5. No exposed reflective type bulbs and no strobe lights or incandescent lamps which exceed fifteen (15) watts shall be used on the exterior surface of any sign so as to expose the face of the bulb, light or lamp to any public street or adjacent property.



## **SECTION 1508. OUTDOOR ADVERTISING STRUCTURES, BILLBOARDS, AND POSTER PANELS.**

For the purposes of this Ordinance, outdoor advertising, hereinafter referred to as billboards, shall include outdoor advertising structures, billboards, poster panels, and the like which advertise products, services, or businesses not connected with site or building on which any such sign is located.

### **1508.01. Location.**

Billboards shall only be conditionally permitted as separate uses on unimproved property which is zoned M-1 or M-2, and subject to the requirements hereafter specified and those specified elsewhere in this Ordinance.

### **1508.02. Requirements.**

1. No billboard shall be located closer than five hundred feet (500') to any residential district, not closer than six hundred sixty feet (660') to the right-of-way line of any highway system, not closer than fifty feet (50') to the right-of-way of any other street or road, nor closer than one hundred feet (100') to any side or rear property line.
2. No billboard shall be more than twenty feet (20') in height from ground level, provided however, an exception in height may be allowed by the Planning Commission if it can be shown that excessive grades, building interference, bridge obstruction, and the like exist, then the height may be increased to a maximum of forty feet (40').
3. Billboards may be single-face or double-face but no billboard shall contain more than two (2) signs or panels and shall not exceed in aggregate a total area of eight hundred and twenty-five (825) square feet per facing.
4. All billboards, and components thereof, shall be kept in good repair and in safe, neat, clean and attractive condition.
5. The back side of single-faced billboards when not otherwise concealed from any public view shall be covered or screened in an area and location equal to the sign face with a suitable, permanent type material which shall be painted and maintained in good condition such that the rear of the billboard presents a uniform appearance with the front.
6. The Building Inspector shall order the removal of any sign erected or maintained hereafter in violation of the regulations herein. Removal shall be in accordance with Section 1510 hereof. Other billboards existing at the time of the enactment of this Ordinance and not conforming to its provisions, but which did conform to previous laws, shall be regarded as nonconforming billboards which may be continued in accordance with the provisions of Section 1509 of this Ordinance. Nonconforming billboards which are structurally altered, relocated or replaced shall comply immediately with all provisions of this Ordinance.
7. Billboards located along Interstate 20 shall comply with all applicable state regulations and any agreement entered into by the State of Alabama and the U.S. Secretary of Transportation.

## **SECTION 1509. NONCONFORMING SIGNS.**

It is the intent of this Ordinance that all nonconforming signs within the City be brought into compliance with this Ordinance or eventually discontinued through the measures described below. The following provisions shall apply to all nonconforming signs within the City.

1. Any permanent sign legally existing on or before the date of adoption of these regulations, or any future amendment thereto, that does not conform with the requirements of these regulations shall be considered a nonconforming sign. No sign erected in violation of a previous sign ordinance shall, by virtue of adoption of this Ordinance, become a conforming sign. Nonconforming signs may be continued and maintained subject to all other provisions of Sections 1509 and 1510. However, all nonconforming portable signs shall be removed within four (4) years of the date of adoption of these regulations and may be replaced as described in Section 1503.13. The Building Inspector shall order the removal of any sign erected or maintained in violation of the regulations herein. Removal shall be in accordance with Section 1510 hereof.
2. Alteration – A nonconforming sign shall not be rebuilt, expanded, or altered in any way that increases its nonconformity with the requirements of this ordinance. This requirement shall not prohibit proper maintenance of a nonconforming sign or changes to sign copy that do not increase its nonconformity. No sign shall be changed to another nonconforming sign as a result of a change in ownership, use, or content.
3. Repair – A nonconforming sign shall not be reconstructed or repaired to a nonconforming status when it has sustained damages exceeding seventy-five (75%) percent of its replacement cost at the time of damage, unless approved by the City Council. Determining the appraised value of the sign shall be the responsibility of the City Council.
4. Replacement – A nonconforming sign shall be replaced only by a conforming sign.

**SECTION 1510. REMOVAL, MAINTENANCE AND SAFETY.**

**1510.01 Structural Requirements.**

All signs shall comply with the pertinent requirements of the Building Code of the City of Pell City.

**1510.02 Maintenance.**

All signs and components thereof shall be kept in good repair and in safe, neat, clean, and attractive condition. Weeds and grass shall be kept cut in front of, behind, underneath, and around the base of ground and pole-mounted signs for a perimeter distance of ten (10') feet, and no rubbish or debris that would constitute a fire or health hazard shall be permitted under or near such signs.

**1510.03 Removal of Signs.**

The Building Inspector shall order the removal of any sign erected or maintained in violation of this Ordinance. Ten (10) days notice in writing shall be given to the owner of such sign, or of the building, structure or premises on which such sign is located, to remove the sign or to bring into compliance with the Ordinance. Upon failure to remove the sign, the City shall remove the sign immediately and without notice if it reasonably appears that the condition of the sign is such as to present an immediate threat to the safety of the public. Any costs of removal incurred by the City shall be assessed to the owner of the property on which such sign is located and may be collected in the manner of ordinary debt or in the manner of taxes and such charge shall be in lien on the property.

**1510.04 Abandoned Signs.**

A sign shall be removed by the owner or lessee of the premises upon which the sign is located when the business which it advertises is no longer conducted on the premises. If the owner or lessee fails to remove the sign, the City shall remove it in accordance with Section 1510.03. above. These removal provisions shall not apply where a succeeding owner or lessee conducts the same type of business and agrees to maintain the signs as provided in this Ordinance or changes copy on the signs to advertise the type of business being conducted on the premises and provided the signs comply with the other provisions of this Ordinance.

**ORDINANCE NO. 2006-1883**

**AN ORDINANCE AMENDING SECTIONS 1504 AND 1507 OF ORDINANCE NO. 2004-1766, REGULATING PROHIBITED SIGNS AND ILLUMINATION OF SIGNS AND OUTDOOR ADVERTISING WITHIN THE CORPORATE LIMITS OF THE CITY OF PELL CITY, ALABAMA.**

**BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF PELL CITY, ALABAMA, AS FOLLOWS:**

**Section 1.** Section 1504.01 of Ordinance No. 2004-1766, *Prohibited Signs*, is hereby amended to read as follows:

6. Signs which move in any manner, have a major moving part or give illustration of motion, or which swing or otherwise noticeably move as a result of wind

pressure as a result of the manner of suspension or attachment. This prohibition shall not include electronic message signs not exceeding four feet (4') in height and eleven feet (11') in width.

**Section 2.** Section 1507 of Ordinance No. 2004-1766, *Illumination*, is hereby amended to read as follows:

2. With the exception of electronic message signs not exceeding four feet (4') in height and eleven feet (11') in width, no sign shall have blinking, flashing, or fluttering lights or other illuminating devices which have a changing light intensity, brightness, or color, or which are so constructed and operated as to create an appearance of or illusion of writing or printing. Nothing contained in this Ordinance shall, however, be construed as preventing the use of lights or decorations related to religious and patriotic festivities. Beacon lights or search lights shall not be permitted as a sign or for advertising purposes.

**Section 3.** All other provisions of Ordinance No. 2004-1766 shall remain unchanged.

**Section 4.** This Ordinance shall become effective immediately upon its passage, approval and publication as required by law.

**ADOPTED AND APPROVED** this 24<sup>th</sup> day of July, 2006.

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Adam Stocks, Mayor

ATTEST:

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Marinda Spradley, City Clerk

I, Marinda Spradley, Clerk of the City of Pell City, hereby certify that the above Ordinance was duly adopted by the City Council of the City of Pell City at a regular meeting held on the 24<sup>th</sup> day of July, 2006, and that same has been published in accordance with law in the *St. Clair News Aegis* on the 3<sup>rd</sup> day of August, 2006.

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Clerk