



**TOWN OF BARTONVILLE
SIGN PERMIT APPLICATION**

PERMIT #

Please fill out one application per sign.

****APPLICATIONS MUST INCLUDE THE FOLLOWING****

All applications for permits **must** include a colored drawing to scale of the proposed sign (including size, colors, and design), all existing signs maintained on the premises and visible from the right-of-way (for all applications except tenants) and a drawing of the lot plan or building facade indicating the proposed location of the sign and sign specifications.

Work commencing prior to the issuance of a permit will be subject to a fine equal to the amount of the permit fee.

| | |
|------------------------|---------|
| Job Address: | Date: |
| Tenant/Business Name: | Phone: |
| Sign Contractor: | Reg. #: |
| Address: | Phone: |
| Electrical Contractor: | Reg. # |
| Address: | Phone: |

| Permanent Sign | Temporary Sign | Sign Dimensions | |
|---|--|---|---|
| <input type="checkbox"/> Wall <input type="checkbox"/> Banner | <input type="checkbox"/> Const/Dev (Non Res. <input type="checkbox"/> Res. <input checkbox"="" type="checkbox/>)</td> <td>Ht: Width:</td> </tr> <tr> <td><input type="/> Ranch ID <input type="checkbox"/> Detached | <input type="checkbox"/> Banner <input type="checkbox"/> Window | Eff. Area: ft ² |
| <input type="checkbox"/> Monmnt <input type="checkbox"/> Window | <input type="checkbox"/> Community Event | Wall Lgth: Wall Ht: | |
| <input type="checkbox"/> Other: _____ | <input type="checkbox"/> Other: _____ | Overall sign height (ground to top of sign): _____ | |
| | **Begin Date: End Date: | | |

Are there any existing signs on this property? Yes No

Are you seeking a variance or appealing a decision made by the Building Official? Yes No

****For Variances and Appeals to Council:** It is the sole responsibility of the applicant/owner to provide the Town with 10 complete, color copies of the sign application at least 7 days prior to the Council meeting.

I hereby certify that I have read and examined this application and know the same to be true and correct. All provisions of laws and ordinances governing this type of work will be complied with whether specified herein or not. The granting of this permit does not presume to give authority to violate or cancel the provisions of any state or local law regulating construction or the performance of construction.

Applicant's Signature: _____ Date: _____

| | | |
|--|--|---|
| OFFICE USE ONLY: | Electrical Permit Req'd? <input type="checkbox"/> Provided? <input type="checkbox"/> | Fee Paid: _____ Receipt # _____ |
| Effective Area: _____ | Area Allowed: _____ | Dimensions match submitted drawing? _____ |
| Office Comments: | | |
| Inspection Dept: <input type="checkbox"/> Approved <input type="checkbox"/> Denied | Inspector: _____ | Date: _____ |
| Inspector Comments: | | |
| Variance Requested: <input type="checkbox"/> Yes <input type="checkbox"/> No | Meeting Date: _____ | Date: _____ |
| <input type="checkbox"/> Granted <input type="checkbox"/> Denied | Mayor: _____ | Date: _____ |
| Town Secretary: _____ | | Date: _____ |

**TOWN OF BARTONVILLE
ORDINANCE NO. 321-03**

AN ORDINANCE OF THE TOWN OF BARTONVILLE, TEXAS, AMENDING ORDINANCE 214-94, THE COMPREHENSIVE ZONING ORDINANCE OF THE TOWN OF BARTONVILLE, AS AMENDED, BY AMENDING ORDINANCE 267-00, EXHIBIT "A", NON RESIDENTIAL DEVELOPMENT STANDARDS, SECTION 8 – SIGNAGE TO PROVIDE FOR COMPLIANCE WITH THE TOWN OF BARTONVILLE'S CURRENT ADOPTED SIGN REGULATIONS; PROVIDING FOR THE REPEAL OF ORDINANCE 268-00 - SIGN REGULATIONS, IN IT'S ENTIRETY AND ALL OTHER ORDINANCES IN CONFLICT WITH THIS ORDINANCE; PROVIDING REGULATIONS AND ENFORCEMENT IN THE EXTRATERRITORIAL JURISDICTION OF THE TOWN OF BARTONVILLE; PROVIDING DEFINITIONS; PROVIDING FOR SIGN PERMIT PROCEDURES, FEES AND OTHER REGULATIONS; PROVIDING GENERAL SIGN REGULATIONS; PROVIDING RESIDENTIAL SIGN REGULATIONS; PROVIDING NON-RESIDENTIAL SIGN REGULATIONS; PROVIDING GENERAL EXCEPTIONS AND OTHER REQUIREMENTS; PROVIDING FOR PROHIBITED SIGNS; PROVIDING FOR ADMINISTRATION; PROVIDING A PENALTY NOT TO EXCEED FIVE HUNDRED DOLLARS (\$500.00); PROVIDING SAVINGS; PROVIDING SEVERABILITY; PROVIDING FOR ENROLLMENT AND ENGROSSMENT; PROVIDING FOR PUBLICATION IN THE OFFICIAL NEWSPAPER AND PROVIDING AN EFFECTIVE DATE.

WHEREAS, the Town Council has determined that it is necessary to regulate signs in order to promote the safety of persons and property; and

WHEREAS, signs promote the efficient transfer of information by providing messages and information most needed and sought by the public; by providing businesses and services with a means to identify themselves; and by providing a means for customers and other persons to locate a business or service; and

WHEREAS, the Town Council has determined that it is necessary to regulate signs to protect the public welfare and to enhance the appearance and economic value of the Town by providing those signs that: do not interfere with scenic views; do not create a nuisance to persons using the public rights-of-way; do not create a nuisance to occupancy of adjacent and contiguous property by their brightness, size, height or movement; and are not detrimental to land or property values.

NOW, THEREFORE, BE IT ORDAINED BY THE TOWN COUNCIL OF THE TOWN OF BARTONVILLE, TEXAS, THAT:

SECTION 1. RECITALS INCORPORATED

The foregoing recitals set forth above are true and correct and are incorporated as findings of fact as recited herein are hereby adopted.

SECTION 2. ORDINANCE 214-94 AMENDED

Ordinance 214-94, The Comprehensive Zoning Ordinance of the Town of Bartonville, as amended, is hereby amended by amending Ordinance 267-00, Exhibit "A", Non-Residential Development Standards, Section 8 – Signage to read as follows:

“Signage for all properties located within a non residential zoning area shall comply with the current adopted Town of Bartonville Sign Regulation Ordinance.” Sign plans for each development shall be required with a Site Plan. All signs shall be complementary and compatible with the development.”

SECTION 3. ORDINANCES REPEALED

Ordinance 268-00 is hereby specifically repealed in its entirety and all provisions of all other Ordinances of the Town of Bartonville, Texas, in conflict with the provisions of this ordinance be, and the same are hereby, repealed, and all other provisions not in conflict with the provisions of this ordinance shall remain in full force and effect.

SECTION 4. EXTENSION OF JURISDICTIONAL BOUNDARIES

The provisions and enforcement of this ordinance are hereby extended to include the extraterritorial jurisdiction (ETJ) of the Town of Bartonville as provided for by the Municipal Annexation Act (Chapter 42, Texas Local Government Code).

SECTION 5. DEFINITIONS

Unless the context clearly indicates otherwise, the following words and phrases shall have meanings respectively ascribed to them by this section. Where terms are not defined, they shall have their ordinary accepted meanings within the context with which they are used. Webster's Third New International Dictionary of the English Language, Unabridged, copyright 1981, shall be considered as providing ordinarily accepted meanings.

- A. **Building:** means a structure which has a roof supported by columns, walls or air for the shelter, support, or enclosure of persons, animals or chattel.
- B. **Effective area, attached sign:** means the sum of the areas of the minimum imaginary rectangles of vertical and horizontal lines enclosing each word attached to any particular facade. Effective area shall also be referred to as size. If a design, outline, illustration, or interior illumination surrounds or attracts attention to a word, then it is included in the calculation of effective area.
- C. **Effective area, detached (monument) sign:** means the area within an imaginary rectangle of horizontal and vertical lines that fully contain all extremities of the sign

location above the ground including the sign base. The measurement is to be calculated from a viewpoint, which gives the largest rectangle of that kind. The effective area shall also be referred to as size. If elements of the sign are movable or flexible, such as a flag or string of lights, the measurement is taken when the elements are fully extended and parallel to the plane of view.

- D. **Facade:** means any separate face of a building, including parapet walls and omitted wall line, or any part of a building that encloses or covers usable space. Where separate faces are oriented in the same direction, or in the directions with 45 degrees of one another, they are to be considered as a part of a single facade.
- E. **Front facade:** means one of the following
- 1) The facade (as defined herein) which faces the public street, where the lot on which the facade is located adjoins only one public street right-of-way;
 - 2) The combination of facades (as defined herein) each of which faces a public street, where the lot on which the facades are located adjoins more than one public street right-of-way; or
 - 3) The facades (as defined herein) that contain one or more doors open to the public during conduct of business, where no facade faces a public street.
- F. **Frontage:** means the total width of the front facade, as defined herein
- G. **Public right-of-way:** means a dedicated road or street including the easement for that road or street.
- H. **Sign:** means any device, flag, banner, light, figure, picture, letter, word, message, symbol, plaque, poster, display, design, painting, drawing, billboard, wind device or other thing visible from outside the premises on which it is located and that is designed, intended or used to inform, to advertise or to attract the attention of persons not on those premises.
- I. **Signs, attached:** means any sign attached to, applied on, or supported by, any part of a building (such as a wall, window, awning, arcade, or marquee) which encloses or covers usable space, with the exception of any window sign as defined herein.
- J. **Sign, banner:** Any pole mounted flag, banner, or material of cloth, vinyl, plastic, canvass, leather or other similar material used for the express purpose of attracting attention to a place of business or location. National, state or municipal flags, or the official flag of any institution shall not be considered banners.
- K. **Sign, can:** A sign constructed of a frame, usually steel, surrounded by sheet goods, usually sheet metal and/or plastic, within which light fixtures may be placed.

- L. **Sign, detached:** means any sign connected to the ground that is not an attached, portable or vehicle sign.
- M. **Sign, monument:** means any detached sign which is of monolithic or semi-monolithic construction being made from masonry, concrete materials, wood or plastic provided that a masonry base is incorporated into the sign, with no separation between the base of the sign and grade.
- N **Sign, movement control:** means a sign that directs vehicular or pedestrian movement within or onto the premises on which the movement control sign is located.
- O. **Sign, off-premise:** means 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.
- P. **Sign, pole:** means any detached sign which is not a monument sign
- Q. **Sign, political:** means any type of sign that refers only to the issues or candidates involved in a political election.
- R. **Sign, portable:** means a sign that is not securely connected to the ground in such a way that it cannot easily be moved from one location to another, and that is not an attached sign, vehicular sign, or a sign that refers solely to the sale or lease of the premises.
- S. **Sign, premise:** means a sign identifying or advertising a business, person, or activity, and installed and maintained on the same premises as the business, person or activity.
- T. **Sign, protective:** means any sign which is commonly associated with safeguarding the permitted uses of the occupancy, including, but not limited to, "bad dog", "no trespassing", and "no solicitors".
- U. **Sign, subdivision:** means a sign that identifies the name of the subdivision only
- V. **Sign support:** means any pole, post, strut, cable, or other structural fixture or framework necessary to hold and secure a sign, providing that said fixture or framework is not imprinted with any picture, symbol or word using characters in excess of one inch in height, nor is internally or decoratively illuminated.
- W. **Sign, vehicular:** means any sign on a vehicle moving along the ground or on any vehicle parked temporarily, incidental to its principal use for transportation. This definition shall not include signs that are being transported to a site of permanent erection.
- X. **Sign, window:** means any sign not government mandated, which is attached to either side of the glass within a window or which is located within a window opening and, as viewed from outside, is forward of the plane of the inside face of an exterior wall.

SECTION 6. PERMIT PROCEDURES, FEES AND OTHER REGULATIONS

- A. **Requirements.** No sign shall be erected, constructed, relocated, altered, repaired or maintained except as provided in this ordinance until a permit for such has been issued and the fee paid, except as otherwise provided in this ordinance. All sign construction shall conform to the adopted building code.
- B. **Applications for permits.** All applications for permits shall include a colored drawing to scale of the proposed sign (including size, colors and design) and all existing signs maintained on the premises and visible from the right-of-way, a drawing of the lot plan or building facade indicating the proposed location of the sign, and sign specifications. Application shall be made to the building official on forms provided by the city.
- C. **Fee required.** Fees for a permit to erect, alter, replace or relocate a sign shall be as provided for in the current adopted fee schedule for the Town of Bartonville.
- D. **Nonconforming signs.** It is the declared purpose of this section that in time all privately owned signs shall either conform to the provisions of this section or shall be removed. By the passage of this ordinance and its amendments, no presently illegal sign shall be deemed to have been legalized unless such sign complies with all current standards under the terms of this ordinance and all other ordinances of the city. Any sign that does not conform to all provisions of this ordinance shall be either a nonconforming sign if it legally existed as a conforming or nonconforming sign under prior ordinances, or an illegal sign if it did not exist as conforming or nonconforming sign, as the case may be. It is further the intent and declared purpose of this ordinance that no offense committed, and no liability, penalty or forfeiture, either civil or criminal, incurred prior to the time this ordinance was adopted shall be discharged or affected by such passage, but prosecution and suits for such offenses, liabilities, penalties or forfeitures may be instituted, and causes presently pending may proceed.
- 1) **Impoundment.** Any sign erected in or over a public right-of-way either prior to or after the adoption of this ordinance is prohibited and the city may, without notice, remove and impound any such sign.
 - 2) **Removal of certain nonconforming signs.** Nonconforming signs which have been blown down or otherwise destroyed or dismantled for any purpose other than maintenance operations or for changing the letters, symbols, or other matter on the sign shall be removed or brought into compliance with this section if the cost of repairing the sign is more than 50 percent of the cost of erecting a new sign of the same type at the same location. No person may repair a nonconforming sign where the effect of such repair shall be to enlarge or increase the structure of the nonconforming sign.
 - 3) **Recovery and disposal of impounded signs.** Impounded signs may be recovered by the owner within ten days of the date of impoundment. Inquiries

should be directed to the Town Hall. Signs that are not recovered within ten days of impoundment will be destroyed.

- E. **Work commencing before the issuance of a permit.** When a sign is erected, placed or maintained, or work started thereon before obtaining a sign permit, it shall be subject to a fine of one hundred percent of the sign permit fee. Any work on a new sign or an existing sign, performed before the issuance of a sign permit, must be in full compliance with the provisions of this ordinance.
- F. **Electrical permit.** Prior to issuance of a sign permit for a sign in which electrical wiring and connections are to be used, an electrical permit must be obtained according to the existing fee schedule. The Building Official shall examine the plans and specifications submitted with the application to insure compliance with the adopted electrical code of the Town. No sign shall be erected that is in violation of the adopted electrical code. However, the sign contractor may tie the sign to an existing power source or to power provided by an electrician that has permitted the job.
- G. **Removal of obsolete signs.** All signs relating to a business, which has closed or moved away, shall be deemed obsolete and be removed in such a way that, after removal, the sign outline or message shall not be visual. The owner or agent of the property on which the sign is located shall be responsible for removal of the sign within 30 days of obsolescence.
- H. **Removal or repair of dilapidated or deteriorated signs.** The Building Official may determine if any sign exists in a dilapidated or deteriorated condition or is a nuisance to the public. He shall give written notice to the person(s) responsible for the sign. The sign shall be removed or repaired within ten days of such notice. The building official may cause any sign determined to be an immediate peril to persons or property to be removed immediately and without notice.
- I. **Maintenance of signs.** All signs shall be maintained in a good condition as determined by the Building Official. The owner or agent of the property on which the sign is located will receive written notice and shall be responsible for compliance with this requirement within ten days of such notice.
- J. **Obscene signs.** No person shall display any sign containing obscene or patently offensive matter as defined by the state penal code, or any matter soliciting or promoting unlawful conduct.

SECTION 7. GENERAL REGULATIONS

- A. **Building code.** No sign shall be erected in violation of the building code of the city.

- B. **Changeable messages signs.** Signs with changeable messages are prohibited. Exceptions include churches, schools and other sites where, in the opinion of the city council, a changeable message sign is appropriate.
- C. **Community event signs.** Bonafide nonprofit organizations, including educational, civic, charitable, philanthropic or local government agencies, may erect temporary off-premises signs, which refer to an activity or function of the organization. The function or activity must occur within the city or adjacent city. Such signs shall not be erected for more than ten days. No more than 5 such signs shall be placed within the city, which refer to the activity or function. Signs shall not exceed six square feet in effective area. No sign will be allowed within any street median. No temporary community event sign shall be converted to a permanent sign. A permit containing information on the location of signs and dates to be erected and removed shall be required; however, no permit fee is required. Written permission from the property owner authorizing placement of signs on private property is required.
- D. **Construction and development signs – Non-Residential Uses.** One temporary development sign per development or site is allowed. Temporary construction signs are signs designed to identify contractors, financier, architects, engineer, and to advertise the coming of new business on the premises to which the sign pertains. Such signs shall not be erected prior to the notice to proceed and must be removed prior to the Town of Bartonville’s final acceptance of the project. Such signs shall comply with the provisions of this chapter with the exception that no sign shall contain more than 32 square feet per side or exceed six feet in height. A permit is required for *Construction and development signs – Non-Residential Uses*.
- Construction and development signs –Residential Uses.** Temporary development signs may be erected and shall be related only to the specific development or subdivision on which they are located. Temporary construction signs are signs designed to identify the contractors, developers, builders, engineers, and housing products on the site to which the sign pertains. Such signs shall not be erected prior to the notice to proceed and must be removed at such time as building permits have been issued for a minimum of seventy five (75) percent of the lots for the subdivision or development to which the sign pertains. Such signs shall comply with the provisions of this chapter with the exception that no sign shall contain more than 32 square feet per side or exceed six feet in height. A permit is required for *Construction and development signs – Residential Uses*.
- E. **Garage sale signs.** Homeowners may erect temporary off-premise signs which refer to a garage sale held on their property. Such signs shall be erected only between the hours of 12:00 noon Thursday and 8:00 a.m. on Monday. Signs shall not exceed four square feet in effective area and may be placed within the city right-of-way, provided that they do not project out over the street or sidewalk. No sign will be allowed within any street median or attached to any tree or to any public utility pole. No permit or fee is required.

- F. **Government signs.** Nothing in this ordinance shall be construed to prevent the display of a national flag or state flag, or to limit flags, insignia, legal notices, or informational, directional, or traffic signs which are legally required or necessary to the essential functions of government agencies (state, federal, and the city). Signs indicating a zoning change has been requested are permitted on subject property. Flags are permitted in all districts except that each flag shall not exceed 48 square feet in effective area or pole exceed 30 feet in height.
- G. **Holiday lights and decoration.** Temporary lights and holiday decorations shall be exempt from the provisions of this section.
- H. **Hazardous or nuisance signs.** No sign shall be illuminated to an intensity to cause glare or brightness to a degree that could constitute a hazard or nuisance. Moving, flashing, intermittently lighted, changing color, beacons, revolving or similarly constructed signs are not allowed. Under no circumstances shall a sign constitute a traffic hazard.
- I. **Luminance (or brightness).** No sign shall be 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. Illumination at the property line of a given establishment shall be limited and such limitation shall be based upon the zoning of the neighboring property or the frontage onto public or private streets. Maximum illumination at the property line shall not exceed:

Illumination Table

| Adjacent Zoning/Street | Footcandles |
|------------------------|-------------|
| Agricultural | 0.2 |
| Residential | 0.2 |
| Non-Residential | 3.0 |
| Streets | 3.0 |

No lighted sign shall be erected within 150 feet of a property used for residential purposes unless the lighting is shielded from view of the residential development.

- J. **Movement and directional control signs.** Movement control signs may be erected on any occupancy or any premises, other than a single-family or duplex premises, may be attached or detached, and may be erected provided that such signs shall comply with all other applicable requirements of this ordinance. The occupant of a premises who erects a movement control sign shall comply with the following requirements:

1. Each sign must be stationary and not exceed six square feet in effective area.
2. If a sign is an attached sign, the words must not exceed four inches in height.
3. Each sign must convey a message, which directs vehicular or pedestrian movement within or onto the premises on which the sign is located.
4. The signs must contain no advertising or logo.

K. **Moving or flashing signs.** Strobe lights and rotating beacons are prohibited.

L. **Overhead ranch identification signs.** One ranch identification sign shall be allowed per lot. The maximum height of any ranch identification sign shall not exceed fifteen (15) feet and shall not exceed 32 square feet in effective area. Ranch identification signs may not be erected within the public right-of-way.

M. **Political signs.** Political signs may be erected in all areas, provided such signs comply with the following:

1. Signs shall not be placed within the public right-of-way.
2. Signs shall not obstruct view from traffic.
3. The area of the sign shall not exceed four (4) square feet per sign face.
4. Signs shall be removed seventy two (72) hours after the related election date.

N. **Portable signs.** Portable signs are not permitted in any zoning district.

O. **Protective signs.** The occupant of a premises may erect not more than two protective signs, in accordance with the following provisions:

Each sign must not exceed one square foot in effective area;

2. Detached signs must not exceed two feet in height; and,
3. Letters must not exceed four inches in height.

P. **Restricted language or wording.** Signs shall not display gestures or words, which are obscene, profane, or pornographic in nature as stated in Section 33.3 J. Obscene signs.

- Q. Searchlights.** Searchlights are limited to a 72-hour operation period. Consecutive permits are not allowed for continuous use and shall be limited to the initial opening of a business located in a nonresidential zoning district.
- R. Sign on fence, wall, etc.** No person shall paint a sign or attach a sign, other than a nameplate and address (showing a street number), to the outside of a fence, railing or a wall which is not a structural part of a building in or facing a residential zoning district, whether or not on the property line, unless otherwise stated herein. The two exceptions are as follows:
1. Name of the company, which constructed the fence, is also permitted but not exceeding one square foot in size.
 2. Political signs which comply with the other provisions of this ordinance.
- S. Sign on sidewalk, street, etc.** No person shall attach any sign, paper, or material, or paint, stencil, or write any name, number (except house or street address numbers) or otherwise mark on any sidewalk, curb, gutter, or street.
- T. Sign on tree, pole, or structure.** No person shall attach or maintain any sign upon any tree or public utility pole or structure.
- U. Temporary banners (general).** A temporary banner, for example, may contain announcement language such as, but not limited to, "now leasing", "grand opening", or "now enrolling", is permitted on a temporary basis for a maximum 15 days and two times per year per business or organization. Banners shall not advertise any off premise activity or event. Maximum size shall be 50 square feet. A banner must be attached to a building or be self supported. Banners are prohibited from being attached to trees or utility poles. A permit containing the language as stated on the banner, location and date to be erected and removed shall be required. No permit fee will be required.
- V. Vehicular signs.** Vehicular signs shall conform to the following restrictions
- Vehicle signs located on motor vehicles or trailers bearing current license plates and inspection stickers, when appropriate, which are traveling or lawfully parked upon public roadways or lawfully parked upon any other premises for a period not to exceed four (4) hours or for a longer period where the primary purpose of such parking is not the display of any sign, i.e., when such vehicle is used in the normal day-to-day operations of the business. Vehicle signs parked in excess of four (4) hours shall be considered portable signs and shall be prohibited.

2. Exempt signs: Temporary construction trailers on construction sites and emergency vehicle signs and political signs are exempt from Section 7 (V,1) above.

SECTION 8. NON-RESIDENTIAL SIGN REGULATIONS

A. Detached signs (on-premises):

- 1 Detached signs are permitted in nonresidential zoning districts as provided in this section. Detached signs must be on-premises signs.
2. Number of signs. Only one detached sign may be erected on any premises or lot, except individual lots that have more than 600 feet of frontage along a public right-of-way, other than an alley, may have one additional detached sign per street frontage. Lots with frontage on FM 407, Jeter Road and McMakin Road that have double frontage may erect one monument sign on each street frontage not to exceed four feet in height and 32 square feet in surface area.
3. Monument signs. Only monument signs are permitted in nonresidential zoning districts. A monument sign, including base and surface area, is a freestanding sign having a low profile. The sign face must be encased in stone or brick complementary to the building. A monument sign may include the company or corporation name, logo, address and product or service of the establishment. No advertising or promotional information, with the exception of leasing information, is permitted thereon. Such sign may be single or double-sided. Such signs and base shall not exceed four feet in overall height, measured from the natural grade, and the actual sign face shall not exceed 32 square feet per side.
4. Center identification monument signs. Center identification signs are encouraged and shall be of similar materials and construction as buildings located within the center. Such signs shall not exceed four feet in height and thirty-two square feet in surface area. Height is measured from the natural grade. Names of individual tenants are not permitted on center identification monument signs. Leasing information is permitted.
5. Materials. Signs shall be constructed primarily of brick or stone and shall be architecturally compatible and complementary with the development or building it is identifying. Signs constructed of baked-on metal, durable plastic, wood, or other materials may be considered on an individual basis and may be permitted by site plan approval.

6. Pole signs are not permitted in any zoning district, except where otherwise specifically allowed in section(s) 33.5 B. and C. (see illustration 11A for example).

B. Wall signs (attached to or integrated into wall). Signs on walls are permitted in non-residential districts in accordance with the provisions of this ordinance.

- 1 All wall signs must be on-premises signs. All businesses are allowed one sign per tenant space per street frontage. Illumination of wall signs shall be determined by the Town with approved site plan.
2. Maximum effective area. Total effective area of attached signs shall not exceed or cover more than 10 percent of the facade area of a building face or area of the front of the leasable building space. But in each case, wall sign shall not exceed 200 square feet in effective area.
3. Projection from building surface. All attached signs and their words shall be mounted parallel to the building surface to which they are attached, and shall not project above the top plate line of the building except as follows:
 - a. All attached signs (whether on towers or habital structures) shall be limited to 26 feet in height on a one- or two-story structure (habital structure), but in no event shall the sign exceed the top plate line on a one-story structure.
4. Signage shall be prohibited on awnings (rooflike shelters that provide protection from sun or rain) and canopies (an awning stretching from a door to a curb or a rooflike projection or covering).

C. Off-site signs (off-premises). All off-site or off-premises signage is prohibited.

D. Window signs. A window sign is a sign attached to or painted, etched, or formed into the internal and/or external surface of a window, door, suspended directly behind a window, or other translucent opening of a facade. Window signs shall be permitted in nonresidential districts in accordance with the following:

Window signs shall be limited to a maximum of ten percent of the total window glass area per facade and have a maximum vertical dimension of 18 inches.

2. No blinking, flashing, or moving signs shall be allowed as window signs

- E. **Interior signs.** An interior sign is a permanent sign located within the building and visible to the outside of the building through the windows. Interior signs shall be located a minimum of ten feet from the building store front containing said windows, with the exception of open or closed signs.
- F. **Inflatable signs.** Inflatable signs less than ten cubic feet are permitted for a period not to exceed seven days. One sign per year per business is allowed.

SECTION 9. RESIDENTIAL SIGN REGULATIONS

- A. **Application of division.** The provisions of this article apply to all signs in any residential district, and also to signs, which are within 25 feet of a residential district boundary.
- B. **Illuminated signs.** No illuminated signs are permitted except in entryway signs into a subdivision, or as approved by the city council as part of the site plan approval process. Governmental entities and other nonresidential uses permitted in residential zoning districts may have one externally lighted sign not to exceed six feet in height or 32 square feet per side. Illuminated signs in nonresidential uses which are allowed in residential districts shall be externally lit and conform to the criteria established in this ordinance and shall be approved by city council as part of the site plan approval process.
- C. **Political and other special purpose on-premises signs.** An occupant in residential zoning districts may erect only political signs, incidental private signs, special purpose on-premises signs, which include movement control signs, protective signs, or on-premises signs.
- D. **Detached premises signs.** A single-family premises may display one detached temporary sign (corner lots may have two signs) referring to the sale or lease of the premises, and may display detached political signs provided that the political signs conform to all the restrictions set forth in this section (also see Section 7(M)). A property owner may attach a sign to a vehicle advertising the sale of a vehicle owned by the property owner. Detached signs advertising home occupations are prohibited.
- E. **Incidental private signs.** Property owners may erect, on their own property, incidental, temporary private signs, such as, but not limited to, lost pet, birth announcements, birthdays, graduation, school activity signs, contractor signs relating to work performed on the property, and anniversaries. No permit or fee is required.

SECTION 10. GENERAL EXCEPTIONS AND OTHER REQUIREMENTS

The following signs may be erected and maintained under these exceptions and conditions:

- A. **Personal residential property sale (special purpose sign).** Permission is granted as a special privilege for residential dwelling occupants for the erection of one non-illuminated personal real estate property sale sign in the required front yard of a dwelling on private property provided that only one of each type of such sign not exceeding six square feet may be erected. No permit shall be required.
- B. **Real estate signs (nonresidential or undeveloped property).** Permission is granted to property owners for the erection of a sign to advertise the sale, lease or rent of the property on which the sign is located. Real estate signs must be spaced at least 100 feet apart along a lot frontage and there may be no more than two such signs per tract or building. The total effective area of each sign shall not exceed 32 square feet per side and shall not exceed six (6) feet in height. Signs shall be removed after 80 percent of the building permits of the platted lots have been issued in the subdivision advertised by the sign, or 80 percent of the building leased.
- C. **Obstruction to doors, windows, or fire escapes.** No sign shall be erected, relocated or maintained so as to prevent free ingress to or egress from any door, window or fire escape. No sign of any kind shall be attached to a standpipe, fire escape, or fire hydrant. No signs shall be placed in a manner which restricts visibility of a fire hydrant from a public right-of-way.
- D. **Signs not to constitute a traffic hazard.** No sign shall be erected or maintained in such a manner as to obstruct free and clear vision; or at any location whereby reason of position, shape, color, degree, manner, or intensity of illumination it may interfere with vehicular or pedestrian traffic. Pursuant to the foregoing, no sign shall be erected or maintained in such a manner as to be likely to interfere with, obstruct the view of, or be confused with any authorized traffic sign, signal, or device. No sign shall make use of words, phrases, symbols, or characters, or employ any lamp or light in such a manner as to interfere with, mislead, or confuse traffic.
- E. **Artwork.** Any painting, mural, sculpted figure, or other graphic, which depicts a product, service or a theme associated with the business or establishment and is on the exterior of a building or window glass, shall be considered a sign.
- F. **Signs not requiring permits.** No permit shall be required for the following signs although the standards of this ordinance shall be met:

1. Signs advertising the sale or lease of real property on which they are located.
2. A protective sign that has as its purpose the protection of life and property.
3. A sign or marker giving information about the location of underground electric transmission lines, telegraph or telephone properties and facilities, pipelines, public sewers, or water lines or other public utilities.
4. A sign erected by an agency of the state or the municipality.
5. Political signs.
6. On-site directional and movement signs provided such directional signs do not contain advertising and are not used as such.
7. One sign with names and/or street numbers so long as the area of such sign does not exceed one square foot for each dwelling unit.
8. Community event notice signs not over 16 square feet in area for public, charitable, religious or other nonprofit organizations, or institutions located on the premises of such institutions.
9. Memorial signs or tablets, names of buildings and date of erection, when cut into any masonry surface or when constructed of bronze or other noncombustible materials.
10. Flags, emblems, and insignia of any governmental body; decorative displays for holidays or public demonstrations which do not contain advertising.
11. American or state flags less than 48 square feet in size.
12. Signs advertising a garage sale.

G. Variances and appeals. The Town Council may consider appeals from the building official and variances to the requirements of this ordinance.

SECTION 11. PROHIBITED SIGNS

The following types of signs are specifically prohibited unless otherwise specifically provided for in this ordinance:

- A. Portable signs.
- B. Unless otherwise specifically allowed by this ordinance balloons, streamers, bunting, banners, flags, flag poles, pole signs or signs that contain moving parts.
- C. Signs erected in violation of the building or electrical code of the city
- D. Signs attached to or maintained upon any tree or public utility pole or structure.
- E. Signs attached to or painted on the outside of a fence, railing or wall that is not a structural part of a building.
- F. Signs attached to or painted on any sidewalk, curb, gutter, or street (except house address numbers).
- G. Signs illuminated to an intensity to cause glare or brightness to a degree that could constitute a hazard or nuisance.
- H. Signs that move, flash light intermittently, change color or revolve unless specifically allowed by this ordinance.
- I. Off-premise signs except as otherwise specifically provided for in this ordinance.
- J. Signs erected in the public right-of-way.
- K. Signs attached to a vehicle advertising the sale of the vehicle where the vehicle is parked in such a way that the sign attracts the attention of or informs persons using the public right-of-way except as otherwise specifically provided for in this ordinance.
- L. Luminous gaseous tubing, except that within an enclosed building, behind glass and visible from outside only through a window.
- M. A-framed signs including but not limited to signs located in the back of a truck or other vehicle.
- N. Can signs made of plastic or similar translucent materials.
- O. Signs attached to roofs or canopies.
- P. Billboards.
- Q. Temporary real-estate signs (bandit signs).

SECTION 12. ADMINISTRATION

The provisions of this ordinance shall be administered and enforced by the building official or designated representative of the Town. Provisions contained herein shall not conflict with other approved ordinances of the Town except in the case where other ordinances requirements, regulations, and standards are interpreted by staff to be more restrictive; in which case, the more restrictive requirements, regulations, and standards shall apply as determined by the Planning and Zoning Commission who will, in turn, make a recommendation to the Town Council.

SECTION 13. PENALTY

An offense committed before the effective date of this ordinance is governed by prior law and the provisions of the Comprehensive Zoning Ordinance, as amended, in effect when the offense was committed and the former law is continued in effect for this purpose. Any person, firm or corporation who shall violate any provision of this section, or who shall fail to comply with any provision hereof, within the corporate limits of Town of Bartonville, or its extraterritorial jurisdiction, shall be guilty of a misdemeanor and upon conviction shall be punished by a fine not to exceed five dollars (\$500.00), each day any violation or noncompliance continues shall constitute a separate and distinct offense.

SECTION 14. SAVINGS

All rights and remedies of the Town of Bartonville are expressly saved as to any and all violations of the provisions of any Ordinances affecting signs or sign permits, which have accrued at the time of the effective date of this Ordinance; and, as to such accrued violations and all pending litigation, both civil and criminal, whether pending in court or not, under such Ordinances, same shall not be affected by this Ordinance but may be prosecuted until final disposition by the courts.

SECTION 15. SEVERABILITY

That should any sentence, paragraph, subdivision, clause, phrase or section of this ordinance be adjudged or held to be unconstitutional, illegal or invalid, the same shall not affect the validity of this ordinance as a whole, or any part or provision thereof other than the part so decided to be unconstitutional, illegal or invalid, and shall not affect the validity of the Comprehensive Zoning Ordinance as a whole.

SECTION 16. ENROLLMENT AND ENGROSSMENT

The Town Secretary of the Town of Bartonville is hereby directed to engross and enroll this Ordinance by copying the exact Caption, Penalty and the Effective Date in the minutes of the Town Council of the Town of Bartonville and by filing this Ordinance in the Ordinance records of the Town.

SECTION 17. PUBLICATION

That the Town Secretary of the Town of Bartonville is hereby directed to publish the Caption, Penalty and Effective Date of this ordinance in the official newspaper of the Town of Bartonville for two days.

SECTION 18. EFFECTIVE DATE

That this ordinance shall take effect immediately from and after its date of passage and the publication in the official newspaper of the Town and as provided by state law.

AND IT IS SO ORDAINED.

PASSED AND APPROVED on this the 20th day of May, 2003.

APPROVED:


Ron Robertson, Mayor

ATTEST:


Debbie E. Millican, Town Secretary

