

ARTICLE XV - SIGN REGULATIONS

SECTION 15.0 - SCOPE OF REGULATIONS: The regulations set forth herein shall apply and govern *signs* in all *zones* except as otherwise specifically provided within this ordinance.

SECTION 15.1 - GENERAL RULES, REGULATIONS, AND LIMITATIONS:

- A. All business and identification *signs* shall be deemed *accessory uses*.
- B. No *sign* shall be erected, maintained, or continued unless it is in full compliance with the regulations for the *zone* in which it is located, all applicable provisions and regulations of this ordinance or any other applicable laws, codes, or ordinances of the legislative body. The *Zoning Administrator* shall have the duty and authority to remove or cause to be removed, any *sign* not in full compliance with all applicable provisions and regulations of this ordinance or any other applicable laws, codes, or ordinances of the legislative body when the owner or agent has failed to comply within the time specified by the *Zoning Administrator* to make said *sign* comply. Said owner or agent shall bear full costs of such removal and shall be billed accordingly.
- C. No *signs* shall be erected, maintained, replaced, relocated, repaired, or restored within a distance of six hundred sixty (660) feet of the right-of-way of any interstate highways, limited access highway or turnpike, except as provided for in KRS 177.830-177.890 and approved of by the Kentucky Department of Transportation Cabinet, Bureau of Highways, District Office Number 6, as amended.
- D. TIME SCHEDULE FOR COMPLIANCE OF SIGN REGULATIONS: Compliance with the provisions of this article of the ordinance shall be according to the following time schedule:
- All new *signs* shall comply when erected.
- E. No *sign* constituting a nuisance, because of light, glare, focus, noise, animation, *flashing*, intensity of illumination as to unduly disturb the *use* of surrounding properties, as determined by the *Zoning Administrator*, or causing a traffic hazard, shall be erected, maintained, or continued in any *zone*.
- F. No radio, phonograph, tape recorder, whistle, bell, gong, siren, or other sound or noise-making or transmitting device or instrument shall be permitted or continued in connection with any *sign* or may it be used separately for advertising purposes in any *zone*.
- G. No *sign* shall be erected, maintained, or continued which constricts the flow of air through any window or door.
- H. No *sign* shall be erected, maintained, or continued which is misleading, fraudulent, obscene, immoral, indecent, or unsightly in character, as determined by the *Zoning Administrator*.
- I. No advertising *sign*, except those of a governmental entity, shall be erected, maintained, or continued unless the name of the company or person owning, maintaining, or erecting said *sign* is plainly displayed thereon. Said provision shall go into effect ninety (90) consecutive calendar days after the effective date of this ordinance.

- J. No *sign* shall be erected, maintained, or continued over or into any street, public way, or *alley* right-of-way, unless specifically provided for within this Ordinance.
- K. It shall be unlawful and a violation of this Ordinance for any person to fasten, place, paint or attach in any way: any *sign*, handbill, poster, advertisement, or notice of any kind, whether political or otherwise, or cause the same to be done in or upon any curb-stone, lamp post, telephone pole, telegraph pole, electric light or power pole, hydrant, bridge, culvert, public drinking fountain, public trash container, courtesy benches, rest station *building*, tree, or in or upon any portion of any public sidewalk, street or *sign*, except as specifically permitted within this Ordinance.
- L. No *sign* shall be erected, maintained, or continued upon the inside of a curve of a street that causes any interference to sight distance in the opinion of the *Zoning Administrator*.
- M. No *sign* shall be erected, maintained, or continued displaying *flashing* or intermittent lights, or lights of changing degrees of intensity, with changes alternating on not less than a five second cycle.
- N. No *sign* shall be erected, maintained, or continued in any *zone* which does not comply fully with Section 15.0 of this ordinance, except as specifically permitted within this Ordinance.
- O. No *sign* shall be erected, maintained, or continued in any *zone* except as provided for in Section 15.1 (D), unless the *sign* complies with all of the following regulations:
1. Is erected and maintained to advertise a *use* specifically permitted in the *zone* in which the *sign* is located or for a *nonconforming use* subject to the limitations contained in Section 9.12 (E) of this ordinance, regarding *nonconforming uses*.
 2. Is clearly incidental, customary to and commonly associated with the operation of the *use* being advertised.
 3. Is established and controlled under and by the same ownership as the *use* being advertised.
 4. Is limited in location to the premises on which the *use* being advertised is located.
 5. Is limited in subject matter to the name, design, picture or phone number and address of owner, operator, builder, sales agent, managing agent, lessor, lessee, of the premises or of the activities (including merchandise handled or services rendered) on the premises on which such *sign* is located and does not include any general commercial advertising unrelated to or extending in substantial degrees beyond the specifically permitted subject.
 6. Compliance with the exemptions listed in Section 15.2 of this article of the ordinance.
- P. When any *sign* becomes defective or dangerous, as determined by the building department, the *Zoning Administrator* shall have the power and the authority to remove or cause to have removed such *sign* when the owner or agent has failed to comply within the time specified by the *Zoning Administrator* to repair or make said *sign* safe or has failed to satisfy the building department that the *sign* is not defective or dangerous. The owner or agent of said *sign* shall bear the full costs of such removal and shall be billed accordingly. If the building department determines that said *sign* is of possible immediate danger to

persons or vehicles, which may be passing nearby, the *Zoning Administrator* shall place or cause to have placed, *signs* or barriers indicating such danger.

- Q. Whenever any *sign*, which does not comply with the provisions and regulations of this ordinance, collapses, burns, or if said *sign* is removed from its location, except for normal maintenance, said *sign* shall not be replaced or reconstructed, except in full compliance with all of the provisions and regulations of this ordinance.
- R. The *Zoning Administrator* shall have the power and authority to remove or cause to have removed any and all *signs* which have been determined to be a traffic hazard, when the owner or agent responsible for the maintenance of said *sign* has failed to eliminate such traffic hazards within two (2) weeks from the date that the written notice is mailed by the *Zoning Administrator*. Said owner or agent shall bear the full costs of such removal and shall be billed accordingly.
- S. Except as otherwise specified in this ordinance, *signs* shall be in conformance with the building code, where applicable, and shall be subject to the inspection and approval by the *Building Inspector*.
- T. *Off-premise signs* shall not be permitted.

SECTION 15.2 - SPECIAL SIGNS: The following *signs* are permitted in any *zone* without a fee or an application for *sign* permit, as provided in Section 15.4.

- A. One (1) *real estate sign* per acre not exceeding twelve (12) square feet in outside area; single or double faced; maximum height of eight (8) feet, which advertises the sale, rental or lease of the premises on which said *sign* is located. Said *sign* shall not be *animated*; may be *illuminated* but only by a *concealed light source*, and only until 10:00 PM. Such *signs* shall be removed by owners or agent within ten (10) consecutive calendar days after the sale, rental, or lease of the premises.
- B. Professional *nameplates* not exceeding one (1) square foot in outside area; single or double faced. Shall not be *animated* nor *illuminated*.
- C. *Bulletin boards* not over twenty (20) square feet in outside area; single or double faced; maximum height of six (6) feet above grade, for public, charitable, or religious institutions when the same is located on the premises of said institution. Said *sign* shall not be *animated*; may be *illuminated*, but only by a *concealed light source*, and only until 10:00 PM.
- D. *Signs* not over twenty (20) square feet in outside area; single or double faced; maximum height of eight (8) feet, denoting the person/firm, architect, engineer, or contractor, when placed upon the premises where construction work is being performed. Said *sign* shall be removed by owner or agent within ten (10) consecutive calendar days after completion of project or that person/firm's part of the project.
- E. *Memorial signs* or tablets, containing the name of the *building* and the date of erection when built into the walls of the *building* and constructed of bronze, brass, marble, stone, or other incombustible materials.
- F. *Traffic signs*, provided that said *signs* are designed and located in accordance with the "Manual on Uniform Traffic Control Devices for Streets and Highways", U.S. Department of Transportation, Federal Highway Administration.
- G. Temporary *signs*, where permitted or required by the *Zoning Administrator*, to fulfill requirements of this ordinance or other resolutions or regulations imposed by a governmental entity.
- H. Repainting or cleaning of an advertising *sign* structure or the changing of the advertising copy or message thereon, unless a structural change is made.
- I. *Special event signs* advertising activities of non-profit organizations. Said *signs* shall not be up more than thirty (30) days prior to the event and shall be removed ten (10) days after the event. Permission for the *use*, size and location(s) of these *signs* shall be obtained from the city council.
- J. *Political signs* for candidates for public office. Such *signs*, either single or double faced, cannot exceed ten (10) square feet and must be up only sixty (60) days prior to the election and must be removed ten (10) days after the election is held.
- K. *Sandwich Board signs* may be installed in accordance with Section 9.30 (D)(1)(a).

- L. *Flat or ground / monument sign*, single or double faced used for the temporary advertising of development, new construction, or the sale, lease, rental, remodeling and re-building of designated *structures* or a designated land area and shall be regulated according to the following:
1. Such *signs* cannot exceed twelve (12) square feet or the total area of all *signs* in a single designated land area shall not exceed in square feet the product of the number of acres, or fraction of acres, in the designated land area multiplied by twenty-five (25), provided, however, that the aggregate area of any such *sign* or *signs* may have an area of at least six (6) square feet, and provided further, that no single *sign* shall have an area of more than thirty-five (35) square feet on premises of already developed *use* or an area of not more than seventy-five (75) square feet on premises not developed.
 2. The *sign* shall be up a maximum of 182 consecutive calendar days and may be renewed for an additional 182 consecutive calendar days after completion of the project.
 3. The *sign* shall be located only on the premises of the property being advertised.
 4. No part of the *sign* shall be closer than five (5) feet to any property line.
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SECTION 15.3 - SIGN PERMIT REQUIRED FOR ERECTION OF SIGNS: No *sign* shall be erected, except as exempted or specified within this ordinance, until all required fees have been paid to the proper authorities or their agents and a permit has been issued for such by the building department.

- A. If any *sign* is removed and any new *sign* is erected in its place, a permit shall be obtained the same as if a new *sign* were erected at a new location subject to all requirements enumerated herein.
 - B. If any conforming *sign* is removed for maintenance and replaced on the same supports, a new permit will not be deemed necessary if the size and type of *sign* is not changed.
 - C. If any *sign* is removed from one location and erected at a new location, a new permit shall be obtained.
 - D. Alteration or enlargement of any *sign* shall require a permit the same as for a new *sign*.
 - E. No permit shall be granted until and after an application has been filed with the *Building Inspector* of *Zoning Administrator* showing the plans and specifications, including dimensions, materials, and details of construction of proposed *structure* nor until all provisions herein have been met.
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SECTION 15.4 - APPLICATION FOR A SIGN PERMIT

- A. Application for a *sign* permit shall be made and submitted at the office of the *Zoning Administrator* on the appropriate forms furnished by said administrator.
- B. If any required information is left off of the application, or if any of the submitted information is misrepresented on the application, the permit shall be denied or shall become null and void if already issued, regardless of actual construction being started or completed.
- C. Any *sign* not erected or constructed as represented on the application upon which the permit was issued shall not be construed as a hardship case, but shall be construed as a misrepresentation of facts on the application and a violation of this ordinance, and the owner or agent shall be given a two (2) week notice to remove said *sign* or correct the error.

SECTION 15.5 - SIGN PERMIT FEES: The fee for a *sign* permit shall be as provided for in the building code or as otherwise established by the legislative body.

SECTION 15.6 - CLASSIFICATION OF SIGNS: The following classification of *signs* shall be deemed to include all *signs* permitted in any *zone* unless other *signs* are specifically listed and provided for. The *Zoning Administrator* shall determine the classification of all *signs* (*Permitted use* and location of *signs* - see Section 15.7).

- A. **CLASS 1:** *Flat, ground / monument or pole / pylon sign*; single or double faced.
1. MAXIMUM SIZE OF SIGN: Six (6) square feet.
 2. MAXIMUM HEIGHT ABOVE GRADE AT TOP OF SIGN: Five (5) feet.
 3. LIMITATION ON NUMBER OF SIGNS: One (1) *sign* for each *curb cut* plus any number within the *off-street parking* areas.
 4. OTHER LIMITATIONS:
 - a. May be *illuminated* but only from a *concealed light source* and shall not be *flashing*, *glaring*, nor *animated*.
 - b. Shall be limited in subject matter to *off-street parking* directions and instructions and shall have no advertisements, company emblems or company logos displayed.
 - c. No part of any *ground / monument or pole / pylon sign* shall be closer than five (5) feet from any property line.
- B. **CLASS 2:** *Individual letter sign*; single faced only.
1. MAXIMUM SIZE OF SIGN:
 - a. One (1) square foot of area for each horizontal linear foot of *building* wall upon which the *sign* or *signs* are to be located.
 - b. Maximum size of letters shall be thirty-six (36) inches in height.
 2. MAXIMUM HEIGHT: Attached flat to *building*, but no part of the *sign* shall extend above the top or ends of the wall surface on which the *sign* is placed.
 3. LIMITATIONS ON NUMBER OF SIGNS:
 - a. *Buildings* containing one business tenant space: One (1) *sign*.
 - b. *Buildings* containing multiple business tenants with a common entrance: One (1) *sign*.
 - c. *Buildings* containing multiple business tenants with a separate entrance for each tenant space: One (1) *sign* per tenant space.
 4. OTHER LIMITATIONS:
 - a. Shall be neither *flashing*, nor *animated*.
 - b. May be *illuminated*, but only from a *concealed light source*.
 - d. Shall not extend outward from the *building* wall more than twelve (12) inches.

- C. CLASS 3: Flat sign; single faced only.
1. MAXIMUM SIZE OF SIGN: One (1) square foot of area for each horizontal linear foot of *building* wall upon which the *sign* or *signs* are to be located;
 2. MAXIMUM HEIGHT: Attached to *building*, but no part of the *sign* shall extend above the top or ends of the wall surface on which the *sign* is placed.
 3. LIMITATIONS ON NUMBER OF SIGNS:
 - a. *Buildings* containing one business tenant space: One (1) *sign*.
 - b. *Buildings* containing multiple business tenants with a common entrance: One (1) *sign*.
 - c. *Buildings* containing multiple business tenants with a separate entrance for each tenant space: One (1) *sign* per tenant space.
 4. OTHER LIMITATIONS:
 - a. Shall be neither *flashing* nor *animated*.
 - b. May be *illuminated*, but only from a *concealed light source*.
 - c. Shall not extend outward from the *building* wall more than twelve (12) inches.
- D. CLASS 4: Flat, painted, awning or projecting sign; single or double faced.
1. MAXIMUM SIZE AND NUMBER OF SIGNS:
 - a. *Buildings* containing one business tenant space: One (1) *sign* per street *frontage* equal to one (1) square foot per linear foot of *building* wall not to exceed twenty (20) square feet.
 - b. *Buildings* containing multiple business tenants with a common entrance – one (1) *sign* per street *frontage* equal to one (1) square foot per linear foot of *building* wall not to exceed thirty (30) square feet.
 - c. *Buildings* containing multiple business tenants with a separate entrance for each tenant space: One (1) *sign* per tenant space equal to one (1) square foot per linear foot of *building* wall not to exceed twenty (20) square feet.
 2. MAXIMUM HEIGHT ABOVE GRADE AT TOP OF SIGN: Attached to *building*, but no part of the *sign* shall extend above the top or ends of the wall surface on which the *sign* is placed. *Projecting* or *awning signs* shall be a minimum of eight (8) feet above any public sidewalk and may extend into the public right-of-way over the sidewalk up to one-half of the width of the sidewalk.
 3. OTHER LIMITATIONS:
 - a. Shall be neither *flashing* nor *animated*.
 - b. May be *illuminated*.
 - c. Shall not have removable or interchangeable letters.

- E. CLASS 5: Ground / Monument sign; single or double faced.
1. MAXIMUM SIZE OF SIGN: Thirty (30) square feet.
 2. MAXIMUM HEIGHT ABOVE GRADE AT TOP OF SIGN: Ten (10) feet.
 3. LIMITATIONS ON NUMBER OF SIGNS:
 - a. One (1) *sign* may be erected for each street *frontage* of the *lot* or building site on which the primary *permitted use* is located.
 - b. One (1) *sign* may be erected for identification purposes of a *residential* development for each major entrance.
 4. OTHER LIMITATIONS:
 - a. Shall be neither *flashing* nor *animated*;
 - b. May only be *illuminated* from a *concealed light source*;
 - c. No part of the *sign* shall be closer than five (5) feet from any property line.
- F. CLASS 6: Pole / Pylon sign; single or double faced.
1. MAXIMUM SIZE OF SIGN: One hundred fifty (150) square feet.
 2. MAXIMUM HEIGHT ABOVE GRADE AT TOP OF SIGN: Thirty (30) feet.
 3. LIMITATION ON NUMBER OF SIGNS:
 - a. One (1) *sign* may be erected on each abutting major street identifying a shopping complex of three (3) or more businesses located in a unified *building* or an attached group of *buildings*.
 4. OTHER LIMITATIONS:
 - a. Shall be neither *flashing* nor *animated*.
 - b. May only be *illuminated* from a *concealed light source*.
 - c. No part of the *sign* shall be closer than five (5) feet from any property line.
- G. CLASS 7: Canopy sign.
1. MAXIMUM SIZE OF SIGN: One hundred and fifty (150) square feet.
 2. MAXIMUM HEIGHT ABOVE GRADE AT TOP OF SIGN: Thirty (30) feet.
 3. OTHER LIMITATIONS:
 - a. May be *illuminated*.
 - b. May extend over the sidewalk within the public right-of-way provided that structure does not extend beyond the edge of the sidewalk over the street pavement.
 - c. The *sign* shall be attached flat to the surface of the *canopy* and shall not extend above or below the surface of the *canopy*.
- H. CLASS 8: Reader Board / Marquee sign.
1. LIMITATIONS:
 - a. Only one (1) *reader board / marquee sign* shall be permitted.
 - b. Shall be attached to and made a part of the class 5 or class 6 *signage* permitted within the *zone*.
 - c. The *reader board / marquee* shall consist of up to a maximum of 50% of the total allowable square footage of the class 5 *sign*.
 - d. The *reader board / marquee* shall consist of up to a maximum of 25% of the total allowable square footage of the class 6 *sign*.

SECTION 15.7 - PERMITTED USE AND LOCATION OF SIGNS: The following classes of *signs* may be erected and maintained in the following *zones*, unless otherwise specifically provided for within this Ordinance only one (1) *sign* per class is permitted:

- A. Conservation Zone (CO): Class 2 and Class 3
Off-street parking areas: Class 1
- B. Residential Zones (R-1A, R-1B, R-1C, R-1H, R-2, R-3): *Nameplate Sign*
- C. Neighborhood Commercial Zones (NC-1*, NC-2*, NC-3): Class 4, Class 5, and Class 7
Off-street parking areas: Class 1
- D. Commercial – One Zone (C-1): Class 2 or Class 3; and Class 5 and Class 8
Off-street parking areas: Class 1
- E. Shopping Center Zone (SC): Class 2 or Class 3; and Class 5, Class 6, and Class 8
Off-street parking areas: Class 1
- F. Industrial Zone (I): Class 2 or 3; and Class 6
Off-street parking areas: Class 1

* *Signs* within NC (HP) *zones* shall receive a Certificate of Appropriateness per the Taylor's Daughters/Fairfield Avenue Design Review Guidelines.

SECTION 15.8 - TEMPORARY ADVERTISING DISPLAY PERMITS: Temporary devices utilized for advertising or attracting attention to a *permitted use* in the Mixed Land Use (MLU) Zoning *district*, Industrial-One (I-1) Zoning *district*, Neighborhood Commercial-Three (NC-3) Zoning *district* or Shopping Center (SC) Zoning *district* or Commercial One (C-1) Zoning *district*, when not part of a *sign*, shall be permitted in accordance with the following regulations. EXCEPTION: *Grand Openings*.

1. A Temporary Advertising Display Permit shall be obtained prior to the outdoor placement of any combination of balloons, banners, pennants, flags, ribbons, streamers, spinners or other devices intended to attract attention to the *use* advertised. The Temporary Advertising Display Permit shall contain the dates the advertising devices will be utilized.
2. Temporary Advertising Displays shall not exceed the height limitation as specified in Section 10.16 (C)(7) for location in the Industrial-One (I-1) *zone*, Section 10.12 (D)(6) for location in the Neighborhood Commercial-Three (NC-3) *zone* and Section 10.13 (D)(3) for location in the Shopping Center (SC) *zone* and Section 10.17 (D)(4) for location in the Commercial-One (C)(1) *zone*.
3. Posters, pennants or similar devices shall not exceed fifteen (15) square feet.
4. Balloons or similar devices shall not exceed 545 cubic feet.
5. Banners shall be regulated as follows:
 - a. *Buildings* containing one business tenant space or *buildings* containing multiple business tenant spaces with a common entrance: One (1) *banner* shall be permitted.
 - b. *Buildings* containing multiple business tenants with a separate entrance for each tenant space: One (1) banner shall be permitted per tenant space.
 - c. Shall not exceed twenty (20) square feet.
 - d. Shall not be *illuminated*.
 - e. Shall not extend over the public right-of-way, including public sidewalks.
 - f. Shall be attached parallel to the façade of the *building* and shall not extend over the *roof* or sides of the *building*.
 - g. In addition to the zoning districts listed in Section 15.8 above, banners may also be located in the Neighborhood Commercial-One (NC-1) and Neighborhood Commercial-Two (NC-2) *zones*.
6. A Temporary Advertising Display Permit shall allow for the use of temporary advertising devices for a maximum of fifteen (15) days. An establishment shall be allowed four (4) Temporary Advertising Displays in any one calendar year.
7. Temporary Advertising Displays shall not be permitted in any public right-of-way and shall meet safety and performance requirements as specified by the *Zoning Administrator*.
8. Any time a Temporary Advertising Display becomes dilapidated, in the opinion of the *Zoning Administrator*, the *Zoning Administrator* shall require the display to be immediately repaired or removed.
9. The fee for a Temporary Advertising Display Permit shall be as provided for in the adopted fee schedule.