

ARTICLE 7-SIGN REGULATIONS

1-37 SIGN REGULATIONS

Purpose – the use of signs to identify uses, advertise business and provide general identification in the town of Trafalgar is a recognized need and right of property/business owners within the appropriately zoned districts. It is the purpose of the ordinance to provide a balanced system of signage to facilitate communications between people and their environment and to avoid visual clutter that is potentially harmful to traffic, property values, community appearance and the economic vitality of Town of Trafalgar.

1. Zoning classifications – town of Trafalgar has identified the following classifications for:

- A. R-1, R-2, R-3 and R-4 as residential zones as described within the current Zoning Ordinance;
- B. Commercial/Business (CB) for local businesses located within the town of Trafalgar bordering or in residential neighborhoods, and commercial buildings on State Road 135 and Highway 252
- C. I-1 Light industrial adjoining residential areas.

2. Signs requiring Permits – Except as otherwise provided herein, it shall be unlawful for any person to erect, construct, enlarge, move or convert any sign within the jurisdiction of the Town of Trafalgar, or cause the same to be done without first obtaining a sign permit for each sign from the Planning commission.

- A. Application for permits may be obtained from the Trafalgar Town Hall during normal business hours. Upon return the permit shall be accompanied by such information as may be required to assure compliance with the provisions contained within this Ordinance, including:
 - 1. Name and address of the property owner of the premises on which the sign(s) is located or is to be located. Consent from the property owner is to be documented.
 - 2. Name and address of the owner of the sign (if different).
 - 3. Clear and legible drawings with the description showing the location of the sign which is the subject of the permit, and all other signs whose construction requires permits, when such sign are on the same premises.
 - 4. Drawings showing the dimensions, construction supports, sizes, electrical wiring and components, materials of the sign; method of attachments and character of structural members to which attachment is made. If required by the Planning

commission, engineering data shall be supplied on plans submitted and certified by a duly licensed engineer.

5. Any individual or company seeking to erect, construct, alter, repair, improve, maintain, convert, or manufacture any sign adjacent to or visible from any state or federal roadway shall register, in writing a statement that they have all necessary licenses and/or approvals from the other affected governmental agencies.
 - B. The following shall not be considered as creating a sign and therefore shall not be required to have a sign permit.
 1. The changing of advertising copy or message on an approved sign.
 2. Painting, repainting, cleaning, or other normal maintenance and repair of a sign or sign structure, unless a structural change is involved.
 - C. Signage shall be designed to be an integral part of the architectural and landscaping plans. The colors, materials, lighting and style of signage shall be harmonious with the building and the site to which it relates. The integration of project signage to identify multiple businesses on the same zoning lot is encouraged.
3. **General Provisions** – The following provisions apply to all signs in all zoning districts:
- A. No portion of any sign may be erected within (10) feet of a public right-of-way.
 - B. Detached (freestanding) signs shall be no closer to the side property line than a distance equal to thirty-five percent (35%) of the frontage of the property upon which said sign is to be located. In no event shall such sign be closer than fifteen (15) feet to the side property line.
 - C. Detached (freestanding) signs shall be no higher than twenty-five (25) feet and only on the zoning lot where the business is conducted unless otherwise permitted.
 - D. No portion of any sign may be erected so as to obstruct sight lines along any right-of-way or private commercial or residential drive so as to obstruct sight lines to traffic control devices, street name signs at intersections, directional signs, or signals and/or cross walks. Vision clearance shall be maintained as further described within this Ordinance.
 - E. Sign illumination shall be designed and placed as to not cause glare which may result in traffic hazards or which may interfere with the customary use of nearby residences in accordance with the Performance Standards of this Ordinance.
 - F. The area of a sign shall be determined by the smallest circle, triangle or rectangle that can be used to enclose the sign, exclusive of supporting members that bear no message.

4. **Maintenance** – All signs shall be maintained in good state of repair, including to but not limited to, repair of defective parts, painting and cleaning. The replacement of the structural members of a non-conforming sign for the purpose of extending the life of such non-conforming sign, shall not constitute maintenance as defined within this Ordinance, but shall be considered as new construction and must thereby satisfy all requirements of this Ordinance.

- A. The owner of any property on which a sign is located and those responsible for maintenance of the sign shall be jointly responsible for the maintenance of the area of the vicinity of the sign and shall be required to keep this area mowed in accordance with town standards and maintained in a safe, clean and sanitary condition free of noxious or offensive substances and rubbish.
- B. When any sign or adjacent area is not maintained with the provisions of this Ordinance, or determined to be unsafe, the Planning Commission, or otherwise designated authorized representative shall send written notice to both the owner of the property and the sign owner.
- C. Notice shall direct the owners to remove, repair or alter the sign or to maintain the property in accordance with the enforcement of this ordinance.
- D. If a non-maintained sign is not removed, replaced, or altered or the property around it not properly maintained then within thirty (30) days, the President of the Planning Commission, or authorized representative, shall cause the sign to be removed, repaired, or altered or the property maintained at the expense of the property or sign owner.

5. **Non-Conforming Signs** – Any sign lawfully established prior to the effective date of this Ordinance that does not conform to the regulations herein shall be deemed a non-conforming use and may be continued except under the following provisions.

- A. If there is an increase in the size of the sign face or an increase in the height of the sign.
- B. If the sign is removed from its original place of installation.
- C. Complete replacement of the sign.
- D. The addition of illumination to the sign.
- E. Signs covered under a variance granted by the Planning Commission that has expired without the work being completed.
- F. An obsolete sign as defined under "Prohibited signs" listed within this Ordinance.
- G. All signs, except private traffic direction signs are prohibited in the required greenbelt area.

6. **Exemptions** – the following incidental signs are exempt from other requirements of the Ordinance except for the noted requirements.

- A. Business Identification sign- An identification sign on or near a building entrance or service entrance to a business in a business, commercial or industrial zone is permitted provided such signs state only the street address and the name of the business or building. This type of sign shall be flush mounted against the wall and that such sign not exceed four (4) square feet.
- B. Integral signs – Names of building, date of erection, monumental citations, commemorative tablets and the like when carved into stones, concrete or similar material or made of bronze, aluminum or other permanent type construction and made an integral part of the structure.
- C. Parking signs- signs for public and private parking shall be permitted. Such signs shall be subject to three (3) foot setback from right-of-way and shall not be used for advertising purpose. Signs shall be no higher than six (6) feet and no greater than six (6) feet in area. Such signs shall be installed so as not to present a hazard to traffic entering or leaving the premises.
- D. Private Traffic Directional Signs- signs directing traffic movement onto to or within a premise Illumination of these signs shall be permitted as listed within this Ordinance. The leading edge of such signs shall be minimum of three (3) feet from any curb or traffic movement aisle, the sign shall be no higher than three (3) feet and no greater than six (6) square feet in area. All signage shall conform to State Standards on Uniform Traffic control Devices.
- E. Public Signs – signs of a non-commercial nature and in the public interest erected by or on the order of public officer(s) in performance of their public duty, such as safety signs, danger signs, trespassing signs, traffic signs, memorial plaques and signs of historical interest. Signs directing the traveling public to public and quasi-public facilities, or signs on public buildings or structures and the like.
- F. Name Plate – A nameplate which shall not exceed two (2) square feet in area is permitted for each dwelling unit of a single family or row-structure; such nameplate shall state nothing other than the name and/or address of the occupant. No other signs shall be allowed other than decorative ornamentation and/or placards identifying that a security system is located within the premises. This paragraph shall not be construed to prohibit each dwelling unit from also displaying a house numbering plate for identification.
- G. Window signs- signs located in or on windows do not require a permit so long as such signs are located on the inside of the building and do not cover more than 50% of the window area.
- H. Matter appearing on gasoline pumps, newspaper vending boxes, automatic teller machines and vending machines, or matter appearing on or adjacent to entry doors such as “Push”, “Pull”, “Open”, or “Closed” signs, or matter appearing on display windows or doors identifying the hours of operation, credit cards accepted, or similar information.
- I. Historical Markers as long as all setback regulations are followed.

7. **Prohibited Signs** – the following signs are prohibited. It shall be unlawful to erect and maintain:

- A. Any sign which is not included under the types of signs permitted in the Ordinance.
- B. Any portable or moveable sign, except in compliance with the provisions of the Ordinance.
- C. Any sign or sign structure affixed to a rooftop or known as a roof top sign, which extends above the highest point on the roof.
- D. Any sign that projects over or into the public right of way.
- E. Off premises signs as described further in this Ordinance, including billboards.
- F. Flashing and scrolling signs.
- G. Pennants, streamers, spinners or similar devices, balloons, inflatable devices, except as a temporary sign.
- H. Signs located within a public right-of-way or greenbelt, other than traffic or government signs or signals.
- I. Tracking, pasting, or otherwise affixing of signs of a advertising or miscellaneous character, visible from a roadway, located on the walls buildings, barns, sheds, utility poles, fences, mailbox posts, benches, trash containers, parking meters or other structures.
- J. No advertising sign shall be painted directly on an exterior wall of a building, fence or structure except to identify a residence or residential structure by means of posting the name of the occupant or structure and the street address.
- K. Business signs that advertise an activity, business, product, or service no longer conducted on the premises upon which sign is located within three (3) months of the end of the business activity.
- L. Signs placed on parked vehicles or trailers where the apparent purpose is to advertise a product, candidate for election or to direct people to a business or activity located on the same or nearby property. This includes motor vehicles with a sole apparent purpose to advertise business. Motor vehicles with the primary purpose of the cartage of goods and service vehicles are exempt from this restriction.
- M. Bear or contain statements, words or pictures of an obscene, pornographic, immoral character, or which contain advertising matter that is untruthful and will offend public morals or decency.
- N. Signs which operate or employ any stereopticon or motion picture projection or media in moves, or gives the illusion of movements except as permitted in this Ordinance.
- O. Signs which involve revolving or rotating beams of light.

- P. Signs which emit audible sound, odor or visible matter.
- Q. Signs imitating or resembling official traffic or government signs or signals. Signs which are imitation of, or resemble an official traffic sign or signal, or which bear words "Stop", "Go Slow", "Caution", "Danger", "Warning" or similar words; except as permitted in this Ordinance.
- R. Signs which, by reason of their size, location, movement, content, coloring or manner of illumination, may be confused with or constructed as a traffic control sign, signal, or device, or the light of an emergency or road equipment vehicle or which hide from view any traffic or roadway sign, signal, or device.

8. **Temporary Signs Permitted In Commercial and Industrial Districts** – temporary signs shall be permitted and shall be required to have a permit unless otherwise specified. The following conditions apply to temporary signs:

- A. Portable signs- including "A" frame and "Arrow" signs with message boards. A permit is not required.
- B. Banners, non-rigid – One (1) banner per zoning lot may be permitted for a period not to exceed thirty (30) days per calendar year. Sign not to exceed forty (40) square feet in area and six (6) feet in height. A permit is not required.
- C. Construction signs – Construction signs which identify the architects, engineers, contractors and other firms involved with construction; but not including to any advertisement of any product; and sign announcing the character of the building enterprise of the purpose for which the building intended during the construction to a maximum of thirty-two (32) square feet for each project. Such sign to be set back at least ten (10) feet from public right-of-way. The sign shall be confined to the site of construction and shall be removed within thirty (30) days after the end of construction. Signs will be addressed when the subdivision plans are approved by the town.
- D. Real Estate signs – One real estate sign advertising the sale, rental or lease of the premises or part of the premises on which the sign is displayed shall not exceed thirty-two (32) square feet in commercial and industrial districts. In the event the property is on a corner lot or in a multi complex or shopping center than one additional sign may be permitted at the discretion of the Planning commission. Such sign to be set back at least ten (10) feet from a public right-of-way. Signs shall reflect no advertising or promotional material other than to indicate the party listing the property for sale, rental or lease or the lending institution financing the project.
- E. Street Banners – Street Banners advertising a public entertainment or event and only for locations designated by the Planning commission, during and for, fourteen (14) days prior and fourteen (14) days after the event. Street banners require a permit from the town or from the State Highway.

- F. Produce signs – One temporary signs which advertises the sale of produce or crops grown on that premises shall be permitted for a time period of ninety (90) days out of any calendar year. The sign shall not exceed thirty-two (32) square feet in area and is placed at least ten (10) feet from the right-of-way. No permit shall be required.
- G. Inflatable sign – Such signs or advertising matter may be displayed for no more than fourteen (14) days during a calendar year on any zoning lot in a business district, limited to one (1) sign per zoning lot. Such sign shall not exceed the permitted building height by more than twenty (20) feet. No permit is required.

9. Temporary Signs permitted in residential districts, R1 and R2 unless otherwise noted. – Temporary signs shall be permitted and shall be required to have a permit unless otherwise specified. The following conditions apply to temporary signs:

- A. Real Estate signs – One real estate sign advertising the sale, rental or lease of the premises or part of the premises on which the sign is displayed shall not exceed four (4) square feet. Such sign to be set back at least ten (10) feet from a public right-of-way. Corner lots may display one sign on each road front. Signs shall reflect no advertising or promotional material other than to indicate the party listing the property for sale, rental, or lease or the lending institution financing the project. Open House signs may be displayed during the hours listed on the sign beside the “for Sale” signs. No permit shall be required.
- B. Political campaign signs- Political campaign signs announcing the candidates seeking political office shall be confined within private property and not in a public right-of-way. Shall be permitted no more than forty-five (45) days prior to the scheduled election and shall be removed within fourteen (14) days after election. No permit shall be required.
- C. Garage and Yard Sale Signs – Signs advertising the sale of miscellaneous household items for the purpose of residential “garage or yard” sale shall not exceed four (4) square feet in area. Such signs may be erected on the premises one (1) week in advance of the sale and shall be removed within forty-eight (48) hours after the sale. Permitted in R3 districts. No permit shall be required. Refer to Section 7. “Prohibited signs”.
- D. Subdivision or Multi-Family signs – One (1) temporary subdivision or multi-family project identity sign indicating only the name and/or address of the premises and/or the name of the management and builder(s). Such a sign shall not exceed thirty-two (32) square feet in area and shall be at least ten (10) feet from a public right-of-way. The maximum time period will be for twelve (12) months from the date the permit is issued. Such a sign may be extended for another twelve (12) months or until the project is eighty-five (85) percent completed or is occupied whichever comes first.

10. Illumination of signs – signs may have indirect external or internal lighting.

- A. Sign illumination shall be designed and placed as to not cause glare which may result in traffic hazards or which may interfere with the customary use of nearby residence(s). Lighting shall be shielded so as not to cast direct light on street right-of-ways of adjacent

properties. No exposed bulb, or fluorescent tubing shall be permitted except to direct toward seasonal or holiday signs.

- B. If the sign is located next to a residential lot then the sign shall be regulated by a timer to turn off at an agreed time after the business has closed for the evening. The hours of operation will be listed on the sign Permit.
- C. For signs that are externally illuminated, lamp bulbs and reflectors shall not be visible from any location on adjacent property or from a street. Lighting shall not glare into any thoroughfare on to a residential property.
- D. In residential districts, only nameplates and message type boards used by churches or public buildings may be illuminated. In non-residential districts, all signs may be illuminated provided they meet the other provisions established in this Ordinance.
 - 1. Such, signs do not create a traffic hazard to vehicular traffic on thoroughfares along which the sign is orientated.
 - 2. Such signs may not be placed closer than thirty-five (35) feet to a public right-of-way.
 - 3. The area containing the changing or animated message shall not exceed thirty (30) percent of the total sign area.
 - 4. No more than one (1) such sign permitted per zoning lot.

11. Performance Standards – Residential – this section applies to R-1, R-2 , and R-3

- A. For each duplex and/or multi-family building, one (1) nameplate per dwelling unit not to exceed two (2) square feet in area is permitted.
- B. One (1) free-standing sign for a church, municipal building or other public building, not exceeding thirty-two (32) square feet in area and one (1) wall sign, not exceeding one and half (1 ½) square feet in area for each lineal feet of building frontage. However, in no instance shall the total sign area exceed fifty (50) feet.
- C. Signs listed under Exemptions and Temporary signs are permitted, however, portable signs, including “a-frame” and “arrow” or “message boards” are prohibited.
- D. One (1) monument type identity sign for a subdivision or multi-family project is permitted. Such sign shall not exceed thirty-two (32) square feet in area. In the event there is more than one (1) entrance to the subdivision or multi-family project fronts onto more than one road, additional signage may be permitted at the discretion in R-1 and R-2 only. One (1) window sign as identified within this ordinance may be used to identify the business. If the residence has a porch that faces the main access road then a wall sign may be attached under the overhang of that porch instead of the window sign, dimensional requirements are listed within this section.

- E. Home occupation signs are permitted in R-1 and R-2 only. One (1) window sign as identified within this Ordinance may be used to identify the business. If the residence has a porch that faces the main access road then a wall sign may be attached under the overhang of that porch instead of the window sign, dimensional requirements are listed within this section.
- F. In R-2 and R-3 where a rental office might be located it is permitted to erect a "Business Identification Sign" as listed in 6.1.

12. Performance Standards – Business/Commercial (CB) and Industrial (I-1) – This section shall apply to the following zone districts: CB and I-1. Freestanding buildings – not in an unenclosed shopping center or enclosed shopping mall, including freestanding buildings located at unenclosed and enclosed shopping centers.

- 1. One (1) freestanding sign shall be permitted for each zoning lot. The sign shall not exceed thirty-two (32) square feet in area. In the event that the owner does not intend to erect a freestanding sign, then two rigid signs may be attached to different sides of the building, not exceeding thirty-two (32) square feet in area for each one.
 - 2. Wall signs – no specific limit on the number of wall signs permitted, however the total maximum sign area for all wall sign on a given building frontage shall be one and half (1 ½) square feet in area for each lineal foot of building frontage. However, in no instance shall the total sign area for all signs exceed fifty (50) square feet in area. A free standing building which is situated on more e than one (1) street may have wall signs located on each building which is situated on more than one (1) street may have wall signs located on each exposed wall, per the size limitations above.
 - 3. Projecting signs – may be used instead of wall or free standing signs provided they so not project beyond the property line or public right-of-way line and maintain a clearance of ten (10) feet over pedestrian areas. These signs must be anchored in a manner that prevents any movement.
- A. Unenclosed Shopping Centers – One (1) free standing sign shall be permitted for the shopping center, and shall meet the following requirements.
- 1. Such sign shall have a maximum of face area of two hundred (200) square feet.
 - 2. Where a shopping center has in excess of one hundred (100) feet of road frontage, one (1) additional free standing sign shall be permitted. The distance between signs shall be at least one hundred (100) feet.
 - 3. No specific limit on the number of wall signs permitted, however the total maximum sign area for all wall sign on a given building frontage shall be one and half (1 ½) square feet in area for each lineal foot of building frontage.

However, in no instance shall the total sign area for all signs exceed fifty (50) square feet in area.

B. Enclosed Mall Shopping Centers – One (1) free standing sign shall be permitted for the shopping mall, and shall meet the following requirements.

1. Such sign shall have a maximum of face area of two hundred (200) square feet.
2. Where a shopping mall has in excess of six hundred (600) feet of road frontage, one (1) additional free standing sign shall be permitted. The distance between signs shall be at least one hundred (100) feet.
3. No specific limit on the number of wall signs permitted, however the total maximum sign area for all wall signs on a given building frontage shall be (2) square feet in area for each lineal foot of building frontage. However, in no instance shall the total sign area for all signs exceed four hundred (400) square feet in area.

C. Business, Commercial and Industrial parks

1. Such sign shall have a maximum of face area of two hundred (200) square feet.
2. Where a shopping center has in excess of six hundred (600) feet of road frontage, one (1) additional free standing sign shall be permitted. The distance between signs shall be at least five hundred (500) feet.
3. Uses and free standing establishments within a business, commercial or industrial park shall meet the sign regulations under "Free Standing Buildings" of this Ordinance.

13. **Off Premises Signs**

- A. Off premises signs such as billboards are prohibited along State Road 135 and State road 252 which is the same standard enforced by the Johnson County Zoning Ordinance.
- B. As identified previously within this Ordinance, all permanent, detached signs must pertain to a permitted use on the same zoning lot.