ARTICLE IV SECTION 411 SIGN REGULATIONS

<u>411.1 PURPOSE</u>.

It is recognized that the City of Gatlinburg is a Premier Resort City with its only industry being tourism. For this reason, it is found that the proper control of signs is of particular importance and that the right to identify a place, business, or convey a public message should and must be kept within reasonable boundaries consistent with the objectives and goals of the community in order to retain its unique character and the economic advantages which rests largely on the quality of its appearance. Therefore, the purpose of this ordinance is to regulate the number, location, size, height, and placement of signs in the City of Gatlinburg so as to preserve, promote, and protect: 1) the unique character of the city by the orderly display of signs, and thereby discourage confusing communications with the public; and 2) the public's health, safety, and welfare by assuring adequate light, air, and open spaces and a minimum of congestion and hazardous conditions. Therefore, all signs (except signs exempted elsewhere) erected, replaced, constructed, expanded, relocated or otherwise installed on any property within the city shall conform to these regulations.

411.2 DEFINITIONS:

- 411.2.1 Sign Administrator. The City Building Official or his/her designated agent.
- 411.2.2 <u>Area Directional Sign</u>. A sign located on public property at an intersection of two major thoroughfares, as approved by the Board of Commissioners which designates a definable area, business area, or community.
- 411.2.3 Banners. Any flexible announcement device affixed to poles, wires, or ropes for the purpose of temporarily announcing or promoting events or activities or used for decoration (see special event sign).
- 411.2.4 <u>Billboard</u>. An outdoor advertising sign that is not located upon the premises to which such advertising copy pertains, or an on-premise sign greater than 100 square feet in display service area.

- 411.2.5 <u>Business Directional Sign</u>. A standardized sign placed by the city at the intersection where a minor street intersects a major thoroughfare indicating the direction to a business with access located on the minor street.
- 411.2.6 <u>Changeable Copy (Marquee)</u>. A sign with a permanent background and a designed format to accommodate changeable copy for the purpose of advertising specials.
- 411.2.7 <u>Copy.</u> The wording or pictorial graphics on a sign surface either in permanent or removable form. 30
- 411.2.8 <u>Directory Sign</u>. An outdoor sign erected by a mall, arcade, shopping center, multi-tenant building and the like, which lists the name of all businesses, in a uniform manner and on a single structure.
- 411.2.9 <u>Display Service Area</u>. The net geometric area enclosed by the display surface (sign face) of the sign and/or including the outer extremities of all letters, characters, and delineations; this shall not include structural supports. This area is used for size limitation determination.
- 411.2.10 <u>Erect.</u> To assemble, build, construct, attach, and install, place, raise, suspend, affix, paint, or in any way bring into being or establishment.
- 411.2.11 <u>Flag.</u> Any local, state, national or similar type of flag, not displayed for sale.
- 411.2.12 <u>Freestanding Sign</u>. A single or multi-faced sign affixed to a supporting structure or embedded in and extending from the ground and detached from the building. Allowable size does not include supporting structure (see "ground sign", as defined in the Standard Building Code).
- 411.2.13 Incidental Signs. As defined by Section 411.3.1.2.
- 411.2.14 <u>Information Sign</u>. Any on-premise sign containing no other message, copy, announcement, or decoration other than instructions or directions to the public. Such signs include but are not limited to signs which identify restrooms, walkways, entrances, exits, etc.

- 411.2.15 <u>Mall.</u> Mall, shopping center, Planned Unit Development, arcade, or any multi-tenant building on a single parcel of property which is internally separated or segregated into individual shops or similar subdivisions, each of which is, or appears to be, a separate and distinct business or function.
- 411.2.16 <u>Menu Sign</u>. Sign space devoted solely to the exterior display of restaurant and food service business menus.
- 411.2.17 <u>Multi-tenant Building</u>. Two or more retail stores, rental living units and/or service establishments, or any combination thereof, sharing common customer entries and areas, regardless of whether said stores, rental living units and/or establishments occupy separate structures or are under separate ownership. In the event two or more businesses occupy the same area, they shall be considered as a single tenant or business with regards to the total allowable signage.
- 411.2.18 Off-premise Sign. A sign other than an on-premise sign.
- 411.2.19 <u>On-premise Sign</u>. A sign relating in its subject matter to the premises on which it is located or to products, accommodations, services, or activities on the premises.
- 411.2.20 <u>Pennants or Bunting</u>. Long narrow or triangular shaped flags displayed on rope, wire, or string for the purpose of drawing the attention of the public.
- 411.2.21 Permanent Sign. As defined by Section 411.3.1.1.
- 411.2.22 <u>Political Sign</u>. A temporary sign denoting political campaign headquarters, party affiliation, cause or candidate.
- 411.2.23 <u>Portable Sign</u>. A single or double surfaced sign which is easily moveable usually mounted on wheels and not permanently erected.
- 411.2.24 <u>Premises.</u> The "premises" is the entire, single parcel of property occupied. In the case of malls, shopping centers, and multi-tenant buildings, the "premises" for each of the various businesses or functions is limited to the space

occupied or directly connected to and associated with that particular business or function, exclusive of common areas.

- 411.2.25 <u>Product Sign</u>. Any on-premise sign which advertises a product or service offered, sold or otherwise provided by a business or activity, including signs attached to outdoor vending machines, stands, gasoline pumps, and display racks which direct attention to products dispensed therefrom.
- 411.2.26 <u>Projecting Sign.</u> A sign affixed to the building wall or structural support member and extending beyond the building wall or structural member more than 12 inches.
- 411.2.27 <u>Public Sign.</u> A sign owned and maintained by the City, State or Federal Government and used exclusively to preserve, protect and promote the general public's health, safety, and welfare, including "Business" and "Area Directional" signs.
- 411.2.28 <u>Rate and Price Sign.</u> Any outdoor advertising sign, or any sign placed within a business window, door or open store front which cannot be read from within the structure, which contains language and/or figures thereon tending to advertise the rates or prices for any merchandise, product, service, or facility.
- 411.2.29 <u>Real Estate Sign</u>. Any sign pertaining to the sale, rental, development or lease of a lot, tract, land, or one or more structures or portions thereof, including auction signs.
- 411.2.30 <u>Roof Sign.</u> Any sign attached to, supported by, erected, or maintained on the roof structure or the top of a parapet wall.
- 411.2.31 <u>Sandwich Sign</u>. An advertising device which is ordinarily in the shape of an "A" or some variation thereof, on the ground, easily moveable, and which is usually two sided. 32
- 411.2.32 <u>Sign.</u> Any object, device, or structure, or part thereof, which is used to advertise, identify, display, direct, or attract attention to an object, person, institution, organization, business, product, service, event or location by letters,

- words, numbers, figures, designs, symbols, fixtures, projected images or other symbols, devices, or representations.
- 411.2.33 <u>Site Development Sign</u>. A sign limited to identifying the name, location, and type of development; the parties involved in the construction and/or where to obtain more information about the construction.
- 411.2.34 <u>Special Event.</u> An activity or circumstance of a business or organization which is not part of its normal daily activities and occurs uninterrupted for a specified period of time not to exceed 30 days.
- 411.2.35 <u>Special Event Sign</u>. A sign pertaining to a special event.
- 411.2.36 <u>Subdivision Entrance Sign</u>. A sign to identify the name of a subdivision, mobile home park, condominium complex, PUD, and bed and breakfast establishments, or similar uses.
- 411.2.37 <u>Super Graphics</u>. A painted scene, mural, figure, or decorative design used to enhance or complement the building architecture or use, exclusive of any words, letters, numbers, or symbols either directly or indirectly associated with or connected to the super graphics.
- 411.2.38 <u>Temporary Sign</u>. Any "Permanent Business" sign temporarily erected with the intention of being removed or replaced within 30 days.
- 411.2.39 <u>Internal Traffic Control Sign</u>. A sign used for the purpose of identifying private parking areas and directing the flow of traffic on private property. (See also, "Information Sign")
- 411.2.40 <u>Wall Sign</u>. A sign affixed to any building, wall, or structural support member projecting not more than 12 inches.
- 411.2.41 <u>Window Sign.</u> A sign affixed to or located within six (6) inches of the interior or exterior surface of a window. 33

411.3 GENERAL PROVISIONS

- 411.3.1 <u>Sign Classification</u>. For the purpose of the administration of this ordinance, every sign shall be classified as either "permanent" or "incidental" based on its intended use.
- 411.3.1.1 <u>Permanent Signage</u>. A permanent sign shall include any identification or advertising which lends advertising to a business, activity or public function that is not generally subject to change unless a change in the name, lessee, ownership or nature of the business, activity or public function occurs. Permanent signage shall include but is not limited to the following:
- 1. <u>Business Identification Signs</u>. Signs in which the copy subject matter makes reference to the name or nature of a particular business or public function and exceeds three square feet in display service area.
 - 2. Mall Directory Signs. As permitted per Section 411.11.
- 3. <u>Subdivision Entrance Signs</u>. Provided they do not exceed 20 square feet in display service area, and no more than one sign for each entrance from an existing city street.
- 4. Changeable Copy (Marquee) Signs that exceed (4) square feet in display service area. The periodic changing of letters or numbers shall not constitute a change in the sign classification, except for the display of rates and prices.
- 5. <u>Super Graphics</u>. Provided they are used to enhance or identify the architecture or use of the building and recommended for approval by the Environmental Design Review Board.
 - 6. Business Directional Signs. As permitted per Section 411.10.
- 7. Other Signs. Any sign that does not qualify as incidental signage as identified in the following section shall be considered as permanent signage, unless specifically limited to incidental elsewhere in this ordinance.

411.3.1.2 Incidental Signage.

An incidental sign shall include any sign which lends advertising to business or public function operations or activities which are generally subject to periodic changes, irrespective of a change in the name, lessee, ownership or nature of the business or public function, unless the use of which is specifically identified as a permanent sign. Incidental signs shall include, but not limited to the following:

- 1. <u>Banners.</u> Provided they qualify as "Special Event" or "Temporary" signs. Banners are further limited to only incidental signage. 34
- 2. <u>Information or Instructional Signs</u>. Provided they do not exceed four (4) square feet
- 3. Product Signs. Provided they do not exceed four (4) square feet in display service area and qualify as wall signs.
- 4. <u>Real Estate Signs.</u> Real estate signs are limited to only incidental signage, and must meet the schedule in Section 411.6.13.
- 5. <u>Site Development Signs</u>. Provided they do not exceed thirty-two (32) square feet in display service area and no more than two signs being erected on the site during the period beginning 90 days prior to the start of construction through to 90 days following the first occupancy, with one sign per front yard or street entrance. Site development signs are further limited to only incidental signage.
- 6. Special Event Signs. Provided they do not exceed thirty-two (32) square feet in display service area, no more than one per front yard or street entrance, and not erected for more than thirty (30) days. Special event signs shall also include pennants, provided they do not exceed one per ten (10) foot spacing with a maximum total number of fifteen (15) pennants.
 - 7. <u>Temporary Signs</u>. As permitted in Section 411.7.
- 8. <u>Traffic Control Signs</u>. Provided they do not exceed four (4) square feet in display service area.

- 9. Warning Signs. As described in Section 411.6.10.
- 10. Menu Sign. Provided they do not exceed 4 square feet in display service area.
- 11. Rate and Price Signs for Parking Lots. Provided that only one sign per each business street entrance is allowed, no larger than two (2) square feet, and must qualify as a wall sign or be located on ticket dispensing machines in parking lots. Once permitted, the message upon the sign may be changed, but the location and size may not change without a new permit.

411.3.2 Sign Location.

All signs shall be affixed, mounted, or otherwise installed in accordance with the building code adopted by the City of Gatlinburg and in accordance with one of the following locations, unless specifically prohibited elsewhere in this ordinance:

- 1. Freestanding Ground Signs.
- 2. Wall Signs.
- 3. Projecting Signs.
- 4. <u>Window Signs</u>. Provided they do not exceed thirty (30) percent of the gross window area.
- 5. Roof Signs are limited to only permanent signage and in accordance with Section 411.8.

No sign shall be located in relation to a public street, right-of-way, sidewalk, or thoroughfare so as to create a traffic hazard by distracting motorists, obscuring traffic signs, or impairing drivers sight lines; nor create hazards by blocking doors, windows, or other openings which are necessary for safe emergency egress, adequate fire suppression, or police surveillance activities; nor create hazards to pedestrians by obscuring, disrupting, or otherwise interfering with the safe movement of pedestrians.

411.3.3 Sign Structures.

A sign structure shall be limited to that portion of the structure that is only necessary for the support of the sign and shall be designed so as to adequately support the weight being imposed on the structure, including applicable wind loads. All other portions of the structure including sign roofs in the building setback area shall be considered as part of the sign display service area.

- 411.3.4 <u>Sign Height.</u> Unless otherwise mentioned in this ordinance, no sign shall have a height of more than twenty-five (25) feet above average grade, but in cases of unique topography or congestion, the height may be extended to a maximum of thirty (30) feet above any point of grade, including flagpoles. No sign shall be less than nine (9) feet clear above any private drive or pedestrian walkway and no less than seven (7) feet clear above any covered walkway.
- 411.3.5 <u>Sign Setback</u>. The sign setback dimension shall be the least dimension from the leading edge of the sign or sign structure to any surrounding public right-of-way, street or sidewalk, whichever is furthest from the roadway centerline. The minimum setback dimension for each sign shall be five (5) feet. Businesses located in existing buildings which are located within the 5 foot setback area, with existing signage, shall be permitted to replace the signs provided the new signs comply with the number and size requirement of this ordinance, and extend no farther than the existing signage. No sign shall be allowed to be located on or overhang a public right-of-way, street, sidewalk or other 36 public property, except publicly owned and used signs specifically approved by the Board of Commissioners.
- 411.3.6 <u>Total Allowable Signage</u>. The total number of signs and sign area shall not exceed the limits established in the following sections, exclusive of those signs exempt from the permit requirements of this ordinance.
- 411.3.6.1 <u>Permanent Signage</u>. Each business or public function may have a maximum of four (4) permanent on-premise signs. The gross display service area of the sum of all signage is regulated proportionately with the closest setback dimension of any existing or proposed sign. Gross display service area is equivalent to twice the setback dimension of the closest sign plus fifty (50). The

relationship between sign display area and sign location shall not exceed the following:

Closest Setback Dimension	Gross Display Service Area	
5 feet minimum	60 square feet maximum	
10 feet minimum	70 square feet maximum	
15 feet minimum	80 square feet maximum	
20 feet minimum	90 square feet maximum	
25 feet minimum	100 square feet maximum	

Etc., up to a maximum gross display service area of 150 square feet. NOTE: Signs constructed of routed or sandblasted wood or other wooden materials, approved by the Environmental Design Review Board, may qualify for a display area increase of 25 percent.

411.3.6.2 <u>Incidental Signage</u>. The total number of incidental signs for each business is regulated proportionately with the building frontage on a public street and the front yard setback measured from that portion of the building line closest to the outside edge of the property line, public right-of-way, street or sidewalk, whichever is furthest away from the roadway centerline, except businesses located within the Commercial Aesthetic (C-A) Overlay District which shall be limited to a maximum of four (4) signs. Each business may have any combination of up to four (4) incidental business signs, plus one (1) sign for each additional five (5) feet of building frontage on a public street or fraction thereof over 25 feet, plus one (1) additional sign for each additional five (5) feet of building setback or fraction thereof over ten (10) feet. Each sign, which is an addition to the four (4) permitted each business, must be located on the business premises where the additional frontage or setback occurs.

411.3.6.3 <u>Double Sided Sign Area</u>. The gross display service area of a twosided sign includes only the display service area of one side provided, both sides of the

sign display the same identical information, physically connect at one point and run parallel to each other or have an angle of departure 45 degrees or less. 37

411.4 REMOVAL OF ABANDONED AND/OR UNSAFE SIGNS.

411.4.1 Abandoned Signs. Whenever it appears that a sign or sign structure has been abandoned or that an establishment advertised or identified by a sign or other identifying device is no longer in business, the sign administrator shall attempt to contact the owner and to cause its removal. Failing in this, a notice shall be placed in a local newspaper which shall declare the intentions of the city to remove the sign. The advertisement shall be allowed to run twice per week for two (2) consecutive weeks; and if the sign is not removed or suitable arrangements made for its removal within thirty (30) days of first notice published, the sign administrator shall cause the sign to be removed at the owners expense.

411.4.2 <u>Unsafe Signs.</u> Upon determination by the sign administrator that any sign is unsafe or unsecured, or is a menace to the public, he/she shall give written notice to the owner, agent, or person having the beneficial interest in the premises on which the sign is located. Correction of the condition which caused the sign administrator to give such notice shall be effected within ten (10) days after the receipt of the notice. If the condition is not corrected by the end of the ten (10) day period, the sign administrator is hereby authorized to cause the sign to be removed forthwith at the expense of the owner, agent, or person having the beneficial interest in the premises on which the sign is located. Notwithstanding the foregoing provision, the sign administrator is authorized to cause any sign to be removed summarily and without notice, at the expense of the owner, agent, or person having the beneficial interest in the premises on which the sign is located, whenever he/she determines that such sign is an immediate peril to persons or property.

411.5 <u>PROHIBITED SIGNS.</u> The following signs are hereby expressly prohibited in this ordinance:

- 411.5.1 <u>Portable Signs</u>. All signs which are not permanently affixed, erected, mounted or otherwise safely secured to a permanent structure shall be considered portable and therefore not allowed.
- 411.5.2 <u>Vehicular Signs.</u> Vehicle signs which are not used in the day-to-day operations of the business for which it advertises or vehicles parked on property and used for signage purposes shall be considered as portable signs and therefore not allowed.
- 411.5.3 <u>Off-Premise Signs</u>. Including outdoor advertising signs for any business, service, product, or facility not located inside the City limits of Gatlinburg.
- 411.5.4 Billboards.
- 411.5.5 Rate and Price Signs.
- 411.5.6 Sandwich Signs.
- 411.5.7 <u>Flashing/Blinking</u> Signs that flash, revolve, rotate, swing, move, or otherwise attract attention through movement or flashing parts.
- 411.5.8 <u>Posters and Handbills</u>, including all other flexible announcement devices which do not qualify as "temporary" or "special event" signage, or exempted signs per Section 411.6.
- 411.5.9 <u>Tree Signs</u>. All signs which are attached or otherwise affixed to trees or other living vegetation.
- 411.5.10 Any Sign which imitates, interferes with, obstructs the view of, or can be confused with any authorized traffic control sign, signal, or other device.
- 411.5.11 Any Sign that does not qualify as either "Incidental" or "Permanent" signage, or does not conform to the requirements of this ordinance.
- 411.6 EXEMPT SIGNS. The following signs are exempt from the permit requirements of this ordinance:
- 411.6.1 Vehicle Signs other than those which qualify as portable signs.

- 411.6.2 <u>Traffic Control Signs</u> not exceeding three (3) square feet in display service area which provide direction or instruction to persons using the facility, provided that such signs do not contain advertising of any kind.
- 411.6.3 <u>Flags</u>. Flags, emblems or insignia of political, professional, religious, educational, or corporate organizations, provided that such flags, emblems, or insignias are displayed for non-commercial purposes (i.e. pennants or buntings) and do not exceed thirty (30) feet in height from grade, no more than one of each category or type of flag.
- 411.6.4 <u>Governmental Signs</u> that are used for the control of traffic and other regulatory purposes, street signs, warning signs, and signs of public service companies indicating danger and aids to service or safety, and including banners, on private and public parking lots which meet the city's directional sign program requirements.
- 411.6.5 <u>Signs not Visible from a Public Way</u>. Signs which are not visible from a public thoroughfare or public sidewalk.
- 411.6.6 <u>Memorial Signs</u>. Memorial plaques or tablets, grave markers, statutory or other remembrances of persons or events that are non-commercial in nature.
- 411.6.7 <u>Instructional Signs</u>. Signs which give instructions such as no dumping, no trespassing, no fishing, no parking, open/closed or other similar messages, provided they do not exceed three (3) square feet in display service area.
- 411.6.8 <u>Vending Machine Signs</u>. Permanent, non-flashing signs on vending machines indicating only the contents dispensed therefrom, the pricing of the contents contained within, or directional or instructional information as to the use of such machines.
- 411.6.9 "Self-Service" or "Full-Service" Island Signs. Permanent, non-flashing signs on gasoline pump islands, provided they do not exceed three (3) square feet in display service area and no more than two (2) signs per island.
- 411.6.10 <u>Warning Signs</u>. Signs warning the public of the existence of danger. Such warning signs are limited to only such wording as is necessary to adequately warn

the public and may be of such type, size, shape, number, height, location or illumination as deemed necessary by the sign administrator to warn the public of the impending or existence of dangers.

411.6.11 <u>Holiday Decorations</u>. Signs, displays, or other materials temporarily displayed on traditionally accepted civic, patriotic, or religious holidays, or displayed in association with such civic events as are approved by the Chamber of Commerce and the Board of Commissioners, provided that the signs or displays shall not contain any form of commercial advertising.

411.6.12 <u>Name and Address Plates</u>. Signs indicting the occupants name, address of the premise or identification of any legal business, service or operation which exists on the premise, provided they do not exceed three (3) square feet.

411.6.13 Real Estate Signs in accordance with the following schedule:

Frontage	Number	Square Feet	Total
0-100	1	4 each	4 Sq. Ft
100-500	2	12 each	24 Sq. Ft.
Over 500	3	12 each	36 Sq. Ft.

Multiple signs must be separated by a minimum of 100 feet.

411.6.14 The Periodic Removal and replacement of incidental signs that were previously approved and permitted in accordance with Section 411.13 are not required to be reissued a permit, provided the name, ownership, lessee or nature of the business for which the original permit was issued does not change, and the sign continues to meet all the provisions of this ordinance and the conditions attached to the original permit.

411.6.15 <u>Auction Signs</u>. Signs describing the auction date for the proposed property sale, provided that such signs may not exceed 20 square feet in display service area, and are limited to one sign per lot, not to exceed a display duration of thirty (30) days.

- 411.6.16 <u>Yard Sale, Garage Sale Signs</u>. On premise, and not more than 4 square feet each.
- 411.7 <u>TEMPORARY SIGNS</u>. Temporary signs shall be allowed in lieu of permanent signage or for use by a temporary business or public function provided they meet the following requirements:
- 411.7.1 No more than one sign for each front yard area with access from a public street and not exceeding twenty-four (24) square feet of display service area, and
- 411.7.2 May be permanently erected for a period not to exceed 30 days and shall be removed within three (3) days after the erection of the permanent signage.
- 411.8 <u>ROOF SIGNS</u>. Roof signs shall be allowed only where pre-existing conditions of the land or structure exist which make the use of other sign locations impractical and impose a physical hardship. The applicant may present his/her roof sign proposal to the Board of Zoning Appeals. The Board of Zoning Appeals is hereby authorized to grant approval for the proposed roof sign, provided the sign meets the following requirements:
- 411.8.1 The gross service display area of the sign does not exceed ten (10) percent of the vertical plane area of the roof, but in no case shall it exceed the maximum gross area allowed for permanent signage, and
- 411.8.2 The sign shall not extend above the ridge of the roof and in no case more than twenty-five (25) feet above average grade.
- 411.9 <u>CHANGEABLE COPY (MARQUEE) SIGNS</u>. In order to promote more uniform signage through encouraging the use of changeable copy signs and thereby reducing the need for incidental signs, each business or public function is permitted one (1) marquee sign in addition to the total allowable signage permitted by Section 411.3.6.1, subject to the following limitations:
- 411.9.1 The gross display service area of the marquee sign does not exceed 50 percent of the maximum permitted by Section 411.3.6.1.

- 411.9.2 The total number of incidental signs erected for the business or public function does not exceed four (4).
- 411.10 <u>BUSINESS DIRECTIONAL SIGNS</u>. Business directional signs are permitted for certain qualifying businesses as discussed in Section 12-502 of the Gatlinburg Municipal Code. 41 411.11 SPECIAL CONSIDERATIONS. Opened or covered malls, shopping centers, multi-tenant buildings, arcades and similar uses are herein given the following special considerations:
- 411.11.1 The "mall" and each of the individual businesses or functions are allowed onpremise signage as permitted per Section 411.3. The "mall" has the full signage allowable as a business, exclusive of a "directory". Except that businesses within enclosed mall buildings whose only public access is from within the building, may either advertise on the building exterior, immediately adjacent to their business space, but shall be limited to one sign and a maximum size of 50 percent of the available wall area, not to exceed 35 square feet, or may advertise on an approved directory sign. Such directory signs, as described in 411.11.2, are permitted an additional display service area increase of ten (10) percent per each interior business. Also, the mall is permitted a 10 percent per each interior business increase in their mall business signage.
- 411.11.2 The "mall" is permitted one (1) directory sign which does not exceed in gross display service area the total allowable sign area permitted by Section 411.3.6.1.
- 411.11.3 The "premises" of the "mall" is the entire single parcel or property occupied. The "premises" of the various businesses or functions is the space occupied or directly connected to and associated with that particular business or function. Areas used by and which are common to all businesses, tenants or functions are considered to be off-premise to the individual businesses, and therefore, these signs are not allowed to the individual businesses in these areas. See Section 411.5.3.
- 411.12 <u>NON-CONFORMING SIGNS.</u> For the purpose of this section, a non-conforming sign shall be defined as a sign existing legally at the time of the

effective date of this ordinance which does not comply with every provision of this ordinance.

- 411.12.1 All non-conforming signs shall meet the provisions of Article IV, Section 401 of the Municipal Zoning Ordinance; except that off-premise, non-conforming signs shall be allowed to remain until such time as the nature of the business advertised thereon changes.
- 411.12.2 The appeal of any decision regarding Section
- 411.12.1 may occur as described in Article XI, Section 1103 of the Municipal Zoning Ordinance.
- 411.13 <u>SIGN PERMITS.</u> Each person erecting, replacing, expanding, or relocating a sign shall make application for a sign permit. A permit shall be required for each sign, except where specifically exempted in this ordinance. A sign permit shall be in addition to a building permit.
- 411.13.1 <u>Applications</u>. Applications for sign permits shall be submitted to the sign administrator and shall contain or have attached thereto such information in the form of photographs, scaled drawings, specifications, written agreements, and/or such information as required by the sign administrator to ensure compliance with the provisions of this ordinance.
- 411.13.2 <u>Approval.</u> It shall be unlawful for any person to erect any sign required to be permitted without first complying with all the following requirements, unless hereafter accepted:
 - 1. Completion of the application for a sign permit,
 - 2. Approval of the sign administrator,
 - 3. Review by the Environmental Design Review Board, except signs classified as "incidental signage",
 - 4. Approval by the Municipal/Regional Planning Commission, except for "incidental" signs and signs approved by the Environmental Design Review Board, and

- 5. Issuance of a sign permit.
- 411.13.3 <u>Sign Permit Fees.</u> In order to recoup the administrative costs associated with the processing, approval and issuance of a sign permit and inspecting the signs permitted under this section, the following fees shall be paid to the City for each sign permit issued:
 - 1. Incidental Sign \$10.00
 - 2. Permanent Sign (Requiring EDRB Review) \$50.00
 - 3. Permanent Sign (Requiring EDRB and PC Review) \$100.00