

ORDINANCE NO. 63-96

ORDINANCE NO. 63-96, AMENDING ORDINANCE NO.
1994-20 OF THE CITY OF SPANISH FORT, ALABAMA

BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF SPANISH FORT,
ALABAMA, THAT ORDINANCE NO. 1994-20 BE AMENDED AS FOLLOWS:

1. Section 1.46 of Ordinance No. 1994-20 is hereby amended to read, in its entirety, as follows:

1.46 Sign, Shopping Center: A ground sign identifying a shopping center as defined herein; a wall, marquee or canopy sign located on a store within the shopping center to identify the tenant therein.

2. Section 2.6 of Ordinance No. 1994-20 is hereby amended to read, in its entirety, as follows:

2.6 Non-Conforming Signs. Any non-conforming sign in existence on the date of enactment of this Ordinance, including off-premise signs and signs which have been made non-conforming due to annexation, shall be subject to the following conditions:

(a) The following to be removed or made to conform to this Ordinance within ninety (90) days:

(1) Non-conforming signs made of paper, cloth, or other non-durable material.

(2) All temporary signs other than those permitted herein.

(b) If any non-conforming sign is removed or more than 50% destroyed above ground level, the replacement sign shall be in conformity with the requirements of this Ordinance. No non-conforming sign existing at the time of the enactment of this ordinance may be improved or expanded.

(c) Where a change in use, occupancy or ownership occurs which necessitates the altering of a sign, with the exception of off-premise signs, in any manner, the altered or changed sign shall be in conformance with the requirements of this Ordinance.

(d) Upon failure to comply within the time specified, the Planning Commission is hereby required to recommend to the City that it cause removal as provided by law of such sign and any expense incident thereto shall be paid by the owner, agent, or lessee of said sign or of the property upon which the sign is located.

(e) Existence of any non-conforming sign on the premises will prohibit issuance of further sign permits while non-conforming use exists.

3. Section 2.7 of Ordinance No. 1994-20 is hereby amended to read, in its entirety, as follows:

2.7

Exempt Signs.

(a) Except as otherwise provided, the following on-site signs are exempt from the provisions of this Ordinance and may be erected without securing a permit, subject, however, to meeting all other applicable codes and regulations.

(1) One (1) professional nameplate for each occupant. Each professional nameplate shall not exceed six (6) square feet in area.

(2) One (1) identification sign for each premise, denoting only the name, street, number and business of an occupant in a commercial building or public institutional building. An identification sign shall not exceed six (6) square feet in area.

(3) One (1) bulletin board or identification sign per site for public, charitable, educational or religious institution located on the premises of said institution and not exceeding thirty-two (32) square feet in area.

(4) Legal notices and official instruments.

(5) Flags or insignias of a governmental organization mounted on a single pole.

(6) Flags or insignias of a religious, charitable, fraternal, or special interest organization, mounted on a single pole for a seven (7) day period. Flags or insignias shall be limited to fifty (50) total square feet in area.

(7) Decorative flags, banners and bunting authorized by the City Council for a city-wide celebration, conventions or commemorations.

(8) Seasonal or holiday lights and decoration only during customary duration of holiday period.

(9) Memorial signs, tablets or cornerstones, names of buildings and date of erection when cut into any masonry surface or when constructed of bronze or other noncombustible materials.

(10) Nonadvertising (not to exceed two (2) square feet in area) directional signs or symbols (e.g. entrance, exit, caution, slow, no trespassing) located on and pertaining to a parcel of non-commercial private property.

(11) Identification signs at the entrance drive of residences, estates, farms, ranches, and plantations which do not exceed two (2) square feet in area.

(12) One (1) non-illuminated, double-faced, temporary, real estate for sale sign per street frontage not exceeding in face area:

a. In residential zoning districts:

1. Six (6) square feet where the property being advertised has a frontage of less than five hundred (500) lineal feet.

2. Sixteen (16) square feet where the property being advertised has a frontage of five hundred (500) lineal feet or more.

b. In all other districts, sixteen (16) square feet where the property or structure being advertised has a frontage of less than two hundred (200) lineal feet.

c. In all other districts, thirty-two (32) square feet where the property or structure being advertised has a frontage of two hundred (200) lineal feet or more.

d. Multiple-listing strips and sold signs may be allowed when attached to a real estate for sale sign. Signs shall be removed immediately when ownership has changed or the property is no longer for sale, rent, or lease. Open for inspection signs not exceeding two (2) square feet in area may be allowed on property that is open for inspection.

(13) One (1) construction sign per street frontage located on property where building is actually in progress under a current building permit. This shall be a ground sign not to exceed thirty-two (32) square feet for non-residential structures and sixteen (16) square feet for residential structures and may include the names of persons and firms performing services or labor, or supplying materials to the premises. Such sign must be removed before a certificate of occupancy is issued.

(14) Political signs, on private property provided such signs shall not exceed 16 sq. ft. in area (6 sq. ft. in a residential district), such signs shall not be erected more than 30 days before an election and must be removed within 3 days after the election.

(15) Window signs which identify or advertise activities, services, goods or products available within the building and which collectively cover twenty (20) per cent or less of the window glass surface area.

- (16) Signs incorporated on machinery or equipment at the manufacturer's or distributor's level, which identify or advertise only the product or service dispensed by the machine or equipment, such as signs customarily affixed to vending machines, newspaper racks, telephone booths, and gasoline pumps and do not exceed two (2) square feet per piece of equipment.
- (17) Directional and regulatory signs erected by an agency of government or any lawfully constituted utility.
- (18) One under-canopy sign per business not to exceed 3 sq. ft., in area, not lower than 8 ft. clear above the walkway surface and not illuminated.
- (19) Historical signs erected by a state or government agency or any lawfully constituted historical society. Historical signs shall be in conformity with this ordinance.

4. Section 2.8 of Ordinance No. 1994-20 is hereby amended to read, in its entirety, as follows:

2.8 Sign Standards

- (a) Visual Obstruction: Signs shall not obscure vision between heights between three and nine feet above the grade level of the primary roadway which they face. Signs shall not be allowed in a sight triangle.
- (b) Protection of Residential Districts:
 - (A) Except as may otherwise be provided herein permanent signs are prohibited in single family residential districts.
 - (B) Signs in commercial or industrial districts which abut residential districts shall not be located closer than twenty five (25) feet to any residential boundary line.
 - (C) Illuminated or neon signs shall be diffused and shall not shine directly onto residential dwellings.
- (c) Ground signs, wall signs, mansard signs, marquee and canopy signs shall be subject to the following conditions:
 - (1) Temporary signs on private single family residential property are permitted at the property owner's discretion, provided, however, the sign shall be removed upon termination of the activity, such as, garage or yard sale, political campaign, real property sale or other like activity, for which it was erected. Signs permitted hereunder shall not exceed six (6) square feet in surface area.
 - (2) No new ground sign shall be larger than one hundred (100) square feet, except as otherwise provided herein.

- (3) Aggregate surface area of all signs shall not exceed one square foot of area for each two feet of building frontage occupied by the business displaying signs. Maximum aggregate surface area allowed for each frontage:
 - A. In professional business area developments, fifty (50) square feet.
 - B. In all other districts where allowed, one hundred and fifty (150) square feet if said sign is located more than 300 feet from the roadway sitting nearest to the applicable building. For setbacks greater than 300 feet any increase in sign area must be approved by the Planning Commission.
- (4) Signs in multiple-occupancy non-residential building.

Where a single building or complex of buildings contains two (2) or more separate activities or establishments, the individual establishment located therein shall be permitted a wall sign and wall sign area based on portion of building frontage used by establishment as though they were individual buildings with individual street frontage. Such multiple occupancy buildings will be permitted one (1) directory on a common single multi-listing sign with a surface area not to exceed ten (10) square feet and with a maximum height of sixteen (16) feet.
- (5) Maximum number of signs. Only one (1) ground sign and one (1) wall, mansard, marquee or canopy sign, shall be allowed for each premises; except that on corner and double frontage lots, two (2) ground signs are allowed, provided that premises with more than one (1) street frontage may utilize up to the maximum sign surface area allowed for each frontage, but no transfers of allowable area may be made from one frontage to another.
- (6) Ground signs.
 - A. Maximum height:
 - (1) All signs, maximum sixteen (16) feet above natural ground level or grade level (see definition) to the top of sign face or frame or supporting structure, whichever is higher.
- (7) Wall sign projection. Wall signs may not project more than twelve (12) inches from the building to which they are attached.
- (8) Mansard signs. Unless otherwise specified, the mansard type roof portion of a structure may be used for the mounting of a sign, provided such sign shall not extend above the break point of the mansard type roof line upon which the sign is mounted.

(9) Signs or sign structures located on a marquee or canopy shall be affixed flat to the surface and shall not be greater than six (6) feet in vertical dimension and shall not extend beyond the marquee or canopy.

5. Section 2.9 of Ordinance No. 1994-20 is hereby amended to read, in its entirety, as follows:


2.9 Shopping Center Signs. Each shopping center ground sign shall bear the name and identification of the shopping center and logo only.

6. Except as expressly amended herein, all terms and provisions as contained in Ordinance No. 1994-20 shall remain in full force and effect.

This Ordinance shall become effective immediately upon due adoption and publication as required by law.

ADOPTED THIS 18th DAY OF November, 1996.


MARY LYNN WILLIAMS
City Clerk


W. RAY CARTER
Mayor

CERTIFICATE AS TO PUBLICATION

I, the undersigned City Clerk of the City of Spanish Fort, Alabama, hereby certify that the foregoing Ordinance was published by me by posting thereof on November 19, 1996 in not less than four public places within the corporate limits of the City of Spanish Fort, to wit: **Spanish Fort City Hall, Spanish Fort Post Office, Spanish Fort Water System, Inc. Office, a business Papa John's**, and each of said copies remained continuously so posted for a period of not less than five consecutive days.

IN WITNESS WHEREOF, I have hereunto set my hand and affixed the official corporate seal of the City of Spanish Fort, Alabama.


City Clerk/Treasurer