

Ordinance No. 2012-001R1
Outdoor Sign Control

The Town Council of the Town of Gurley does hereby ordain as follows:

Section 0. Purpose

The purpose of this Article is to enable the consistent enforcement of sign regulations that: encourage the safe construction and effective use of signs as a means of communication with the public; maintain traffic and pedestrian safety; minimize adverse effects to nearby public and private property to protect property values; and protect the general welfare of the community.

Section 1. Applicability

Signs shall be sized erected, placed, created, painted and maintained within the corporate limits of the Town of Gurley in conformance with the requirements and procedures of these regulations.

Section 2. Definitions

Sign: Any building (walls, doors and windows), structure, device, fixture, display board, screen, cloth or other material that is directly painted on, designed using writing (letters, characters, words and numerals), graphics (drawings, emblems, illustrations, pictures, symbols and trademarks) flags (banners and pennants), lights, decorations or any combinations of the above and located to be visible and attract the attention of persons to make them aware of products, services, events or to communicate information of any kind to the public.

2.01. Sign Durability:

- A. Permanent Sign:** A sign affixed to a building or made of durable, or ruggedized materials and having a structure permanently attached to the ground and intended to be displayed for an extended period of time.
- B. Temporary Sign:** A sign intended to be displayed for a specified or limited period of time; often made of less durable materials.

2.02. Sign Location

- A. On-site Sign:** A sign related to the use and activities at the location where the Sign is located.
- B. Off-site Sign:** A sign relating to subject matter such as, a business, commodity, service or event currently being, or will be, conducted, sold, rented, leased, or otherwise offered for disposition at another location other than where the sign is located.

2.03. Detached (from property) Sign:

- A. **Billboard:** Any large sign supported by a structure of uprights, such as poles, and braces; typically anchored to the ground, but occasionally placed on top of a building or structure for the purposes of advertising a business, commodity, service or event currently being, or will be, conducted, sold, rented, leased, or otherwise offered for disposition, at a premises other than where the sign is located.
- B. **Ground Sign (*Monument Sign*):** A sign that has the entire base in direct contact with or in very close proximity to the ground.
- C. **Pole Sign:** A sign that is supported on one or more poles to elevate the sign above the grade level.
- D. **Sign Structure:** Any construction, other than a pole, designed to support and used to elevate a sign above grade level.

2.04. Attached (to property) Sign:

- A. **Attached Flush Sign (*Announcement or Name Sign*):** Similar to a wall sign except smaller in size and used to identify the building. Attached flush sign shall be extended to include building cornerstones.
- B. **Canopy and Awning Sign:** Signs on canopies and awnings that are attached to buildings and structures.
- C. **Door and Window Sign:** Any sign, picture, symbol, or combination thereof designed to communicate information about a business, commodity, event, sale, or service for the location on which it is located that is placed inside or upon a door or window and is visible from the exterior of the window.
- D. **Marquee Sign:** A permanent sign containing messages in the form of removable letters or changeable copy that is designed and attached as an integral part of a building or free standing sign structure. Typically the lettering on a marquee sign is changeable. Also, may be referred to as a reader board.
- E. **Projecting Sign:** Any sign extending over the public right-of-way; whether the sidewalk or street line.
- F. **Roof Sign:** Any sign erected, constructed, or maintained on the roof of any building or structure.
- G. **Suspended Sign:** A sign hanging down from a structural element that would exist whether or not the sign was placed in that position.
- H. **Wall Sign:** Any sign on a surface directly applied on the wall or to material on a plane that is affixed on or close proximity to a wall of any building or structure.
- I. **Area, Sign:** The area of the sign, excluding the structural elements not forming an integral part of the display.

- J. Banner:** Any sign made of cloth, canvas, plastic sheeting or any other flexible material, which is not rigidly and permanently attached to a building or the ground through a permanent support structure.
- K. Construction Sign:** A sign listing architects, contractors, engineers, financial institutions, suppliers or other persons providing materials and services or performing work at the construction site where the sign is located.
- L. Commercial Sign:** When describing the content of a sign, a sign advertising, identifying, directing attention to, or otherwise relating to commerce and to property, goods or services for sale, lease, exchange or any other transaction where value is given or received by any party to the transaction.
- M. Directional Sign:** A sign, erected with the approval of the authorized government authority, to denote routes, give directions, regulate traffic, to mark certain facilities for special use (handicapped) or to provide directions to specific buildings or locations.
- N. Erect:** To construct, reconstruct, build, relocate, raise, assemble, place, affix, attach, create, paint, draw, or in any other way bring into being or establish a sign. It shall not include any of the foregoing activities when performed as an incident to change a message on a reader board, or maintain the sign.
- O. Flashing Sign:** A directly or indirectly illuminated sign on which artificial light is not maintained in a stationary position or at a constant intensity or color at all times when in use.
- P. Freestanding Sign:** Any sign supported by structures or supports that are placed on, or anchored in the ground and that are independent from any building or other structure. The posts or other supporting structures shall be considered as part of the sign, except that they shall not be included in computing the sign display area.
- Q. Grade Level:** The finished elevation of the lot or development site upon which the sign is located.
- R. Political Signs:** Any temporary sign promoting the campaign of an individual for public office or an advertisement for an amendment or referendum on a public issue.
- S. Portable Sign:** Any sign not permanently attached to the ground or other permanent structure, or a sign designed to be transported. Portable signs include, but are not limited to, signs on wheels, A-frame or T-frame signs, signs attached to vehicles that are not part of the normal day-to-day operation of a business, and temporary metal/cardboard/plastic/wood signs inserted in the ground containing a commercial message other than real estate signs.

SECTION 3. Pre-Existing Non-Conforming Signs

All existing signs, including billboards, erected prior to the adoption of these regulations, but not conforming with these regulations, are considered non-conforming signs and shall be regulated as follows:

3.01. Permanent Signs

- A. Non-conforming permanent signs including billboards may be continued and maintained for a period of five (5) years after the effective date of this Ordinance. It shall be the responsibility of the person owning a non-conforming permanent sign to document that the sign pre-existed and claim non-conforming status for the sign. At the expiration of the five year period, the non-conforming sign must be removed at owner's expense. Pre-existing non-conforming signs in newly annexed areas shall be removed in accordance with this schedule.
- B. Normal maintenance of non-conforming signs, such as changes on the faces of the sign is not subject to these requirements. Non-conforming permanent signs that are totally replaced as a part of future maintenance shall fully comply with these regulations.
- C. When a change in use, occupancy or ownership occurs that necessitates the changing of a non-conforming permanent sign, the replacement sign shall fully comply with these regulations.
- D. Whenever a non-conforming permanent sign is damaged to 50% of the current fair market value or destroyed, including natural acts, or becomes obsolete for any cause, any replacement sign shall fully comply with these regulations.
- E. Non-conforming permanent signs that are relocated on the same property or moved to a different lot shall fully comply with these regulations.
- F. A non-conforming permanent sign that has changes to either the height or surface area shall fully comply with the applicable regulations after the modification.

3.02. Non-conforming, Temporary and Non-durable Signs

Non-conforming temporary and non-durable signs shall be brought into compliance with these sign regulations by taking the following actions:

- A. All non-conforming signs made of paper, cloth and other non-durable material shall be removed within 60 days of the enactment of this ordinance.
- B. All other non-conforming temporary signs shall be removed within 120 days of the enactment of this ordinance.

SECTION 4. Sign Regulations Applying to All Districts

4.01. Maintenance of Signs

- A. All signs and related sign structures shall be kept in a proper state of repair and preservation.
- B. The Town Administrator, or an appropriately designated representative shall be authorized to inspect and order:
 - 1. The painting, repair or alteration of poorly maintained or dilapidated signs, and
 - 2. The removal of signs that have been abandoned for a period of six consecutive months, subject to the requirements of these regulations, or signs that constitute a physical hazard to public safety.

3. Any repair, painting, alteration or removal shall be at the sign owner's expense.

C. Weeds and grass shall be kept cut beneath and for a distance of 10' in all directions from the perimeter of a sign. This area shall also be maintained free of debris and rubbish that would constitute a fire or health hazard or be construed as a nuisance.

D. **Abandoned Signs.** All signs and sign structures (i.e. frame, supports, etc) that are no longer functional; that identify a use or activity that has not occupied the site for a period greater than sixty (60) days; or for which the use or activity identified does not maintain a current business license; or which pertains to a time, event or purpose which no longer applies, shall be deemed abandoned. Said signs and sign structures shall be removed at the owners' expense within 30 days of becoming abandoned.

The removal of a frame of an abandoned sign shall not be required, if it conforms to all applicable terms contained in these regulations (including the sign face area). Any structure, which supported or supports an abandoned sign and which conforms to all applicable terms contained in these regulations shall be allowed to remain in place. However, in the event a sign structure which supported or supports an abandoned sign is inconsistent with any term contained in these regulations (including the sign face area for sign replacement yielded by the frame); then the sign structure and frame shall be either altered to comply with the terms contained herein or removed by the owner(s) of such structure or property.

E. Written orders for sign maintenance shall be sent to the person owning or using the sign or advertising structure or the owner of the building or premises on which the sign is affixed or erected. The person responsible for the sign shall have thirty (30) days to maintain the sign in accordance with the written notice. If no action is taken, a second thirty (30) day notice will be issued by the Town. Failure to take the required maintenance action in response to the second notice shall be considered a violation of these regulations and grounds for the imposition of penalties and remedies as provided by law.

4.02. Exempt Signs.

A. Signs required for legal notices and other official instruments.

B. Flags and insignias of governmental, religious, charitable or fraternal organizations with an area of less than 50 square feet and mounted on a single pole.

C. Decorative flags and bunting as authorized by the Council for city-wide celebrations, commemorations or conventions.

D. Memorial signs, tablets or cornerstones, names of buildings and dates of erection when included as an integral part of the building and constructed of bronze or other durable material or cut into masonry surfaces.

E. Directional signs and symbols (e.g. entrance, exit, handicapped), not exceeding four square feet in size, used solely for the purpose of traffic or pedestrian direction and placed on the property to which the public is directed. Signs identifying public telephones, trash receptacles, first aid facilities, and shopping cart corrals are considered directional signs.

F. One monument identification sign, with bulletin/reader board, per site for public, educational, charitable and religious buildings that shall be located on-site, the combined area of which is not to exceed 32 square feet in area or 5' in height, and be located a minimum of 10 feet from the right-of-way.

G. Holiday lights and decorations during customary holiday periods.

H. Decorative flags not to exceed 15 square feet in area in residential districts.

4.03 Temporary Event Signs.

A. **Political Signs:** Political signs are temporary signs that may be placed on private property provided such signs are placed a minimum of 5 feet from the edge of road, curb, or 1 foot from the right of way, mounted no higher than four feet above ground level, and are less than 6 square feet in all residential districts and 32 square feet in all other districts. Any political sign placed in a public right-of-way may be removed by the Town and the candidate billed for each sign removed. It shall be the responsibility of the candidate's sponsor and the private property owner to place political signs in conformance with this requirement and erect and remove them in a timely manner. All political signs shall be identified with the contact information of the sign sponsor.

B. **Community Functions and Special Events:** Signs to notify the public of community functions and special events are temporary signs that may be placed or erected following approval by the Council. Prior to requesting approval by the Council, the sponsor of the event shall meet with a designated representative of the office of the Building Official and develop a plan for locating the signs and preparing a description of the signs. Special event signs shall not be more than 32 square feet in area and shall be placed or erected in conformance with the plan approved by the Council or their designated representative. Community function and special event signs shall not be placed more than 45 days prior to an event and must be removed not more than 7 days after the last day of the event. Identification of a responsible legal entity for the placement and removal of the signs is required.

C. All temporary signs such as yard sale signs, political signs, or other like signs shall be removed by parties involved after their usefulness has been fulfilled or upon notification of the Building Official

4.04 Prohibited Signs.

A. Any sign that emulate traffic signs by using words such as "stop" or "caution" and emulates the shape and/or color in a manner to copy or imitate a traffic control sign.

B. Any sign or sign structure placed in any public right-of-way including sidewalks or on any public land except informational and directional signs placed by an appropriate public entity or at the direction of the Town of Gurley.

C. Signs that flash, illuminate intermittently, or are animated to change physical position by movement or rotation, except for date, time, temperature and electronic bulletin board type signs.

D. Signs that emit any detectable smoke, vapor, odor, particles or that include any lighting or control mechanism that interfere with radio, television or electronic means of communication.

E. Any sign painted on or attached to an object and placed less than 5' from the edge of the pavement or placed on a public right-of-way or public land for the purpose of advertising.

F. No banners, pennants, streamers or other types of temporary signs shall be hung over, or placed within, the public rights-of-way.

- G. Signs attached to or painted on trees, fences, fire escapes, elevated water storage tanks (stand pipes), utility poles, or traffic sign standards.
- H. Signs painted on a sloping roof or wall of a building unless specifically approved by the Town Administrator or designee, and is consistent with limitations of special provisions of the zoning district.
- I. Tethered inflatable signs of all types.
- J. Roof Signs
- K. Portable signs in any zoning district.
- L. Billboards in any zoning district.

4.05. Placement of Signs.

- A. Signs and advertising structures shall not obstruct any window, door, fire escape, stairway, or opening intended to provide light, air, or access or circulation on driveways intended for ingress or egress to any building or structure.
- B. No sign or advertising structure shall be placed or erected, permanently or temporarily, that obstructs the sight triangle associated with any public or private street, road, highway or alley within the Town.
- C. Any sign exceeding fifty (50) square feet, exclusive of necessary structural support, shall be placed a minimum of ten (10) feet from all property lines and street (public or private) rights-of-way.

4.06. Design Criteria.

- A. Illuminated signs and service wiring shall be in compliance with applicable building and electrical codes in use by the town.
- B. Lighting, when permitted, shall be so designed that the intensity and characteristics of the lighting shall not interfere with adjoining properties or create danger for street traffic. All lighted signs shall conform to the Town of Gurley Lighting Ordinance.

SECTION 5. Sign Regulations for Residential Districts

5.01. On-site Signs Required

All signs in a residential district shall be limited to on-site signs except for subdivision identification markers. Off-site signs displaying information or advertising products or services at other locations are prohibited in all residential districts.

5.02. Flashing Signs Prohibited. No flashing electric, or electronic, or otherwise automated signs shall be permitted in residential districts.

5.03. Attached Signs.

- A. Attached signs, such as house numbers and the name of the residents are permitted.
- B. One (1) sign shall be permitted for approved home occupations. The sign shall not exceed two (2) square feet in area and shall be non-illuminated, and be mounted flat against the wall of the principal building. Other signs or displays of goods on the property are prohibited.

5.04. Freestanding Signs.

- A. **Multiple Family Complex Identification Markers.** Each apartment complex or manufactured home community shall be allowed one sign to identify the name of the development. The sign shall not be more than 5' in height nor have an aggregate area of more than 32 square feet when including the total area defined by the sign and supports.
- B. **Mailboxes and Street Numbers.** Each dwelling unit receiving mail at a curb side mail box may attach one sign to the mail box to identify the name of the resident and provide the street address. Such signs shall be limited to the length of the mail box and shall not extend either higher than 9" above the mail box or hang lower than 1' below the mailbox.
- C. **Freestanding Signs Prohibited.** All other freestanding signs are prohibited in all residential districts.

5.05. Temporary Signs.

A. Construction Signs:

- 1. **Subdivisions.** A maximum of two temporary construction signs shall be permitted at the primary entrance to a subdivision. Each sign may be up to 32 square feet in area and shall not be mounted higher than 6' above ground. The subdivision construction sign shall not be located within 20' of an existing edge of pavement or curb. Temporary subdivision signs shall be removed no more than 30 days following the completion of the development of the subdivision, but not including the construction of houses.
- 2. **Home Sites in New Subdivisions.** A maximum of six on-site signs per lot may be posted at any time to indicate that the lot is for sale and to identify contractors and suppliers. Each individual sign shall not exceed 2 square feet in area; be posted higher than 3' above ground level; or be closer than 15' to the edge of pavement or curb. Home site signs posted by contractors and suppliers shall be removed not more than 7 days after the completion of construction. Home site signs posted to identify the lot and offer it for sale shall be removed not more than 7 days after sale closing for the home or lot.

- B. **Repair Signs.** A maximum of one on-site sign per lot may be posted for a period of not to exceed 30 days to identify the contractor conducting repairs or performing construction at a residential property. The sign shall not exceed 3 square feet in area; be posted higher than 3' above ground level; nor be closer than 5' to the edge of pavement or curb. Home repair signs shall be removed not more than 7 days after completion of the home repair or construction.

- C. **Real Estate Signs.** A maximum of one sign per interior lot and two signs per corner lot may be posted to indicate a property or home is for sale or rent. Each sign shall not exceed 4 square feet in area, be more than 3' above ground level, nor be closer than 5' to the edge of pavement or curb. Rent signs shall be removed the day after rental. For sale signs shall be removed not more than 7 days following the sale closing for the home or lot.

D. Yard Sale Signs. One sign, not to exceed four (4) square feet or be mounted more than 3 (3) feet above ground level, may be located in the yard (not on the public right-of-way) of the premises where the sale is being held. Two lead-in yard sale signs may be placed off-premise with property owner's permission.

E. Subdivision Identification Markers. Each subdivision shall be allowed either one double-faced, or two single faced, monument style signs to identify the name of the subdivision. Subdivision identification markers shall be monument style signs not higher than 4' and having a total surface area, including architectural features and signage, of 80 square feet. The signage shall not exceed 36 square feet. An acceptable legal entity, other than the Town, shall be identified to provide maintenance for each subdivision identification sign.

SECTION 6. Sign Regulations for Commercial Districts.

6.01. General Requirements. These sign requirements shall apply to all land, buildings, and structures in commercial zones based on the actual use characteristics of the land, building, or structure.

6.02 Attached Signs for Businesses. Each use shall be permitted either one attached "Wall" sign or one projecting sign subject to the following limitations.

A. Allowable Signage Area.

1. The sign area shall be computed at one and one-half square feet of sign per linear foot of wall on which the business, or individual tenant, has a main entrance.
2. Window signs shall be limited to 20 percent of the total glass area of the window in which the sign is placed or near. Neon tubing outlining a window shall be included in the sign area and measured by multiplying the length of tubing by 0.5 feet. Illuminated window signs within five feet of any window shall be included in the computation of sign area. Total overall window signage shall be counted toward the allowable overall building signage of the building or unit which the window occupies.

B. Multiple Frontages

1. Properties located at the intersection of major streets, as identified by designation as a United States or Alabama highway, shall be allowed one additional attached sign on the secondary building face that shall not be more than 65% of the sign area on the primary face of the building.
2. If the intersecting street provides access to residential development immediately behind the lot or if residential development is directly across the intersecting street, then no additional sign shall be permitted on the second frontage.

C. Projecting Signs. No sign shall project more than five feet from the face of the building.

D. Sign Height. No sign shall be erected above the parapet of the building or more than 20' above ground level, whichever is less.

E. Illumination. Signs may be illuminated subject to the general requirements for all signs.

F. Canopy or Marquee Signs. In developments with multiple businesses, each business shall be allowed two canopy or marquee signs, with each such sign limited to a maximum of three square feet.

6.03. Freestanding Signs for Businesses. Each development shall be allowed one freestanding on-site sign subject to the following conditions.

A. General Criteria. Freestanding sign regulations are intended to reduce competition among signs and increase visibility for individual developments by controlling the size, height and number of freestanding signs. Low "eye level" monument and ground-mounted type signs are highly encouraged over signs mounted on poles or structures. All signs shall comply with the provisions for the zoning district in which the sign is located.

B. Allowable Sign Area. The allowable sign area for monument and ground-mounted signs shall be computed at 1.5 square feet per linear foot of street frontage based on lot width or street frontage for the entire development up to a maximum of 250 square feet of sign area. Multiple tenant developments may add an additional 15 square feet of freestanding sign per tenant up to a maximum of an additional 150 square feet of sign area. The allowable sign area for pole mounted signs shall be limited to 30% of the sign area calculated for monument and ground-mounted type signs.

C. Secondary Signs on Through Lots. A second freestanding sign may be located on the second front of a through lot subject to the following conditions. The maximum area of the second sign shall be limited to 20 square feet if the through lot is located across from or within 75' distance of any residential district; otherwise the sign may be 50 square feet. The second sign must be incorporated in a landscaped area of at least 50 square feet. The landscaping shall consist of shrubs, ground cover, or other suitable plant materials and exclude grass and impervious surfaces.

D. Sign Height. The maximum height of a freestanding sign shall be set in relation to the setback from the right of way provided as shown in the following Schedule for Sign Height and Setback. No sign shall exceed 20 feet in height.

Schedule for Sign Height and Setback

Height of Sign	Setback Requirement
Up to 10'	10'
10' to 20'	10' plus 1.0 additional foot of setback per foot of height

E. All freestanding signs that are 10 feet or more in height shall be constructed with double supports.

F. Illumination. Freestanding signs may be illuminated subject to the general requirements for all signs.

G. Sign Location. Freestanding primary and secondary signs on through lots shall be located to maintain sight triangles at intersections and driveways.

6.04. Temporary Signs

A. Repair Signs

1. **Residential.** Repair signs at residential uses in commercial districts shall comply with requirements for residential repair signs as established elsewhere in this Ordinance.
2. **Commercial.** A maximum of one on-site sign per lot or building may be posted for a period of not to exceed 60 days to identify the contractor conducting repairs or performing construction on the property. The sign shall not exceed 12 square feet in area; be posted higher than 6' above ground level; nor be closer than 15' to the edge of pavement or curb or behind the public right-of-way line, whichever is greater. Business repair signs shall be removed not more than 7 days after completion of the business repair or construction.

B. Real Estate Signs

1. **Residential.** Real estate signs on residential uses shall comply with requirements for residential real estate signs as established elsewhere in this Ordinance.
2. **Commercial.** A maximum of one sign per interior lot and two signs per corner lot may be posted to indicate a property or business is for sale or lease. Each sign shall not exceed 16 square feet in area, be posted higher than 6' above ground level, nor be closer than 15' to the edge of pavement or curb or behind the public right-of-way line, whichever is greater. Lease and rent signs shall be removed the day after leasing. For sale signs shall be removed not more than 7 days following the sale closing for the business or lot.

C. Other Temporary Signs

1. **Residential.** Residential temporary signs shall comply with the residential temporary sign requirements as established elsewhere in this Ordinance.
2. **Commercial.** Temporary signs not identified elsewhere in this Section shall not be posted on the property for more than one period per month and not for more than 10 consecutive days during each period. Such signs shall not exceed 32 square feet in area. Unless attached to the building the sign shall not be more than 10 feet above ground level, as measured from grade to top of sign; nor be closer than 15' to the edge of pavement or curb or behind the public right-of-way line, whichever is greater.

6.05. Off-site Lead-In Signs

Off-site lead-in signs are prohibited in residential districts with the exception of signs directing traffic to schools, churches, government offices and facilities, and civic organizations. Off-site lead-in signs in residential districts shall not exceed 8 square feet in area per face. In non-residential districts, no off-site lead-in sign shall exceed 48 square feet in area per face, excluding the base and trim. The Sign area of the Off-site lead-in sign shall count toward the total allowable signage where the sign is located.

SECTION 7. Sign Regulations for Industrial District

7.01. General Requirements. These sign requirements shall apply to all land, buildings and structures in industrial districts.

7.02 Attached Signs for Industries.

- A. Each industrial use may have one surface mounted sign that shall not exceed 300 square feet. The sign may be internally illuminated and subject to the Town of Gurley Lighting Ordinance.
- B. Roof mounted signs are prohibited.

7.03. Freestanding Signs. Each industry may have one freestanding monument style sign to identify the name of the industry. The sign shall adhere to the yard setback requirements of the Industrial district and shall not be located in a sight triangle. The sign shall not be over 8 feet in height or exceed 150 square feet, excluding architectural features.

7.04. Temporary Signs

- A. **Real Estate Signs.** A maximum of two signs per industrial lot may be posted to indicate a property or industry is for sale or lease. Each sign shall not exceed 32 square feet in area, 6 feet in height, nor be closer than 15' to the edge of pavement or curb. Lease signs shall be removed the day after leasing. For sale signs shall be removed not more than 7 days following the sale closing for the industry or lot.
- B. All other temporary signs are prohibited in industrial districts.

SECTION 8. Administrative Requirements and Procedures

8.01. Sign Permits Required. A sign permit is required for any permanent sign having one or more of the following characteristics:

- A. Exceeding 35 square feet in area;
- B. Elevated more than 10 feet above ground level;
- C. Projecting over or located in any public right-of-way, such as a sidewalk or bench sign;
- D. The height of the sign, as measured from the outer base of the sign along the ground, would indicate that if the sign fell it could strike another building or structure or obstruct a public right-of-way; and
- E. All off-site signs.

8.02. Application for Sign Permit. Written application for a sign permit shall be made to the Town Clerk on the forms provided by the Town and be supplemented by a location map, site map and a complete description of materials and the structural details of the sign.

- A. The site map shall show the location of the sign on the lot and adjacent property for a distance equal to the height of the sign plus 10'. The map shall indicate the property lines, existing buildings, structures, existing and proposed signs and their setbacks.
- B. The description and details of the sign shall include, but not be limited to, complete structural specifications including footings, anchoring and support for projecting signs and outdoor advertising structures. All sign structures shall conform to the Standard Building Code.
- C. Additional information as needed to fully describe the sign and determine that the sign will be in compliance with the requirements of these regulations.

8.03. Indemnification of Town. Every sign application shall include an agreement of indemnification and hold the Town harmless for any damages or expenses that may be incurred because of the sign and related structure.

8.04. Certification by Registered Engineer. All signs requiring permits shall be in compliance with the provisions of all codes and ordinances and the use of current engineering structural design criteria and practices.

8.05. Fees. A permit fee shall be paid to the Town Clerk at the time an application for a sign permit is filed. The fee shall be in the amount specified in the schedule adopted by the Council.

8.06. Review of Application. Upon receipt of a complete application the Planning Commission or other authorized official shall review the plans, specifications and other data. If the application is determined to meet all requirements, the Planning Commission shall direct that a sign permit be issued. If the application is denied the Planning Commission shall state in writing the reasons for disapproval. The applicant will be notified of approval or disapproval.

8.07. Duration of Sign Permit. A sign permit shall be valid for a period of six months following the date it was issued. If the sign is not erected within six months a new application for a sign permit shall be submitted.

8.08. Modification of Permitted Signs. No permitted sign may be structurally altered without obtaining another sign permit and providing complete information regarding the proposed modification.

SECTION 9. Appeals

All appeals of decisions applicable to this article shall be made pursuant to the remedies set forth in the Zoning Code for the Town of Gurley.

SECTION 10. Enforcement

The Administrative Officer or designated Building Official is hereby empowered and directed to administer and enforce the provisions of this article relating to signage control for all zoning districts.

SECTION 11. Violations and Penalties

A. Violation of any provision of this article shall be and is hereby declared to be unlawful and a public nuisance. Any violation of any provision of this article shall be subject to summary, administrative or judicial abatement of the nuisance by the city, and be subject to fines, penalties, fees and costs imposed by the Town, or the court pursuant to the summary or administrative abatement procedures contained in this Code or any other provision of law.

B. Any person, firm, corporation or other entity, whether owner, lessee, subleases, sublease, or occupant of any premises that violates the provisions of this article shall be guilty of a misdemeanor for each day such violation continues, and upon conviction thereof, shall be punishable by a fine not to exceed one thousand (\$1,000) dollars per day, or by imprisonment of no longer than six (6) months, or both.

C. Every day that any such violation continues shall constitute a separate offense.

D. Fines:

1. Town fine per Municipal Arrest Citation (MAC) shall be equal to the number of signs in violation times

fine of \$25.00 equals total town fine per MAC, not to exceed \$1,000 per day. Each MAC shall constitute one day of fines.

2. Sign Removal by the town shall be summarily fined by the town at removal costs plus a \$100 administrative fee.
3. Sign maintenance orders that result in a MAC, or remedial actions by the town, shall be fined at costs plus a \$100 administrative fee.

E. Procedures:

1. First citation for non-conforming signs is a WARNING (See attached) with 7 calendar days to comply.
2. Second citation for non-conforming signs is a Municipal Arrest Citation (MAC) written by the Town Administrator and served by the Gurley Police for the Municipal Court. After this, Municipal Arrest Citations will be written daily until first available Municipal Court date, or compliance, whichever comes first. Arrest Citation is a misdemeanor with a town fine of \$25.00 per sign per MAC until compliance.
3. Municipal Court can impose a sentence of up to 6 months imprisonment, or up to \$1,000 per day in fines, or both plus court costs.
4. Abandoned signs and sign maintenance procedures are covered in SECTION 4.01. Maintenance of Signs.

SECTION 12. Cumulative remedies

All remedies set forth in this article for the abatement or punishment of any violation thereof are cumulative and may be pursued separately or in combination. Provisions of this article are to be supplementary and complementary to all of the Town of Gurley ordinances, the Town of Gurley Code, state law, and any law cognizable at common law or in equity, and nothing herein shall be read, interpreted or construed in any manner so as to limit any existing right or power of the Town to abate any and all violations of this article.

Introduced on this 5th day of November, 2013, and passed and adopted on this 5th day of November, 2013.