

**NOTICE OF PUBLIC HEARING
BEFORE HOMEWOOD CITY COUNCIL**

Notice is hereby given that an ordinance to amend Article V. entitled "Signs" of Chapter 5 entitled "Buildings; Construction and Related Activities" to the Code of Ordinances of the City of Homewood, Alabama will be considered by the City Council of the City of Homewood at a public hearing to be held before the City Council of the City of Homewood on **Monday, January 29, 2024**, at the City Council Chambers at **6:00 p.m.**, at Homewood City Hall at 2850 19th Street South, Homewood, Alabama, at which time and place all persons who desire shall have an opportunity of being heard in opposition to or in favor of such proposed amendment to the Code of Ordinances. Copies of the proposed Ordinance amending Article V. entitled "Signs" of Chapter 5 entitled "Buildings; Construction and Related Activities" to the Code of Ordinances is available for inspection at the Offices of the City Clerk and the Building, Engineering and Zoning Department on the 4th floor of Homewood City Hall at 2850 19th Street South, Homewood, Alabama, prior to and up until the time of the public hearing identified above.

Witness my hand this the 18 day of December, 2023.



Melody Salter, City Clerk

This notice posted: December 19, 2023

At the following locations: Mayor's Office (City Hall), Homewood Public Library, Homewood Senior Center (Oak Grove Road) and Lee Community Center (Rosedale)

And at www.cityofhomewood.com

ORDINANCE NO. _____

AN ORDINANCE TO AMEND ARTICLE V. ENTITLED "SIGNS" OF CHAPTER 5 ENTITLED "BUILDINGS; CONSTRUCTION AND RELATED ACTIVITIES" OF THE CODE OF ORDINANCES OF THE CITY OF HOMEWOOD.

BE IT ORDAINED by the City Council of the City of Homewood at a regular meeting, duly assembled, a quorum being present, as follows:

Section A. That Article V entitled "Signs" of Chapter 5 entitled "Buildings; Construction and Related Activities" of the Code of Ordinances of the City of Homewood previously adopted by the City Council of the City of Homewood is amended to read as follows:

ARTICLE V. SIGNS

Sec. 5-150. Purpose and Scope.

It is the purpose of this Article V. Signs is to promote the public health, safety and general welfare through reasonable, consistent and non-discriminatory sign standards. The sign regulations in this Article are not intended to censor speech or to regulate viewpoints but are intended to regulate the adverse secondary effects of signs. The sign regulations are especially intended to address the secondary effects that may adversely impact aesthetics and traffic and pedestrian safety. The sign regulations are designed to serve substantial governmental interests and, in some cases, compelling governmental interests such as traffic safety and warning signs of threats to bodily injury or death. These regulations balance the need to protect the public safety and welfare, the need for a well-maintained and attractive community, and the need for adequate identification, communication and advertising for land uses.

- (1) **Applicability.** This article regulates signs that are visible from public streets or which are visible from one site to another. All such signs constructed within the city limits of Homewood, Alabama, must comply with this article, with the exception of:
 - a. West Homewood signs;
 - b. Traffic signs and all other signs erected or maintained by a governmental body;
 - c. Signs located entirely inside the premises of a building or enclosed space, other than window signs; and
 - d. Signs protected by state statue.
- (2) **Conflicting ordinances.** Where this article imposes a greater restriction on signs than is imposed or required by existing provisions of the law, ordinance, contract, or deed, the provisions of this section control. For sign standards not covered by this article, other applicable sections in Appendix A, Zoning are the requirement. All signs must comply with all relevant Federal, State or local regulations and ordinances regarding health, safety, and welfare.
- (3) **Liability and responsibility.** The provisions of this article will not be construed as limiting in any way the responsibility or liability of any person erecting or owning any sign for personal injury or property damage resulting from the placing of a sign, or resulting from the negligence or willful acts of such person, his or her agents, employees, or workers in the construction, maintenance, repair, or removal of any sign erected in accordance with a permit issued hereunder. Nor is it construed as imposing upon the

City or its officers or employees any responsibility or liability by reason of the approval of any signs, materials, or devices under the provisions of this ordinance.

- (4) **Severability.** The provisions of this article are intended to be severable. If any of its sections, provisions, exceptions, or parts should be held unconstitutional or void, then the remainder of the ordinance will continue to be in full force and effect.
- (5) **Effective date and repeal.** This article will take effect from and after the effective date of its passage and publication as required by law, the public safety and welfare requiring it. Upon adoption of this article, all previously existing regulations contained within Article V. entitled "Signs" of Chapter 5 entitled "Buildings; Construction and Related Activities" of the Code of Ordinance of the City are hereby repealed to the extent necessary to give these regulations full force and effect.

Sec. 5-151. Prohibited Signs

Signs with the following features are prohibited:

- (1) Animated signs;
- (2) Guy wires or similar insubstantial supports of freestanding or attached signs;
- (3) Inflatable signs, such as but not limited to balloons, gas inflated signs or similar signs;
- (4) Moving or flashing signs including but not limited to searchlights, streamers and spinners;
- (5) Off-premise signs, except for lots fronting Interstate 65;
- (6) Pole signs;
- (7) Portable signs, including A-frame signs, are prohibited, unless specifically permitted elsewhere in this article;
- (8) Signs attached or painted on trees, utility poles, rocks or natural features;
- (9) Signs incorporating noisy mechanical devices or emitting smoke or steam;
- (10) Signs in the right-of-way, except for attached signs projecting over a public sidewalk, unless specifically permitted elsewhere in this article;
- (11) Signs which pose a traffic hazard. No sign may be erected, operated, used or maintained which:
 - a. Due to its position, shape, color, format, or illumination, obstructs the view of, or may be confused with, an official traffic sign, signal, or device or any other official sign.
 - b. Displays lights resembling the flashing lights customarily associated with danger or those used by police, fire, ambulance, and other emergency vehicles.
 - c. Uses in a manner which may confuse motor vehicle operators, the words "stop," "warning," "danger," "turn," or similar words implying the existence of danger or the need for stopping or maneuvering.
 - d. Obstructs the view of motor vehicle operators entering a public roadway from any parking area, service drive, alley, or other thoroughfare;
- (12) LED signs;
- (13) Snipe or bandit signs; and

- (14) Vehicle-mounted signs. Except as provided elsewhere in this article or specifically exempted by other sections of this code, signs mounted upon, painted upon, or otherwise erected on trucks, cars, boats, trailers, and other motorized vehicles or equipment are regulated as ground signs and signs mounted upon a trailer chassis with or without wheels will be considered to be portable ground signs, which are prohibited.

Sec. 5-152. General Requirements

All on-premises signs in Homewood must conform to the following regulations:

- (1) **Permitted signs and restrictions.** Permitted sign types are limited by land use and the following restrictions according to Table 2. General Sign Restrictions, Table 3. Specific Freestanding Sign Regulations and Illustrations, and Table 4. Specific Attached Sign Regulations and Illustrations:
- a. **Clearance.** All signs must meet the following clearance to the lowest portion of the sign:
 1. Minimum eight feet above sidewalks; or
 2. Minimum 14 feet clear above vehicular areas.
 - b. **Double sided.** All signs may be double-sided by right, if the configuration of the sign permits. The second side does not affect the calculation of height and width.
 - c. **Measurement.** Square footage for this article is measured as follows:
 1. "Height" is measured from the finished grade to the highest point of the sign;
 2. "Width" is measured at the widest point of the sign; and
 3. The sign measurement includes all structures, framing, borders, monuments and related items.
 - d. **Illumination.** Illuminated signs are permitted as follows:
 1. All signs may be illuminated by an external light source.
 2. The source of indirect illumination for signs must be oriented or shielded so that it is not visible from any residential use or public street.
 3. Internal sign illumination is limited to window signs, wall signs, canopy signs.
 4. Internally illuminated signs are prohibited in the Residential zoning districts, except for vending machines, automated tellers, and displays smaller than three square feet in area.
 5. All electric signs must conform to the Electrical Code of the City of Homewood.
 6. No metal halide lights exceeding seventy-five watts, or high- or low-pressure sodium light bulbs will be permitted for either permanent or temporary signs. In no case will mercury vapor light sources be used for direct or internal illumination.
 - e. **Traffic visibility.** No permanent or temporary sign exceeding four square feet in area is permitted within 20 feet of an intersection street right-of-way line (40 feet if the intersecting street is an arterial highway), within 10 feet from the front lot line or a private drive. This limitation may be waived if the sign does not obstruct visibility between a height of 30 inches and eight feet above the nearest street grade level or does not interfere with traffic visibility for entrance onto and exit from the lot and adjacent lots and the visibility of traffic flow through nearby intersections, as determined by the code enforcement officer. In any event no sign may extend into any right-of-way, except for attached signs projecting over a public sidewalk.

- f. **Viewpoint neutrality.** No sign may be erected, operated, used or maintained which:
1. Obstructs the view of, or may be confused with, an official traffic sign, signal, or device or any other official sign;
 2. Displays lights resembling the flashing lights customarily associated with danger or those used by police, fire, ambulance, and other emergency vehicles;
 3. Uses in a manner which may confuse motor vehicle operators, the words "stop," "warning," "danger," "turn," or similar words implying the existence of danger or the need for stopping or maneuvering; or
 4. Creates in any other way an unsafe distraction for motor vehicle operations.
- g. **Sound.** No sign may emit sound.
- h. **Residential entry signs.** Permanent ground signs to residential developments may be erected at principal entrances to the project, in accordance with the following limitations:
1. One sign may be permitted on each side of the principal entrance to the development.
 2. No entrance sign may be internally illuminated.
- i. **Construction.** All signs must conform with City building and technical codes which provide a comprehensive set of construction standards for signs.
1. The area surrounding the base of a freestanding sign must be kept clear of all debris and undergrowth.
 2. Vegetation within the right-of-way may not be damaged, pruned, or removed to provide greater visibility of any sign.
- j. **Maintenance and repair.** All signs and components, including structural supports, must be kept in a state of good repair.
1. The area surrounding the base of any freestanding sign must be kept clear of all debris and undergrowth.
 2. No person may damage, trim, destroy, or remove any trees, shrubs, or other vegetation within a right-of-way or on any area where landscaping is required by City regulations.
- k. **Electronic message displays.** Electronic message displays may be permitted in the Commercial/Industrial land use designations according to the following standards:
1. The sign copy may change only through an immediate transition of the sign copy or message that does not have the appearance of moving text or images. The sign copy must not use flashing, intermittent or moving lights or produce the optical illusion of movement. No part of the sign structure or cabinet may move or rotate.
 2. The sign copy must be displayed for a minimum of thirty seconds.
 3. The sign must use photocell technology to control and vary the intensity of lighting depending on the amount of ambient light that is present (e.g. daytime, nighttime, cloudy conditions). The intensity of the lighting may not exceed 5,000 nits from dawn until dusk and 250 nits from dusk until dawn.
 4. The sign must conform to the size and placement standards [Table 2. General Sign Restrictions.](#)

5. The signs may be located only as follows:
 - i. On property adjacent to a highway, major arterial, arterial or collector street.
 - ii. Spaced a minimum of 100 feet from flashing warning signs.
 - iii. A minimum of 250 feet from any other electronic message display.
6. The maximum height of an electronic message display located on a ground sign within 50 feet of a traffic signal is eight feet. The maximum height of the electronic message display may increase one foot for every 12 feet in additional setback from the traffic signal to the maximum height permitted by the standards of Table 2. General Sign Restrictions in the applicable zoning district. The distance between the electronic message display and the traffic signal is measured between the closest points of each, as demonstrated on a site plan or survey submitted with the sign permit application.
7. Any message transition must be instantaneous.
8. In addition to their on-premise advertising and identification purposes, the electronic message displays may be used for warning signs.
1. **Temporary signs.** Temporary signs may only be freestanding.
 1. General criteria. A temporary sign is unlawful if it does not meet the criteria established for the land use in which it is located according to Table 2. General Sign Restrictions.
 2. Extended events. Events that last over multiple days or weeks, such as construction signs, are not subject to the duration criteria. Signs associated with a construction site may be erected when a building permit is issued and must be removed upon receipt of a certificate of occupancy. They must be removed within 48 hours after the conclusion of the event or certificate of completion.
 3. Temporary banners. A banner may be displayed if it is associated with a specific event and must be erected on the address where the event is to take place. Banners are limited to one per address, or as specified elsewhere in this article. Banners are limited to 30 square feet and may not be displayed longer than the event or 30 days. Temporary banners are limited to twice a year per tenant, separated by a span of 30 days.

Table 1. Temporary Sign Restrictions

RESTRICTION	RESIDENTIAL ZONING DISTRICTS	NON-RESIDENTIAL ZONING DISTRICTS	EDGEWOOD URBAN RENEWAL DISTRICT	BROOKWOOD MALL	WILDWOOD CENTRE
Maximum number per parcel	4	1 per tenant	1 per tenant	Per Sec. 5-155	1 per tenant
Maximum area	6 sq. ft. ¹	12 sq. ft.	8 sq. ft.	Per Sec. 5-155	Per final development plan
Maximum height for a freestanding sign ²	4 ft.	4 ft.	4 ft.	n/a	Per final development plan
Minimum setback from the property line	10 ft.	10 ft.	10 ft.	Per Sec. 5-155	Per final development plan
Permission of owner required	Yes	Yes	Yes	Yes	Yes
Allowed within sight visibility triangle	No	No	No	No	No
Allowed within public right-of-way	No	No	No	No	No
Duration	24 hours before and after event ³	Open hours of event	Open hours of event	Open hours of event	Open hours of event
Illumination allowed	No	No	No	No	No
May be attached sign or window sign	No	No	No	No	No

m. **Notations.** Notations in Table 2. General Sign Restrictions have the following meanings:

1. "P" means the sign is permitted.
2. "X" means the sign is prohibited.

¹ Maximum sign area for a single subdivision is 32 sq. ft.

² Not applicable for flagpoles.

³ Residential district duration begins with the announcement of the event.

Table 2. General Sign Restrictions

SIGN TYPE	RESIDENTIAL ZONING DISTRICTS	NONRESIDENTIAL ZONING DISTRICTS	EDGEWOOD URBAN RENEWAL DISTRICT	BROOKWOOD MALL	WILDWOOD CENTRE
FREESTANDING SIGNS					
MONUMENT	Permitted only at entry to residential subdivision	P	P	P	P
Sign number	2 at entry	1 per frontage	1 per frontage	Per Sec. 5-155	Per Sec. 5-156
Max. area	32 sq. ft.	150 sq. ft.	48 sq. ft.	Per Sec. 5-155	Per Sec. 5-156
Max. height	6 ft.	15 ft.	6 ft.	Per Sec. 5-155	Per Sec. 5-156
SHOPPING CENTER BONUS					
Max. area	n/a	225 sq. ft.	72 sq. ft.	Per Sec. 5-155	375 sq. ft.
Max. height	n/a	22.5 ft.	9 ft.	Per Sec. 5-155	150% of Sec. 5-156
OFF-PREMISE	X	p ¹	X	X	X
Sign number	n/a	1	n/a	n/a	n/a
Max. area	n/a	672 sq. ft.	n/a	n/a	n/a
Max. height	n/a	40 ft. ²	n/a	n/a	n/a
ATTACHED SIGNS					
ROOF³	X	P	P	P	P
Sign number	n/a	1 per building	1 per building	1 per tenant	1 per building
Max. area	n/a	3 sf per linear foot of building	2 sf per linear foot of building	112.5 sq. ft.	Per Sec. 5-156
Max. copy height	n/a	32 in. max.	24 in. max.	4 ft. 6 in.	Per Sec. 5-156
AWNING	X	P	P	P	P
Sign number	n/a	1 sloping panel plus 1 valence per awning	1 sloping panel plus 1 valence per awning	1 sloping panel plus 1 valence per awning	1 sloping panel plus 1 valence per awning
Max. area	n/a	75% of sloping panel; 85% of valence	75% of sloping panel; 85% of valence	30% of total area	75% of sloping panel; 85% of valence
Max. copy height	n/a	24 in. on sloping panel; 8 in. on valence	16 in. on sloping panel; 8 in. on valence	24 in.	24 in. on sloping panel; 8 in. on valence
CANOPY OR MARQUEE	X	P	P	P	P
Sign number	n/a	1 per canopy or marquee	1 per canopy or marquee	1 per canopy or marquee	1 per canopy or marquee

¹ Off-premise signs are only permitted on C-3, GURD as long as the sign is within an area no more than 75 feet from the Interstate Highway 65 right-of-way and M-1 lots adjoining the right-of-way of I-65 and within 3,000 feet of the centerpoint of the intersection of I-65 with Oxmoor Road.

² Height is measured above the centerline elevation of I- 65, at a point determined by drawing a line which is perpendicular to the centerline of the highway, to the sign.

³ Roof signs must not project above the peak of the roof.

SIGN TYPE	RESIDENTIAL ZONING DISTRICTS	NONRESIDENTIAL ZONING DISTRICTS	EDGEWOOD URBAN RENEWAL DISTRICT	BROOKWOOD MALL	WILDWOOD CENTRE
Max. area	n/a	2 sq. ft. per linear foot of storefront	2 sq. ft. per linear foot of storefront	2 sq. ft. per linear foot of storefront	2 sq. ft. per linear foot of storefront
Max. copy height	n/a	30 in. max.	24 in. max.	24 in. max.	24 in. max.
PROJECTING	X	P	P	P	P
Sign number	n/a	1 per tenant	1 per tenant	multiple per tenant	2 per tenant
Max. area	n/a	12 sq. ft.	9 sq. ft.	12 sq. ft.	12 sq. ft.
Max. copy height	n/a	8 in.	8 in.	24 in.	24 in.
SCULPTURAL	X	P	P	P	P
Sign number	n/a	1 per tenant	1 per tenant	1 per tenant	1 per tenant
Max. area	n/a	12 sq. ft.	12 sq. ft.	12 sq. ft.	12 sq. ft.
Max. copy height	n/a	n/a	n/a	n/a	n/a
WALL	X	P	P	P	P
Sign number	n/a	1 per tenant	1 per tenant	Per Sec. 5-155	1 per tenant
Max. area	n/a	3 sq. ft. per 1 linear foot up to 90% of the width of the building ¹	2 sq. ft. per 1 linear foot up to 90% of the width of the storefront	Per Sec. 5-155	20% of first floor facade area
Max. copy height	n/a	36 in.	24 in.	Per Sec. 5-155	Per Sec. 5-156
WINDOW	X	P	P	P	P
Sign number	n/a	Multiple per tenant	Multiple per tenant	Multiple per tenant	Multiple per tenant
Max. area	n/a	20% of each window area, neon is limited to 24 in. in width and 12 in. in height	20% of each window area, neon is limited to 24 in. in width and 12 in. in height	20% of each window area, neon is limited to 24 in. in width and 12 in. in height	20% of each window area, neon is limited to 24 in. in width and 12 in. in height
Max. copy height	n/a	12 in.	12 in.	12 in.	12 in.

Sec. 5-153. Freestanding Sign Requirements.

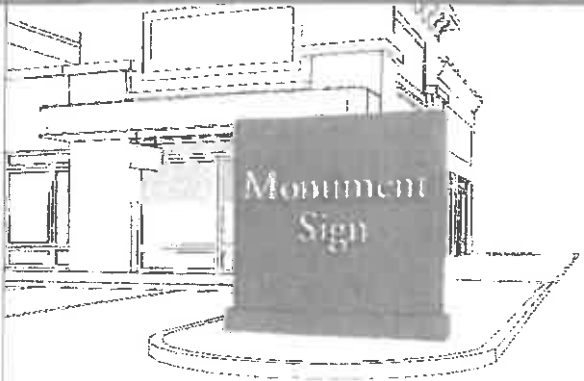
Additional sign restrictions apply per sign type according to this section and Table 3. *Specific Freestanding Sign Regulations and Illustrations*. Freestanding signs must be separated from all driveways, parking aisles, loading aisles, parking spaces, and loading spaces. Freestanding signs must be securely fastened to the ground so that there is no danger that either the sign or the supportive structure may be moved and cause injury to persons or property. Any signage material placed over an existing sign is considered temporary and subject to the


¹ Wall signs are permitted at the ground floor only. For multilevel buildings, primary tenant may have one sign of this area and secondary tenants may each have one sign 50% of the permitted primary tenant area.

conditions of Sec. 5-152(1) and Table 1. Temporary Sign Restrictions.

- (1) **Wildwood Centre.** Area and height limitations established by the rules and regulations governing signage approved in the final development plan for the Wildwood Centre, as provided by the PMUD district. All signs in Wildwood Centre must otherwise comply with all the requirements of this article and Sec. 5-156.
- (2) **Monument signs.** The maximum area and height for each monument sign is according to Table 2. General Sign Restrictions and Table 3. Specific Freestanding Sign Regulations and Illustrations.
 - a. Monument signs must have a landscaped area no less than twice the area of the sign at the base of the sign. Edgewood nonresidential properties are exempt from this requirement.
- (3) **Off-premise signs.** Off-premise signs are permitted according to Table 2. General Sign Restrictions, Table 3. Specific Freestanding Sign Regulations and Illustrations and the following requirements:
 - a. Off-premises signs may not be stacked or erected side by side on the same support structure.
 - b. Neither face of a "V" type off-premises sign may protrude from the opposite face at an interior angle greater than twenty-five (25) degrees.
 - c. Off-premises signs may not be animated.
 - d. An off-premises sign will not be erected closer than six hundred (600) feet from any property used for residential purposes or from another off-premises sign intended to be viewed from the same side of Interstate Highway 65; measured along the centerline of the through traffic lane closest to the proposed sign, between points determined by drawing a line which is perpendicular to the centerline, from the center of each sign.

Table 3. Specific Freestanding Sign Regulations and Illustrations

MONUMENT SIGN	
Requirements	<div> <ol style="list-style-type: none"> a. Sign must be set back so that it does not obstruct the view of motor vehicle operators entering a public roadway from any parking area, service drive, alley, or other thoroughfare. In no case shall a monument sign be set back less than five (5) feet. b. Monument signs must be constructed of durable materials. c. Sign must be attached directly to the ground by its entire base. </div> 

OFF-PREMISE SIGN		
Requirements	<ul style="list-style-type: none"> d. Cut-out extension area may not exceed 100 sf. e. Sign and structure must be constructed of durable materials. f. No off-premise sign may be attached to any building or structure other than the structural support members specifically designed for support of the sign. 	

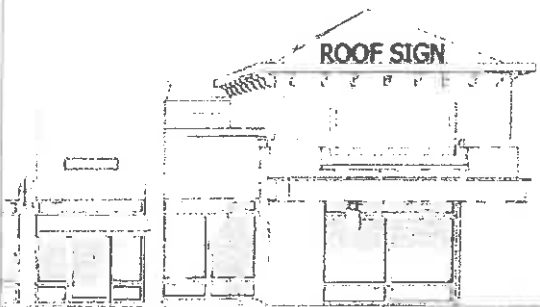
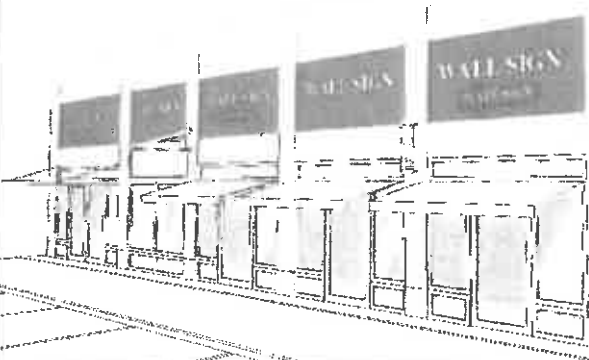
Sec. 5-154. Attached Sign Requirements

Additional sign restrictions apply per sign type according to this section and the requirements of Table 4. Specific Attached Sign Regulations and Illustrations. Attached signs must be securely fastened to the building or to some other substantial supportive structure attached to the building so that there is no danger that either the sign or the supportive structure may be moved and cause injury to persons or property. Any signage material placed over an existing sign is considered temporary and subject to the conditions of Sec. 5-152 (1) 1 and Table 1. Temporary Sign Restrictions.

- (1) **Maximum number of attached signs.** Except as provided for exempt signs, attached signs are restricted to building facades facing a public street or a customer parking lot. The maximum number of attached signs per building facade are as follows:
 - a. One roof sign or wall sign or one canopy sign or marquee sign per tenant;
 - b. One awning sign per ground floor window;
 - c. One projecting sign per tenant or one sculptural sign per tenant; and
 - d. Except as provided for neon signs displayed in windows in subsection (4) below no limit on the number of window signs.
- (2) **Roof signs.** The maximum area and height for each roof sign is according to Table 2. General Sign Restrictions, Table 4. Specific Attached Sign Regulations and Illustrations and the following requirements.
 - a. Attached signs may not be placed upon any roof surface, unless the roof pitch is 45 degrees or more.
 - b. The height of any attached sign may not extend above the highest point of the roof line.
- (3) **Wall signs.** The maximum area and height for each wall sign is according to Table 2. General Sign Restrictions, Table 4. Specific Attached Sign Regulations and Illustrations and the following requirements.
 - a. Wall signs may not project more than 12 inches from the building wall and may not extend beyond the limits of the building.
- (4) **Window signs.** In addition to Table 2. General Sign Restrictions, Table 4. Specific Attached Sign Regulations and Illustrations window signs are subject to the following requirements.

- (5) Neon signs are limited to one per tenant, require an electrical permit and must comply with Underwriters Laboratory (UL) or equivalent standards. Neon signs are prohibited in the residential, institutional, C-1 office and PCD-1 office zoning districts.

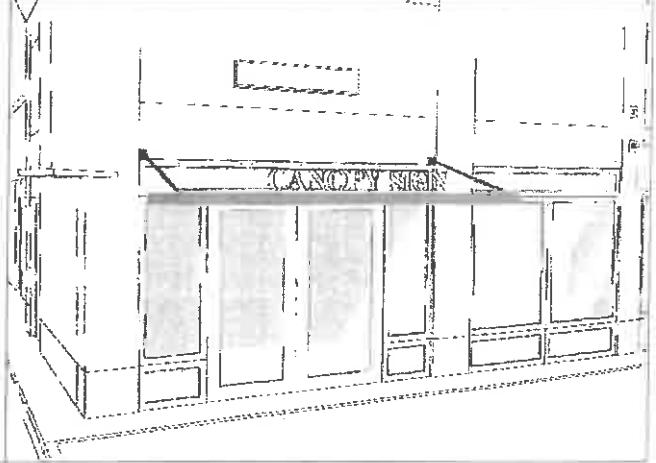
Table 4. Specific Attached Sign Regulations and Illustrations

ROOF SIGN		
Requirements	<ul style="list-style-type: none"> a. Roof sign may be externally illuminated. b. Fixtures must be shielded to prevent glare. c. Conduit, raceways and wiring may not be exposed. d. The supporting structure is not computed as part of the allowable sign area. e. Roof sign may not project above the peak of the roof. 	 <p>An architectural sketch of a two-story building with a gabled roof. A sign is mounted on the roof, labeled 'ROOF SIGN'. The sign is rectangular and appears to be illuminated from below. The building has several windows and a small entrance on the ground floor.</p>
WALL SIGN		
Requirements	<ul style="list-style-type: none"> a. Signs may not project more than one foot from the building. b. Wall signs may be externally illuminated. c. Fixtures must be shielded to prevent glare. d. Conduit, raceways and wiring may not be exposed. 	 <p>An architectural sketch of a long, single-story building with a flat roof. Several large, rectangular signs are mounted on the exterior wall, labeled 'WALL SIGN'. The signs are illuminated from below. The building has a series of windows along its length.</p>

CANOPY SIGN

Requirements

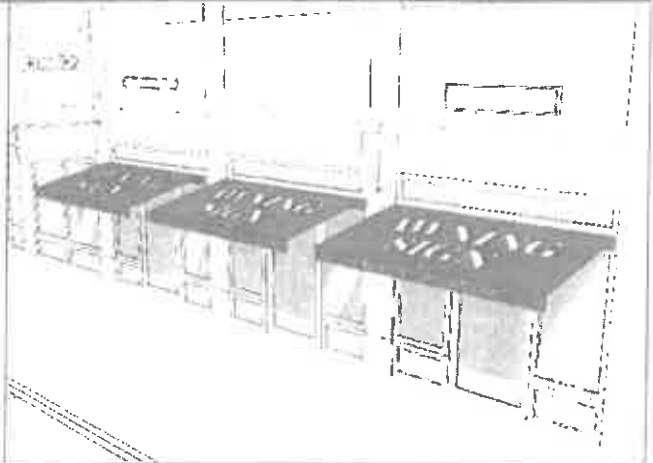
- a. Canopy signs may be externally illuminated.
- b. Fixtures must be shielded to prevent glare.
- c. Conduit, raceways and wiring may not be exposed to view from the sidewalk.



AWNING SIGN

Requirements

- a. Signs on awning valences must maintain a one-inch border.



MARQUEE SIGN

Requirements

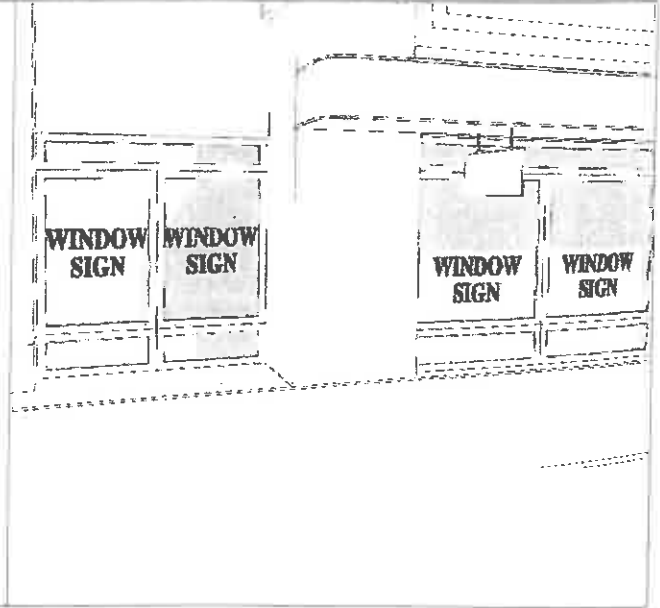
- a. Marquee signs may occur parallel to the facade or at the corner of the building on buildings over one story in height.
- b. Sign may extend up to 6 feet above the parapet.
- c. Bottom of the sign must be 12 feet above the sidewalk.



WINDOW SIGN

Requirements

- a. The following signs are permitted: letters painted directly on the window, hanging signs behind the glass, and vinyl appliques. Vinyl appliques must consist of either:
1. Individual letters or graphics with no visible background.
 2. Individual letters or graphics with a visible background. The visible background shall not extend beyond the approved sign area.



PROJECTING SIGN

Requirements

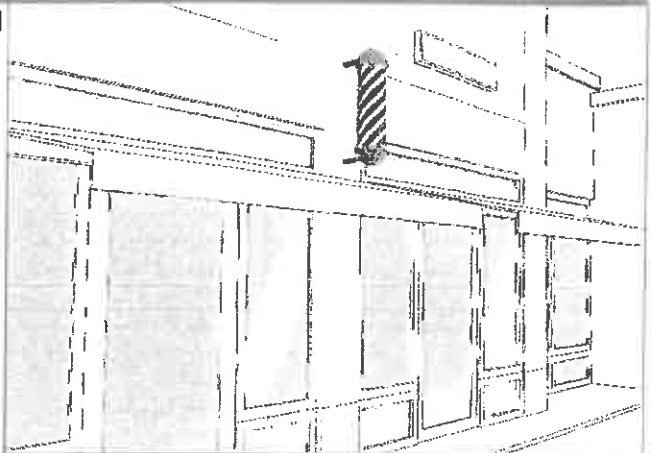
- a. Projecting signs may project up to three feet from the facade.



SCULPTURAL SIGN

Requirements

- a. Signs may include painted, vinyl or extruded copy or graphics on a sculptural object.
- b. Sign may be attached to wall, parapet or roof of a building and must include a supporting structure which is not computed as part of the allowable sign area.
- c. Bottom of sign must be a minimum of 8 feet above the sidewalk.



Sec. 5-155. Brookwood Mall Signs.

This section applies to property located in the City known as Brookwood Mall which is bordered by Shades Creek Parkway on the north, Highway 280 on the east, and Brookwood Boulevard on the west. Brookwood Mall signs are regulated independently in two locations (1) on the main mall structure or the continuous façade facing Lakeshore Drive, and (2) on freestanding structures.

(1) Common to all locations.

a. Wall signs.

1. No single wall sign may exceed four feet, six inches in height or 25 feet in length.
2. Multiple wall signs for the same business may be allowed at the discretion of the property owner.

b. Roof signs.

1. No single roof sign may exceed four feet, six inches in height or 25 feet in length.
2. Rooftop signs are allowed to project a maximum of five (5) feet above the parapet and must be mounted parallel with the face of the building.

c. Projecting signs.

1. Projecting signs may be double-sided and mounted perpendicular to the building wall. A double-sided projecting sign is counted as one sign.
2. Multiple projecting signs for the same business may be allowed.

d. Banner signs.

1. Banner signs may be mounted either flat against or perpendicular to the building wall and may be single-sided or double-sided. A banner sign may be mounted either horizontally or vertically. A double-sided banner sign is counted as one sign.
2. No banner sign may be more than 14 feet long or more than three feet wide.
3. Multiple banner signs for the same business may be allowed at the discretion of the property owner.

e. Awning signs.

1. Awning signs must be of similar material to the awning.
2. Graphics displayed on an awning are exempt from area and height restrictions.
3. Multiple awning signs for the same business may be allowed at the discretion of the property owner.

f. Window signs.

1. Multiple window signs for the same business may be allowed at the discretion of the property owner.

(2) Mall structure signs. Tenants may choose any three of the following types of signs:

a. Wall signs:

1. Wall signs may or may not be located on the facade adjacent to the respective business.
 2. The total of all business signage on the Main Mall Structure may not exceed 20 percent of the total wall area of the Lakeshore face of the Main Mall Structure.
- b. Roof signs.
 1. Roof signs may or may not be located on the roof adjacent to the respective business.
 - c. Projecting signs:
 1. Projecting signs may or may not be located on the facade adjacent to the respective business
 - d. Banner signs:
 1. Banner signs may or may not be located on the facade adjacent to the respective business.
 - e. Awning signs:
 1. Awning signs may or may not be located on an awning adjacent to the respective business.
 - f. Window signs.
 1. Window signs may or may not be located on the storefront adjacent to the respective business.
 - g. Monument signs.
 1. One monument sign may be utilized.
 2. Maximum allowable height is six feet.
 3. Maximum allowable width is six feet.
 4. Maximum allowable signage area is 72 square feet or 36 square feet per side.
- (3) **Freestanding structure signs.** Businesses may choose to utilize any three of the following types of signs:
- a. Wall signs.
 1. No wall sign may exceed 20 percent of the wall area.
 - b. Roof signs.
 - c. Projecting signs.
 - d. Banner signs.
 - e. Awning signs.
 - f. Window signs.
 - g. Monument signs.
 1. Lots having less than 100 feet of street frontage may have one monument sign per street frontage. The maximum surface area is 25 square feet per side, with a total area of 50 square feet. The maximum height of the monument sign is three and one-half feet. The sign must have a minimum of 50 square feet of landscaped area at the base of the sign.

2. Lots having more than 100 feet of street frontage are permitted two monument signs per street frontage. There must be a minimum of 200 feet between signs for lots with more than 200 feet of street frontage. The maximum surface area of each sign is 30 square feet per side, with a total area of 60 square feet. The maximum height of the monument sign is six feet and it must be setback a minimum of 12 feet from the street right-of-way. Each sign must have a minimum of 50 square feet of landscaped area at the base of the sign. If the sign is located in a median, the median must be a minimum of 10 feet wide and 50 feet long.
3. One monument sign used by multiple businesses is permitted per parcel with the following dimensions:
 - i. Maximum height is 35 feet.
 - ii. Maximum width is 30 feet.
 - iii. Maximum surface area is 450 square feet, or 225 square feet per side.

(4) Miscellaneous standards.

- a. Illumination.
 1. Unless otherwise expressly prohibited, signs may be illuminated (either internally or externally), provided that lighting directed toward a sign is shielded so as to illuminate only the surface area of the sign.
 2. Illuminated signs are prohibited within 100 feet of any residence.
- b. Maintenance and enforcement. The property owner has the right, in its sole discretion, to reject any sign presentation including those allowed under the signage rules and regulations.

Sec. 5-156. Wildwood Centre Signs.

This section applies to the property identified as Wildwood Centre in the final development plan for Wildwood Centre, as provided by the PMUD district. Wildwood Centre signs are regulated independently by two use categories: (1) single tenant, and (2) multiple tenant buildings and campuses.

- (1) Single tenants may choose to utilize any two of the following types of signs and are subject to the requirements of Table 1 and Table 2 except for the following:
 - a. Attached signs.
 1. No sign on a building facade may exceed 80 feet in length.
 - b. Monument signs.
 1. Lots having less than 100 feet of street frontage may have one monument sign per street frontage. The maximum surface area is 25 square feet per side, with a total area of 50 square feet. The maximum height of the monument sign is three and one-half feet. The sign must have a minimum of 50 square feet of landscaped area at the base of the sign. If the sign is located in a median, the median must be a minimum of 10 feet wide and 50 feet long.
 2. Lots having more than 100 feet of street frontage are permitted two monument signs per street frontage. There must be a minimum of 200 feet between signs for lots with more than 200 feet of street frontage. The maximum surface area of each sign is 30 square feet per side, with a total area of 60 square feet. The maximum height of the monument sign is six feet and it must be setback a minimum of 12 feet from the street right-of-way. Each sign must have a minimum

of 50 square feet of landscaped area at the base of the sign. If the sign is located in a median, the median must be a minimum of 10 feet wide and 50 feet long.

3. One monument sign used by multiple businesses is permitted per parcel with the following dimensions:

- i. Maximum height is 35 feet.
- ii. Maximum width is 30 feet.
- iii. Maximum surface area is 450 square feet, or 225 square feet per side.

- (2) Multiple tenant buildings and campuses may utilize the following types of signs. The sign may be located along any street or highway frontage.

- a. Monument signs.

1. One monument sign is permitted per frontage. If the street frontage exceeds 500 feet, a second sign may be permitted. The maximum area for all monument signs is 200 square feet per side. The maximum height is 45 feet.
2. Each vehicular entrance to the property may have one monument sign not exceeding 75 square feet per side.

- b. Maximum allowable area.

1. For sites with 500 feet or less of road frontage, the maximum sign area per frontage is 300 square feet.
2. For sites with more than 500 feet of road frontage, the maximum sign area per frontage is 600 square feet.
3. Individual businesses within a shopping center or multiple tenant building may erect wall signs and projecting signs per the standards of Table 1 and Table 2. Individual businesses may not have separate monument signs.

- (3) No illuminated sign is permitted within 100 feet of any residential district. No sign located within 300 feet of a residential district may be illuminated between the hours of 10:00 p.m. and 6:00 a.m.
- (4) The Wildwood Centre Architectural Review Committee has the right to reject any sign presentation including those allowed under the signage rules and regulations.

Sec. 5-157. Specific Area Signs.

The following specific areas are regulated by Appendix A – Zoning:

- (1) **West Homewood.** West Homewood signs are regulated by Appendix A – Zoning, Article IV. District Uses, Sec. EE West Homewood District.

Sec. 5-158. Downtown Signs.

This section applies to the properties within the boundary of the Heart of Homewood Downtown Master Plan. All regulations applicable to Downtown signs are found within this section. The purpose of this section is to assure the scale and character of signs is appropriate to a walkable downtown.

- (1) **Downtown sign districts.** The boundaries of the downtown sign districts are as shown on Figure 1, Downtown Sign District Map. The downtown sign district map is a part of this ordinance.

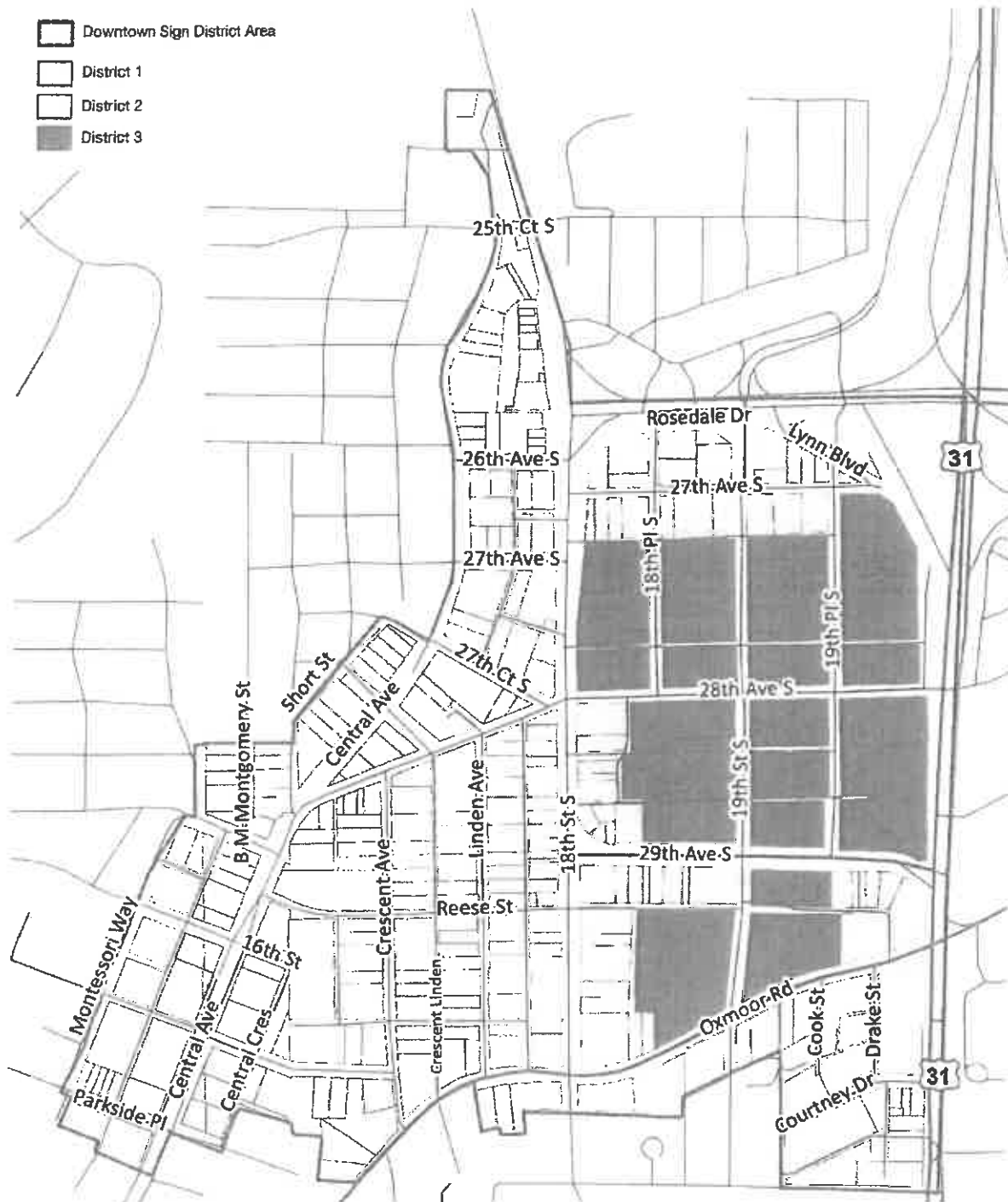


Figure 1. Downtown Sign District Map

(2) **Permitted signs and restrictions.** Permitted sign types are limited by downtown sign districts and the following restrictions according to Table 5. General Sign Restrictions and Table 6. Specific Sign Regulations and Illustrations:

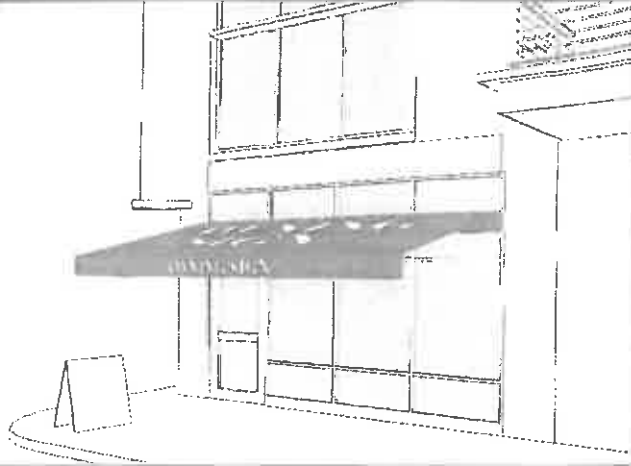
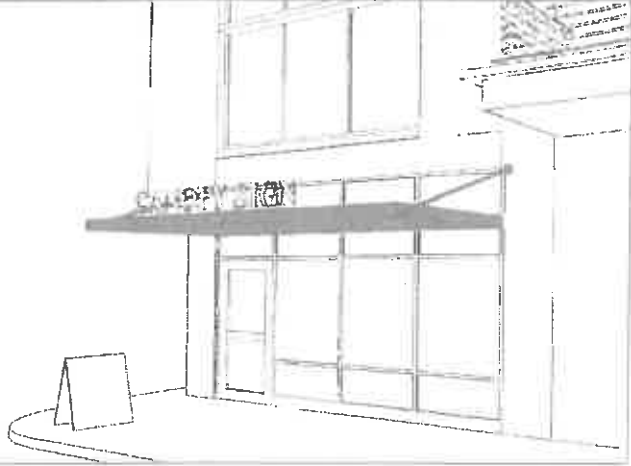

- a. The number of signs per type;
- b. The area of signs;
- c. The height of sign copy.
- d. All signs must meet the following clearance:
 1. Minimum eight feet clear over sidewalks;
 2. Minimum 10 feet clear over vehicular areas.
- e. All signs may be double-sided by right, if the configuration of the sign permits. The second side does not affect the calculation of height and width.
- f. Illuminated signs are permitted as follows:
 1. All signs may be illuminated by an external light source.
- g. Notations. Notations in Table 5 have the following meanings:
 1. "P" means the sign is permitted.
 2. "X" means the sign is prohibited.

Table 5. General Sign Restrictions

SIGN TYPE	1	2	3	SIGN NUMBER	MAX. SIGN AREA	MAX. COPY HEIGHT
PROJECTING SIGNS						
Awning	P	P	P	1 sloping panel plus 1 valence per awning	75% of sloping panel; 85% of valence	16 in. on sloping panel; 8 in. on valence
Canopy	P	P	P	1 per canopy	2 sq. ft. per linear foot of storefront	30 in. max.
Projecting	P	P	P	1 per tenant	9 sq. ft.	8 in.
Marquee	X	P	P	1 per building	40 sq. ft.	n/a
Sculptural	P	P	P	1 per tenant	12 sq. ft.	n/a
WALL SIGNS						
Wall mounted	P	P	P	1 per storefront	3 sq. ft. per 1 linear foot up to 90% of the width of the storefront	24 in.
Window	P	P	P	n/a	20% of glazed area, neon is limited to 24 in. in width by 12 in. in height	12 in.
GROUND SIGNS						
Monument	P	X	P	1 per frontage	30 sq. ft.	12 in.
Pole	X	X	X	n/a	n/a	n/a
Sidewalk ¹	X	P	X	1 per tenant	6 sq. ft.	n/a

¹ Sidewalk signs may not block the pedestrian area of the sidewalk.

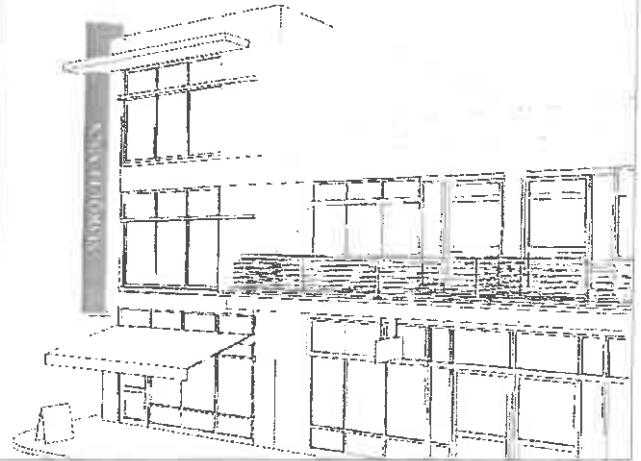
Table 6. Specific Sign Regulations and Illustrations

AWNING SIGN		
Requirements	<p>a. Valence sign area must maintain a one-inch border.</p>	 <p>A perspective line drawing of a storefront with large windows. A dark, rectangular awning sign is mounted over the windows. The sign has the word 'AWNING SIGN' written on it. To the left of the awning, a small, white, A-frame sign sits on the sidewalk. The building facade is light-colored, and the windows have dark frames.</p>
CANOPY SIGN		
Requirements	<p>a. Canopy signs may be externally illuminated.</p> <p>b. Fixtures must be shielded to prevent glare.</p> <p>c. Conduit, raceways and wiring may not be exposed to view from the sidewalk.</p>	 <p>A perspective line drawing of a storefront with large windows. A dark, rectangular canopy sign is mounted over the windows. The sign has the word 'CANOPY SIGN' written on it. To the left of the canopy, a small, white, A-frame sign sits on the sidewalk. The building facade is light-colored, and the windows have dark frames.</p>
PROJECTING SIGN		
Requirements	<p>a. Projecting signs may project up to three feet from the facade.</p>	 <p>A perspective line drawing of a storefront with large windows. A dark, rectangular projecting sign is mounted over the windows. The sign has the word 'PROJECTING SIGN' written on it. To the left of the projecting sign, a small, white, A-frame sign sits on the sidewalk. The building facade is light-colored, and the windows have dark frames.</p>

MARQUEE SIGN

Requirements

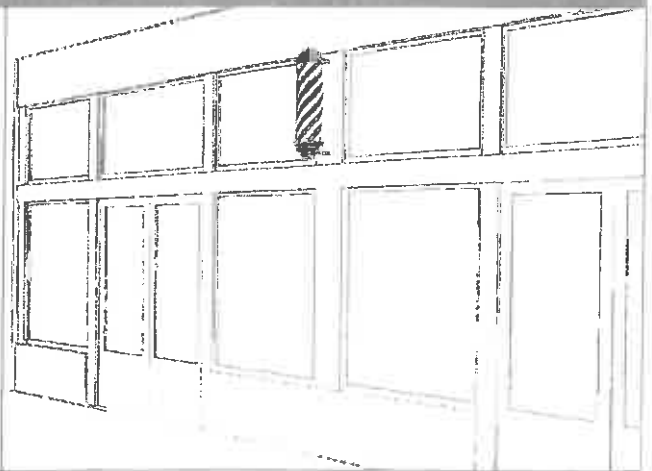
- a. Marquee signs may occur parallel to the facade or at the corner of the building permitted only on buildings over one story in height.
- b. Sign may extend up to 6 feet above the parapet.
- c. Bottom of the sign must be 12 feet above the sidewalk.



SCULPTURAL SIGN

Requirements

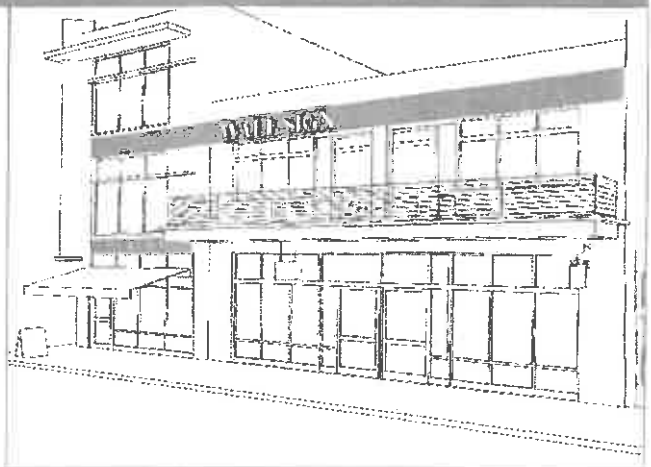
- a. Projecting signs may include painted, vinyl or extruded copy or graphics on a sculptural object.
- b. Sign may be attached to wall, parapet or roof of a building and must include a supporting structure which is not computed as part of the allowable sign area.



WALL MOUNTED SIGN

Requirements

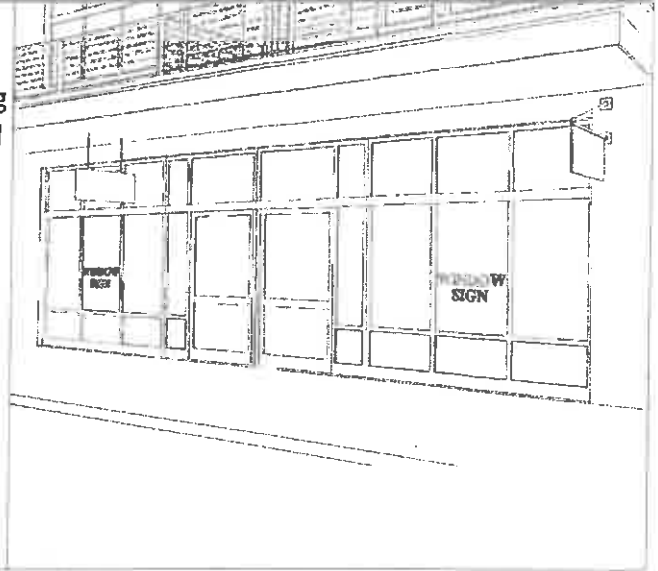
- a. Wall mounted signs may be externally illuminated.
- b. Fixtures must be shielded to prevent glare.
- c. Conduit, raceways and wiring may not be exposed.



WINDOW SIGN

Requirements

- a. The following signs are permitted: letters painted directly on the window, hanging signs behind the glass, and vinyl appliques. Vinyl appliques must consist of either:
1. Individual letters or graphics with no visible background.
 2. Individual letters or graphics with a visible background. The visible background shall not extend beyond the approved sign area.



MONUMENT SIGN

Requirements

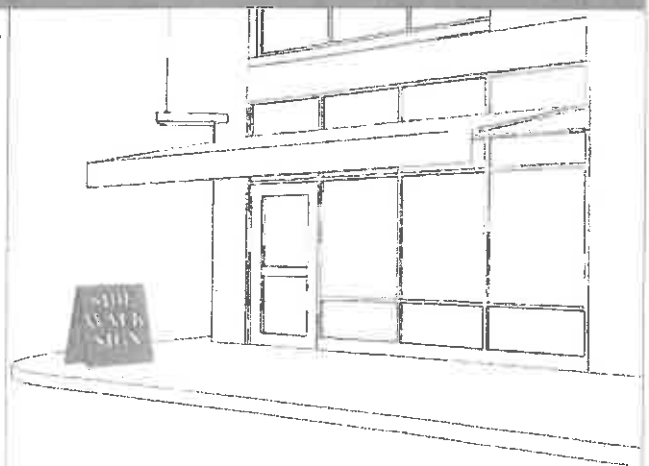
- a. Sign must be set back so that it does not obstruct the view of motor vehicle operators entering a public roadway from any parking area, service drive, alley, or other thoroughfare. In no case shall a monument sign be set back less than five (5) feet.
- b. Monument signs must be constructed of durable materials.
- c. Sign must be attached directly to the ground by its entire base.



SIDEWALK SIGN

Requirements

- a. Sign height may not exceed 42 in.
- b. Sign width may not exceed 20 in.



Sec. 5-159. Administration and Enforcement.

- (1) **Code enforcement officer.** The code enforcement officer is the person(s) charged with the administration and enforcement of this article. The code enforcement officer may be any City employee(s) charged by the Mayor with the administration and enforcement of this article. This employee(s) has the right to enter upon any premises at any reasonable time for the purpose of making inspections necessary to carry out prescribed duties in the enforcement of this article.
- (2) **Required permits, fees and inspections.** Unless otherwise provided in this section, all signs require a sign permit from the code enforcement officer before being erected, displayed, relocated or altered. Written approval from the code enforcement officer is required before any change, modification, alteration or other deviation from the terms and conditions of the sign permit and before any such change in the use of the sign as originally permitted can be made. The Building, Engineering and Zoning Department must maintain a record of all such requests and approvals.
 - a. Whether a sign is exempt or not, an electrical permit is required for all illuminated signs.
 - b. All outdoor advertising signs located within 660 feet of the nearest edge of the right-of-way of a highway on the Interstate or Federal Aid Primary Highway System must file an application for a permit with the State of Alabama Highway Department, as required by the Highway Beautification Act's Outdoor Advertising Control Bill.
 - c. Revocation of permits for noncompliance with the permit's terms or for being void. If the code enforcement officer finds that:
 1. The work under any sign permit is not in accordance with the terms of the permit;
 2. The sign is in violation of any provision of this ordinance or any other City ordinance; or
 3. There was any false statement or misrepresentation of material fact in the permit application, payment for the permit or plans on which issuance of the permit was based.The code enforcement officer must notify the owner or applicant in writing of the defect and of the time in which the defect must be corrected. If the defect is not timely corrected, the code enforcement officer will revoke the permit with a written revocation. No work under the permit, other than correction of the defect, may continue after the initial notice of the defect is served.
 - d. Application. Each application for a sign permit must include the following items:
 1. Name, signature, and address of the property owner, authorized agent of the property owner, if any, and sign contractor.
 2. Address of the property where the sign is to be erected.
 3. Zoning district and principal land use(s) on the lot subject to erection of a sign.
 4. A complete description of the sign(s) to be erected, including, but not limited to number, type, freestanding or attached, method of illumination, on or off- premises display, and setbacks.
 5. A dimensioned sketch of the sign and a plot plan showing the location of each sign on the lot and dimensional characteristics necessary to determine maximum sign area, height, number, spacing, etc., such as lot area, lot frontage, building frontage, building face area, etc.

6. Other details sufficient for the code enforcement officer to determine compliance with the requirements of this article, which may include a building elevation, survey, or other drawings or documentation satisfactory to assess a permit.
7. Application fees.
 - i. Application fees. Each application for a sign permit must be accompanied by a permit fee of \$25.00 plus \$0.25 for each square foot of sign area. Additional building and electrical permit and inspection fees are established by Chapter 5 of the City Code.
 - ii. Additional fees for freestanding signs in excess of 50 square feet. All freestanding signs in excess of 50 square feet existing upon enactment of this article, whether or not in conformity with the provisions of this article, must be registered with the code enforcement officer within ninety (90) days of enactment of this article. Upon registration, the code enforcement officer must determine the lawfully conforming status of each sign, notify the owner of the conforming/nonconforming/unlawful status of the sign, and inform the owner when and if a sign must be removed or altered to conform with the terms of this article. At the time of registration of existing signs, a registration fee of \$0.50 per square foot per sign structure is due. A sign not lawfully erected with a valid sign/building/electrical permit cannot be registered as lawfully nonconforming.
- e. Issuance of permits.
 1. Building, Engineering and Zoning Department personnel will examine applications for sign permits within a reasonable time after filing. They will issue the permit if it appears from the application and any supporting documents that the requested sign(s) and any existing sign(s) conform to the requirements of this section.
 2. If Building, Engineering and Zoning personnel find that any requested or existing sign(s) or uses directly related to the application and in the ownership and control of the permit applicant violate any applicable provision of this section or any other City code or ordinance, they will not issue the sign permit until the violation is corrected.
 3. A sign permit is a license to proceed with the work specified in the permit. It does not give authority to violate, cancel, alter, or set aside any of the provisions of this article or any other City code, ordinance or regulation. Issuance of a sign permit does not prevent Building, Engineering and Zoning personnel from requiring correction of errors in plans or in construction where such errors are in violation of the terms of stipulations of the permit, this section or any other City code, ordinance or regulation.
 4. No additional permits will be issued for signs appurtenant to any use or establishment having overdue sign regulations charges or unpaid reinspection charges due on the use or establishment.
- f. Inspection. The code enforcement officer will inspect each sign authorized by permit to determine compliance with the permit application and the terms of this article. A continual inspection of signs is required.
- g. Nullification. A sign permit will become null and void if:
 1. The work for which the permit was issued has not been completed within a period of six months after the date of the permit.
 2. The sign varies in any respect from the approved design or location.

- (3) **Signs that do not require a permit.** The following signs do not require a permit or the payment of an annual sign regulation charge. However, they must conform to the requirements of any applicable sections of the Building Code.
- a. Signs not visible from public streets or which are not visible from one property to another.
 - b. The flag or insignia of any organization. However, the display of more than two flags on a flagpole is not permitted. No flag may exceed 30 square feet in area. Only one side of the flag is subject to area calculation.
 - c. Tablets, grave markers, headstones, statuary or remembrances of persons or events that are noncommercial in nature and tablets such as memorials or cornerstones, or the name, date of erection and use of building when built into its walls.
 - d. Works of fine art when not displayed in conjunction with a commercial enterprise and through which an enterprise may not receive direct commercial gain.
 - e. Temporary decorations or displays celebrating the occasion of traditionally accepted holidays.
 - f. Temporary construction site signs. Not more than one sign per street frontage is permitted on a site where building is actually in progress under a current building permit. The sign may not exceed thirty-two (32) square feet in area. The sign may not be erected before a building permit is issued and must be removed before a certificate of occupancy is obtained.
 - g. Signs on a truck, bus, car, boat, trailer or other motorized vehicle and equipment provided all the following conditions are adhered to:
 - 1. Primary purpose of the vehicle or equipment is not the display of signs.
 - 2. Such signs are magnetic, decals, or painted upon an integral part of the vehicle or equipment as originally designed by the manufacturer, and do not break the silhouette of the vehicle.
 - 3. Vehicle/equipment is in operating condition, currently registered and licensed to operate on public streets when applicable, and actively used in the daily function of the business to which such signs relate.
 - 4. Vehicles and equipment are not used primarily as static displays, advertising a product or service, nor utilized as storage or shelter.
 - 5. During periods of inactivity exceeding forty-eight hours the vehicle/equipment are not parked or placed with the signs displayed to the public. Vehicles and equipment engaged in active construction projects are not be subjected to this condition.
 - h. Nameplates, street address signs, and combination nameplate and street address signs not exceeding four square feet in area and limited to one per street front per use for residential uses.
 - i. Street address signs, wall-mounted nameplates and wall-mounted combination nameplate and street address signs not exceeding six square feet in area for nonresidential uses.
 - j. Changing copy on a legal sign; or maintenance where no structural changes are made; or the changing of the interchangeable letters on signs designed for them. The nonconforming status of a sign is not affected by repainting.
 - k. Temporary, nonilluminated signs, see temporary sign requirements in Sec. 5-152 except banners, which require permits.

- (4) **Nonconforming signs.** General restrictions on nonconforming signs include:
- l. If a sign displays or advertises information or any activity that is no longer current, in a state of needed repair or is left blank for a continuous period of 90 days, it is considered abandoned and within 90 days after abandonment the owner of the property where the sign is located must remove or replace the display or advertisement with a current message.
 - m. Illumination may not be added to a nonconforming sign.
 - n. A nonconforming sign may not be moved or replaced except to bring the sign into complete conformity with these sign regulations.
 - o. The message of a nonconforming sign may be changed if the change does not create any new nonconformities.
 - p. If a sign is removed or damaged in any manner to the extent that the restoration costs exceeds 50 percent of the original value of the sign immediately before the damaging occurrence, it must be removed or altered to conform with these sign regulations.
- (5) **Unlawfully erected signs.** Any sign that had been erected in violation of any previously existing sign regulations, building codes, electrical codes, or any other ordinance of the City is not deemed lawfully nonconforming. Such signs must be altered to conform with the provisions of this Article or be removed immediately following the effective date of this Article upon notice by the code enforcement officer. It is the obligation of the sign owner to show proof of a valid permit for lawful erection of a sign if the code enforcement officer cannot readily obtain proof of a valid permit in the records of the City offices.
- (6) **Appeal to City Council.** Variances to the terms of these sign regulations may be granted in individual cases upon a finding by the City Council that the requested variance will not be contrary to the public interest, where, owing to special conditions, a literal enforcement of the provisions of this Article subject to a variance will result in unnecessary hardship and that the spirit of this Article is observed and substantial justice done. A written request for a variance must be filed with the City clerk requesting a hearing before the City Council. The City Council will, at its next regularly scheduled meeting, schedule a public hearing to consider the variance request from the provisions of this Article. After the public hearing, the City Council may deny the request, grant the request as made, or grant a variance to the provisions of this Article based on conditions as required by the City Council as they deem, in their sole discretion, in the best interest of the City and the enforcement of the provisions of this Article. The decision of the City Council is final as relates to the variance request.
- (7) **Citations.** All citations will be signed by the enforcement officer finding the violations and will be issued by personal appearance or sent by certified mail to the responsible owner of the sign for which the violation is found.
- a. A warning of violation may be issued to the responsible owner in writing, personal appearance, or telephone by the enforcement officer finding the violation. The warning gives an opportunity for correction of any violations within 30 days or less before a citation is sent.
- (8) **Penalty for violation.** Once a citation or warrant has been issued and tried before the municipal Court, a person found guilty is guilty of a misdemeanor and will be punished as provided in Section 1-8 of the Code of Ordinances of the City which include the payment of any fines levied by the Court, plus any court costs as provided and issued by the Court. Each day such offense continues constitutes a separate offense.

- (9) **Confiscation of signs in public right-of-way.** Any sign installed or placed on a public right-of-way, except in conformance with the requirements of this Article, is forfeited to the public and subject to confiscation. In addition to other remedies provided under this Article, the City has the right to recover from the owner or person placing the sign the full costs of removal and disposal.

Sec. 5-160. Definitions.

This section will add to or replace terms that are not used or used in a different manner than those in Appendix A – Zoning, Article II Definitions.

The following sign terms, when used in this article, have the meanings defined by this section. Terms not defined in this section but defined in the zoning ordinance or subdivision regulations of the City are given the meanings set forth in that ordinance or regulations. All other terms used in this article are given their common, ordinary meaning, unless the context clearly requires otherwise.

- (1) **Attached sign.** Any permanent on-premises sign, other than a freestanding sign, attached to, erected on or supported by any building, including a canopy or marquee sign, projecting sign, roof sign, wall sign, window sign or similar sign that is permanently attached to a building. Attached signs are distinguishable as follows:
- a. **Awning signs:** Awning signs are mounted to awnings of cloth, canvas, vinyl or other appropriate materials and are of the same or similar material as the awning.
 - b. **Canopy or marquee sign.** A permanent on-premises sign affixed, fastened, painted upon or made part of and erected parallel to a canopy or marquee which projects from a building to shield a doorway or window or provide shelter from the weather. The term also includes a shelter above a fuel service island.
 - c. **Projecting sign.** A permanent on-premises sign affixed to a building and whose leading edge extends more than twelve (12) inches beyond the building or wall. They may be mounted perpendicular to the supporting building wall or the underside of a canopy. The sign can be supported from the wall or canopy with tubes, brackets, cables, or other appropriate mounting hardware. Blade signs do not require support from the ground.
 - d. **Roof sign.** A permanent on-premises sign affixed to the roof of a building or extending above the roof line.
 - e. **Wall sign.** A permanent on-premises sign that is affixed parallel to the building face, below the roof line, within the outer limits of a building wall, and not projecting more than twelve (12) inches from the building face, including such signs painted directly on the surface of a building.
 - f. **Window sign.** A permanent on-premises sign that is affixed to or painted on the inside or upon a window and which is intended to be seen from the exterior of the building.
- (2) **Banner.** Any temporary on-premises sign, other than a flag, pennant, streamer, canopy or similar sign, of lightweight fabric, plastic, paper or similar materials that is mounted at all of its edges to the exterior of a building face or other outdoor structure. Temporary promotional signs mounted to the interior of a window are not considered banners. Banner signs at Brookwood Mall may be permanent signs.
- (3) **Building facade.** All window and wall area of a building in one (1) elevation exposed to public view. In the case of attached units with separate exterior entrances, building facades will be apportioned to each unit.

- (4) **Building frontage.** The width of a building measured at the two (2) outermost limits of the plane or elevation defining the building face. In the case of attached units with separate exterior entrances, building frontage will be apportioned to each unit.
- (5) **City.** The City is Homewood, Alabama.
- (6) **City Code.** The Code of Ordinances of the City.
- (7) **Code Enforcement Officer.** Any official of the City designated by the City Council or the Mayor as the code enforcement officer which may include the Zoning Administrator for the City or any police officer of the City of Homewood, or any other person designated to enforce the provisions of this Article by the City Council or the Mayor.
- (8) **Development.** A parcel of land planned and developed in a unified design, used or set aside and available for use as the site of one (1) or more buildings and accessory buildings, or for any other purpose. A development is not divided by a street, and for the purpose of this Article may or may not coincide with a lot of record.
- (9) **Electronic message display.** An on-premises sign that displays electronic static images, static graphics or static pictures, with or without textual information. An electronic message display may be changed or altered by electronic means on a fixed display screen composed of a series of lights including light emitting diodes (LED's), fiber optics, light bulbs or other illumination devices within the display area.
- (10) **Erect.** To build, construct, attach, hang, place, suspend, paint, enlarge, alter or affix a sign (except the alteration of a message on a changeable copy sign).
- (11) **Exempt sign.** A sign made exempt from a sign permit, in accordance with Section 5-158(3).
- (12) **Freestanding sign.** Any permanent sign, other than an attached sign, supported by some structure or the ground and independent of support from any building, including an off-premise sign, ground sign, or similar sign that is not mounted on a building. Freestanding signs are distinguishable as follows:
 - a. **Off-premise sign.** A freestanding sign owned by a person, corporation or other entity that engages in the business of selling or donating the display space on that sign, commonly referred to as a billboard.
 - b. **Monument or Ground Sign.** An on-premises freestanding sign attached directly to the ground by its entire sign base.
 - c. **Pole sign.** An on-premises freestanding sign not meeting all of the characteristics of a monument sign. Pole signs are prohibited in the City.
- (13) **Frontage.** A frontage is any lot line along a street or highway.
- (14) **Illuminated sign.** A sign lighted by or exposed to artificial lighting which is further distinguishable as follows:
 - a. **Externally illuminated sign.** A sign where the source of the illumination is reflected off the surface of the sign from an external artificial lighting source.
 - b. **Internally illuminated sign.** A sign where the source of the illumination is inside the sign and artificial light emanates through the message of the sign, including exposed bulbs.
- (15) **Lot area.** The area contained within the property of the individual parcels of land shown on a subdivision plat or survey.

- (16) **Number of signs.** For the purpose of determining the number of signs, each sign is considered a single display surface or display device containing elements organized, related, and composed to form a unit. A multisided sign is considered one (1) sign.
- (17) **Off-premises sign.** A permanent sign which directs attention to or conveys information about a business, profession, service, commodity, accommodation, attraction or other activity that exists or is conducted, sold, offered, maintained or provided at a location other than on the premises where the sign is located.
- (18) **On-premises sign.** A permanent sign which directs attention to or conveys information about a business, profession, service, merchandise, accommodation, attraction or other activity that exists or is conducted, sold, offered, maintained or provided on nonresidential premises where the sign is located. Such sign may also communicate personal, religious, or political statements or announce community events.
- (19) **Permanent sign.** Any sign, other than a temporary sign, designed with a permanent display area and not fabricated of paper, fabric, window whitewash or other light impermanent materials. If a sign display area is permanent but the message displayed is subject to periodic changes, that sign is still regarded as permanent. A canopy permanently affixed to a building is regarded as permanent, even if fabricated of canvas, plastic or equivalent fabric-like materials.
- (20) **Portable sign.** Any sign that is designed to be transported, including, but not limited to, such signs: With wheels removed; With chassis or support constructed without wheels; Designed to be transported by trailer or wheels; Converted to an A- or T-frame sign; Attached temporarily or permanently to the ground, structure, or other signs; or Mounted on a vehicle for advertising purposes, parked, and visible from the public right-of-way, except signs identifying the related business when the vehicle is being used in the normal day-to-day operations of that business.
- (21) **Residential lot.** A lot zoned for residential use or intended for residential use within a PMUD district.
- (22) **Shopping center.** A group of commercial establishments located on a lot of three (3) or more acres planned and developed in a unified design with shared parking and driveway facilities and under a common management authority.
- (23) **Sign.** Any temporary or permanent display device (including all of its structural components), partially or fully exposed to public view, that is designed to inform or attract the attention of persons not on the premises on which the device is located.
- (24) **Sign area.** That area delineated by one (1) continuous perimeter line, enclosing the extreme limits of the writing, representation, emblem, or other display, together with any material or color forming an integral part of the background of the display or used to differentiate the sign from the backdrop or structure against which it is placed. The area will be determined by using the largest sign area or silhouette visible at any one time from any one point. This area does not include the main supporting sign structure. If a sign consists of more than one (1) section or module, all of the area, including that between sections or modules, must be included in the computation of sign area. On a two-sided, multisided, or three-dimensional sign, sign area includes the total of all sides designed to attract attention or communicate information that can be seen at any one vantage point. However, the sign area of a double-faced, back-to-back sign (less than three (3) feet between sign faces) or V-shape sign (less than thirty- degree angle between sign faces) include only the area of one (1) sign face.
- (25) **Sign height.** The average distance from the base of the sign at normal grade to the top of the highest attached component of the sign. Normal grade is construed to be the lower of existing grade prior to construction or the newly established grade after construction, exclusive of any filling, berming, mounding, or excavating solely for the purpose of locating the sign.

- (26) **Snipe or bandit signs.** Signs of any material, including paper, cardboard, wood or metal when tacked, nailed or attached in any way to trees, poles, stakes, fences or other objects on land where signs are not authorized to be displayed.
- (27) **Temporary sign.** Any freestanding sign fabricated of plywood or other light, impermanent materials and intended to be displayed for a limited duration. If a sign display area is permanent but the message displayed is subject to periodic changes, that sign is not to be regarded as temporary.
- (28) **Unlawful sign.** Any sign erected in violation of any previous or present sign regulations, building codes, electrical codes or any other ordinance of the City.

Sec. 5-161. Saving Provision.

These regulations shall not be construed as evading any action now pending under, or by virtue of, prior existing sign regulations, or as discontinued, abating, modifying or altering any penalty accruing or about to accrue, or as affecting liability of any person, or as waiving any right of the City under any section or provision existing at the time of the adoption of these regulations, or as vacating or annulling any right obtained by any person by lawful action of the City except as shall be expressly provided for in these regulations.

Section B. That all other provisions of Chapter 5 entitled "Buildings; Construction and Related Activities", except as set out hereinabove, shall remain in full force and effect and shall not be affected by this amendment.

Section C. That on **January 29, 2024, at 6:00 o'clock P.M.**, in the City Hall of the City of Homewood, Alabama, be, and the same hereby is, fixed as the time when, and the place where, the City Council will hold a public hearing on said proposed amendment to the Code of Ordinances, at which time, all interested parties may appear and be heard.

Section D. That if any part, provision, or section of this ordinance is declared to be unconstitutional or invalid by any court of competent jurisdiction, all other parts, provisions or sections of this ordinance not thereby affected shall remain in full force and effect.

Section E. This Ordinance shall become immediately effective upon its adoption by the City Council and approval by the Mayor or as otherwise becoming law.

ADOPTED this the _____ day of _____, 2024.

President of Council

APPROVED:

Mayor

ATTEST:

City Clerk

This notice posted: _____, 2024

At the following locations: Mayor's Office (City Hall), Homewood Public Library, Homewood Senior Center (Oak Grove Road) and Lee Community Center (Rosedale)

And at www.cityofhomewood.com

STATE OF ALABAMA)
JEFFERSON COUNTY)

I, the undersigned City Clerk of the City of Homewood, do hereby certify that the foregoing Ordinance No. _____ is a true and correct copy of an ordinance passed by the City Council of said City at a regular meeting held on _____, 2024, a quorum being present, and as same appears of record in Minute Book No. _____

Melody Salter
City Clerk