

## ORDINANCE NO. \_\_\_\_\_

### ARTICLE \_\_\_\_\_. SIGNS

#### Sec. 5-150. Purpose and Scope.

It is the purpose of this Article to promote 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 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 rights-of-way, streets or accessible alleys 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 District 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 statute.
- (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. 5-160. 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.

**Channel Letters** A sign that consists of custom-made metal or plastic that are covered in a translucent plastic material and mounted individually on a raceway or the building façade. The space between the letters is not part of the sign structure but rather the building façade though the space may count toward the sign area depending on how the letters are grouped and calculated in accordance with Sec.\_ .

**Façade** The exterior wall on the front, side, or rear elevation of the building regardless of whether the building side faces a street.

**Façade, Primary** For the purpose of this article, a primary façade shall be deemed a façade that faces directly onto a public street. For multi-tenant spaces, the primary façade shall be the façade related to the per-tenant lease portion of the façade or area subject to the lease.

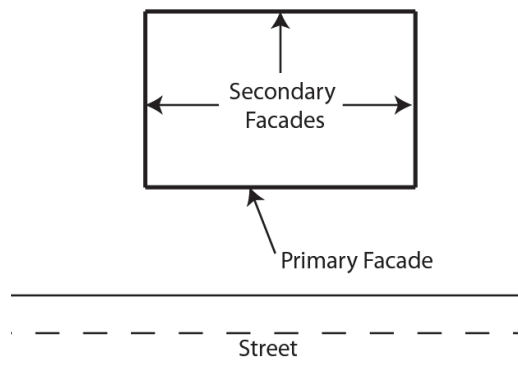


Illustration of the primary façade versus the secondary façades.

**Façade, Secondary** For the purpose of the sign regulations, a secondary façade shall be deemed a façade that faces a public street or alley but does not contain the primary entrance into a business.

**Frontage, Building** The length of an enclosed building facing a public or private street. When a business is located on a corner lot or does not front a public right-of-way the **Zoning Supervisor** shall have the authority to designate the building frontage. In structures with more than one business, the frontage of each business shall be calculated separately in determining its sign area.

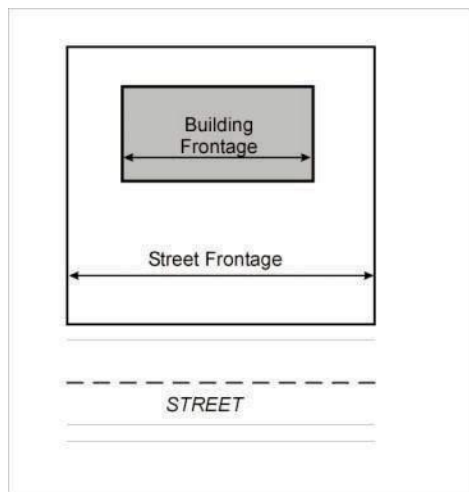


Illustration of building frontage versus street frontage.

**Gooseneck Lighting** A type of light fixture in which a lamp or lightbulb is attached to a flexible, adjustable shaft to allow the user to position the light source without moving the fixture or item to be illuminated. For the purposes of this article, the lighting is directed on a sign element.

**Mural** An original design, picture or representation, which does not contain promotional or commercial advertising, painted or drawn on an interior or exterior wall of a building and can be seen by passers-by from off premises.

**Raceway** A raceway is a thin rectangular structure mounted to a façade that encloses wiring and other electrical components for a sign that channel letters or other sign components are then mounted to in order to prevent the need to drill an excessive number of holes in a façade for the mounting of individual sign components.

**Sign, Balloon** A sign that is an air inflated object, which may be of various shapes, made of flexible fabric, resting on the ground or a structure, and equipped with a portable blower motor that provides a constant flow of air into the device. Balloon signs are restrained, attached or held in place by a cord, rope, cable, or similar method. See also the definition for “Sign, Air-Activated Graphic.”

**Sign, Air-Activated Graphic** A sign, all or any part of, which is designed to be moved by action of forced air so as to make the sign appear to be animated or otherwise have motion. See also the definition for “Sign, Balloon.”

**Sign, Yard** Any temporary sign placed on the ground or attached to a supporting structure, posts, or poles, that is not attached to any building.

**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:

**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.

**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.

**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.

**Roof sign.** A permanent on-premises sign affixed to the roof of a building.

**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.

**Window sign.** A permanent or temporary on-premises sign that is affixed to, painted on, hanging behind or in front of a window and which is intended to be seen from the exterior of the building.

**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.

**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.

**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.

**City.** The City is Homewood, Alabama.

**City Code.** The Code of Ordinances of the City.

**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.

**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.

**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.

**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).

**Exempt sign.** A sign made exempt from a sign permit.

**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 ground sign, or similar sign that is not mounted on a building. Freestanding signs are distinguishable as follows:

- a. **Monument or Ground Sign.** An on-premises freestanding sign attached directly to the ground by its entire sign base.
- b. **Pole sign.** An on-premises freestanding sign not meeting all of the characteristics of a monument sign. Pole signs are prohibited in the City.

**Frontage, Lot or Street.** Any property line along a street right-of-way. See *Property lines*.

**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.

**Lot area.** The area contained within the property of the individual parcels of land shown on a subdivision plat or survey.

**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.

**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. Off-premises signs include, but are not limited to, billboards. Off-premises signs are prohibited in the City.

**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.

**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.

**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.

**Residential lot.** A lot zoned for residential use or intended for residential use within a planned district.

**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.

**Sign.** Any object, device, display, or structure, or part thereof, visible from a public place, a public right-of-way, any parking area or right-of-way open to use by the general public, designed and used to attract attention to an institution, organization, business, product, service, event, or location by any means involving words, letters, figures, designs, symbols, fixtures, logos, colors, illumination, or projected images.

**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.

**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.

**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.

**Temporary sign.** Any 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.

**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-\_\_\_\_. General Regulations for all Zoning Districts**

Unless otherwise specifically stated, the following general regulations shall apply to all signs within the City of Homewood, including the Downtown Sign Districts.

## **Sec. 5-\_\_\_\_. 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, air-activated graphic or similar signs;
4. Moving or flashing signs including but not limited to searchlights, streamers and spinners;
5. Off-premise signs;
6. Pole signs;
7. Rope-style, LED, fluorescent or any other style or type of lights used to illuminate the area outlining a window, with or without window signs, a door or any other area of a building facade or roof.
8. Portable signs, including A-frame signs, are prohibited, unless specifically permitted elsewhere in this article;
9. Signs attached or painted on trees, utility poles, rocks or natural features;
10. Signs incorporating noisy mechanical devices or emitting smoke or steam;
11. Signs in the right-of-way unless specifically permitted elsewhere in this article;
12. 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;
13. LED signs;
14. Snipe or bandit signs; and
15. 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-\_\_\_\_. Administration and Enforcement.**

This article shall be administered by the Zoning Official or their designated representative, including but not limited to the City Engineer or staff of the Engineering & Zoning Department. The Zoning Official may, when necessary and feasible, consult with other departments, private firms, or persons with noted experience in qualifying disciplines, who, when so acting, shall be considered representatives of the City

- (1) **Code enforcement officer.** 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) **Removal and Confiscation of Signs**
  - a. City police and enforcement staff are authorized to remove and dispose of or order the removal and disposal of any prohibited sign, any sign that was not permitted in accordance with this article, and any nonconforming signs that do not meet the requirements of this article.
  - b. Any temporary sign installed or placed in a public right-of-way or easement, except as allowed in this article, shall be forfeited by the public and subject to confiscation without notice by authorized enforcement staff, officers of the City or members of the public. In addition to other remedies provided in this article, the City shall have the right to recover from the person placing such signs the full costs of removal and disposal.
  - c. Any permanent sign installed or placed in a public right-of-way or easement, except as allowed in this article, shall be forfeited to the public and subject to removal by authorized enforcement staff and officers of the City. In addition to other remedies provided in this article, the City shall have the right to recover from the person placing such signs the full costs of removal and disposal.

**Required permits, fees and inspections.** Unless otherwise provided in this section, all signs require a sign permit before being erected, displayed, relocated or altered. Written approval 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.

1. The Department of Inspections and Permits shall maintain a record of all such requests and approvals.
2. Whether a sign is exempt or not, an electrical permit is required for all illuminated signs.
3. 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. A copy of the State permit will be required prior to installation of the sign.
4. Revocation of permits for noncompliance with the permit's terms or for being void. A permit may be revoked if it is determined that:
  - a) The work under any sign permit is not in accordance with the terms of the permit;
  - b) The sign is in violation of any provision of this ordinance or any other City ordinance; or



- c) 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.
- d) A written notification of the defect, including the timeframe in which the defect must be corrected and date of permit revocation if the defect is not corrected, shall be hand-delivered or mailed to the property owner, applicant and contractor, as applicable and practicable. No work under the permit, other than correction of the defect, may continue after the initial notice of the defect is served.
  - i. If the defect is not corrected as prescribed in the written notification, the permit will be revoked.

**Application.** Each application for a sign permit shall include information sufficient for Zoning Official to determine compliance with this ordinance, including the following items:

- 1. Name, signature, and address of the property owner, authorized agent of the property owner, if applicable, and sign contractor.
- 2. A survey shall be required for all ground-mounted signs.
- 3. Address of the property where the sign is to be erected.
- 4. Zoning district and principal land use(s) on the lot subject to erection of a sign.
- 5. A written description of the sign(s) to be erected, including, but not limited to number, type, method of illumination, and materials.
- 6. A dimensioned sketch of the sign and dimensional characteristics necessary to determine maximum sign area and height.
- 7. Details sufficient for the reviewer to determine compliance with the requirements of this article, which may include a survey or plot plan showing the location of each sign on the lot, dimension of lot frontage, building frontage and façade area, building elevation, drawings, photographs, manufacturer information or other documentation deemed necessary to assess a permit.

#### **Application fees.**

- 1. Application fees. Each application for a sign permit must be accompanied by a permit fee of \$50.00 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.
- 2. Double permit fees. When work for which a permit is required is commenced prior to the obtaining of a permit, the permit applicant shall be required to pay a one-hundred-dollar (\$100.00) penalty as provided by subsection (o) plus a double permit fee. In no event shall the applicant pay less than three hundred dollars (\$300.00). The payment of the required fee shall not relieve any person from fully complying with all of the requirements of all applicable regulations, ordinances and codes, nor shall it relieve them from being subject to any of the penalties therein. The double fee requirement shall be applicable to all divisions of the building inspections and permits department as noted herein.

#### **Issuance of permits.**

- 1. The Zoning Official will examine applications for sign permits within ten (10) working days after receipt of a complete application. If it is determined that the requested sign(s), and any existing sign(s) conform to the requirements of this section, the sign permit application will be approved.

2. If the Zoning Official finds that any requested or existing sign(s) or uses directly related to the application, and in the ownership and/or control of the permit applicant, violate any applicable provision of this section or any other City code or ordinance, a sign permit shall not be approved until the violation is corrected.
3. A sign permit is a license to proceed with the work specified in the permit as approved by the Zoning Official. It does not grant the 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 preclude the Zoning Official from requiring the correction of errors in plans or in construction where such errors, including administrative error, are in violation of the terms or 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.

**Inspection.** The Zoning Official will inspect each sign authorized by permit to determine compliance with the permit application and the terms of this article. Routine inspections of signs may occur to determined continued compliance.

**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.

**Signs that do not require a permit.** The following signs do not require a permit. However, they must conform to the requirements of any applicable sections of all City-adopted codes.

1. Signs not visible from public streets or which are not visible from one property to another.
2. 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.
3. The flag of the United States shall be displayed in accordance with State and Federal guidelines.
4. 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.
5. Works of fine art and/or murals when not displayed in conjunction with a commercial enterprise and through which an enterprise may not receive direct commercial gain.
6. Temporary decorations or displays celebrating the occasion of traditionally accepted holidays.
7. Temporary non-residential yard signs. One temporary yard sign per street frontage is permitted on a non-residential site without time limitation. The sign may not exceed thirty-two (32) square feet in area and fifteen (15) feet in height.
8. Temporary residential yard signs. Two temporary yard signs per street frontage are permitted on a residential site without a time limitation. The sign shall not exceed twelve (12) square feet in area and four (4) feet in height in residential zoning districts.
9. Signs on a truck, bus, car, boat, trailer or other motorized vehicle and equipment provided all the following conditions are adhered to:
  - a. The primary purpose of the vehicle or equipment is not the display of signs.

- b. 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.
  - c. 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.
  - d. Vehicles and equipment are not used primarily as static displays, advertising a product or service, nor utilized as storage or shelter.
  - e. 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 shall not be subjected to this condition. This section does not include vehicles driven by owners or employees of a business that are parked at a residence.
10. Address identification sign. New and existing non-residential buildings shall install a minimum of one (1) address identification sign. An address identification sign shall be legible and placed in a position that is visible from the street or road fronting the property. Address identification characters shall contrast with their background. Address numbers shall be Arabic numbers or alphabetical letters. Numbers shall not be spelled out. Each character shall be not less than 4-inches high with a minimum stroke width of  $\frac{1}{2}$  inch. Where required by the *fire code official*, address identification shall be provided in additional approved locations to facilitate emergency response. Where access is by means of a private road and the building cannot be viewed from the public way, a monument, pole or other sign or means shall be used to identify the structure. Address identification shall be maintained.
11. Maintenance where no structural changes are made, such as painting, cleaning, replacement of light bulbs, or the changing of the interchangeable letters on signs designed for them. The nonconforming status of a sign is not affected by repainting or routine maintenance.
12. Temporary, non-illuminated signs, see temporary sign requirements in Sec. \_\_\_\_\_ except banners, which require permits.

**Nonconforming signs.** General restrictions on nonconforming signs include:

- 1. Any sign that was lawfully in existence at the time of the effective date of this ordinance, or amendment thereto, that does not conform to the provisions herein, shall be deemed a legal nonconforming sign and may remain on a lot of record except as qualified below. No legal nonconforming sign shall be enlarged, extended, structurally altered, or reconstructed in any manner, except as allowed for in this ordinance and the non-conforming structure regulations within the Zoning Ordinance shall not apply.
- 2. A sign shall lose its legal nonconforming status and must be brought into full compliance with the provisions of this article by an application for, and issuance of, a sign permit or by complete removal, if any of the following occurs:
  - a. If such a sign is damaged to an amount exceeding 50 percent of the sign's fair market replacement value, as determined by at least two sign companies requested by the City to provide a quote;
  - b. The structure of a freestanding sign is altered in any form except for routine and general maintenance;
  - c. The structure of a building sign is altered in any form;
  - d. If a billboard sign installed prior to DATE OF SIGN ORDINANCE UPDATE is altered or replaced in any manner except for routine and general maintenance;

- e. The sign is relocated;
  - f. The sign material is consistent with a temporary sign but has been in use as a permanent sign for more than one year following the effective date of this ordinance; or
  - g. The nonconforming sign and its structure (including support and frame and panel) are determined by the Zoning Official to be unsafe or in violation of this code and are declared a nuisance.
3. General or routine maintenance and cleaning of nonconforming signs shall be permitted without loss of legal nonconformity status. General or routine maintenance shall include the replacement of light bulbs, where applicable, or replacement of broken parts with the same parts. Any upgrade of electrical systems or replacement of structural parts shall be reviewed by the Zoning Official to determine if the repair or maintenance changes the nonconforming status of a legally nonconforming sign.
  4. Sign face changes where there is no change to the nonconforming sign structure. A sign face change may be made without losing the legal nonconforming status of the sign. These actions include, but are not limited to, the replacement of a sign face within a pre-existing sign cabinet or repainting or changing the characters or logo of an existing sign face. Changes to a sign structure shall include the change in sign face area, height, or any alteration of the sign cabinet, if applicable.
  5. Billboard Sign, also known as an Off-Premise Sign. Only billboard signs that were installed prior to [ENTER THE DATE OF THE ADOPTION OF THIS ORDINANCE] and are damaged or removed by an Act of God, by more than fifty- (50) percent of its value at the time of said damage, may be replaced and such replacement shall conform to the following requirements. For the purposes of this section, an *Act of God* is an extraordinary interruption by a natural cause (such as a flood, tornado or earthquake) of the usual course of events that experience, prescience, or care cannot reasonably foresee or prevent:
    - a. The owner must replace the billboard sign within six (6) months after its destruction or removal, or the owner will forfeit the right to replace the billboard sign.
    - b. The replacement billboard sign shall not exceed the height or sign area of the sign it is replacing.
    - c. The replacement billboard sign shall be installed in the same location as the sign it is replacing, unless:
      1. The lot on which the billboard sign sits is not contiguous to the Interstate 65 right-of-way; and
      2. The billboard sign is moved in a line perpendicular to the Interstate 65 right-of-way and no farther than 50 feet away from its original location;
    - d. The replacement billboard sign shall meet all setback requirements of this ordinance at the time the billboard sign is to be re-installed.
    - e. Billboards may incorporate electronic message centers provided they comply with the regulations of the Alabama Department of Transportation.
    - f. Billboards that are removed in any other way, whether by the property owner, sign owner or a third party shall not be replaced.
  6. Unlawfully erected signs. Any sign 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 Zoning Official. It is the obligation of the sign owner to show proof of a valid permit for lawful erection of a sign if the Zoning Official cannot readily obtain proof of a valid permit in the records of the City offices.

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 a violation may be issued to the responsible party in writing, personal appearance, or by telephone by the enforcement officer finding the violation. Correction of any violations shall be completed 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 includes 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. **Appeal to the Board of Zoning Adjustment.** Variances to the terms of these sign regulations may be granted in individual cases upon a finding of a hardship by the Board of Zoning Adjustment, under the procedures for variances established in Article XI, Sec. B. The Board of Zoning and Adjustment will hear variance requests only if the variance application meets the intent of Article XI, Sec. B and conforms to all other ordinances or as shown on adopted City plans.
10. **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 and disposal by the public or an enforcement officer. In addition to other remedies provided under this Article, the City has the right to recover from the owner, or the person placing the sign, the full costs of removal and disposal.

## **Sec. 5-\_\_\_\_. Sign Code Exception**

1. The Zoning Official may grant approval for a sign code exception of not more than 10% in permitted sign height or sign area.
2. The following findings shall be made prior to approval of any sign code exception:
  - a. The sign is compatible with the character of the area and is needed due to special and unique circumstances defined by the applicant and applicable only to the property or building;
  - b. The exception requested is the smallest necessary to address the unique situation;
  - c. The applicant did not create the special or unique circumstances themselves due to the design of the site and or building;
  - d. The sign will not adversely affect other signs in the area nor give the sign applicant an unnecessary advantage over other signs the area;
  - e. The sign will not be detrimental to properties located in the vicinity; and
  - f. The sign will not obstruct vehicular or pedestrian traffic visibility and will not be a hazardous distraction.

## **Sec. 5-\_\_\_\_. General Requirements Outside the Downtown Sign Districts**

All on-premises signs, outside the Downtown Sign Districts, must conform to the following regulations:

**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:

1. **Clearance.** All signs must meet the following clearance to the lowest portion of the sign:
  - a. Minimum eight feet above a sidewalk or public walkway; or
  - b. Minimum 14 feet clearance above vehicular areas.

**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, width or area.

**Measurement.** Square footage for this article is measured as follows:

1. “Height” shall be computed as the distance from the base of the sign at normal grade (average grade at the base of the sign) to the top of the highest attached component of the sign. Normal grade shall be construed to be the newly established grade after construction, exclusive of any filling, berming, mounding, or excavating solely undertaken for the purpose of locating or increasing the height of sign.
  - a. In cases where the normal grade is below grade at street level, sign height shall be computed on the assumption that the elevation of the normal grade at the base of the sign is equal to the elevation of the nearest point of the crown of a public or private street.
2. “Width” shall be measured across the widest portion of a sign that runs parallel to the ground at the base of the sign or at the widest points of sign if above the base. Sign width shall include all structural elements of a sign (e.g., support posts, sign cabinet, etc.).

**Illumination.** Illuminated signs are permitted as follows:

1. All signs may be illuminated by an external light source.
  - a. 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.
2. Internal sign illumination is limited to window signs, wall signs, canopy signs.
  - a. Internally illuminated signs are prohibited in the Downtown Sign Districts and all residential zoning districts, except for vending machines, automated tellers, and displays smaller than three square feet in area.
3. All electric signs must conform to the Electrical Code of the City of Homewood.
4. 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.

**Traffic visibility.** No permanent or temporary sign exceeding four square feet in area is permitted within 20 feet of an intersection right-of-way line (40 feet if the intersecting street is an arterial highway), within 10 feet from the primary front lot line or secondary front property line on lots that are contiguous with more than one right-of-

way, 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.

**Viewpoint neutrality.** No sign may be erected, operated, used or maintained which:

- a. 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. May confuse motor vehicle operators by using the words “stop,” “warning,” “danger,” “turn,” or similar words implying the existence of danger, or the need for stopping or maneuvering; or
- d. Creates in any other way an unsafe distraction for motor vehicle operations.

**Sound.** No sign may emit sound.

**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.
3. The sign shall be located in a landscaped area equal to or larger than the total sign area of the applicable sign.

**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.

**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.

**Electronic Message Boards, Digital Signs and Displays.**

1. Electronic message boards, digital signs and displays shall only be permitted as part of a permanent monument sign in the commercial, institution and industrial districts. All of the following standards shall apply to all electronic message centers:

- a. Electronic message boards, digital signs and displays are only permitted on lots that are a minimum of three (3) acres in size and the lot shall have street frontage on a major highway, arterial, or collector road.
- b. Any monument sign with an electronic message board, digital sign or display shall be set back a minimum of 350 feet from any lot line in a residential zoning district.
- c. If more than one monument sign is permitted on a lot, only one monument sign may contain an electronic message board, digital sign or display.
- d. Any message change shall be a static, instant message change.
- e. Messages shall only change once every 10 seconds, or more.
- f. The transition time between messages shall be less than one second.
- g. All electronic message boards, digital signs or displays shall contain a default mechanism that will cause the sign to revert immediately to a black screen if the sign malfunctions or shall be turned off manually within 24-hours of a malfunction.
- h. Only Light Emitting Diodes (LED) technology or similar quality signs shall be permitted for an electronic message board, digital sign or display.
- i. The electronic message board, digital sign or display shall be equipped with an automatic dimming photocell, which automatically adjusts the display's brightness based on ambient light conditions.
- j. The brightness level shall not increase by more than 0.3 footcandles or 3.23 lumens per square meter or lux over ambient levels as measured using a footcandle meter at a pre-set distance. The procedure and distances for measurement of brightness shall be established by the International Sign Association's Recommend Night- time Brightness Levels for On-Premise Electronic Message Centers.

**Temporary signs.** Temporary signs may only be freestanding except for in the Downtown Sign Districts.

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
2. [Table 2. General Sign Restrictions.](#)
3. 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.
4. Temporary banners. A banner may be displayed if it is associated with a specific event and must be erected at 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.

## NEW SECTION

### Sec. 5\_\_\_\_\_. Master Sign Plan

The master sign plan allowance established herein is to provide for additional permanent signage for large-scale developments in non-residential, planned commercial and mixed-use districts. The master sign plan provides a review process where any qualifying development that includes 25 acres or more or contains buildings with a



cumulative floor area of 300,000 square feet or more, can submit a master sign plan package that illustrates all the signage that will be used on the lot and the relationships of all these signs to the development.

### **Master Sign Plan Requirements**

1. Master sign plans shall be reviewed by the Planning Commission for any non-residential, planned commercial or mixed-use development that meets the acreage or square foot threshold above, and where the applicant wishes to submit a single, comprehensive sign plan for review.
2. A master sign plan is intended to promote consistency among signs within a development and enhance the compatibility of signs with the architectural and site design features within a development, as well as with the surrounding neighborhood.
3. A master sign plan may include more than one freestanding sign per frontage and increases to the maximum height of freestanding signs and maximum sign area allowance where the signage will contribute to the overall design of the development as well as comply with any of the city's adopted plans or policies.
4. Master sign plans may include up to a 25% increase in the maximum building sign area allowed in other sections of this ordinance.
5. An application for review of a master sign plan shall include:
  - a. A master sign plan, drawn to scale, delineating the site proposed to be included within the master sign plan and the general locations of all permanent signs including freestanding and building signs and the property lines, buildings and roadways;
  - b. Drawings and/or sketches indicating the dimensions in square feet, location and sign area for all the permanent signs;
  - c. Drawings and/or sketches indicating the exterior surface details of all buildings on the site on which wall signs, awning signs, canopy signs, projecting signs, window signs or other building signs are proposed;
  - d. Samples or photos of colors and materials to be used for signs and the relationship to the building materials; and
  - e. Information regarding the illumination of any signs.
6. In order for the Planning Commission to approve a master sign plan, it must find all of the following:
  - a. That the plan's contribution to the design of the site and surrounding area will be superior to the quality that would result under the regulations and standards of this article;
  - b. That the signs proposed as part of the master sign plan will create a uniform sign package for the site related to materials, lighting, design and other features of the individual signs; and
  - c. That the proposed signs are compatible with the style or character of improvements and are well-related to each other in terms of location and spacing.

7. The Planning Commission may impose reasonable conditions to a master sign plan necessary to carry out the intent of this article.
8. No building permits or other permits required for the construction of any sign shall be issued unless the sign is in compliance with the approved master sign plan.
9. An approved master sign plan may only be amended or modified through the same review process required for its approval.

**Table 1. Temporary Sign Restrictions**

| <i><b>RESTRICTION</b></i>                       | <i><b>RESIDENTIAL ZONING DISTRICTS</b></i> | <i><b>NON-RESIDENTIAL ZONING DISTRICTS</b></i> | <i><b>PLANNED NON-RESIDENTIAL DISTRICTS</b></i> |
|-------------------------------------------------|--------------------------------------------|------------------------------------------------|-------------------------------------------------|
| <b>Maximum number per parcel</b>                | 2 per street frontage                      | 1 per tenant                                   | 1 per tenant                                    |
| <b>Maximum area per sign</b>                    | 12 sq. ft.                                 | 32 sq. ft.                                     | 8 sq. ft.                                       |
| <b>Maximum height for a freestanding sign</b>   | 4 ft.                                      | 15 ft.                                         | 4 ft.                                           |
| <b>Minimum setback from the property line</b>   | 10 ft.                                     | 10 ft.                                         | 10 ft.                                          |
| <b>Permission of owner required</b>             | Yes                                        | Yes                                            | Yes                                             |
| <b>Allowed within sight visibility triangle</b> | No                                         | No                                             | No                                              |
| <b>Allowed within public right-of-way</b>       | No                                         | No                                             | No                                              |
| <b>Illumination allowed</b>                     | No                                         | No                                             | No                                              |
| <b>May be attached sign or window sign</b>      | No                                         | No                                             | No                                              |

**Notations.** Notations in

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

- a. “P” means the sign is permitted.
- b. “X” means the sign is prohibited.

**Table 2. General Sign Restrictions**

| <i>SIGN TYPE</i>             | <i>RESIDENTIAL<br/>ZONING<br/>DISTRICTS</i>        | <i>NON-RESIDENTIAL<br/>ZONING<br/>DISTRICTS</i> | <i>EDGEWOOD<br/>URBAN RENEWAL<br/>DISTRICT</i> | <i>PLANNED (NON-<br/>RESIDENTIAL)<br/>DISTRICTS<sup>1</sup></i> |
|------------------------------|----------------------------------------------------|-------------------------------------------------|------------------------------------------------|-----------------------------------------------------------------|
| <b>FREESTANDING SIGNS</b>    |                                                    |                                                 |                                                |                                                                 |
| <b>MONUMENT</b>              | Permitted only at entry to residential subdivision | P                                               | P                                              | P                                                               |
| Sign number                  | 2 at entry                                         | 1 per frontage                                  | 1 per frontage                                 | Per Sec. 5-156                                                  |
| Max. area                    | 32 sq. ft.                                         | 150 sq. ft.                                     | 48 sq. ft.                                     | Per Sec. 5-156                                                  |
| Max. height                  | 6 ft.                                              | 15 ft.                                          | 6 ft.                                          | Per Sec. 5-156                                                  |
| <b>SHOPPING CENTER BONUS</b> |                                                    |                                                 |                                                |                                                                 |
| Max. area                    | n/a                                                | 225 sq. ft.                                     | 72 sq. ft.                                     | 375 sq. ft.                                                     |
| Max. height                  | n/a                                                | 22.5 ft.                                        | 9 ft.                                          | 150% of Sec. 5-156                                              |
| <b>ATTACHED SIGNS</b>        |                                                    |                                                 |                                                |                                                                 |
| <b>ROOF<sup>2</sup></b>      | X                                                  | P                                               | P                                              | P                                                               |
| Sign number                  | n/a                                                | 1 per building                                  | 1 per building                                 | 1 per building                                                  |
| Max. area                    | n/a                                                | 3 sf per linear foot of building                | 2 sf per linear foot of building               | Per Sec. 5-156                                                  |
| Max. copy height             | n/a                                                | 32 in. max.                                     | 24 in. max.                                    | Per Sec. 5-156                                                  |
| <b>AWNING</b>                | X                                                  | P                                               | P                                              | P                                                               |

<sup>1</sup> PMUD, MXD, GURD

<sup>2</sup> Roof signs must not project above the peak of the roof.

| <i><b>SIGN TYPE</b></i>  | <i><b>RESIDENTIAL<br/>ZONING<br/>DISTRICTS</b></i> | <i><b>NON-RESIDENTIAL<br/>ZONING<br/>DISTRICTS</b></i> | <i><b>EDGEWOOD<br/>URBAN RENEWAL<br/>DISTRICT</b></i> | <i><b>PLANNED (NON-<br/>RESIDENTIAL)<br/>DISTRICTS<sup>1</sup></b></i> |
|--------------------------|----------------------------------------------------|--------------------------------------------------------|-------------------------------------------------------|------------------------------------------------------------------------|
| 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                              |
| Max. area                | n/a                                                | 75% of sloping panel;<br>85% of valence                | 75% of sloping panel;<br>85% of valence               | 75% of sloping panel;<br>85% of valence                                |
| Max. copy height         | n/a                                                | 24 in. on sloping panel;<br>8 in. on valence           | 16 in. on sloping panel;<br>8 in. on valence          | 24 in. on sloping panel;<br>8 in. on valence                           |
| <b>CANOPY OR MARQUEE</b> | X                                                  | P                                                      | P                                                     | P                                                                      |
| Sign number              | n/a                                                | 1 per canopy or marquee                                | 1 per canopy or marquee                               | 1 per canopy or marquee                                                |
| 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                                |
| Max. copy height         | n/a                                                | 30 in. max.                                            | 24 in. max.                                           | 24 in. max.                                                            |
| <b>PROJECTING</b>        | X                                                  | P                                                      | P                                                     | P                                                                      |
| Sign number              | n/a                                                | 1 per tenant                                           | 1 per tenant                                          | 2 per tenant                                                           |
| Max. area                | n/a                                                | 12 sq. ft.                                             | 9 sq. ft.                                             | 12 sq. ft.                                                             |
| Max. copy height         | n/a                                                | 8 in.                                                  | 8 in.                                                 | 24 in.                                                                 |
| <b>SCULPTURAL</b>        | X                                                  | P                                                      | P                                                     | P                                                                      |
| Sign number              | n/a                                                | 1 per tenant                                           | 1 per tenant                                          | 1 per tenant                                                           |
| Max. area                | n/a                                                | 12 sq. ft.                                             | 12 sq. ft.                                            | 12 sq. ft.                                                             |
| Max. copy height         | n/a                                                | n/a                                                    | n/a                                                   | n/a                                                                    |

| <b>SIGN TYPE</b> | <b>RESIDENTIAL<br/>ZONING<br/>DISTRICTS</b> | <b>NON-RESIDENTIAL<br/>ZONING<br/>DISTRICTS</b>                                  | <b>EDGEWOOD<br/>URBAN RENEWAL<br/>DISTRICT</b>                                   | <b>PLANNED (NON-<br/>RESIDENTIAL)<br/>DISTRICTS<sup>1</sup></b>                  |
|------------------|---------------------------------------------|----------------------------------------------------------------------------------|----------------------------------------------------------------------------------|----------------------------------------------------------------------------------|
| <b>*WALL</b>     | X                                           | P                                                                                | P                                                                                | P                                                                                |
| Sign number      | n/a                                         | 1 per tenant                                                                     | 1 per tenant                                                                     | 1 per tenant                                                                     |
| Max. area        | n/a                                         | 3 sq. ft. per 1 linear foot up to 90% of the width of the building               | 2 sq. ft. per 1 linear foot up to 90% of the width of the storefront             | 20% of first floor facade area                                                   |
| Max. copy height | n/a                                         | 36 in.                                                                           | 24 in.                                                                           | Per Sec. 5-156                                                                   |
| <b>WINDOW</b>    | X                                           | P                                                                                | P                                                                                | P                                                                                |
| Sign number      | n/a                                         | 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 |
| Max. copy height | n/a                                         | 12 in.                                                                           | 12 in.                                                                           | 12 in.                                                                           |

\*For multilevel buildings, the primary tenant may have one wall sign of the maximum allowable area and secondary tenants with individual designated entrances accessible from the exterior of the building may each have one sign 50% of the permitted primary tenant area. Tenants with shared access through a main entrance from the exterior of the building, and a secondary entrance into individual suites or offices located along a common interior hallway, shall not be permitted a wall sign on the exterior of the building.

### **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 conditions of Sec. 5-152(1)1 and

Table 1. Temporary Sign Restrictions.

- (1) **Monument signs.** The maximum area and height for each monument sign is according to
- (2) [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.
  - b. All applications for monument signs must be accompanied by a survey that shows all existing structures and site conditions.

Table 3. Specific Freestanding Sign Regulations and Illustrations

| MONUMENT SIGN |                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                  |                                                                                     |
|---------------|------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|-------------------------------------------------------------------------------------|
| Requirements  | <ul style="list-style-type: none"><li>a. Sign must be set back a minimum of five (5) feet from a right of way or accessible alley.</li><li>b. Sign must be placed 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.</li><li>c. Monument signs must be constructed of durable materials.</li><li>d. Sign must be attached directly to the ground by its entire base.</li></ul> |  |

| OFF-PREMISE SIGN |                                                                                                                                                                                                                                                                                                                                                                                                                                                             |                                                                                    |
|------------------|-------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|------------------------------------------------------------------------------------|
| Requirements     | <ul style="list-style-type: none"> <li>a. Cut-out extension area may not exceed 100 sf.</li> <li>b. Sign and structure must be constructed of durable materials.</li> <li>c. 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.</li> <li>d. New off-premise signs are prohibited in the City except as provided for non-conforming signs.</li> </ul> |  |

**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 and

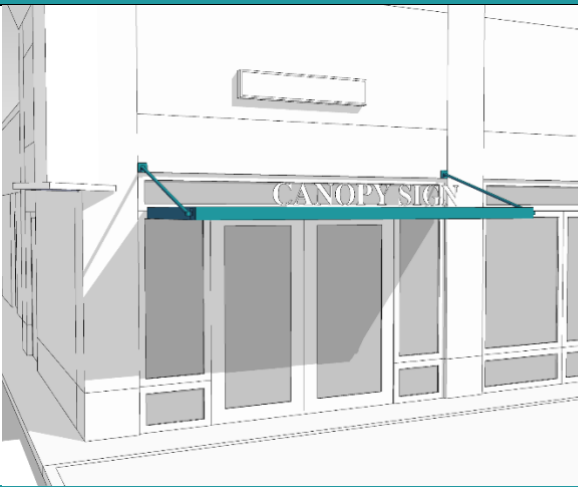


Table 1. Temporary Sign Restrictions.

- (1) **Maximum number of attached signs.** Except as provided for exempt signs, attached signs are restricted to a building facade facing a public street, alley or a customer parking lot. The maximum number of attached signs per building facade are as follows:
- b. One roof sign or one wall sign or one canopy sign or one marquee sign per tenant; or
  - c. One awning sign per ground floor window; or
  - d. One projecting sign per tenant or one sculptural sign per tenant; and
  - e. Except as provided for neon signs displayed in windows in subsection (4) below no limit on the number of window signs.
- a. **Roof signs.** The maximum area and height for each roof sign is according to
- b. 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.
- c. **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.
- a. Wall signs may not project more than 12 inches from the building wall and may not extend beyond the limits of the building.
- d. **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.
- a. 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**

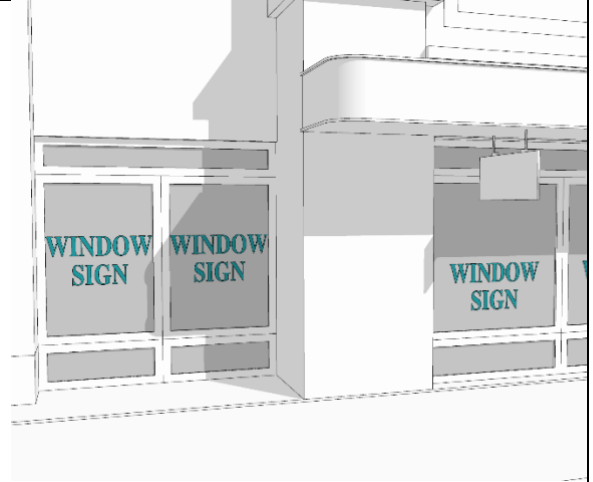
| ROOF SIGN    |                                                                                                                                                                                                                                                                                                                                                                                                 |                                                                                                                                                                                                                                                                                                                                                                                                                                                   |
|--------------|-------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|---------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| Requirements | <ul style="list-style-type: none"> <li>a. Roof sign may be internally or externally illuminated.</li> <li>b. Fixtures must be shielded to prevent glare.</li> <li>c. Conduit, raceways and wiring shall not be exposed.</li> <li>d. The supporting structure is not computed as part of the allowable sign area.</li> <li>e. Roof sign shall not project above the peak of the roof.</li> </ul> |  <p>A line drawing of a two-story commercial building. A sign with the words 'ROOF SIGN' is mounted on the roof, centered above the main entrance. The sign is rectangular and appears to be illuminated from within. The building has large windows and a flat roofline.</p>                                                                                   |
| WALL SIGN    |                                                                                                                                                                                                                                                                                                                                                                                                 |                                                                                                                                                                                                                                                                                                                                                                                                                                                   |
| Requirements | <ul style="list-style-type: none"> <li>a. Signs may not project more than one foot from the building.</li> <li>b. Wall signs may be internally or externally illuminated.</li> <li>c. Fixtures must be shielded to prevent glare.</li> <li>d. Conduit, raceways and wiring shall not be exposed.</li> </ul>                                                                                     |  <p>A line drawing of a long, single-story commercial building with multiple storefronts. Each storefront has a sign mounted on the wall above the entrance. The signs are rectangular and feature the words 'WALL SIGN'. The signs are flush with the building's facade and do not project significantly. The building has large windows and a flat roof.</p> |

| CANOPY SIGN  |                                                                                                                                                                                                                                                                                                                |                                                                                      |
|--------------|----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|--------------------------------------------------------------------------------------|
| Requirements | <ul style="list-style-type: none"> <li>a. Canopy signs may be externally illuminated.</li> <li>b. Fixtures must be shielded to prevent glare.</li> <li>c. Conduit, raceways and wiring may not be exposed to view from the sidewalk.</li> </ul>                                                                |    |
| AWNING SIGN  |                                                                                                                                                                                                                                                                                                                |                                                                                      |
| Requirements | <ul style="list-style-type: none"> <li>a. Signs on awning valences must maintain a one-inch border.</li> </ul>                                                                                                                                                                                                 |   |
| MARQUEE SIGN |                                                                                                                                                                                                                                                                                                                |                                                                                      |
| Requirements | <ul style="list-style-type: none"> <li>a. Marquee signs may occur parallel to the facade or at the corner of the building on buildings over one story in height.</li> <li>b. Sign may extend up to 6 feet above the parapet.</li> <li>c. The bottom of the sign must be 12 feet above the sidewalk.</li> </ul> |  |

## 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.

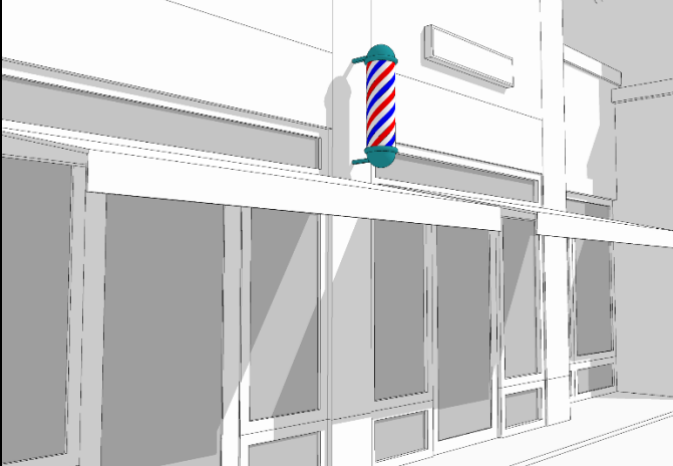


## PROJECTING SIGN

### Requirements

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



| SCULPTURAL SIGN |                                                                                                                                                                                                                                                                                                                                                                       |                                                                                    |
|-----------------|-----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|------------------------------------------------------------------------------------|
| Requirements    | <div><div>a. Signs may include painted, vinyl or extruded copy or graphics on a sculptural object.</div><div>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.</div><div>c. Bottom of sign must be a minimum of 8 feet above the sidewalk.</div></div> |  |

**Sec. 5-156. PMUD, MXD, GURD and the Planned (Non-Residential) Districts.**

This section applies to property identified as the Planned Districts. Signs in these districts are regulated independently by the following use categories: (1) single tenant, and (2) multiple tenant buildings and (3) shopping centers and corporate campuses. Single tenants may choose to utilize any two of the following types of signs and are subject to the requirements of

Table 1. Temporary Sign Restrictions and

Table 2 except for the following:

1. Attached signs.
  - a. No sign on a building facade may exceed 80 feet in length.
2. Monument signs.
  - a. 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 or parking lot landscape island, the area must be a minimum of 10 feet wide and 50 feet long.
  - b. 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. 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 set back 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 or parking lot landscape island, the area must be a minimum of 10 feet wide and 50 feet long.
  - c. One monument sign used by multiple businesses is permitted per parcel with the following dimensions:
    - i) Maximum height is 15 feet.
    - ii) Maximum width is 10 feet.
    - iii) Maximum surface area is 150 square feet per side, or 300 square feet total.

Multiple tenant buildings or shopping centers with a minimum gross floor area of 300,000 square feet and mixed-use or corporate campuses on lots of 25-acres or more may utilize the master sign plan process or the following types of signs. The sign may be located along any street or highway frontage.

1. Monument signs.
  - A. One monument sign is permitted per entrance into the development from a public street. If the street frontage exceeds 500 feet, a second sign may be permitted.
  - B. The maximum area for monument signs is 200 square feet per side. The maximum height is 45 feet.
  - C. Each vehicular entrance to multi-tenant or mixed-use buildings within a corporate campus may have one monument sign identifying the individual businesses within the buildings, not exceeding 75 square feet per side and 10 feet in height.
  - D. Monument signs that were approved via the development plan process must follow the same process when being replaced or relocated within a development.
2. Wall Signs

- a. Individual businesses within a multi-tenant building, shopping center or corporate campus that are accessed from designated entrances located on the exterior of a building may erect wall signs and projecting signs per the standards of [Table 1](#) and [Table 2](#).
- b. Individual businesses within a multi-tenant building, shopping center or corporate campus that are accessed from a main entrance into an interior hallway may have a wall sign located near the entrance into the business. The area of the wall sign shall be per the standards for non-residential wall signs of Table 1 and Table 2. Individual businesses shall not have separate wall signs on the exterior of the building.
- c. 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.

### **Sec. 5-157. Specific Area Signs.**

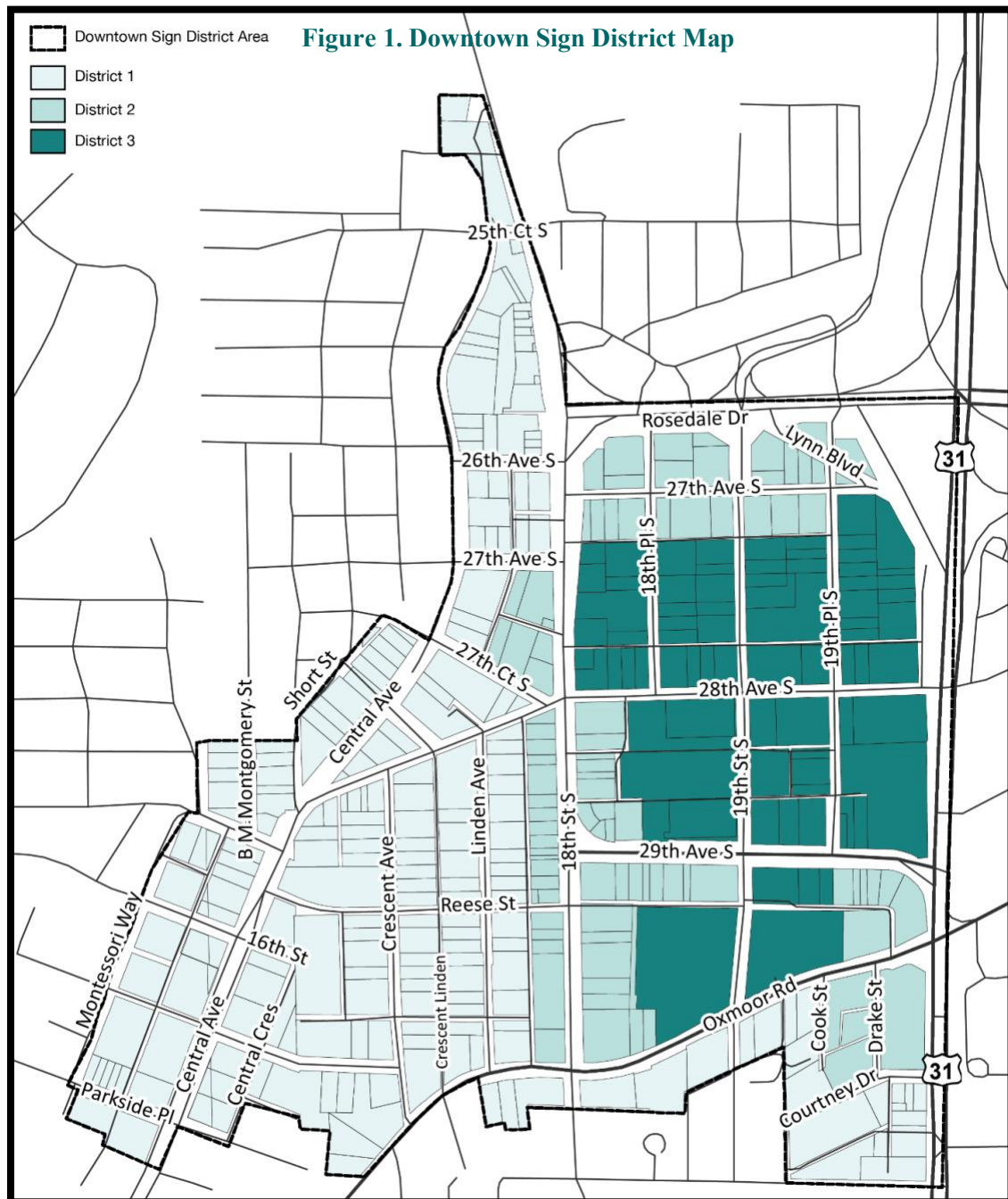
The following specific areas are regulated by Appendix A – Zoning:

- (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 ensure the scale and character of signs is appropriate to a walkable downtown.

**Downtown sign districts.** The boundaries of the downtown sign districts are as shown on. The downtown sign district map is a part of this ordinance.





(1) **Permitted signs and restrictions.** Permitted sign types are limited by downtown sign districts and the following restrictions according to

(2) [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:
  - i) Minimum eight feet over sidewalks;
  - ii) Minimum 10 feet over vehicular areas.

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.

Illuminated signs are permitted as follows:

- a. All signs may be illuminated by an external light source.
- b. Internal illumination is prohibited.

Notations. Notations in

[Table 5](#) have the following meanings:

“P” means the sign is permitted.

“X” means the sign is prohibited.

**Table 5. General Sign Restrictions**

| SIGN TYPE               | 1 | 2 | 3 | SIGN NUMBER                               | MAX. SIGN AREA                          | MAX. COPY HEIGHT                          |
|-------------------------|---|---|---|-------------------------------------------|-----------------------------------------|-------------------------------------------|
| <b>PROJECTING SIGNS</b> |   |   |   |                                           |                                         |                                           |
| 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                                       |

| SIGN TYPE                       | 1 | 2 | 3 | SIGN NUMBER            | MAX. SIGN AREA                                                             | MAX. COPY HEIGHT |
|---------------------------------|---|---|---|------------------------|----------------------------------------------------------------------------|------------------|
| <b>WALL SIGNS</b>               |   |   |   |                        |                                                                            |                  |
| 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.           |
| Wall mounted – Secondary façade | P | P | P | 1 per secondary façade | 50% of the area allowed on the primary facade                              | 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.           |
| <b>GROUND SIGNS</b>             |   |   |   |                        |                                                                            |                  |
| Monument                        | P | X | P | 1 per frontage         | 30 sq. ft.                                                                 | 12 in.           |
| Pole                            | X | X | X | n/a                    | n/a                                                                        | n/a              |
| Sidewalk <sup>1</sup>           | X | P | X | 1 per tenant           | 6 sq. ft.                                                                  | n/a              |

*Wall Signs: An applicant may provide signage on one secondary façade but shall not combine the total amount of building sign area permitted on each facade and apply it to any single façade. The amount of building sign area allowed*

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<sup>1</sup> Sidewalk signs shall not block the pedestrian area of the sidewalk.

on a secondary facade shall be 50% of that allowed on the primary façade.

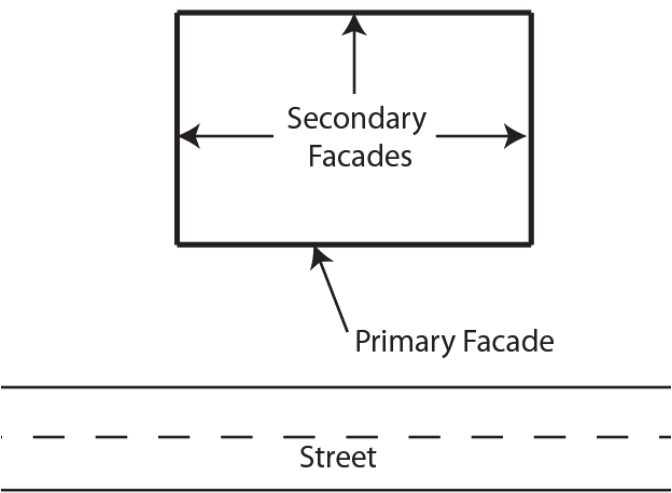
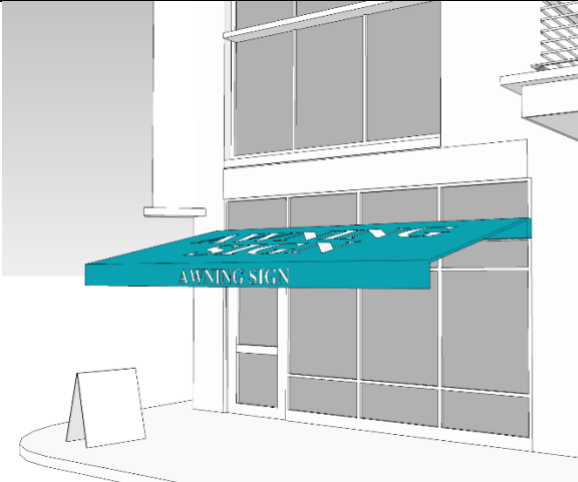
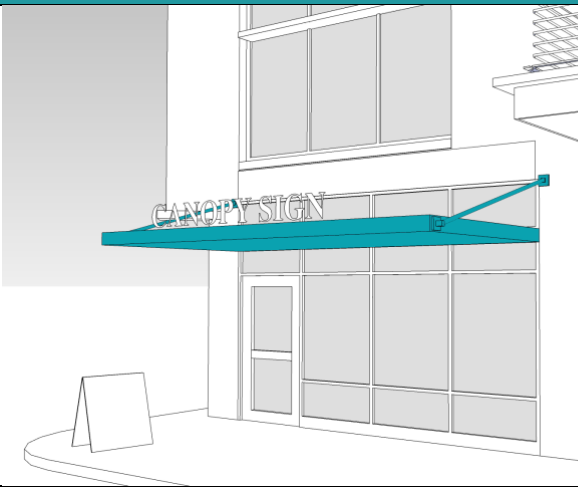
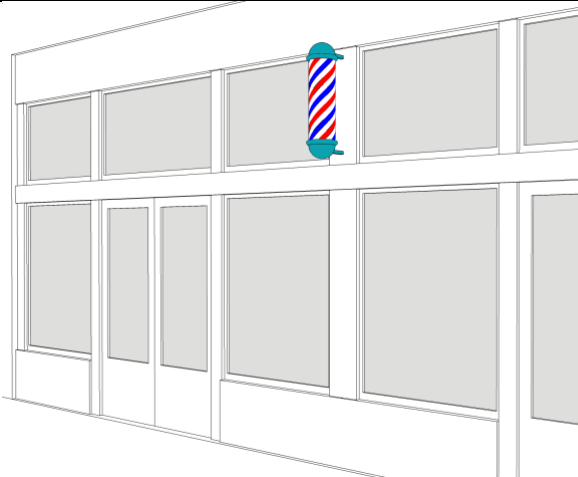
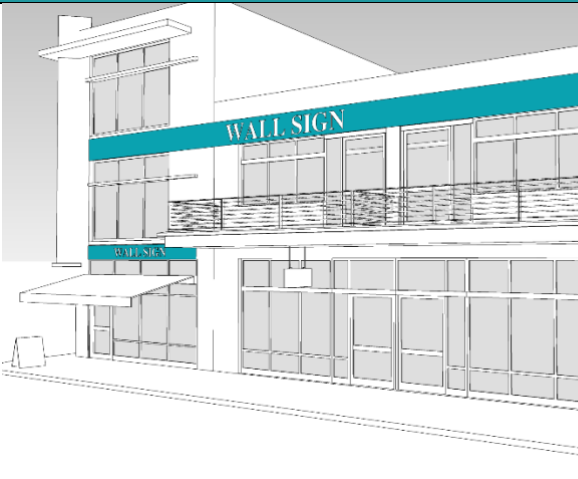


Table 6. Specific Sign Regulations and Illustrations

| AWNING SIGN  |                                                       |                                                                                      |
|--------------|-------------------------------------------------------|--------------------------------------------------------------------------------------|
| Requirements | a. Valence sign area must maintain a one-inch border. |  |

| CANOPY SIGN     |                                                                                                                                                                                                                                                                                                                           |                                                                                                                                                                                                                                                                                                                                                                      |
|-----------------|---------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| Requirements    | <ul style="list-style-type: none"> <li>a. Canopy signs may be externally illuminated.</li> <li>b. Internal illumination is prohibited.</li> <li>c. Fixtures must be shielded to prevent glare.</li> <li>d. Conduit, raceways and wiring may not be exposed to view from the sidewalk.</li> </ul>                          |  <p>A line drawing of a building facade with a large window. A blue canopy sign is mounted above the window, extending over the sidewalk. The sign has the words 'CANOPY SIGN' written on it. A small white sign on a stand is visible on the sidewalk in front of the window.</p> |
| PROJECTING SIGN |                                                                                                                                                                                                                                                                                                                           |                                                                                                                                                                                                                                                                                                                                                                      |
| Requirements    | <ul style="list-style-type: none"> <li>a. Projecting signs may project up to three feet from the facade.</li> </ul>                                                                                                                                                                                                       |  <p>A line drawing of a building facade with a large window. A blue projecting sign is mounted on the facade, extending outwards. The sign has the words 'PROJECTING SIGN' written on it.</p>                                                                                     |
| MARQUEE SIGN    |                                                                                                                                                                                                                                                                                                                           |                                                                                                                                                                                                                                                                                                                                                                      |
| Requirements    | <ul style="list-style-type: none"> <li>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.</li> <li>b. Sign may extend up to 6 feet above the parapet.</li> <li>c. Bottom of the sign must be 12 feet above the sidewalk.</li> </ul> |  <p>A line drawing of a building facade with a large window. A blue marquee sign is mounted on the facade, extending outwards. The sign has the words 'MARQUEE SIGN' written on it. A small white sign on a stand is visible on the sidewalk in front of the window.</p>         |
| SCULPTURAL SIGN |                                                                                                                                                                                                                                                                                                                           |                                                                                                                                                                                                                                                                                                                                                                      |

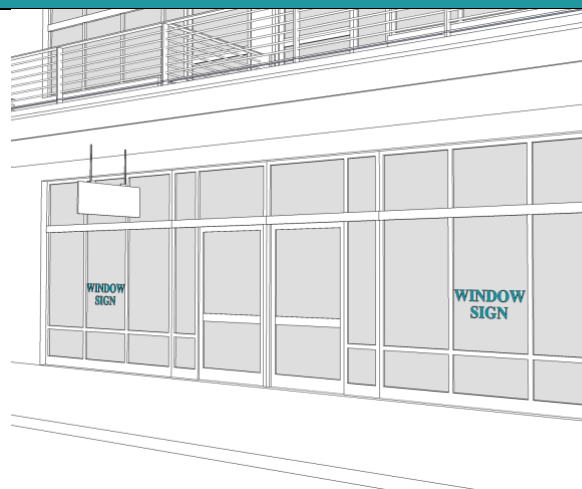
|              |                                                                                                                                                                                                                                                                                                                                                                                    |                                                                                    |
|--------------|------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|------------------------------------------------------------------------------------|
| Requirements | <ul style="list-style-type: none"> <li>a. Projecting signs may include painted, vinyl or extruded copy or graphics on a sculptural object.</li> <li>b. Sign may be attached to a wall, parapet or roof of a building and must include a supporting structure which is not computed as part of the allowable sign area.</li> <li>c. Internal illumination is prohibited.</li> </ul> |  |
|--------------|------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|------------------------------------------------------------------------------------|

| WALL MOUNTED SIGN |                                                                                                                                                                                                                                                                                   |                                                                                     |
|-------------------|-----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|-------------------------------------------------------------------------------------|
| Requirements      | <ul style="list-style-type: none"> <li>a. Wall mounted signs may only be externally illuminated.</li> <li>b. Internal illumination is prohibited.</li> <li>c. Fixtures must be shielded to prevent glare.</li> <li>d. Conduit, raceways and wiring may not be exposed.</li> </ul> |  |

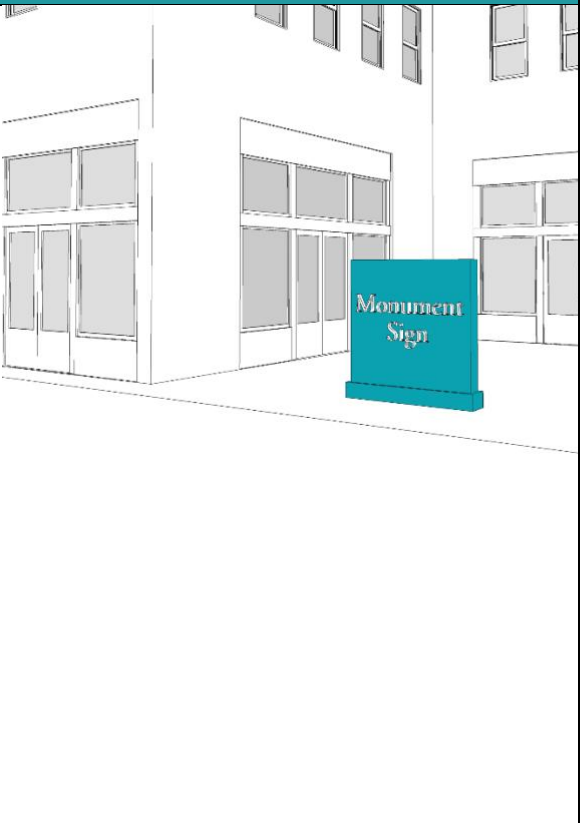
## WINDOW SIGN

### Requirements

- a. The following signs are permitted: letters painted directly on the window, hanging signs behind the glass, temporary signs and vinyl appliques.
- b. Temporary signs may be paper posters or information and/or advertising mounted on corrugated plastic, foamboard or similar material.
- c. 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 | <ul style="list-style-type: none"> <li>a. A monument 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.</li> <li>b. Monument signs must be constructed of durable materials.</li> <li>c. Sign must be attached directly to the ground by its entire base.</li> <li>d. Monument signs may be externally illuminated.</li> <li>e. Internal illumination is prohibited.</li> </ul> |  <p>A 3D perspective illustration of a blue, rectangular monument sign standing on a sidewalk. The sign has the words "Monument Sign" in white, serif font. It is positioned in front of a building with large windows and glass doors. The sign is set back from the curb.</p> |
|--------------|-----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|--------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|

## SIDEWALK SIGN

|              |                                                                                                                                                                                                                                                                                   |                                                                                                                                                                                                                                                                                                                                                                                                     |
|--------------|-----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|-----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| Requirements | <ul style="list-style-type: none"> <li>a. Sign height may not exceed 42 in.</li> <li>b. Sign width may not exceed 20 in.</li> <li>c. Sign may only be displayed during business hours.</li> <li>d. Sidewalk signs shall not block the pedestrian area of the sidewalk.</li> </ul> |  <p>A 3D perspective illustration of a blue, A-frame sidewalk sign placed on a sidewalk. The sign has the words "SIDE WALK SIGN" in white, sans-serif font. It is positioned in front of a building with large windows and glass doors. The sign is placed near the curb, not blocking the pedestrian area.</p> |
|--------------|-----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|-----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|

## 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 \_\_\_\_\_, except as set out hereinabove, shall remain in full force and effect and shall not be affected by this amendment.

**Section C.** That on **PUBLIC HEARING DATE AND TIME**, 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 \_\_\_\_\_, 2025.