

TITLE 14**ZONING AND LAND USE CONTROL****CHAPTER**

1. MUNICIPAL PLANNING COMMISSION.
2. ZONING ORDINANCE.
3. FLOODPLAIN ZONING ORDINANCE.
4. MOBILE HOME PARKS.

CHAPTER 1**MUNICIPAL PLANNING COMMISSION****SECTION**

- 14-101. Creation and membership.
- 14-102. Organization, powers, duties, etc.

14-101. Creation and membership. Pursuant to the provisions of Tennessee Code Annotated, § 13-4-101 there is hereby created a municipal planning commission, hereinafter referred to as the planning commission. The planning commission shall consist of five (5) members; two (2) of these shall be the mayor and another member of the board of commissioners selected by the board of commissioners; the other three (3) members shall be appointed by the mayor. All members of the planning commission shall serve as such without compensation. Except for the initial appointments, the terms of the three (3) members appointed by the mayor shall be for three (3) years each. The three (3) members first appointed shall be appointed for terms of one (1), two (2), and three (3) years respectively so that the term of one (1) member expires each year. The terms of the mayor and the member selected by the governing body shall run concurrently their terms of office. Any vacancy in an appointive membership shall be filled for the unexpired term by the mayor. (1997 Code, § 14-101)

14-102. Organization, powers, duties, etc. The planning commission shall be organized and shall carry out its powers, functions, and duties in accordance with Tennessee Code Annotated, title 13. (1997 Code, § 14-102)

CHAPTER 2

ZONING ORDINANCE

SECTION

14-201. Land use to be governed by zoning ordinance.

14-201. Land use to be governed by zoning ordinance. Land use within the Town of Englewood shall be governed by Ordinance #_____, titled "Zoning Ordinance, Englewood, Tennessee," and any amendments thereto.¹ (1997 Code, § 14-201)

¹Ordinance #__, and any amendments thereto, are published as separate documents and are of record in the office of the city recorder.

CHAPTER 3**FLOODPLAIN ZONING ORDINANCE****SECTION**

14-301. Flood damage control to be governed by floodplain zoning ordinance.

14-301. Flood damage control to be governed by floodplain zoning ordinance. Regulations governing flood damage control within the Town of Englewood shall be governed by Ordinance #06-18-07-83, titled "Municipal Floodplain Zoning Ordinance" and any amendments thereto which is a part of the Englewood Municipal Zoning Ordinance.¹

¹Ordinance #06-18-07-83 (June 2007), and any amendments thereto, are published as separate documents and are of record in the office of the city recorder.

CHAPTER 4

MOBILE HOME PARKS

SECTION

- 14-401. Definitions.
- 14-402. Regulating mobile homes.
- 14-403. Regulating parks.
- 14-404. License fee.
- 14-405. Enforcement.
- 14-406. Penalty.

14-401. Definitions. (1) "Mobile home." A detached single family dwelling unit with any or all of the following characteristics:

(a) Designed for long-term occupancy, and containing sleeping accommodations, a flush toilet, a tub or shower bath and kitchen facilities, with plumbing and electrical connections provided for attachment to outside systems.

(b) Designed to be transported after fabrication on its own wheels, or on a flatbed or other trailers or detachable wheels.

(c) Arriving at the site where it is to be occupied as a complete dwelling including major appliances and furniture, and ready for occupancy except for minor and incidental unpacking and assembly operations, location on foundation supports, connection to utilities and the like.

(2) "Mobile home park." The term mobile home park shall mean any plot of ground within the Town of Englewood on which two (2) or more mobile homes, occupied for dwelling or sleeping purposes are located.

(3) "Mobile home space." The term shall mean a plot of ground within a mobile home park designated for the accommodation of one (1) mobile home.

(4) "Health officer." The director of a town, county or district health department having jurisdiction over the community health in a specific area, or his duly authorized representative.

(5) "Permit." A permit is required for trailer parks and single mobile homes. Fees charged under the license requirement are for inspection and the administration of this chapter. (1997 Code, § 14-401)

14-402. Regulating mobile homes. (1) It shall be unlawful for any mobile home to be used, stored, or placed on any lot or serviced by utilities of said town where said mobile home is in violation of the provisions of this chapter.

(2) The owner or occupant of any mobile home already placed on a lot, on or before September 1, 1969, will be permitted to reside at the present location. However, if at any time the ownership or occupancy of either the lot or mobile home shall change or if said mobile home is moved from its present location, said mobile home owner shall be given a period not to exceed thirty (30)

days in which to remove said mobile home or to comply with all provisions of this chapter.

(3) A mobile home outside a mobile home park may occupy an individual lot as the principal building provided said lot shall not contain less than seven thousand five hundred (7,500) square feet.

(4) A mobile home on an individual lot shall be set back a minimum of fifteen (15) feet from the side property lines and thirty-five (35) feet from the right-of-way line of the street upon which the lot fronts.

(5) On each individual lot occupied by a mobile home, a minimum of one off-street space shall be provided. Such space shall be at least three hundred (300) square feet in area and shall have vehicular access to a public street.

(6) If a zoning ordinance for said town is in effect, a mobile home, located outside a mobile home park, shall be in conformance with all provisions of the zoning ordinance applicable to single family residences.

(7) A mobile home shall be in conformance with all plumbing, electrical, and sanitary codes applicable to single family residences.

(8) An adequate sewage disposal system must be provided and approved in writing by the health officer. A mobile home on an individual lot must connect with public sewerage systems and water systems, if such services are available. Such connections shall comply with standards established by the health officer. In lieu of a public sewerage system connection, an approved septic tank and subsurface soil absorption system must be used.

(9) No mobile home shall be used, placed, stored or serviced by utilities in said town unless there is posted near the door of said mobile home a valid town license sticker. (1997 Code, § 14-402)

14-403. Regulating parks. (1) Permit for mobile home park. No place or site within said town shall be established or maintained by any person, group of persons, or corporation as a mobile home park unless he holds a valid permit issued by the town building inspector in the name of such person or persons for the specific mobile home park. The town building inspector is authorized to issue, suspend, or revoke permits in accordance with the provision of this chapter.

(2) Inspection by town building inspector. The town building inspector is hereby authorized and directed to make inspections to determine the condition of mobile home parks, in order that he may perform his duty of safeguarding the health and safety of occupants of mobile home parks and of the general public. The town building inspector shall have the power to enter at reasonable times upon any private or public property for the purpose of inspecting and investigating conditions relating to the enforcement of this chapter.

(3) Location and planning. The mobile home park shall be located on a well-drained site and shall be so located that its drainage will not endanger

any water supply and shall be in conformity with a plan approved by the town planning commission and town building inspector. The town planning commission and building inspector may promulgate regulations for mobile home park location and plan approval, which shall provide for adequate space, lighting, drainage, sanitary facilities, safety features, and service buildings as may be necessary to protect the public health, prevent nuisances, and provide for the convenience and welfare of the mobile home park occupants.

(4) Minimum size of mobile home park. The tract of land for the mobile home park shall comprise an area of not less than two (2) acres. The tract of land shall consist of a single plot so dimensioned and related as to facilitate efficient design and management.

(5) Minimum number of spaces. Minimum number of spaces completed and ready for occupancy before first occupancy is ten (10).

(6) Minimum mobile home space and spacing of mobile homes. Each mobile home space shall be adequate for the type of facility occupying the same. Mobile homes shall be parked on each space so that there will be at least fifteen (15) feet of open space between mobile homes or any attachment such as a garage or porch, and at least ten (10) feet end to end spacing between trailers and any building or structure, twenty (20) feet between any trailer and property line and twenty-five (25) feet from the right-of-way of any public street or highway.

If the construction of additional rooms or covered areas is to be allowed beside the mobile homes, the mobile home spaces shall be made wider to accommodate such construction in order to maintain the required fifteen (15) feet of open space.

The individual plot sizes for mobile home spaces shall be determined as follows:

(a) Minimum lot area of two thousand four hundred (2,400) square feet;

(b) Minimum depth with end parking of an automobile shall be equal to the length of the mobile home plus thirty (30) feet;

(c) Minimum depth with side or street parking shall be equal to the length of mobile home plus fifteen (15) feet; and

(d) In no case shall the minimum width be less than forty (40) feet and the minimum depth less than sixty (60) feet.

(7) Water supply. Where a public water supply is available, it shall be used exclusively. The development of an independent water supply to serve the mobile home park shall be made only after express approval has been granted by the county health officer. In those instances where an independent system is approved, the water shall be from a supply properly located, protected, and operated, and shall be adequate in quantity and approved in quality. Samples of water for bacteriological examination shall be taken before the initial approval of the physical structure and thereafter at least every four (4) months and when any repair or alteration of the water supply system has been made.

If a positive sample is obtained, it will be the responsibility of the trailer court operator to provide such treatment as is deemed necessary to maintain a safe, potable water supply. Water shall be furnished at the minimum rate of one hundred twenty-five (125) gallons per day per mobile home space. An individual water service connection shall be provided for each mobile home space.

(8) Sewage disposal. An adequate sewage disposal system must be provided and must be approved in writing by the health officer. Each mobile home space shall be equipped with at least a four (4) inch sewer connection, trapped below the frost line and reaching at least four (4) inches above the surface of the grounds. All sewer lines shall be laid in trenches separated at least ten (10) feet horizontally from any drinking water supply line.

Every effort should be made to dispose of the sewage through a public sewerage system. In lieu of this, a septic tank and sub-surface soil absorption system may be used provided the soil characteristics are suitable and an adequate disposal area is available. The minimum size of any septic tank to be installed under any condition shall not be less than seven hundred fifty (750) gallons working capacity. This size tank can accommodate a maximum of two (2) mobile homes. For each additional mobile home on such a single tank, a minimum additional liquid capacity of one hundred seventy-five (175) gallons shall be provided. The sewage from no more than twelve (12) mobile homes shall be disposed of in any one (1) single tank installation. The size of such tank shall be a minimum of two thousand five hundred (2,500) gallons liquid capacity.

The amount of effective soil absorption area or total bottom area of overflow trenches will depend on local soil conditions and shall be determined only on the basis of the percolation rate of the soil. The percolation rate should be determined as outlined in Appendix A of the Tennessee Department of Health Bulletin, entitled "Recommended Construction of Large Septic Tank Disposal Systems for Schools, Factories and Institutions." This bulletin is available on request from the department. No mobile home shall be placed over a soil absorption field.

In lieu of a public sewerage or septic tank system, an officially approved package treatment plant may be used.

(9) Refuse. The storage, collection and disposal of refuse, in the park shall be so managed as to create no health hazards. All refuse shall be stored in fly proof, water tight and rodent proof containers. Satisfactory container racks or holders shall be provided. Garbage shall be collected and disposed of in an approved manner at least twice per week.

(10) Electricity. An electrical outlet supplying at least two hundred twenty (220) volts shall be provided for each mobile home space and shall be weather proof and accessible to the parked mobile home. All electrical installations shall be in compliance with the National Code and Tennessee Department of Insurance and Banking Regulation No. 15, entitled "Regulation

Relating to Electrical Installations in the State of Tennessee," and shall satisfy all requirements of the local electric service organization.

(11) Streets. Widths of various streets within mobile home parks shall be:

One-way, with no on-street parking	11 ft.
One-way, with parallel parking on one side only	18 ft.
One-way, with parallel parking on both sides	26 ft.
Two-way, with no on-street parking	20 ft.
Two-way, with parallel parking on one side only	28 ft.
Two-way, with parallel parking on both sides	36 ft.

Streets shall have a compacted gravel base and a prime seal treatment to meet requirements of the Tennessee State Highway Department.

(12) Parking space. Car parking spaces shall be provided in sufficient number to meet the needs of the occupants of the property and their guests without interference with normal movement of traffic. Such facilities shall be provided at the rate of at least one (1) car space for each mobile home lot plus an additional car space for each four (4) lots to provide for guest parking, for two (2) car tenants and for delivery and service vehicles. Car parking spaces shall be located for convenient access to the mobile home spaces. Where practical, one (1) car space shall be located on each lot and the remainder located in adjacent parking bays. The size of the individual parking space shall have a minimum width of not less than ten (10) feet and a length of not less than twenty (20) feet. The parking spaces shall be located so access can be gained only from internal streets of the mobile home park.

(13) Buffer strip. An evergreen buffer strip shall be planted along those boundaries of the mobile home court that are adjacent development. (1997 Code, § 14-403)

14-404. License fee. An annual license fee shall be required for mobile home parks and individual mobile homes as follows:

(1) Mobile home parks. The annual license fee for mobile home parks shall be twenty-five dollars (\$25.00).

(2) Individual mobile homes. The annual license fee for each mobile home shall be five dollars (\$5.00). The fee for transfer of the license because of change of ownership or occupancy shall be five dollars (\$5.00). (1975 Code, § 8-405)

14-405. Enforcement. It shall be the duty of the county health officer and the town building inspector to enforce the provisions of this chapter. (1997 Code, § 14-407)

14-406. Penalty. After receiving a thirty (30) days' written notice of having violated the provisions of this chapter, any person, firm or corporation

who continues such violation shall be fined in accordance with the general penalty clause of this code. (1997 Code, § 14-408)

ORDINANCE NO. 09-08-08-07

AN ORDINANCE TO AMEND ARTICLE X (TEN) SUPPLEMENTARY PROVISIONS APPLYING TO ALL DISTRICTS, MORE SPECIFICALLY, SECTION 10.11 SIGN, BILLBOARDS, AND OTHER ADVERTISING STRUCTURES WITHIN THE OFFICAL ZONING ORDINANCE OF THE TOWN OF ENGLEWOOD, TENNESSEE.

WHEREAS, Tennessee Code Annotated (T.C.A) Section 13-7-201 allows for the zoning of territory within a municipality; and

WHEREAS, T.C.A Section 13-7-204 authorizes amendments to a zoning map or ordinance; and

WHEREAS, in accordance with T.C.A Section 13-7-203 Subsection (b) the Englewood Municipal Planning Commission approved and recommended the zoning amendment herein described to the Board of Mayor and Commissioners; and

WHEREAS, in accordance with T.C.A Section 13-7-203 Subsection (a), a public hearing was held prior to final reading of this ordinance to amend the Official Zoning Ordinance of the Town of Englewood, Tennessee.

NOW THEREFORE, BE IT ORDAINED by the Board of Commissioners of the Town of Englewood, Tennessee that Article X (TEN), Section 10.11 Signs, Billboards and Other Advertising Structures, be amended as follows:

Section 1: (Delete) in its entirety Section 10.11 of the Englewood Zoning Ordinance and in lieu of the deleted language insert (Add) the following:

10.11 Signs and Other Advertising Structures

These conditions are established as a reasonable and impartial method of regulating the location, size, placement, and certain features of advertising structures in order to insure light, air, and open space, to reduce hazards at intersections, promote the aesthetic look of the city, and to protect property values of the entire community. Accordingly, this section establishes regulations governing the display of signs which will:

- a. promote and protect the public health, safety, comfort, morals, and convenience; and,
- b. enhance the economy and the business and industry of the town by promoting the reasonable, orderly, and effective display of signs and thereby encouraging increased communication with the public; and

- c. restrict signs and lights which overload the capacity of the public to receive information or which will increase the probability of traffic congestion and accidents by distracting attention or obstructing vision; and
- d. reduce conflict among signs and light and between public and private information systems; and
- e. promote signs which are compatible with their surroundings, are appropriate to the types of activities to which they pertain, and are expressive of the identity of proprietors and other persons displaying signs.

10.11.02 Minimum Standards and Electrical Safety

- a. The minimum standards set forth in this ordinance shall not relieve an owner or tenant of the responsibility for compliance with other local ordinances, codes and regulations, including established requirements and provisions of the Standard Building Code and/or National Electrical Code or any health or other authority having jurisdiction.
- b. All signs having electric wiring shall bear a seal of approval of a nationally recognized electrical testing laboratory. Each sign with electrical wiring must have an outside disconnect. All electrical service to ground mounted signs shall be placed underground. Electrical service to other signs shall be concealed from public view.

10.11.03 Definitions; Interpretations

For purposes of this ordinance, certain words or terms used herein shall be defined as follows: words used in the present tense include the future tense; words used in the singular number include the plural, and words used in the plural include the singular. The word "shall" is always mandatory, not directory.

Abandoned sign, abandonment: A sign that identifies or advertises an establishment, goods or services which are no longer provided on the premises where the sign is located. A sign which identifies a time, event or purpose which has passed or no longer applies. This also applies to sign structures with or without a sign.

Attached sign: A sign that is permanently affixed to, or painted on, a building, canopy, or wall and having a permanent or changeable copy face.

Awning: A shelter projecting from and supported by the exterior wall of a building and constructed of non-rigid materials on a supporting framework.

Awning sign: A sign painted on, printed on, or attached to the surface of an awning or canopy. For purposes of determining permitted use, area, or location, as applied to this ordinance, an awning sign shall be considered a wall sign.

Balloon: A tethered gas or air filled figure used for advertising purposes.

Banner: A temporary sign made of flexible material to attract attention, bearing a legend, motto, or advertising message.

Beacon: Any light with one or more beams directed into the atmosphere or directed at one or more points not on the same zone lot as the light source; also, any light with one or more beams that rotate or move.

Billboard: See Off-premise advertising sign.

Building: Any structure having a roof supported by columns or by walls and intended for the shelter, housing or enclosure of any individual, animal, process, equipment, goods, or materials of any kind or nature.

Building Ground Coverage: The area of the lot or parcel, expressed in a percentage, which is covered by a structure or structures. Parking areas which are open to the sky, uncovered loading/unloading areas, and substantially similar uses, are not included when calculating building ground coverage.

Canopy: A structure constructed of rigid materials, which is attached to, and supported by, a building and/or columns, poles, or braces extended to the ground.

Commercial or Non-commercial Multi-tenant Complex: A ground sign identifying a commercial or non-commercial complex and/or its tenants.

Construction Sign: A temporary sign identifying an architect, contractor, subcontractor, engineer, names, advertises, or calls attention to a business, product, service, or other commercial activity.

Copy Area: The smallest geometric shape that encloses all graphics, letters, and logos of the sign face.

Development in Progress Sign: A sign advertising the name of the project, the architect, the contractor, the developer, the engineer, the financing institution, and/or the materials supplier for the site, whose construction is active, and/or announcing the future development.

Dilapidation: When a sign is allowed to fall into a state of disrepair, decay, or ruin, and the cost to repair exceeds fifty percent (50 %) of the fair market value, including labor and materials, of the erection of similar sign not needing repair.

Directional Sign: A directional sign is a temporary sign located off site which indicates the direction to a special event such as a program, auction, open house, sports event, or other such activity.

Double-Faced Sign: A free-standing sign with two (2) faces.

Electronic Message Center: A ground sign conveying computerized changeable messages, such as time, date, temperature, weather, or similar noncommercial information.

Electronic Reader Board: A sign used to convey a computerized changeable message to advertise a special event, sale, or other commercial information.

Enter/Exit Sign: A sign for the purpose of directing traffic in areas such as parking lots, restaurants, or other places of similar business.

Face Wall: The wall area of a structure that fronts the existing street, or where the front entrance is located.

Fence: A structure functioning as a boundary or barrier usually made of posts, boards, wire or rails.

Festoons: A string of ribbons, pennants, streamers, tinsel, small flags, or pinwheels.

Flag: Bunting or fabric of distinctive color and design and used as an emblem, standard, or symbol and which is located on a permanent flagpole.

Flashing Sign: A sign, the illumination of which is intermittently on and off so as to flash or blink or to reflect so as to appear to flash, blink or chase, such as metallic or Mylar type fluttering material.

Freestanding Sign: A sign supported by a sign structure secured in the ground and which is wholly independent of any building or object, other than the sign structure, for support.

Frontage, Building: The distance that a building on one (1) lot fronts on any public street(s).

Frontage, Street: The distance for which a lot line adjoins a public street, from one lot line intersecting said street to the furthest distant lot line intersecting the same street.

Government Signs: Any temporary or permanent sign erected and maintained by the town, county, state, or federal government for traffic direction or for designation of, direction to, or announcement of activities at any school, hospital, historic site, or other public property or facility. This definition shall also include signs giving necessary traffic information or warning, such as railroad signs or temporary traffic signs erected by contractors working within or adjacent to a public street. This definition shall also include signs that state public safety information such as speed limit, traffic control, hospital, street names, state roads, hazardous conditions or other such signs.

Ground Sign: Any sign, other than a pole sign, placed upon or by the ground independent of any other structures. The entire bottom of a ground sign is generally in contact with or in close proximity to the ground. *See Monument Sign.*

Height of Sign: Height of any sign shall be governed by the district in which the sign is located.

Home Occupation Sign: A sign erected for the purpose of identifying an allowed home occupation. The sign shall be compatible in design with the elements of the site and shall not be illuminated.

Illegal Sign: An illegal sign is any sign erected or altered after the effective date of this Ordinance not complying with the provisions thereof unless said provision was expressly waived or granted a variance.

Illuminated Sign: A sign illuminated by any manner by an artificial light source.

Inflatable Signs: A temporary inflated sign, stationary or mobile, used to attract attention, which may or may not bear a message.

Mansard: A sloped roof or roof-like façade architecturally comparable to a building wall.

Marquee: Any permanent roof-like structure projecting beyond a building or extending along and projecting beyond the wall of the building, generally designed and constructed to provide protection from the weather.

Marquee Sign: A projecting sign attached to or hung from a marquee.

Menu Board: A sign associated with drive-thru windows and oriented toward drive-thru window traffic.

Monument Sign: A freestanding sign supported primarily by an internal structural framework or integrated into landscaping or other solid structural features other than support poles, braces and uprights and permanently attached to the ground. Perimeter of sign to be constructed of masonry, brick, stucco, or wood design weather resistant in nature. See Ground Sign.

Multi-Tenant Centers: A building, or group of buildings, which has more than one (1) occupant or tenant.

Name Plaques and Address Plaques: An attached sign which indicates the name of the occupant and the address of the premises.

Nonconforming Sign: A sign legally constructed or erected prior to the effective date of any ordinance or amendment containing provisions with which such sign does not comply. (A sign constructed illegally in violation of any prior law, ordinance, or code is not made legal by this chapter unless it conforms to all the requirements of this chapter.)

Normal Maintenance: For the purpose of this ordinance, normal maintenance includes work which can be performed on a sign without the benefit of a sign permit. This includes scraping, painting, cleaning, and like activities, of an existing sign structure and sign face.

Off-Premise Advertising Sign: A sign that identifies or communicates a commercial or non-commercial message related to an activity conducted, a service rendered, or a commodity (including property) sold at a location (i.e. a lot or parcel) other than where the sign is located. Such a sign, particularly when it is relatively large, is commonly referred to as a billboard.

Outline Lighting: Attached neon tubing or fiber optic tubing, which must be of constant intensity and uniform color, placed on the exterior of a building which is not strip lighting.

Pennant: A temporary sign which is a colored flag sometimes bearing an emblem, dealership flag, or drape suspended or projecting from a private light pole, perimeter poles, or dedicated pole.

Permanent Sign: A sign that is intended for other than temporary use or a limited period. A permanent sign is generally affixed or attached to the exterior of a building, or to a pole or other structure, by adhesive or mechanical means, or is otherwise characterized by anchoring, construction materials, or a foundation indicative of an intent to display the sign for more than a limited period.

Pole Sign: A limited use on site sign which is used for promotional advertising temporarily attached to the perimeter poles, private light poles, canopy poles, or other similar poles, but not to include flag poles.

Political Sign: A temporary sign on private property that consists of a poster, placard, board, banner or other similar medium that contains a message related to a matter of public interest, including but not limited to a candidate for office or a ballot issue, but containing no commercial message.

Portable Sign: A portable sign shall include any advertising sign or device, counterbalances sign, trailer sign, or variation thereof located on the ground, easily moveable, not permanently attached thereto and which is usually a two-sided sign, including any single or double surface painted or poster panel type sign or any variation thereof which is temporary in nature.

Projecting Sign: A business sign attached to a building or wall in such a manner that its leading edge extends more than twelve (12) inches beyond the surface of such building or wall. For purposes of calculating sign area, projecting signs shall be considered wall signs.

Reader Board: A sign used to convey a changeable message such as a sale, special event, or other commercial information that uses changeable lettering to convey this information.

Real Estate Sign: A temporary sign pertaining to the sale, lease, or rental of property and shall include, but not limited to real estate directional, open house, and open house directional signs.

Roof Sign: An attached sign wholly or partially dependent upon the roof of any building for support. A roof does not include a mansard mounted on a parapet wall.

Shopping Center: A group of commercial establishments, planned, developed, owned, and managed as a unit, with off-street parking provided on the property.

Sign: Street graphics and including frame, letter, figure, character, make, plain, point, marquee, design, picture, stroke, banner, streamer, pennant, bunting, inflatable sign, strike, line, flag, logotype, trademark, reading matter, illuminating device, or any device used for the illumination of such which is used or intended to be used to attract attention or convey information when the same is placed outdoors in the view of the general public or for the purpose of attracting the general public to any place, business, person, firm, or corporation or to any public performance, article, machine, or merchandise of any nature whatsoever and which is displayed in any manner whatsoever.

Sign Area or Sign Face: The entire area of a single, contiguous perimeter enclosing the extreme limits of emblem, representation, wording, or any figure of similar character, together with any color or material forming an integral part of the display, or used to differentiate the sign from the background (such as a wall) against which it is placed. The supports and uprights shall not be included in determining the sign area sign face.

Streamers: A series of long, narrow banners, flags, or pennants attached to a cord.

String Lighting: Lighting used to outline a structure and to attract attention for commercial purposes.

Surface Area: The entire area of a sign structure measured by the square rectangle, semicircle, or parallelogram thereof and comprising the entire sign inclusive of any border or trim and all of the elements of the matter displayed, but excluding the base or apron, supports, and other structural members. In the case of three (3) dimensional letters or painted letters directly on the wall surface, the surface area shall be defined as that area encompassing the individual letters themselves, including any trim or border and excluding the background that supports the three (3) dimensional letters.

Temporary Sign: A sign that is intended for temporary use and a limited period, as allowed by this ordinance.

Unsafe Sign: Any sign or structure or appurtenance which, in the opinion of the Town Building Inspector, poses a threat to the public health or safety, whether personal or property.

Vehicular Sign: A sign placed on a vehicle or trailer which is parked, located, or driven for the primary purpose of displaying said sign. For the purposes of this ordinance, vehicular signs shall not include business logos, identification, or advertising on vehicles primarily used for other purposes.

Wall Sign: A sign that is permanently attached to the wall of a structure that is used primarily for the display of the name of a business or an advertisement for a type of business.

Window Sign: A sign placed within, affixed to, in contact with, or located within three (3) feet of a window and intended to be seen from the exterior. Window signs can be further classified as either being temporary or permanent.

10.11.04 Permit Required

Except as otherwise provided in this ordinance, it shall be unlawful for any person to erect, construct, enlarge, move or convert any sign in the Town of Englewood, or cause the same to be done, without first obtaining a sign permit for such sign from the building inspector as required by this ordinance. This section does not apply to those signs listed in Section 10.11.05 of these regulations, signs meant to have changes made to them, such as reader boards, and signs with changes defined under "Normal Maintenance".

No permit shall be issued unless the sign complies with all applicable requirements of this ordinance. The building inspector is hereby authorized and empowered to revoke the sign permit upon failure of the holder to comply with any provision of this ordinance or with the terms of the permit at the time of issuance.

At any time deemed necessary, the building inspector may inspect each sign regulated by this ordinance to ensure that such sign conforms to the applicable provisions of this ordinance and to all other ordinances of the Town of Englewood.

Every sign permit issued by the building inspector shall become null and void if work has not commenced within six (6) months from the date of issuance of such permit.

Any sign company seeking to erect, construct, enlarge, alter, repair, move, improve, maintain, convert or manufacture any sign shall demonstrate and register with the town a statement that they have all of the necessary licenses from all other governmental agencies applicable, or shall be represented by a duly registered agent or subcontractor.

(A). Application for Permit

Application for a permit shall be made to the administrator upon a form provided by the administrator and shall be accompanied by such information as may be required to assure compliance with all appropriate laws and regulations of the Town including:

- (1) Name and address of owner of the sign.
- (2) Name and address of owner or the person in possession of the premises where the sign is located or to be located.
- (3) Clear and legible drawings with description definitely showing location of the sign which is the subject of the permit and all other existing signs whose construction requires permits, when such signs are on the same premises.
- (4) Drawings showing the dimensions, construction supports, sizes, electrical wiring and components, materials of the sign and method of attachment and character of structural members to which attachment is to be made. The design, quality, materials and loading shall conform to the requirements of the Standard Building Code (S.B.C) as amended. If required by the building inspector, engineering data shall be supplied on plans submitted and certified by a duly licensed engineer.

(B). Issuance or Denial

The building inspector shall issue a permit for the erection, alteration, or relocation of a sign within the town when an application therefor has been properly made and the sign complies with all appropriate laws and regulations of the town.

The building inspector may, in writing, suspend or revoke a permit issued under provisions of this section whenever the permit is issued on the basis of a misstatement of fact or fraud. When a sign permit is denied by the building inspector, he/she shall give written notice of the denial to the applicant, together with a brief statement of the reasons for denial of permit.

(C). Permit Fees

The fee for submitting an application for a sign permit shall be twenty-five (\$25) dollars to cover the cost of inspection.

10.11.05 Permit Exceptions

The following operations shall not be considered as creating a sign and therefore shall not require a sign permit:

- a. The changing of the advertised copy of a message on an approved sign which is specially designed for the use of replaceable copy. Such signs would include menu boards, reader/message boards with changeable letters, movie theater marquees, service station price changes, and similar operations.
- b. Painting, cleaning, and other normal maintenance and repair of a conforming sign, provided structural alterations are not made. If changes are made to the structure, a sign permit is required.

10.11.06 Exempt Noncommercial Signs

The following noncommercial signs shall be exempt from the sign permit requirements of this ordinance:

- a. Signs of any constituted governmental body such as traffic control signs and signals, legal notices, railroad crossing signs, danger signs, and other temporary emergency, or non-advertising signs.
- b. Memorial tablets or signs, historic markers, corner stones, or a building name and date of erection.
- c. Signs required to be maintained by law such as a governmental order, rule, or regulations.
- d. Flags, emblems, or insignias of any constituted governmental body, religious groups, civic organizations, or service clubs.
- e. Signs that warn the public against hunting, fishing, trespassing, dangerous animals, swimming, and similar activities and/or points of concern.
- f. Any information, directional, or identification signs erected by a public agency which may give directions and distances to commercial facilities or points of interest for the convenience of the traveling public.

10.11.07 Exempt Temporary Signs

The following signs are permitted within all zoning districts within the Town of Englewood. Except where specifically qualified below, no permit shall be required for any of the following temporary signs.

- a. Official notices or advertisement required by the direction of any public or court officer in the performance of his/her official or directed duties or by trustees under deeds of trust, deeds of assignment or other similar instruments, provided that such signs shall be removed no later than seven (7) days after the last day of the period for which they are required to be displayed.
- b. Political campaign signs, including signs for campaign headquarters, not exceeding six (6) square feet in residential zones (R-1, R-2, and R-3), or sixteen (16) square feet in all other zones (C-1, C-2, and I-1). Such signs shall not be erected more than ninety (90) days prior to the nomination, election, or referendum which it advertises. Such signs shall be removed within seven (7) days after the announced results of that nomination, election, or referendum.
- c. Signs not exceeding twelve (12) square feet in residential zones (R-1, R-2, and R-3), or twenty-four (24) square feet in all other zones (C-1, C-2, and I-1) announcing a campaign drive or event of a civic, philanthropic, education or religious organization provided that the sponsoring organization shall insure proper and prompt removal of such sign.
- d. Real Estate Signs located on property offered for sale, lease, or rent, provided they do not exceed six (6) square feet in residential zones (R-1, R-2, and R-3) and thirty-two (32) square feet in all other zones (C-1, C-2, and I-1). Maximum height of such signs shall be five (5) feet and shall be setback no less than fifteen (15) feet from the back of the curb or edge of pavement. Real estate signs shall be removed within seven (7) days of the sale, lease, rental, or lease of the property.
- e. Construction/Development in Progress Signs, provided they do not exceed twelve (12) square feet in residential zones (R-1, R-2, and R-3), or thirty-two (32) square feet in all other zones (C-1, C-2, and I-1). No sign shall exceed a maximum height of five (5) feet and shall be setback a minimum of fifteen (15) feet from the back of the curb or edge of pavement. Construction/Development in

Progress Signs shall be removed within fourteen (14) days following completion of construction.

- f. Miscellaneous Yard Signs provided they meet the following requirements:
 - 1. No more than one (1) miscellaneous yard sign at a time.
 - 2. The message is non-commercial in nature.
 - 3. The total sign face area shall not exceed six (6) square feet.
 - 4. The signs shall not exceed a maximum height of three (3) feet.
 - 5. Such signs shall be placed on the property with the consent of the owner of the property.
 - 6. Such signs shall be located no less than fifteen (15) feet from the back of curb, or edge of pavement of any street.

10.11.08 Prohibited Signs

The following signs are prohibited in any zoning district in the Town of Englewood, Tennessee.

- a. Portable Signs, as defined within Section 10.11.03 of these regulations.
- b. Any sign that exhibits statements, words or pictures of an obscene nature, as defined by the United States Supreme Court.
- c. Any sign which, by reason or its location, position, size, shape, or color, may obstruct, impair, obscure, interfere with the view of, or be confused with any traffic control sign, signal, device, or where it may interfere with, mislead or confuse traffic. To those ends, no sign shall use the words "Stop", "Slow", "Caution", "Yield", "Danger", "Warning", or "Go" when such sign may be confused with a traffic control sign used or displayed by a public authority.
- d. Any sign that violates any provision of any law or regulation of the State of Tennessee relative to outdoor advertising.
- e. Any sign that violates any provision of the Standard Building Code.
- f. Any sign located so as to obscure all or any portion of a sign or traffic signal erected by a governmental authority.

- g. Any sign, excluding flags with a company or business identification, where all or any part is in continuous motion, including fluttering or rotating.
- h. Any sign displaying flashing or intermittent lights, or lights of changing degrees of intensity of color, except for the portion of a sign which indicates time, temperature, barometric pressure or air pollution index.
- i. Any sign that obstructs any window, door, fire escape, stairway, ladder, opening or access, intended for light, air, ingress to or egress from any building.
- j. Any sign that is attached to a utility pole, whether on public or private property, except utility warning announcements.
- k. Beacons, excluding those required by the Federal Aviation Administration.
- l. An abandoned Sign, as defined in Section 10.11.03 of these regulations and in accordance with Section 10.11.13 of these regulations.
- m. Festoons, pennants, ribbons, streamers, and pinwheels.
- n. Vehicular signs, as defined within Section 10.11.03 of these regulations.
- o. Inflatable signs and tethered balloons, unless such signs meet all of the following requirements: 1) a sign permit is obtained stating the dates the balloon/inflatable sign will be displayed; and 2) the signs are permitted no more than two (2) times per year, for fourteen (14) days of each event: 3) An inflatable sign shall be anchored in such a manner that does not allow it to move: 4) An inflatable mobile sign is one that is tethered so that it moves and free floats.
- p. Any permanent freestanding, temporary sign located within, upon, or over the public right-of-way, except for government signs as defined within Section 10.11.03 of these regulations.
- q. Roof mounted signs, except that signs may be erected upon the vertical face of a mansard roof, provided that the sign does not extend above the vertical face of the roof.
- r. Banners, unless such signs meet all of the following requirements: 1) a sign permit is obtained stating the dates the banners shall be

displayed; and 2) the banners are permitted no more than two (2) times per year, for up to thirty (30) days for each event.

s. Projecting Signs.

10.11.09 Sign Inspection and Maintenance

Signs which require a permit may be inspected as deemed necessary by the Town Building Inspector to assess compliance with this and other ordinances of the Town of Englewood.

All signs, including lawful nonconforming signs and the premises surrounding them, shall be properly maintained, clear of brush, trees, and other obstacles so as to make signs readily visible.

All Signs, together with their support structures, braces, guys, anchors, and electrical equipment shall be kept in safe repair and shall be well maintained. All signs and support structures shall be maintained in such a manner so as to allow clear and unobstructed view of traffic when approaching an intersection or exiting or entering private property.

Any sign or similar advertising structure failing to meet the requirements of this section shall be repaired or removed within thirty (30) days after notification from the Town Building Inspector. For purposes of this ordinance, repairing or replacing a damaged or deteriorated sign face without a change in ownership, tenancy, dimensions, location or use shall be deemed "normal maintenance".

10.11.10 Maintenance of Banners and Flags

Banners and flags shall not be permitted to deteriorate to a tattered, torn, or faded condition and shall be attached properly at all times. The condition shall be repaired or removed within thirty (30) days after written notification from the Town Building Inspector.

10.11.11 Removal of Illegal, Nonconforming, Abandoned, and Obsolete signs.

a. Illegal Signs – As defined within Section 10.11.03 of these regulations.

Any illegal sign shall be removed by the owner, person, or firm maintaining the sign from the premises upon which it is located within thirty (30) days from the effective date of this Ordinance or written notice of violation from the Town Building Inspector and shall not remain on the premises or elsewhere in the Town of

Englewood until a sign permit is issued and conforms to the provisions of this ordinance.

b. Non-conforming Signs –As defined within Section 10.11.03 of these regulations.

(1). Continuance of Non-conforming Signs

Signs which do not conform to the regulations and restrictions provided in this ordinance but which were erected in accordance with all applicable regulations in effect at the time of their erection may remain erected as legal non-conforming signs.

(2). Expansion and/or Alteration

A non-conforming sign shall not be enlarged, reconstructed, or structurally altered, nor shall such sign be worded so as to advertise or identify any use other than that in effect at the time it became a non-conforming sign, except that the advertising copy on a nonconforming sign may be changed, provided such copy conforms with all provisions of this ordinance. Non-conforming signs which are considered as lawful under this ordinance may be superficially altered as part of a normal maintenance program designed to enhance their appearance and/or allow for minor repairs.

(3). Moving Nonconforming Signs

A nonconforming sign shall not be moved on the same lot nor to another lot unless the moving will relocate the sign into a zoning district or any area in which the sign would conform with all applicable provisions of this ordinance.

(4). Removal of Nonconforming Signs

Nonconforming signs which are unlawfully enlarged, altered, or moved shall be subject to the removal procedures as specified within these regulations and as stated by the Town Building Inspector in his written notification regarding the violation.

c. Abandoned Signs - As defined within Section 10.11.03 of these regulations.

The sign face, or portion of a sign which advertises a discontinued use, occupant, product or service shall be removed within sixty (60) days of the discontinuance of said use, occupant, product, or service. If such portion of the sign is not removed within this

period, the building official or his/her designee shall direct that it be removed as specified within these regulations.

d. Removal:

- (1). When Required: Any illegal, nonconforming or abandoned sign which is not removed from the premises by the owner/user/property owner within the time frames prescribed in this Section shall be subject to removal by the Town Building Inspector or his/her designee in accordance with the provisions and procedures detailed in this subsection. Any illegal, nonconforming or abandoned sign which is not removed from the premises by the owner/user/property owner within the time frames prescribed herein shall also be considered a violation of the provisions of this Ordinance and shall be subject to the maximum penalties allowed by law. Each day such violation shall continue shall constitute a separate offense.

- (2). Removal by Authorities: Upon failure of owner/user/property owner to comply with the specified time requirements as set forth in this Section, the Town Building Inspector is hereby authorized to cause such illegal, nonconforming or abandoned sign to be removed and any expense attendant thereto shall be paid by the owner, agent or person having the beneficial use of the building, structure or premises upon which the sign is located. In the event that said removal or alteration expense remains unpaid for more than thirty (30) days after said removal or alteration is performed and expense incurred by the Town and a bill for same was mailed to the permittee or owner by first-class, certified or registered mail said unpaid charge shall constitute a lien upon the real estate, and the Town Attorney is hereby authorized, in accordance with law, to file a notice of lien in the office of the County Clerk to foreclose this lien, and to sue the owner of the real estate or sign permittee, or their agents, in a civil action to recover the money due for the foregoing service, plus all its costs as hereinafter more fully described, together with reasonable attorney's fees fixed by the court. Any such judgement shall be enforced in accordance with law. Included in the expenses recoverable by the Town, shall be the costs of filing the notice of lien, foreclosing said lien and all litigation costs, together with all office and legal expenses incurred in connection with collection of the amount due hereunder.

Any sign removed by the Town Building Inspector, pursuant to the provisions contained herein, shall become the property of the Town and may be disposed of in any manner deemed appropriate by the Town.

- (3). Failure to Remove: A failure to remove any illegal, nonconforming or abandoned sign and subsequent failure by the Town Building Inspector to duly notify the owner/user/property owner of the provisions of this Section shall not be deemed to constitute a waiver of any violations of this ordinance, nor shall such inaction be deemed to constitute a determination that any such sign is legal, in conformity with this ordinance or to be given any special status. If, through administrative neglect or inaction, any owner/user/property owner is not notified of the requirements of this ordinance within the time frames herein set forth, but is later so notified, said owner/user/property owner shall take action to either correct the illegality, nonconformity or nonuse or shall cause the sign to be removed within thirty (30) days of such notification.

10.11.12 GENERAL PROVISIONS

- a. Computation of the Area of Individual Signs. The area of a sign face (which is also the sign area of a wall sign or other sign with only one (1) face) shall be computed by means of the smallest rectangle or square that will encompass 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, but not including any supporting framework, bracing, or decorative wall when such wall otherwise meets zoning ordinance regulations and is clearly incidental to the display itself.
- b. Computation of the area of multi-faced signs. The sign area with more than one face shall be computed by adding together the area of all sign faces.
- c. Computation of Height. The height of a sign shall be computed as the distance from the base of the sign at normal grade to the top of the highest attached component of the sign. Normal grade shall be construed to be the lower of (1) existing grade prior to construction or (2) the newly established grade after construction, exclusive of any filling, berming, mounding, or excavating solely for the

purpose of locating the sign. In cases where the normal grade cannot be reasonably determined, 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 street.

d. All signs shall comply with the applicable provisions of the adopted building code and the electrical code. Except for banners, flags, pennants, temporary signs, and window signs allowed herein, all signs shall be constructed of permanent materials that are permanently attached to the ground of a structure. All signs shall be maintained in good structural condition, in compliance with all applicable codes and ordinances.

e. Sign Illumination. Sign illumination shall only be achieved through the following standards.

(1). No sign having flashing, intermittent, or animated illumination shall be permitted within fifty (50) feet of property in any residential district unless the illumination of such sign is so designed that it does not shine or reflect onto such property.

(2). A white, steady, stationary light of reasonable intensity that is directed solely at the sign. The light source shall be shielded from adjacent buildings and streets, and shall not be of sufficient brightness to cause glare or other nuisances to adjacent land uses.

(3). Internal illumination shall provide steady, stationary lighting through translucent materials.

f. Setbacks:

(1). Freestanding signs shall be setback at least fifteen (15) feet from the street right-of-way, unless a greater distance is needed to ensure adequate vision clearance. No permitted freestanding sign shall be located within a public utility or drainage easement, without written approval from the affected agencies.

(2). Temporary signs shall be located at least fifteen (15) feet from the back of the street curb, edge of pavement or stabilized shoulder, unless a greater distance is required to remove such sign from the street right-of-way or sight distance triangle. No temporary signs shall be permitted within any median which is within a public right-of-way.

- g. No signs shall be placed within the public right-of-way, except for government signs, as defined within Section 10.11.03 of these regulations.
- h. Window signs placed in windows or glass walls shall not cover more than twenty-five (25) percent of the glass area to which they are attached.

10.11.13 Off-Premise Advertising Signs

Off-Premise advertising signs, unless otherwise specified in this ordinance, shall be permitted only where they will comply with all of the following provisions:

- a. Off-premise signs are permitted within the C-2 (General Commercial Zone). The property where said proposed off-premise advertising sign is to be located must be adjacent to an arterial street, as defined on the Major Street Plan for the Town of Englewood.
- b. Off-Premise signs are prohibited within the residential (R-1, R-2, and R-3), central business district (C-1), and Industrial (I-1) districts.
- c. Off-premise signs shall be subject to the same minimum yard requirements as set forth for the zoning district in which they are located. This shall be interpreted to mean that the face of the sign, as well as the structure base shall comply with the minimum front, rear, and side yard setback and minimum lot size requirements for the associated zoning district.
- d. Off-premise signs shall be located as least one-hundred (100) feet from any residential district, as measured along the street right-of-way that the proposed sign would face.
- e. Off-premise signs shall not be located within one thousand (1,000) feet of any other off-premise sign located on the same side of the street. No off-premise advertising structure shall be within three hundred (300) feet of any other off-premise sign in a radial direction. The minimum distance between structures shall be measured along a straight line and shall be made between the two (2) nearest points of the structures.
- f. Off-premise signs may be double-faced but in no case shall a structure contain more than two (2) facings and exceed a sign area of two-hundred (200) square feet per face, or a total sign area of

four-hundred (400) square feet. Double stacked off-premise signs are prohibited within the Town of Englewood.

- g. The height of off-premise advertising signs shall be a maximum height of forty (40) feet. Computation of height is regulated within Section 10.11.12 (c) of these regulations.

10.11.14 Sign Regulations by District

The following regulations shall apply to all signs, which require a permit by the provisions of this ordinance. The regulations, as set forth, shall be qualified by those additional provisions, which may be presented elsewhere in this ordinance for particular uses.

Within the residential districts (R-1, R-2, and R-3), the following signs are permitted:

(1). Subdivision Entrance Signs

- a. Residential subdivision developments shall be permitted one (1) permanent subdivision entrance sign at the intersection of every major arterial or collector street with said subdivision.
- b. The subdivision entrance signs shall be permanent and shall contain only the name of the subdivision.
- c. The subdivision entrance sign(s) shall not exceed thirty-two (32) square feet per side with a maximum number of two (2) sides.
- d. The height of the subdivision entrance sign(s) shall not exceed five (5) feet and shall be located a minimum of ten (10) feet from any property line, except that a sign may be permitted in a grassed median provided the sign does not interfere with traffic or sight vision clearance.
- e. The subdivision entrance sign shall be located within a platted sign easement.
- f. The subdivision entrance sign(s) shall be externally illuminated subject to the provisions of Section 10.11.12 (f).

(2). Multi-Family and Group Dwelling Complexes

- a. All multi-family development, apartment complexes and/or condominiums with four (4) or more dwelling units shall be permitted one (1) externally lighted ground or wall sign for identification; provided if said project fronts on more than one (1) arterial and/or collector street, then one (1) additional multi-family project identification sign shall be permitted at a major entrance on the additional street frontage.

- b. The sign face area of each sign shall not exceed thirty-six (36) square feet.
- c. The height of any ground sign shall not exceed a maximum of six (6) feet. The sign shall be setback no less than ten (10) feet from any property line, except that a sign may be permitted in a grassed median provided the sign does not interfere with traffic or sight vision clearance.

(3). Civic Signs

- a. Churches, schools, clubs, and non-profit organizations shall be entitled to one (1) sign not exceeding thirty-two (32) square feet in area, or eight (8) feet in height, facing each street upon which it fronts.
- b. Churches, schools, clubs, and non-profit organizations shall also be permitted wall signs equivalent to one (1%) percent of the building ground coverage, or a maximum of one hundred (100) square feet of wall signage.
- c. Churches, schools, clubs, and non-profit organizations shall also be permitted a maximum of two (2) information/directional signs. Such signs shall state the name of the church, school, club or organization and provide a directional arrow. Maximum sign area shall not exceed two (2) square feet and a maximum height of four (4) feet.

(4). Home Occupations

- a. Approved home occupations conducted within a dwelling are permitted one (1) freestanding sign.
- b. The home occupation sign face area shall not exceed a maximum of four (4) square feet of sign area.
- c. The height of said home occupation signs shall not exceed a maximum height of three (3) feet.
- d. Home occupation signs shall not be illuminated by any means.

Central Business District (C-1)

Business located within the central business district are permitted either one (1) freestanding sign, or wall sign and not both, subject to the provisions as follows:

- a. Freestanding Sign Structures: Businesses are permitted one freestanding sign structure as follows: (a) the sign surface area shall not exceed twenty-five (25) square feet per side or a total of fifty (50) square feet; (b) one (1) freestanding sign per street frontage is permitted, provided not more than one (1) sign is readable from any given point; and (c) the height of said freestanding signs shall not exceed twenty (20) feet or the height of the building, which ever is less.

- b. Wall Mounted Sign Structures: Each business is permitted one (1) attached wall sign per building face. Such sign shall be no greater than twenty-five (25%) percent of the face of the wall on which the wall sign is to be located. An awning or canopy with the business name or related information is defined to be a wall mounted sign. All such awnings or canopies shall be structurally sound and approved by the Building Inspector. The lowest portion shall not be less than eight (8) feet above the ground.

General Commercial Zone (C-2)

- a. Freestanding Sign Structures: Only one (1) freestanding sign structure per business shall be permitted. The freestanding sign surface area shall not exceed one (1) square foot per linear foot of frontage, with a maximum sign surface area not to exceed one-hundred (100) square feet per side or two hundred (200) square feet total of all sides. Lots with multiple street frontages, including corner lots, use only one (1) street frontage for computing permitted sign surface area. One (1) freestanding sign structure shall be permitted per street frontage. The maximum height of such freestanding sign structure shall not exceed thirty (30) feet.
- b. Wall Mounted Sign Structures: Each business is permitted one (1) attached wall sign per building face. Such sign shall be no greater than twenty-five (25%) percent of the face of the wall on which the wall sign is to be located. An awning or canopy with the business name or related information is defined to be a wall mounted sign. All such awnings or canopies shall be structurally sound and approved by the Building Inspector. The lowest portion shall not be less than eight (8) feet above the ground.
- c. Informational/Directional Signs: Each business shall be permitted two (2) directional informational/directional signs for each egress/ingress point. The maximum sign area shall be two (2) square feet and a maximum height of four (4) feet.

In addition to the applicable regulations above, the following additional signs are permitted on land used for banks and other lending institutions.

Banks and Other Lending Institutions

- A). Automatic teller machines are permitted one (1) sign, not to exceed two (2) square feet in size, which shall be posted at the machine. One (1) sign not to exceed two (2) square feet in size, which shall be posted above the drive-thru lane on the overhead canopy.

- B). Drive-thru teller lanes are permitted one (1) sign, not to exceed two (2) square feet in size, which shall be posted at the service window. One (1) sign per drive-thru lane, not to exceed two (2) square feet in size, which shall be posted above the lane on the overhead canopy.

In addition to the applicable regulations above, the following additional signs and regulations are permitted on land used for other businesses with drive thru windows:

Pharmacies with Drive-Thru Windows

- A). Pharmacies with drive-thru windows are permitted one (1) sign, not to exceed two (2) square feet in size, which may be posted at the window. One (1) sign not to exceed two (2) square feet in size may also be posted above the drive-thru lane on the overhead canopy.

Restaurant Establishments & Convenience Stores with Drive-Thru Windows

- A). Menu Board Signs. One (1) sign per drive-thru lane, not to exceed twenty-five (25) square feet in size and six (6) feet in height.

Gasoline service stations/convenience stores shall be considered freestanding commercial uses and such sign regulations shall apply. If such establishments also have a restaurant with a drive thru window, such window sign regulations shall apply. In addition to these signs, the following additional signs are permitted:

Gasoline/Service Station and/or Convenience Stores

For purposes of these regulations, gasoline/service and/or convenience stores shall be considered freestanding commercial uses and such sign regulations shall apply. In addition to these signs, the following additional signs are permitted:

- (A) Canopy Signs. Two (2) signs, not to exceed nine (9) square feet in size each, which shall be posted on two (2) different sides of the canopy over the gas pumps.
- (B) Gas Pump Signs. Any number of signs, not to exceed a total area of eight (8) square feet per gas pump island. The content of such signs shall be limited to the federally required safety information, the octane level, credit card information, the gas brand (grade level) name, car wash information, and other similar information. Only one (1) sign permit shall be required for all the gas pump islands on the site.

(C) Car Wash Signs. In addition to the wall sign(s) permitted elsewhere in this chapter, one (1) additional wall sign located on the wall of the vehicle entrance shall be allowed. Such wall signs are permitted a total area of one (1) square foot per each linear foot of building wall upon which the sign(s) will be mounted, not to exceed twenty (20) square feet.

(D) Car Wash Order Box Signs. One (1) sign per car wash entrance, not to exceed one (1) square foot in size and thirty (30) inches in height.

Industrial (I-1) Zone

The following signs are permitted within the industrial zone (I-1).

Industrial Parks

Master Identification signs are permitted for industrial parks, provided that one (1) freestanding sign shall be permitted at each major access point. Maximum sign area shall not exceed one hundred seventy-five (175) square feet per side or three hundred (300) square feet total of all sides. Maximum height of signs shall not exceed thirty-five (35) feet.

Single tenant businesses and multi-tenant centers located in industrial parks are permitted freestanding signs provided the sign surface area does not exceed thirty-two (32) square feet per side, or a total of sixty-four (64) square feet for all sides. Lots with multiple street frontages, including corner lots, use the street frontage on which the sign is mounted in computing sign area. Maximum height of such signs shall not exceed five (5) feet above the ground.

Wall signs are permitted equivalent to one (1%) percent of the building ground coverage area. Businesses having less than four thousand (4,000) square feet or any may utilize up to forty (40) square feet of signage.

Industrial Development Outside Industrial Parks

Single tenant businesses and multi-tenant centers are permitted freestanding signs provided that the sign surface area does not exceed one (1) square foot per linear foot for the first one hundred (100) linear feet of frontage, plus one (1) square foot of sign area for each ten (10) linear feet over one hundred (100) linear feet of frontage for a maximum sign area of two hundred (200) square feet per side, or four hundred (400) square feet total of all sides. Lots

with multiple street frontages, including corner lots, use the street frontage on which the sign is mounted in computing sign area. Maximum height of the sign shall not exceed thirty (30) feet for signs measuring one hundred (100) square feet or less, or thirty-five (35) feet for signs containing one hundred and one (101) square feet or more.

Wall signs are permitted equivalent to one percent (1%) of the building ground coverage area. Business having less than four thousand (4,000) square feet of area may utilize up to forty (40) square feet of signage.

NOW THEREFORE LET IT BE FURTHER ORDAINED, that this ordinance shall take effect from and after its passage, the welfare of the town requiring it.

First Reading: August 11, 2008

Final Reading: September 8, 2008

Second Reading: September 8, 2008

Raymond Roach
Mayor, Town of Englewood

Attest: Dorinda Denton
Town Recorder