

Chapter 4

SIGN CODE

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3-4-1: SHORT TITLE:

This chapter may be cited as the *CARLIN SIGN CODE*. (Ord. 179, 11-8-1995)

3-4-2: UNIFORM SIGN CODE AND CHAPTER 10 OF THE UNIFORM ZONING CODE:

(A) Adoption Of The Uniform Sign Code: There is hereby adopted for the purpose of prescribing regulations governing signs, that certain code known as the uniform sign code, together with all supplements, amendments and appendixes recommended by the international conference of building officials being particularly the latest edition thereof and the whole thereof, save and except such portions as are hereinafter deleted, modified or amended, such to become effective one week after posting notice of its adoption.

(B) Adoption Of Chapter 10 Of The Uniform Zoning Code: There is hereby adopted for the purpose of prescribing regulations governing signs, that certain chapter of that certain code known as the uniform zoning code, together with all supplements, amendments and appendixes recommended by the international conference of building officials being particularly the latest edition thereof and the whole thereof, save and except such portions as are hereinafter deleted, modified or amended, such to become effective one week after posting notice of its adoption.

(C) Amendments To The Uniform Sign Code: The following amendments to section 103 _ enforcement and section 1302 _ regulations of the uniform sign code are hereby made and adopted to make the code applicable to conditions in the city:

Section 103.3 entitled Board Of Appeals, is hereby amended by adding the following at the end of such section. "Notwithstanding any of the provisions of the Uniform Sign Code, the Board of Councilmen shall have the power to review and revise, amend or repeal any final order of the

Board of Appeals on its own motion. Such final order of the Board of Councilmen shall be considered a final administrative order".

Section 1302.1 entitled Installation, is hereby amended by adding the following sentence at the end thereof: "Every sign shall have a main disconnect or switch located in the sign so as to be readily accessible or on the structure or exterior of the building upon which the sign is constructed or which it is attached".

(D) Amendments To The Uniform Zoning Code: The following amendments to section 1006 _ signs in manufacturing zones and section 1007 _ general sign regulations of the uniform zoning code are hereby made and adopted to make the code applicable to conditions in the city:

Section 1006 entitled Signs In Manufacturing Zones, is hereby amended by replacing manufacturing to read "industrial".

Section 1007.1 entitled Sign Illumination, is hereby amended by adding the following sentence at the end thereof. "Every sign shall have a main disconnect or switch located in the sign so as to be readily accessible or on the structure or exterior of the building upon which the sign is constructed or which it is attached".

(E) Applicability: From the date on which such filed edition of said code shall take effect, the provisions thereof shall be controlling within the limits of the city. That said code is hereby adopted as the rules and regulations for the governing of signs. In the event any of the provisions of the latest edition of the uniform sign code conflict with any of the provisions of this chapter, the provisions of this chapter shall govern and be controlling.

(F) Copies Of Code Available: Three (3) copies of this uniform sign code and chapter 10 of the uniform zoning code, with all supplements, amendments and appendixes thereto, hereinafter adopted shall be kept on file in the office of the city clerk of the city for use and examination by the public. (Ord. 179, 11-8-1995)

3-4-3: DEFINITIONS:  

ABANDONED SIGN: A sign that does not display a current advertising message, which has not been maintained in good repair, or any sign structure no longer supporting the sign for which it was designed.

ADMINISTRATOR: A building official of the city, capable of administrative work and vested by the city council with the duty of administering the regulations contained herein.

ADVERTISING DISPLAY: Copy, symbols, logotype or graphics on a sign.

ANIMATED SIGN: A sign that uses mechanical or electrical devices to simulate the effect of motion.

ARCHITECTURAL GRAPHICS: A painted design, mural, relief or similar feature which is incorporated into the architectural design of a building but conveys no advertising message.

CIVIC DISPLAY: A temporary display erected on a public street or public property in connection with a holiday, or civic event.

DIRECTIONAL SIGN: A sign or group of signs meant as a single display to give information about the location of a business or building.

FLASHING SIGN: A sign that uses intermittent illumination.

FREESTANDING SIGN: A permanent sign exceeding six feet (6') in height and supported by its structure apart from a building.

INFLATABLE SIGN: Any device that is supported by air pressure and used to attract the attention of the public.

MERCHANDISING POSTER: A sign that is behind or on a display window to provide information about a specific product, price or event.

MOBILE SIGN: Any sign attached to or supported by a vehicle including a trailer; this definition does not apply to mass transit vehicle or taxicab.

NONCONFORMING SIGN: Any sign lawfully erected prior to the adoption of this chapter.

OFF PREMISES SIGN: Any sign that advertises a business, activity or product not located on the same site as the sign.

OFFICIAL SIGN: Any sign erected by a governmental agency.

ON PREMISES SIGN: Any sign that advertises a business, activity or product on the same site as the sign.

POLITICAL SIGN: A sign that carries an advertising message supporting or opposing a candidate or proposition.

PROJECT SALES: A sign erected for the purpose of promoting the sale or lease of property in a residential, commercial or industrial area.

PROMOTION BANNER AND FLAGS: A temporary display erected on a place of business or a public property in connection with a specific promotional activity.

REAL ESTATE SIGN: A temporary sign offering for rent or sale the real property on which it is located.

SUSPENDED SIGN: A sign supported from or below a building soffit or permanent canopy. (Ord. 179, 11-8-1995)

3-4-4: PERMIT AND ENFORCEMENT:  

(A) Required Permit: Except as otherwise provided in this section, it is unlawful for any person to erect, enlarge, alter, except by normal maintenance, or relocate within the city, any permanent sign without first having obtained a sign permit and paying the permit fees.

(B) Application For Permit: Application for a sign permit shall be made on forms provided by the city and shall include, or be accompanied by, the following:

1. Name, address, telephone number and notarized signature of the property owner.
2. Name, address, telephone number and notarized signature of the applicant, i.e., the owner of the sign.
3. Name, address and telephone number of the contractor, if any.
4. A plot plan showing the boundaries of the parcel on which the sign(s) is to be located.
5. Drawings of the proposed sign(s) showing the design, dimensions, mounting height, materials of construction and structural details; wind, seismic, combined and allowable stress loads will be included with all freestanding signs.
6. Identification of all existing signs on the site, including their size and location.
7. Any other information deemed necessary by the planning board.

(C) Issuance Of Permit: When all requirements of this section have been satisfied and all fees paid, a sign permit shall be issued by the city clerk.

(D) Permit Fees: Permit fees will be established by the city council by resolution.

(E) Inspections: Any sign that is subject to this section shall be inspected by the administrator to ensure compliance with this section.

(F) Suspension And Revocation: Any permit issued in error or in reliance on a falsified application may be revoked by the city council. Any sign erected or partially erected under a permit issued pursuant to a falsified application may be ordered removed at the owner's expense. Signs that have been declared a public nuisance by the planning commission shall have their permit revoked by the city council and will be removed at the owner's expense.

(G) Enforcement: Any sign that is erected, enlarged, altered or relocated without a valid sign permit is a violation of this chapter and is subject to removal by the city at the owner's expense. (Ord. 179, 11-8-1995)

3-4-5: GENERAL PROVISIONS:

(A) Allowable Sign Area/Height: The allowable sign area shall apply to the maximum surface area of all sign faces visible from any one point. The allowable area and height will be determined by zoning district. To exceed the allowable height and sign area, a special use permit is required.

(B) Location Of Signs: Signs located on private property shall not extend across property lines into adjacent property or public right of way. Freestanding or projecting signs may be located within or project into setbacks, except no sign shall be located in any manner that would create a hazard for traffic or pedestrians.

(C) Off Premises Signs: For any off premises sign that is proposed within six hundred feet (600') of any highway classified by the state as part of the interstate and primary highway system, a state sign permit must be obtained prior to the issuance of a construction permit or sign certificate by the city. (Ord. 179, 11-8-1995)

3-4-6: SPECIAL USE PERMIT SIGNS:

The following types of signs will require a special use permit:

(A) Off premises freestanding.

(B) Signs exceeding allowed display surface and/or height within designated zoning districts. (Ord. 179, 11-8-1995)

3-4-7: ABANDONED SIGNS:

(A) Removal Of Abandoned Signs: Any sign or sign structure that has been abandoned for a period of six (6) months shall be removed or restored to use at the owner's expense within thirty (30) days after a notice of abandonment is issued to the owner of the sign. Notice shall be given by the city clerk using certified mail.

(B) Criteria For Establishing Abandonment: A sign or sign structure shall be considered abandoned when any of the following occurs:

1. Any copy thereon is out of date.
2. Any business advertising thereon is no longer on the premises.
3. Any product or service advertised thereon is no longer offered on the premises.
4. The structure no longer supports a sign or the sign no longer contains an advertising display.
5. A sign, structure or advertising display is visibly damaged or partially missing. (Ord. 179, 11-8-1995)

3-4-8: VIOLATION; PENALTY:

(A) Any of the following shall be a violation of this chapter and shall be subject to the enforcement remedies and penalties provided for in this code:

1. To erect, enlarge, alter, except by normal maintenance, or relocate any sign in a way that is inconsistent with the provisions of this sign code including the uniform sign code and chapter 10 of the uniform zoning code.
2. To erect, enlarge, alter, except by normal maintenance, or relocate any sign in a way that is inconsistent with any plan review governing such sign for the parcel on which sign is located.
3. To fail to remove any sign that is erected, enlarged, altered, except by normal maintenance, or relocated for which the sign permit has lapsed.

4. For the continuance of a violation, each day shall be considered a separate violation when applying the penalty portions of this chapter.

(B) Any sign installed or placed on any property in violation of the requirements of this chapter shall be subject to the following:

1. With respect to any sign that constitutes a hazard to the public or an uncertified sign that has been installed or placed on public property or within public right of way, the sign may be immediately removed and impounded. The city clerk shall notify, by certified mail, the property owner and sign owner of the impoundment of the sign. Such notice shall be given within five (5) days after impoundment of the sign or within such additional time as may be necessary in order to identify and locate such person or persons. The city must keep the sign for a period not to exceed thirty (30) days after the date noted on the certified mail receipt, during which time the owner or responsible person may reclaim the sign. If the sign is not reclaimed by the end of this time period, the sign may be destroyed.
2. The city shall have the right to recover full costs of removal and disposal of such sign from the owner of such sign or the owner of the property on which it is located.
3. Removal pursuant to this subsection may be accomplished by the city or its authorized agent.

(C) Any violation of this chapter shall be a misdemeanor. The city may issue a citation and upon conviction seek imposition of fines in accordance with the following schedule:

1. Upon the first conviction, a minimum of two hundred dollars (\$200.00);
2. Upon the second conviction within a period of one year, a minimum of five hundred dollars (\$500.00);
3. Upon each subsequent conviction within a period of one year, a minimum of one thousand dollars (\$1,000.00).

(D) Each sign erected, installed, altered, relocated or abandoned in violation of this chapter shall be considered a separate violation when applying the penalty portions of this chapter. (Ord. 179, 11-8-1995)