

## **ARTICLE 12** **SIGN REGULATIONS**

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### **SECTION 12.1** **GENERAL PROVISIONS**

Section 12.1.1	Title
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#### **Section 12.1.1 Title**

This Article shall hereafter be known and cited as the “Town of Belville Sign Ordinance.”

#### **Section 12.1.2 Purpose**

**A. Purpose** – This Article was enacted to:

1. Protect the rights of individuals and businesses to convey their messages through signs;
2. Encourage the effective use of signs as a means of communication;
3. Promote economic development;
4. Improve traffic and pedestrian safety as it may be affected by distracting signs;
5. Prevent the destruction of the natural beauty and environment of the Town;
6. Protect and enhance local aesthetic and functional qualities;

7. Protect the public health, safety, and general welfare;
8. Restrict the continued existence of abandoned or non-conforming signs unless in compliance with the terms of this Article and to eliminate, over time, all non-conforming signs;
9. Ensure the fair and consistent enforcement of sign standards; and
10. Make it easier, quicker, and more economically efficient to apply for a sign permit.

### **Section 12.1.3 Reserved**

### **Section 12.1.4 Power and Duties of Personnel**

The Town Administrator or his/her designee, is hereby authorized and directed to administer and enforce this Article, unless otherwise specifically provided for by resolution of the Town of Belville Board of Commissioners.

### **Section 12.1.5 Applicability**

- A. The standards of this Article shall apply to all signs erected within the corporate limits and extraterritorial jurisdiction of the Town.
- B. Signs proposed to be located within 660 feet of the right-of-way of US-17 and/or US-74/76 may be subject to the requirements of Chapter 136, *Roads and Highways*, Article 11, *Outdoor Advertising Control Act*, of the North Carolina General Statutes (“Act”) and where more restrictive than the regulations and standards required by this Article, the regulations of the Act or of any rules promulgated thereunder, shall supersede these regulations and standards. The issuance of a sign permit by the Town does not preclude the need for a permittee to receive all necessary approvals from the North Carolina Department of Transportation (“NCDOT”) and to meet all of the standards and regulations required by the Act and/or NCDOT.

## **SECTION 12.2 PERMIT, APPLICATION AND FEE REQUIRED; EXPIRATION; REVOCATION**

Section 12.2.1	Permit Required
Section 12.2.2	Application and Fee Required
Section 12.2.3	Application Content
Section 12.2.4	Application Rejection
Section 12.2.5	Permit Expiration
Section 12.2.6	Privilege License Required
Section 12.2.7	Inspection
Section 12.2.8	Permit Revocation
Section 12.2.9	Appeal of Permit Revocation

### **Section 12.2.1 Permit Required**

Except where specifically not required by this Article, it shall be unlawful for any person to post, display, materially change, or erect a sign in the Town without first having obtained a sign permit. Notwithstanding the foregoing, signs which are not visible from a public right-of-way, private street, or from neighboring properties shall not be subject to the standards of this Article. All applicable building and/or electrical permits shall be obtained from Brunswick County before commencing construction or installation of a sign.

### **Section 12.2.2 Application and Fee Required**

No permit shall be issued until the appropriate application has been filed with the Town Administrator and fees, as set from time to time by resolution of the Board of Commissioners, have been paid.

### **Section 12.2.3 Application Content**

Applications for sign permits required by this Article shall be filed along with two (2) additional copies by the person owning or leasing the subject lot, or by the owner's authorized agent, in the office of the Town Administrator upon forms furnished by that office. The application shall describe and set forth the following:

1. The type and purpose of the sign as defined in this Article;
2. The cost of the sign;
3. A survey to scale showing the street address of the property upon which the subject sign is to be located, the proposed location of subject sign on subject property, the distance of the proposed sign from the subject property's boundaries, and all existing signs, structures or buildings on the subject property;
4. The square foot area per sign and the aggregate square foot area if there is more than one (1) sign face;
5. The name(s) and address(es) of the owner(s) of the real property upon which the subject sign is to be located;
6. Written consent of the owner or lessor of the property, or his/her agent, granting permission for the placement, maintenance, size, and height of the subject sign to be placed on the property;
7. For wall signs: Two sets of building elevations indicating the proposed location of the sign;
8. The name, address, telephone number, and privilege license number of the sign contractor. All applicants for signs which incorporate electricity must obtain an electrical permit;
9. Sign details, including a proposed color scheme of sign, and scaled elevation of the size and height of the proposed sign from ground level and adjacent street level;

10. The zoning district in which the subject property is located, and a statement of compliance with all requirements of the zoning district; and
11. All other material as may be required by this Article.

#### **Section 12.2.4 Application Rejection**

- A. **Incomplete; False** – The Town Administrator shall reject, within ten (10) business days of receipt of said application, any application that is incomplete or inaccurate, contains false material statements or omissions, or is for a sign that would violate any standard within this Article. The Town Administrator may reject an application at anytime prior to the expiration of the ten (10) day period if the application is incomplete, inaccurate or contains false material statements or omissions, and return such an application to the applicant. An application rejected for one (1) or more of the reasons provided in this Section shall be accompanied by a written notice indicating the grounds upon which the rejection is based.
- B. **Processing Time; Action** – The Town Administrator shall process all complete and accurate sign permit applications within ten (10) business days of the Town's receipt of an application and upon remittance of the appropriate sign permit fee. The Town Administrator shall give notice to the applicant of his/her decision and if the decision of the Town Administrator is to deny the application, then the decision shall be set forth in a writing to the applicant stating the grounds upon which the denial is based. An application meeting the standards of this Article shall be granted. Failure of the Town Administrator to act within the ten (10) day period shall be deemed an approval of the permit.
- C. **Appealable** – A rejection pursuant to this Section shall be appealable pursuant to the procedures for Appeals outlined in Section 9.5 of the Zoning Ordinance.
- D. **Resubmission** – A rejected application later resubmitted in conformity with this Article shall be deemed to have been submitted on the date of resubmission, instead of the original submission date. An application that is resubmitted shall meet all the standards for an original application.

#### **Section 12.2.5 Permit Expiration**

A sign permit shall become null and void if the sign for which the permit was issued has not been installed and completed within twelve (12) months after the date of issuance; provided, however, that where an applicant can demonstrate that a commercial entity was timely engaged to construct the permitted sign, but the fabrication has not yet been completed, one (1) ninety (90) day extension may be granted by the Town Administrator. No refunds shall be made for a permit after the permit is issued. If, after twelve (12) months, an individual desires to erect a sign at the same location, then a new application for the sign must be processed and another fee paid in accordance with the fee schedule applicable at such time.

### **Section 12.2.6 Privilege License Required**

It shall be unlawful for any person to engage in the business of erecting or maintaining signs within the Town, unless and until such entity shall have obtained a Town privilege license.

### **Section 12.2.7 Inspection**

Any person installing, altering, or relocating a sign for which a permit has been issued shall notify the Town Administrator upon completion of the work. The Town Administrator may require a final inspection and, if a permit was issued by Brunswick County, shall report the results of the inspection to the appropriate county officials.

### **Section 12.2.8 Permit Revocation**

- A. Should it be determined that a sign permit was issued pursuant to an application containing a false material statement or omission, the Town Administrator shall revoke said permit and the subject sign shall be immediately removed. The permittee shall be notified in writing of the permit revocation, and said notice shall indicate the grounds upon which the permit revocation is based.
- B. Violation of any provision of this Article shall be grounds for revoking a permit granted by the Town to the permittee or the person or entity erecting the sign.
- C. The termination of the permit does not in any way preclude the person or persons alleged to have violated the standards of this Article from being subject to the provisions of Section 12.3, *Violations, Enforcement and Penalties*, of this Article or preclude the Town from taking any other action authorized by this Ordinance and/or any action authorized by law.

### **Section 12.2.9 Appeal of Permit Revocation**

A revocation pursuant to this Section shall be appealable pursuant to the procedures for Appeals as provided in Section 9.5 of the Town's Zoning Ordinance.

## **SECTION 12.3 VIOLATIONS, ENFORCEMENT AND PENALTIES**

- |                |                           |
|----------------|---------------------------|
| Section 12.3.1 | Violations                |
| Section 12.3.2 | Removal Without Notice    |
| Section 12.3.3 | Persons Liable            |
| Section 12.3.4 | Enforcement of Violations |

### **Section 12.3.1 Violations**

The following acts or situations shall constitute violations of this Article:

- A. Noncompliance - Erecting, installing or constructing a sign which does not comply with the standards of this Article;

- B. Dangerous or Defective - Maintaining or permitting to be maintained any sign that is structurally unsafe, hazardous or endangers the safety of the public or property; and
- C. Failure to Permit – Erecting, installing or constructing a sign which requires a permit without first obtaining a permit from the Town.

#### **Section 12.3.2 Removal Without Notice**

The Zoning Code Administrator shall remove any sign in violation of this Article, within ten (10) business days of verifying a violation of this Article, without giving notice to any party, if:

- A. Said sign is upon the public right-of-way or upon other public property; or
- B. Said sign poses an immediate safety threat to the life or health of any members of the public.

#### **Section 12.3.3 Persons Liable**

The owner, tenant or occupant of any structure or property, or part thereof, and/or the authorized representative(s) of the same, who creates, maintains or allows the existence of any situation that is contrary to the requirements of this Article may be held responsible for the violation and be subject to the remedies and penalties herein provided.

#### **Section 12.3.4 Enforcement of Violations**

The procedures upon the Town's discovery of any violation of the provisions of this Article, and the penalties and remedies in enforcing the prohibitions against any such violations, shall be as set forth in Sections 15.6, *Procedures Upon Discovery of Violations*, and 15.7, *Penalties and Remedies for Violations*, under Article 15, *Administration, Enforcement and Review*.

In addition, the violations under Section 12.3.1, *Violations*, of this Article shall be deemed to constitute a public nuisance such that the provisions of Section 22.3, *Public Nuisances*, under Article 22, *Miscellaneous*, authorizing the Town to, in pertinent part, abate the public nuisance and recover from the liable persons its enforcement costs, including inspection and cleanup costs and reasonable attorney's fee, shall be fully applicable to the public nuisance created by a violation of this Article.

### **SECTION 12.4 VARIANCES**

#### **Section 12.4.1 Procedure**

The procedures for requesting a variance from the standards of this Article shall be as provided in Section 9.5, *Appeals and Variances*, of the Town's Zoning Ordinance.

## **SECTION 12.5 EXEMPT SIGNS**

No permit shall be required for the following signs so long as all standards in this Article are met, including those set forth below:

1. Numerals displayed for the purpose of identifying property location not to exceed eight (8) inches in height;
2. Flags;
3. Window signs.
4. Door signs not to exceed one (1) square foot in SFA and not more than one (1) sign per door; and
5. Standard informational signs in all districts.

## **SECTION 12.6 PROHIBITED SIGNS AND DEVICES**

Except for the provisions of Section 12.12.5 of this ordinance, the following types of signs are prohibited in the Town:

1. Signs: Any sign not specifically identified in this Article as a permitted sign and/or any sign not meeting the requirements contained in this Article;
2. Balloons; Balloons, streamers or air or gas filled figures;
3. String Lights: Signs consisting in whole or in part of a series, line, or row of lights, whether supported by cables or other physical means, within one hundred fifty (150) feet of a street and visible there from.
4. Beacons; Search Lights; Lasers: Promotional beacons, search lights or laser lights or images;
5. Audible Signs;
6. Signs in Right-of-Way: Signs in a public right-of-way or the common area/easement of a private street, other than those signs belonging to a government, public service agency, or railroad;
7. Signs on Trees or Utility Poles: Signs mounted or located on a tree, utility pole, or similar structure;

8. Roof Signs: Roof signs and signs which extend vertically above a portion of a roof or parapet of the applicable wall;
9. Portable Signs: Portable signs, including signs attached to any parked vehicle or trailer, so as to be visible from a public right-of-way;
10. Obscene Signs: Signs which depict obscene material;
11. Illegal Activity Signs: Signs which advertise an activity which is illegal under federal, state or local laws;
12. Signs Not Maintained: Signs not in good repair, in violation of codes, or containing or exhibiting broken panels, visible rust, visible rot, damaged support structures, or missing letters;
13. Abandoned Signs;
14. Animated, Flashing Signs: Animated signs, flashing signs, and changeable copy signs which change more than once per twenty-four (24) hours within one hundred fifty (150) feet of a road right of way; and
15. Imitation Traffic Signs: Signs which contain or are an imitation of an official traffic sign or signal or contain the words "stop," "go," "slow," "caution," "warning," or similar words in such a manner as to resemble official traffic control signs.
16. Off-Premises Signs.

## **SECTION 12.7 NONCONFORMING SIGNS**

Section 12.7.1	Maintained
Section 12.7.2	Repairs; Material Change
Section 12.7.3	Grandfathering

### **Section 12.7.1 Maintained**

A nonconforming sign shall not be replaced by another nonconforming sign, except that the substitution or interchange of poster panels, painted boards, or dismountable material on nonconforming signs shall be permitted. All nonconforming signs shall be maintained in good repair.

### **Section 12.7.2 Repairs; Material Change**

Minor repairs and maintenance of nonconforming signs shall be permitted; provided, however, no structural repairs or changes in the size or shape of a nonconforming sign shall be permitted except to make the sign comply with the standards of this Article. To the extent that any sign allowable under this section is damaged by act of God or by other circumstances beyond control of the owner

of the sign, then such sign may be repaired without regard to the restrictions of this paragraph if the total cost of repairs constitute less than fifty percent (50%) of the total replacement value of the sign.

### **Section 12.7.3 Grandfathering**

Nonconforming signs may stay in place until one of the following conditions occurs:

- 1) A permit for an otherwise conforming sign is sought on the same lot on which the nonconforming sign is located. In this instance, a permit for a conforming sign shall only be issued if the nonconforming sign is removed or an affidavit is provided from the property owner indicating that the nonconforming sign will be removed within thirty (30) days of the issuance of the permit;
- 2) The deterioration of the sign or damage to the sign makes it a hazard or renders it dilapidated, unsightly, or unkempt; or
- 3) The sign has been damaged to such extent that more than minor repairs or a material change is required to restore the sign. No structural repairs or change in shape or size shall be permitted except to make the sign comply with all standards of this Article. To the extent that any sign allowable hereunder is damaged or destroyed by an act of God or by other circumstances beyond the owner's control, then such sign may be repaired without regard to the restrictions of this paragraph if the total cost of repairs constitute less than fifty percent (50%) of the total replacement cost of the sign.

## **SECTION 12.8 SIGN LOCATION**

Section 12.8.1	Obstructions to Doors, Windows, or Fire Escapes
Section 12.8.2	Signs Not to Constitute Traffic Hazard
Section 12.8.3	Setback

### **Section 12.8.1 Obstructions to Doors, Windows, or Fire Escapes**

No sign shall be erected, relocated, or maintained so as to obstruct any door, window, fire escape, stairway, ladder or opening intended to provide light, air, ingress or egress for any building, structure or lot.

### **Section 12.8.2 Signs Not to Constitute Traffic Hazard**

No sign or any part thereof, except authorized traffic signs, shall be located in any government right-of-way or common area of any private street. No sign may be located any closer than twenty (20) feet to an intersection as measured from the intersection of the two (2) rights-of-way or within the visibility triangle, whichever is greater.

### **Section 12.8.3 Setback**

1. Unless a more restrictive setback is specified in the conditions of a Special Use Permit or otherwise in this Article, all freestanding signs shall be set back at least five (5) feet from

the right-of-way or twenty (20) feet from the edge of pavement if a private street and no sign shall project over the right-of-way. All freestanding signs shall meet required side yard setbacks specified for the applicable zoning district.

2. If the lot on which a freestanding sign is to be located is zoned other than residential, but is immediately adjacent to a lot zoned solely for residential use, the distance of at least twenty (20) feet shall be provided between the closest part of such sign and the adjacent lot line of the property in the residential zone.

## **SECTION 12.9 MEASUREMENT OF SIGN FACE AREA (SFA)**

Section 12.9.1	Size Generally
Section 12.9.2	Structure
Section 12.9.3	Changeable Copy Signs
Section 12.9.4	Multi-Faced Signs

### **Section 12.9.1 Size Generally**

The sign face area (SFA) shall be computed as the area within the smallest continuous polygon comprised of not more than eight (8) straight lines enclosing the limits of a sign face, together with any sign face cabinet or frame or material, texture, or color forming an integral part of the sign face used to differentiate the sign face from the structure upon which it is placed. If polygons established around wall signs located on the same street oriented wall are within twenty-four (24) inches or less of one another, then the area of the sign shall be measured within one continuous polygon.

### **Section 12.9.2 Structure**

The computation of the area of a sign face shall not include the structure, supports, or uprights on which the sign face is placed or any portions of a sign structure that are not intended to contain any message or idea and are purely structural or decorative in nature, other than those parts contained within the polygon that delimits the sign face.

### **Section 12.9.3 Changeable Copy Signs**

For any signs on which the words, letters, figures, symbols, logos, fixtures, colors, or other design elements routinely change or are intended to be changed from time to time, the sign face area shall include the entire area within which any words, letters, figures, symbols, logos, fixtures, colors, or other design elements may be placed, together with any frame or material, texture or coloring forming an integral part of the sign face or used to differentiate the sign face from the structure upon which it is placed. Such changeable copy signs shall not flash.

### **Section 12.9.4 Multi-Faced Signs**

For multi-faced signs, when the sign face surfaces are parallel and are back to back, or where the interior angle formed by the faces is forty-five (45) degrees or less, the SFA shall be taken as the areas on the largest side. For all other multi-faced signs, the SFA shall be the total area on all sides that can be viewed at one time from any angle.

## **SECTION 12.10** **MEASUREMENT OF SIGN HEIGHT**

The height of a sign shall be computed as the distance from the base of the sign structure 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 in which the normal grade cannot reasonably be 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 or the grade of the land at the principal entrance to the principal structure on the zone lot, whichever is greater. Where the normal grade is below the normal grade of a public street, the sign base can be raised to the elevation of the normal grade of the street before the height limitations are applied (surveyor's certificate required).

## **SECTION 12.11** **CONSTRUCTION STANDARDS**

Section 12.11.1	Building and Safety Codes
Section 12.11.2	Sign Face
Section 12.11.3	Illumination
Section 12.11.4	Landscaping
Section 12.11.5	Materials
Section 12.11.6	Projecting Signs and Devices
Section 12.11.7	Attached Fences and Walls
Section 12.11.8	Address Numerals

### **Section 12.11.1 Building, Safety, and Fire Codes**

All signs permitted under this code shall be constructed and maintained in accordance with applicable building, safety, and fire codes. The Town may remove, after due notice, any sign that shows neglect or becomes dilapidated.

### **Section 12.11.2 Sign Face**

The face of a sign shall be flat, with protrusions of no more than two (2) inches to allow for the texture of the sign and words, letters, figures, symbols, logos, fixtures, colors, or other design elements. No sign or other advertising structure shall be constructed so as to have nails, tacks, or wires protruding there from. Lettering for address signage shall not exceed eight (8) inches in height or as required by the applicable building and/or fire code.

### **Section 12.11.3 Illumination**

- A. Signs, when illumination is permitted and except as otherwise set forth, may be illuminated internally or externally.
- B. The light-source for internally or externally illuminated signs shall be non-flashing and shall not totally, or in part, flash on and off.

- C. Light sources used for externally illuminated signs shall be placed and shielded in a manner to prevent the direct rays of illumination from being cast upon neighboring properties, private streets and/or public right-of-ways.
- D. Exposed neon tubing shall be prohibited from use in any sign type, except window signs.

#### **Section 12.11.4 Landscaping**

Landscaping, weeds, and grass shall be kept cut in front of, behind, underneath, and around the base of freestanding signs.

#### **Section 12.11.5 Materials**

Freestanding sign structure/base materials shall match the principal material of the building the sign is associated with.

#### **Section 12.11.6 Projecting Signs and Devices**

Projecting signs, outdoor advertising signs and similar overhanging devices, where they are permitted, shall be at least seven (7) feet above the finished grade of any sidewalk or other walkway. Signs attached to the underside of a canopy shall be at least seven (7) feet above the finished grade of any sidewalk or other walkway. No sign shall extend closer than two (2) feet to a vertical plane at any street curb line. Signs and canopies which extend into service street and alley rights-of-way shall not interfere with passage of motor carriers using the service entrances to the rear and side of commercial establishments adjacent to such rights-of -way.

#### **Section 12.11.7 Attached Fences and Walls**

Structures, supports, and/or uprights attached to a sign but greater than three (3) feet (horizontally) from the area of the sign constituting the sign face, shall be considered walls and/or fences and shall meet the requirements of Section 6.3.15, *Fences and Walls, Nonstructural*, of this Ordinance.

#### **Section 12.11.8 Address Numerals**

All freestanding signs shall display the numerical address of the lot on which the sign is located in a manner so as to be visible from adjacent public and private streets.

### **SECTION 12.12 RESTRICTIONS BASED ON LOCATION**

Section 12.12.1	Generally
Section 12.12.2	Signs Allowed in the R-10, R-15, and MH Zoning Districts
Section 12.12.3	Signs Allowed in the MF Zoning District
Section 12.12.4	Signs Allowed in the BR, CBD, and PI Zoning Districts
Section 12.12.5	Signs Allowed in the BH and I Zoning Districts
Section 12.12.6	Signs Allowed in the Downtown Overlay District

### **Section 12.12.1 Generally**

Any sign not specifically allowed in a zoning or overlay district as provided under this Section shall be prohibited in that district, except as otherwise provided for under this Article. The following standards govern signs within specific zoning and overlay districts.

### **Section 12.12.2 Signs Allowed in the R-10, R-15, and MH Zoning Districts**

#### 1. Freestanding Signs

##### A. Number of Signs Allowed and Maximum Sign Face Area (SFA)

- a. **Non-Residential Uses** - One (1) freestanding sign with a maximum SFA of thirty-two (32) square feet shall be permitted for each lot occupied by a non-residential use.
- b. **Single Family Subdivisions** - One (1) freestanding sign with a maximum SFA of thirty-six (36) square feet, or two (2) single-faced freestanding signs with each sign having a maximum SFA of eighteen (18) square feet for each side of a platted single family subdivision entrance, shall be permitted for each street on which a subdivision has an entrance.

##### B. Maximum Height

- a. Freestanding signs shall have a maximum height of six (6) feet.

##### C. Style

- a. Changeable copy shall not be permitted.

##### D. Illumination

- a. Freestanding signs may be externally illuminated.

2. **Temporary Construction Signs.** One (1) additional sign shall be allowed prior to and during construction. Such signs may be installed up to six (6) months prior to the onset of construction with the issuance of a permit from the Town of Belville. If construction does not begin within six (6) months from the date the permit is issued, the permit shall expire. If the permit expires due to delay in the onset of construction, the permit may be renewed for one (1) additional six (6) month period, provided the applicant reapplies within ten (10) days after expiration. All permits for Temporary Construction Signs shall expire upon the issuance of a Certificate of Occupancy or the installation of a permanent sign, whichever occurs first. If the owner fails to remove the sign within ten (10) days of permit expiration, the town is authorized to remove the sign. Temporary Construction Signs in this district shall be subject to the following requirements:

- A. The maximum sign face area is twelve (12) square feet.
  - B. The maximum sign height is five (5) feet.
  - C. The sign shall be constructed of treated lumber or other materials not prone to rot or decay.
  - D. The sign shall be supported by one or more posts with a maximum dimension of four inches by four inches (4" x 4"). All posts shall be constructed of wood or vinyl and shall be painted with white high-quality exterior grade paint. All posts shall be topped with a decorative post cap.
  - E. The maximum number of sign faces is one (1) per side of the sign, not to exceed two (2) sign faces.
  - F. The sign shall not be internally or externally illuminated.
  - G. The sign shall be maintained in substantially similar condition as to when it was originally permitted and erected. Maintenance shall include periodic painting, replacement of defective or missing parts, cleaning, and replacement of any sign face that exhibits damage or deterioration.
- 3. Flag. Each lot may display no more than five (5) flags and/or one (1) flagpole. The flagpole shall not exceed thirty-five (35) feet in height. Flag size shall not be more than twenty (20) square feet in SFA.
  - 4. Banner. Banners shall be allowed for a period not exceeding fourteen (14) days with no more than three (3) such fourteen (14) day periods being permitted per calendar year per lot. Banners shall not be more than twenty-four (24) square feet in SFA. No banner shall be mounted so as to extend above the horizontal plane of the roof where the building wall and roof meet or shall not extend more than five (5) feet above grade when on the ground.
  - 6. Standard Informational Signs. Each lot may display two (2) standard informational signs without a permit, except that during a political election, between the date of qualification and final determination on each ballot issue or candidate, each lot may display an unlimited number of standard informational signs.

### **Section 12.12.3 Signs Allowed in the MF Zoning District**

- 1. Freestanding Signs
  - A. Number of Signs Allowed and Maximum Sign Face Area (SFA)

- a. **Multi-Family Developments** - One (1) maximum thirty-two (32) square foot SFA freestanding sign shall be permitted for each exterior street on which a multi-family lot has frontage.
  - b. **Non-Residential Uses** - One (1) freestanding sign with a maximum SFA of thirty-two (32) square feet shall be permitted for each lot occupied with a non-residential use.
  - c. **Single Family Subdivisions** - One (1) freestanding sign with a maximum SFA of thirty-six (36) square feet, or two (2) single-faced freestanding signs with each sign having a maximum SFA of eighteen (18) square feet for each side of a platted single family subdivision entrance, shall be permitted for each street on which a subdivision has an entrance.
- B. Maximum Height
- a. Freestanding signs shall have a maximum height of six (6) feet.
- C. Style
- a. Changeable copy shall not be permitted.
- D. Illumination
- a. Freestanding signs may be externally illuminated.
2. Temporary Construction Signs. One (1) additional sign shall be allowed prior to and during construction. Such signs may be installed up to six (6) months prior to the onset of construction with the issuance of a permit from the Town of Belville. If construction does not begin within six (6) months from the date the permit is issued, the permit shall expire. If the permit expires due to delay in the onset of construction, the permit may be renewed for one (1) additional six (6) month period, provided the applicant reapplies within ten (10) days after expiration. All permits for Temporary Construction Signs shall expire upon the issuance of a Certificate of Occupancy or the installation of a permanent sign, whichever occurs first. If the owner fails to remove the sign within ten (10) days of permit expiration, the town is authorized to remove the sign. Temporary Construction Signs in this district shall be subject to the following requirements:
- A. The maximum sign face area is twelve (12) square feet.
  - B. The maximum sign height is five (5) feet.
  - C. The sign shall be constructed of treated lumber or other materials not prone to rot or decay.

- D. The sign shall be supported by one or more posts with a maximum dimension of four inches by four inches (4" x 4"). All posts shall be constructed of wood or vinyl and shall be painted with white high-quality exterior grade paint. All posts shall be topped with a decorative post cap.
  - E. The maximum number of sign faces is one (1) per side of the sign, not to exceed two (2) sign faces.
  - F. The sign shall not be internally or externally illuminated.
  - G. The sign shall be maintained in substantially similar condition as to when it was originally permitted and erected. Maintenance shall include periodic painting, replacement of defective or missing parts, cleaning, and replacement of any sign face that exhibits damage or deterioration.
3. Flag. Each lot may display no more than one (1) flag and/or flagpole. The flagpole shall not exceed thirty-five (35) feet in height. Flag size shall not be more than twenty (20) square feet in SFA.
4. Banner. Banners shall be allowed for a period not exceeding fourteen (14) days with no more than three (3) such fourteen (14) day periods being permitted per calendar year per lot. Banners shall not be more than twenty-four (24) square feet in SFA. No banner shall be mounted so as to extend above the horizontal plane of the roof where the building wall and roof meet or shall not extend more than five (5) feet above grade when on the ground.
5. Standard Informational Signs. Each lot may display two (2) standard informational signs without a permit, except that during a political election, between the date of qualification and final determination on each ballot issue or candidate, each lot may display an unlimited number of standard informational signs.

#### **Section 12.12.4 Signs Allowed in the BR, CBD, and PI Zoning Districts**

1. Freestanding Signs
  - A. Number of Signs Allowed and Maximum Sign Face Area (SFA)
    - a. **Multi-Family Developments** - One (1) maximum thirty-two (36) square foot in SFA freestanding sign shall be permitted for each street on which a multi-family lot has frontage.
    - b. **Non-Residential and Mixed Uses** – Each non-residential or mixed use shall be permitted one (1) freestanding sign for each street on which said use has frontage. The maximum SFA shall be thirty-two (32) square feet for each street on which the non-residential or

mixed use has less than five-hundred (500) feet of frontage; the maximum SFA shall be sixty-four (64) square feet for each street on which said use has five-hundred (500) or more linear feet of frontage.

B. Maximum Height

- a. Freestanding signs shall have a maximum height of six (6) feet.

C. Style

- a. Changeable copy shall not be permitted.

D. Illumination

- a. Freestanding signs may be externally illuminated.

2. Wall Signs

A. Number of Signs Allowed and Maximum Sign Face Area (SFA)

- a. **Non-Residential and Mixed Uses** – Each tenant or establishment is allowed a maximum of two (2) wall signs. Only one (1) sign is allowed per wall. The first wall sign SFA for each tenant or establishment may not exceed 15% of the building wall area on which it is being placed, or one hundred fifty (150) square feet, whichever is less. The second wall sign SFA for each tenant or establishment may not exceed 10% of the building wall area on which it is being placed, or seventy-five (75) square feet, whichever is less.

B. Style

- a. Raceways shall be painted to match the color of the exterior walls to which they are attached.

C. Illumination

- a. Wall signs may be externally illuminated.

3. Directory Signs. Internal freestanding directory signs are permitted within developments. The freestanding sign shall not exceed twenty (20) square feet in SFA and four (4) feet in height and shall be legible by the traveling public.

4. Window Signs.

5. Awning/Canopy Signs. Awning/canopy signs may be displayed. A permit is required. The signs shall be deducted from allocated wall sign area, but shall not preclude the installation of an allocated wall sign. The SFA of the sign shall not exceed ten percent (10%) of the area of the awning or canopy.
6. Flags. Each lot may display no more than three (3) flags and/or flagpoles. Flagpoles shall not exceed twenty (20) feet in height. Flag size shall not be more than twenty (20) square feet in SFA.
7. Standard Informational Signs. Each lot may display two (2) standard informational signs without a permit, except that during a political election, between the date of qualification and final determination on each ballot issue or candidate, each lot may display an unlimited number of standard informational signs.
8. Banners. Banners shall be allowed for a period not exceeding fourteen (14) days with no more than three (3) such fourteen (14) day periods being permitted per calendar year per lot. In the case of lots that contain multiple businesses, each business shall be allowed a banner. Banners shall not be more than thirty-two (32) square feet in SFA. No banner shall be mounted so as to extend above the horizontal plane of the roof where the building wall and roof meet and shall not extend more than five (5) feet above grade when on the ground.
9. Teardrop banner. Each business may display one (1) teardrop banner. A permit is not required.

### **Section 12.12.5 Signs Allowed in the BH and I Zoning Districts**

1. Freestanding Signs
  - A. Number of Signs Allowed and Maximum Sign Face Area (SFA)
    - a. **Non-Residential and Mixed Uses**
      - i. One (1) maximum forty-eight (48) square foot in SFA freestanding sign shall be permitted for each lot when the lot has up to and including a total of one-hundred-fifty (150) feet of frontage.
      - ii. One (1) maximum sixty-four (64) square foot in SFA freestanding sign shall be permitted for each lot when the lot has a total street frontage of more than one-hundred-fifty (150) linear feet and up to five hundred (500) linear feet.
      - iii. One (1) maximum eighty-four (84) square foot in SFA freestanding sign shall be permitted for each lot when the lot

has a total street frontage of more than five-hundred (500) linear feet.

- iv. Combined Developments shall be allowed one (1) freestanding sign of thirty-two (32) square feet, plus 10 square feet per additional tenant, up to a maximum of one hundred (100) square feet in SFA, except that freestanding signs located within twenty (20) feet of US-17 right of way may be sixty-four (64) square feet, plus 10 square feet per additional tenant, up to a maximum of two hundred (200) square feet in SFA. When combined developments are adjacent, freestanding signs must be separated by at least 200 linear feet.
- v. One (1) maximum thirty (30) square foot in SFA secondary freestanding sign shall be permitted for each lot to provide visibility from the side and rear of the lot.

B. Maximum Height

- a. Primary freestanding signs shall have a maximum height of ten (10) feet, except that freestanding signs located adjacent to the right-of-way of US-17 (within twenty (20) feet) may be twenty (20) feet in height. Secondary freestanding signs shall have a maximum height of five (5) feet.

C. Style

- a. Changeable copy shall not be permitted.

D. Illumination

- a. Freestanding signs may be externally or internally illuminated.

2. Wall Signs

A. Number of Signs Allowed and Maximum Sign Face Area (SFA)

- a. **Non-Residential and Mixed Uses** – Each tenant or establishment is allowed a maximum of two (2) wall signs. Only one (1) sign is allowed per wall. The first wall sign SFA for each tenant or establishment may not exceed 15% of the building wall area on which it is being placed, or one hundred fifty (150) square feet, whichever is less. The second wall sign SFA for each tenant or establishment may not exceed 10% of the building wall area on which it is being placed, or seventy-five (75) square feet, whichever is less.

B. Style

- a. Raceways shall be painted to match the color of the exterior walls to which they are attached.

C. Illumination

- a. Wall signs may be internally or externally illuminated.

3. Menu Sign. One menu sign as part of a drive-thru or drive-in facility, not legible by the traveling public, shall not exceed six (6) feet in height.

3. Directory Signs. Internal freestanding directory signs are permitted within combined developments. The freestanding sign shall not exceed twenty (20) square feet in SFA and four (4) feet in height and shall be legible by the traveling public.

5. Banner.

- a. Banners shall be allowed for a period not exceeding fourteen (14) days with no more than three (3) such fourteen (14) day periods being permitted per calendar year per lot. In the case of lots that contain multiple businesses, each business shall be allowed a banner. Banners shall not be more than thirty-two (32) square feet in SFA. No banner shall be mounted so as to extend above the horizontal plane of the roof where the building wall and roof meet or shall not extend more than five (5) feet above grade when on the ground.

- b. Other Temporary Banners. Balloons, streamers or air or gas filled fixtures, promotional beacons, search lights, or laser lights shall be allowed for a period not exceeding fourteen (14) days with one (1) fourteen (14) day period being permitted per calendar year per lot for special events and grand openings. The one (1) fourteen (14) day period allowed for special events or grand openings shall be included as one (1) of the three (3) periods allowed by this section.

6. Teardrop banner. Each business may display one (1) teardrop banner. A permit is not required.

7. Temporary Construction Signs. One (1) additional sign shall be allowed prior to and during construction. Such signs may be installed up to six (6) months prior to the onset of construction with the issuance of a permit from the Town of Belville. If construction does not begin within six (6) months from the date the permit is issued, the permit shall expire. If the permit expires due to delay in the onset of construction, the permit may be renewed for one (1) additional six (6) month

period, provided the applicant reapplies within ten (10) days after expiration. All permits for Temporary Construction Signs shall expire upon the issuance of a Certificate of Occupancy or the installation of a permanent sign, whichever occurs first. If the owner fails to remove the sign within ten (10) days of permit expiration, the town is authorized to remove the sign. Temporary Construction Signs in this district shall be subject to the following requirements:

- A. The maximum sign face area is thirty-two (32) square feet.
  - B. The maximum sign height is eight (8) feet.
  - C. The sign shall be constructed of treated lumber or other materials not prone to rot or decay.
  - D. The sign shall be supported by one or more posts with a maximum dimension of four inches by four inches (4" x 4"). All posts shall be constructed of wood or vinyl and shall be painted with white high-quality exterior grade paint. All posts shall be topped with a decorative post cap.
  - E. The maximum number of sign faces is one (1) per side of the sign, not to exceed two (2) sign faces.
  - F. The sign shall not be internally or externally illuminated.
  - G. The sign shall be maintained in substantially similar condition as to when it was originally permitted and erected. Maintenance shall include periodic painting, replacement of defective or missing parts, cleaning, and replacement of any sign face that exhibits damage or deterioration.
7. Out of Store Marketing Device. Out of store marketing devices shall be allowed for one (1) principal use per lot, shall not exceed eight (8) feet in height, and shall not be illuminated except for illumination intrinsic to the device.
8. Flags. Each lot may display no more than three (3) flags and/or flagpoles. Flagpoles shall not exceed twenty (20) feet in height. Flag size shall not be more than twenty (20) square feet in SFA.
9. Projecting signs. In a multi-tenant commercial or office building, in addition to all other permitted signs, one (1) projecting non-illuminated sign per entrance used shall be allowed to identify the location of each tenant's premises. Projecting signs shall adhere to the following: does not exceed three (3) square feet in SFA; is uniform in size, material, color, and shape and is placed in an equivalent location to other such signs located on the same building; is suspended from the eave or soffit of the building; and maintains a minimum of seven (7) feet clearance between the bottom of the sign and the walkway below.
10. Window Signs.

11. Awning/Canopy Signs. Awning/canopy signs may be displayed. A permit is required. The signs shall be deducted from allocated wall sign area, but shall not preclude the installation of an allocated wall sign. The SFA of the sign shall not exceed ten percent (10%) of the area of the awning or canopy. The area of an Awning/canopy Sign shall be deducted from the allowable area of a Wall Sign.
12. Standard Informational Signs. Each lot having one (1) business may display two (2) standard informational signs, and each lot having more than one (1) business may display four (4) standard informational signs without a permit, except that during a political election, between the date of qualification and final determination on each ballot issue or candidate, each lot may display an unlimited number of standard informational signs.

#### **Section 12.12.6 Signs Allowed in the Downtown Overlay District**

1. Freestanding Signs
  - a. Civic buildings and buildings setback thirty (30) feet or greater from a public or private street right-of-way may have a maximum of one (1) sign, no larger than sixteen (16) square feet in SFA (one side) and no taller than five (5) feet in height. Signs for buildings set back thirty (30) feet or greater from a street right-of-way shall be located along the street from which the building is set back such a distance.
  - b. All freestanding signs shall be monument in design, having no open area from the base along the ground to the top of the sign.
  - c. Freestanding signs shall be set back a minimum of ten (10) feet from the back of curb/pavement or outside the right-of-way, whichever is greater.
  - d. Freestanding signs may be located within required landscaping or planting strips.
2. Wall Signs
  - a. For front facades, each individual commercial or office tenant shall be allowed one (1) square foot of SFA for each linear foot of store frontage or five percent (5%) of the area of the front façade, whichever is greater. The total of all SFA on any single wall shall not exceed one-hundred (100) square feet.
  - b. For all other facades, each individual commercial and office tenant shall be allowed wall SFA on non-front facades equal to or less than five percent (5%) of the area of the wall. The total of all SFA on any single wall shall not exceed one-hundred (100) square feet.

- c. Wall signs may project a maximum of twelve (12) inches from the wall to which it is mounted.
3. Projecting Signs
- a. In addition to wall signs, each individual commercial or office tenant may have one (1) projecting sign not to exceed nine (9) square feet in SFA (one side).
  - b. Projecting signs shall not protrude above the soffit, parapet, or eave line of the building to which it is attached.
  - c. Projecting signs shall be mounted no less than eight (8) feet above grade and no higher than twelve (12) feet above grade.
  - d. No projecting sign may extend within three (3) feet of street pavement.
  - e. Projecting signs shall not be internally illuminated.

4. Awning Signs

- a. In addition to wall signs and projecting signs, each individual commercial or office tenant may have awning signs no larger than nine (9) square feet in SFA. SFA shall be limited to being located only on the drip flap of the awning.

**SECTION 12.13  
SIGNS PERMITTED IN CONJUNCTION WITH NONCONFORMING USES**

Any nonconforming use in any district may maintain such signs as would be allowed for such use in the most restrictive district in which the use would be permitted, or such signs as are existing at the time the use becomes nonconforming, whichever is the more restrictive with regards to sign size and number of signs.

**SECTION 12.14  
SEVERABILITY**

Should any article, section, clause, or provision of this Article be declared by a court of competent jurisdiction to be invalid, such action shall not affect the validity of the ordinance as a whole or any part hereof other than the part so declared to be invalid, it being the intent of the Board of Commissioners of the Town that each article, section, clause, and provision hereof be severable.

4. All ordinances, parts of ordinances, or regulations in conflict herewith are repealed.

5. *Severability.* Should any court of competent jurisdiction declare any section of this ordinance invalid or unconstitutional, such declaration shall not affect the validity of the ordinance as a whole or any part thereof, which is not specifically declared to be invalid or unconstitutional.
6. *Repeal of Conflicting Provisions.* It is the intention of the Board, and is hereby so ordained, that the provisions of this ordinance shall become and be made a part of the Subdivision Regulations and that the sections thereof may be renumbered to accomplish such intention.
7. This ordinance shall be effective immediately upon its adoption.