

Contents

SEC. 200-10 SPECIFIC PURPOSE..... 2

SEC. 200-20 GENERAL SIGN PROVISIONS..... 2

SEC. 200-30 EXEMPT SIGNS 2

SEC. 200-40 SIGN REGULATIONS FOR ALL SIGNS 2

SEC. 200-50 PROHIBITED SIGNS 3

SEC. 200-60 BANNERS 5

SEC. 200-70 VEHICLE SALES SIGNS..... 5

SEC. 200-80 TEMPORARY SIGNS..... 5

SEC. 200-90 PROMOTIONAL ACTIVITY, SEASONAL, AND SPECIAL EVENT SIGNAGE 6

SEC. 200-100 MONUMENT SIGN..... 6

SEC. 200-110 HISTORICAL OR COMMEMORATIVE SIGNS 7

SEC. 200-120 REAL ESTATE AND DEVELOPMENT SIGNS..... 7

SEC. 200-130 VEHICLE SIGNS..... 7

SEC. 200-140 CREATIVELY DESIGNED SIGNS..... 7

SEC. 200-150 WALL SIGNS..... 7

SEC. 200-160 POLE/PYLON SIGNS 7

SEC. 200-170 ARCHITECTURALLY DESIGNED SIGNS..... 7

SEC. 200-180 MULTIPLE TENANT SIGNS 8

SEC. 200-190 INCIDENTAL SIGNS 8

SEC. 200-200 BILLBOARDS 8

SEC. 200-210 DIGITAL BILLBOARDS..... 8

SEC. 200-220 DIMENSIONS, SETBACKS, AND AREA OF BILLBOARD 8

SEC. 200-230 BILLBOARD DESIGN AND CONSTRUCTION 9

SEC. 200-240 POLITICAL SIGNS 9

SEC. 200-250 SEASONAL EVENT SIGNAGE 9

SEC. 200-260 CHANGEABLE SIGN (MANUAL)..... 9

SEC. 200-270 ON PREMISE DIGITAL SIGNS 9

SEC. 200-280 SIGN CONSTRUCTION AND INSTALLATION 9

SEC. 200-290 SIGN MAINTENANCE REQUIREMENTS 10

SEC. 200-300 COMPUTATIONS 10

SEC. 200-310 CONSENT OF PROPERTY OWNER 11

SEC. 200-320 REMOVAL OF FIRE ESCAPE 11

SEC. 200-330 REPLACEMENT OR MODIFICATION OF A LEGALLY ESTABLISHED NONCONFORMING SIGN OR SIGN STRUCTURE..... 11

SEC. 200-340 RESTORATION OF DAMAGED LEGALLY ESTABLISHED NONCONFORMING SIGNS OR SIGN STRUCTURES 11

SEC. 200-350 NUMBER OF FACES PERMITTED ON A FREESTANDING SIGN 11

SEC. 200-360 GRADE MOUNDING..... 11

SEC. 200-370 TALL SIGNS..... 11

SEC. 200-380 LIGHTING OF SIGNS..... 11

SEC. 200-390 VISION CLEARANCE 12

SEC. 200-400 PERMITS REQUIRED 12

SEC. 200-410 MASTER SIGNAGE PLAN..... 12

SEC. 200-420 INSPECTIONS 13

SEC. 200-430 SIGNS EXISTING ON EFFECTIVE DATE..... 13

SEC. 200-440 ANNEXED NONCONFORMING EXISTING SIGNS, PERMITS AND TERMS 13

SEC. 200-450 VIOLATIONS..... 14

SEC. 200-460 ENFORCEMENT AND REMEDIES 14

SEC. 200-470 SIGN DEVELOPMENT STANDARDS 18

Sec. 200-10 Specific Purpose

These sign regulations are designed to preserve and improve the safety and aesthetics of the town as a place in which to live and work. The purposes of this division are to protect pedestrian and vehicle safety to the extent possible and eliminate distractions and potential hazards. This division encourages signs to be integrated into the overall site and building site design. Additionally, signs are to be continuous maintained and eliminate excessive, confusing, or dilapidated sign.

No part of this division is intended to limit or suppress speech or right of expression, impose undue burdens or require a fundamental alteration in the nature of any business.

Sec. 200-20 General Sign Provisions

No sign, sign structure, or part thereof, shall be constructed, erected, converted, enlarged, extended, reconstructed or relocated in any zone except in conformity with these regulations. Signs and supporting structures abandoned, unused, or unsafe may be removed by the Town. Signs and sign structures shall not loose nonconforming status, provided the sign was a legal sign.

Sec. 200-30 Exempt Signs

Except for maintenance provision of this ordinance, the following signs shall be exempted from the requirements of this division:

- A. Non-illuminated names on buildings, dates of erection, monument citations, historic, commemorative tablets and similar commemorative signs when carved into stone, concrete or made flush to the ground.
- B. House numbers and building identification names or numbers not exceeding two [2] square feet in area are permitted for each single family detached unit, each condominium, or multiple family residential unit.
- C. Signs including flags and insignia of any duly constituted governmental body.
- D. Signs placed by a public utility for the safety, welfare, or convenience of the public.
- E. Signs erected at athletic fields (on public or private property) to recognize contributing sponsors. These signs shall be erected, so as to face in or to be oriented (facing) toward the interior of the athletic field. Such signs shall not extend above the top of the fencing around the athletic field.
- F. Legal notices, information, or directional sign erected by or by order of a governmental body.
- G. Incidental on-site informational signs marking entrances, exits, parking areas, restrooms, directing and guiding traffic and parking and similar signs on private property, bearing a logo but bearing no other advertising matter.
- H. Temporary private sale or event signs such as garage sale, yard sale, and vehicle sales, except they shall be limited to one sign not exceeding six [6] square feet in total area, four [4] feet in height and limited to seven days prior to the sale and removed within 24 hours after the sale. Such signs shall not be off premise sign except as may be in conformance with this ordinance.
- I. Signs not exceeding four [4] square feet of civic organizations for special events, such as "Sister Cities Market Day" business association events, and Little League Sign-up, among others. Such signs shall not be installed more than 14 day prior to the event and be removed within 48 hours after the event.
- J. Government informational signs.

Sec. 200-40 Sign Regulations for All Signs

Except as may otherwise be provided in this division, the following are limitations applying to all signs:

- A. Permanent signage, whether wall or free stand shall not exceed 10% of a façade, unless otherwise permitted by this ordinance.
- B. Signs are permitted only on facades fronting on a publicly maintained street, except signs facing a parking lot may cover up to five percent (5%) of the rear or side façade.

- C. Temporary signs, whether free standing or wall signs, shall not exceed 5% of the façade, of the business it is advertising.
- D. No temporary sign shall be displayed longer than 30 conservative days.
- E. With the exception of governmental and civic signs, no sign or sign structure may be placed on or in the right-of-way of a public street or alley, except as may be permitted by this ordinance.
- F. No sign shall be located in any town maintained landscaped area.
- G. No sign shall be installed or erected so as to obstruct the use of any access or egress through exterior stairs, a door or window of a building.
- H. No sign shall be installed or erected so as to obstruct the use of a fire escape, or be attached to a fire escape.
- I. Signs should not obscure architectural features. The sign design should be integrated with the design of the building. A well-designed building facade or storefront is created by the careful coordination of sign and architectural design and over-all color scheme. Signs in multiple tenant buildings should be designed to complement or enhance the other signs on the building.
- J. Buildings that are brick, stone, or block shall have monument signs and tenant identification signs shall be of the same material.
- K. If needed for adequate review of a sign and building, the Plan Director may have it reviewed by an artist, architect, or other qualified professional.

Sec. 200-50 Prohibited Signs

The following are prohibited signs:

- A. **ANIMATED SIGN** - a sign employing actual motion, the illusion of motion, or light and/or color changes achieved through mechanical, electrical, or electronic means. Animated signs, which are differentiated from changeable signs as defined and regulated by this ordinance, include the following types:
 - 1. **ENVIRONMENTALLY ACTIVATED** - animated signs or devices motivated by wind, thermal changes, or other natural environmental input. These include spinners, pinwheels, pendant strings, and/or other devices or displays that respond to naturally occurring external motivation.
 - 2. **MECHANICALLY ACTIVATED** - animated signs characterized by repetitive motion and/or rotation activated by a mechanical system powered by electric motors or other mechanically induced means.
 - 3. **ELECTRICALLY ACTIVATED** - animated signs, producing the illusion of movement by means of electric, electrical, or electromechanical input and/or illumination capable of simulating movement through employment of the characteristics of one or more of the classifications noted below:
 - i. **FLASHING** - animated signs or animated portions of signs, whose illumination is characterized by repetitive cycle in which the period of illumination is either the same or less than the period of non-illumination. For the purpose of this ordinance, flashing will not be defined as occurring if the cyclical period between on-off phases of illumination exceeds four seconds.
 - ii. **PATTERNED ILLUSIONARY MOVEMENT** - animated signs or animated portions of signs whose illumination is characterized by simulating movement through alternate or sequential activation of various illuminated elements for the purpose of producing repetitive light patterns designed to appear in some form of constant motion.
- B. **AN ELECTRONIC MESSAGE CENTER OR SIGN** - is an electrically activated changeable sign whose variable message and/or graphic presentation capability can be electronically program by computer from a remote location. Also known as EMC, these signs typically use light emitting diodes (LED) lighting source. These signs are prohibited, except as may be permitted by this ordinance.
- C. **TRANSITION** - is any visual effect used on an electronic message center or sign to change from one message to another.

- D. **CHANGEABLE SIGN ELECTRICALLY ACTIVATED** - changeable sign whose message copy or content can be changed by means of remote electrically energized on-off switching combinations of alphabetic or pictographic components arranged on a display surface. Illumination may be integral to the components, such as characterized by lamps or other light emitting devices; or it may be from an external light source designed to reflect off the changeable component display. See also: electronic message center or sign.
- E. **DISSOLVE** - except as may be permitted by this zoning ordinance, a sign having a mode of message transition on an electronic message center or sign accomplished by varying the light intensity or pattern, in which the first message gradually appears to dissipate and lose legibility with a gradual appearance and legibility of the second message.
- F. **DYNAMIC FRAME EFFECTS** - electronic message center or sign frame effect in which the illusion of motion and/or animation is used.
- G. **FADE** - except as may be permitted by this zoning ordinance, a sign having a mode of message transition on an electronic message center or sign accomplished by varying the light intensity, where the first message gradually reduces intensity to the point of not being legible and the subsequent message gradually increases in intensity to the point of being legibility.
- H. **FLASHING SIGN** - see animated sign electrically activated.
- I. **FRAME EFFECT** – Signs having the visual effect on an electronic message center or sign applied to a single frame. See also dynamic frame effect.
- J. **REVOLVING SIGN** - a sign having the capability to revolve 360° about an axis. See also animated sign mechanically activated.
- K. **SCROLLING SIGN** – A sign having a mode of message transition on an electronic message center or sign in which the message appears to move vertically across the display surface
- L. **TRAVELING SIGN**- A sign having a mode of message transition on an electronic message center or sign in which the message appears to move horizontally across the display surface.
- M. **PORTABLE SIGN** - Any sign or advertising device that rests on the ground and is not designed to be permanently attached to a building or permanently anchored to the ground
- N. **OFF PREMISE** - signs except as permitted by this ordinance.
- O. **ROOF SIGNS** - except special events or unusual circumstances and only with a permit.
- P. **SEARCH LIGHTS** - A searchlight is an apparatus that combines an extremely luminous source with a mirrored parabolic reflector to project a powerful beam of light of approximately parallel rays in a particular direction, usually constructed so that it can be swiveled about
- Q. **HUMAN SIGNS** - whether in costume or carrying a sign.
- R. **MOBILE BILLBOARD SIGN** - are prohibited as is a display van, trailer, or truck that is equipped with one or more panels or fabric of large format advertising intended for viewing while the vehicle is parked at a specified location or while driving.
- S. No sign is permitted that is painted, attached, displayed, or affixed in any manner upon a vehicle that is conspicuously parked so as in the opinion of the Planning Director to constitute a sign. Nothing herein prevents vehicle signage for bona fide delivery and other business purposes.
- T. Signs which are located in such a manner as to obscure or otherwise physically interfere with the effectiveness of an official traffic sign, signal, or device, or obstructs or physically interfere with the driver's view of approaching merging or intersecting traffic.
- U. A sign which attempts or appear to attempt to regulate, warn or direct the movement of traffic, or which interfere with, can be confused with, imitates, or resembles any official traffic sign, signal or device.

- V. Except for bona fide governmental signs, no sign is permitted that resembles any governmental information or emergency light or sign. Such sign shall not be used as a portion of a sign. Nor shall any sign use the words "STOP, LOOK", or "DANGER", or any other word, phrase, symbol or character in such a manner as to mislead or confuse traffic.
- W. Where a fence is required to be installed to screen the use from a residential or residential zone district, no sign, except the sign of the manufacturer or installer not exceeding one square foot shall be permitted to be attached to, painted on any part of the fence
- X. No sign or sign structure shall be attached, displayed, affixed to, displayed, or located upon any utility pole, light standard, traffic control device, or similar structure, equipment, or appurtenance located upon any public right-of-way, utility easement, or other public or private property in the town, except as may be permitted by this division.
- Y. Except as may be permitted elsewhere in this division, no sign or sign structure, including posters, hand bills, or other advertising matter shall be attached, displayed, affixed or posted on any public property within the town.
- Z. Signs painted on, attached to, or maintained upon trees, rocks, or other natural features shall not be permitted.
- AA. Signs shall not be placed in the median of any town street.
- BB. Any sign not identified as a permitted sign is permitted only after review and approval by the BZA.
- CC. Electronic components shall not interfere with electronic equipment in the area.

Sec. 200-60 Banners

- A. Banners shall be no larger than two feet wide by five feet in length.
- B. Banners shall not be closer to the regular ground elevation than eight feet.
- C. Banners shall not be attached to any publicly owned poles or street lights without the approval of the Town Council.
- D. The material shall be durable and be secure at both the top and bottom of the banner.
- E. In zone districts that have color restrictions, the banner shall use those colors.
- F. Free Standing banners shall be adequately anchored or installed to withstand 90 mph winds.
- G. Banners may include a sponsor's name and logo, and not exceed 10% of the banner.

Sec. 200-70 Vehicle Sales Signs

- A. Vehicle dealerships, licensed by the Indiana Department of Motor Vehicles are permitted to have temporary signage on every second vehicle's window fronting on a public street.
- B. Other Vehicle Dealer Permitted Signs:
 - 1. Wind signs, excluding those that are mechanically operated.
 - 2. Pole banners meeting the standards of *Section 200-60* are permitted, if spaced not less than 20 feet apart and not attached to public or utility poles.
 - 3. Banners.
 - 4. Pennants.
 - 5. No sign shall obstruct vision clearance at corners or driveways.
 - 6. No sign shall interfere with the clear pedestrian route for disabled people.

Sec. 200-80 Temporary Signs

The following temporary signs are permitted.

- A. A temporary non-illuminated sign advertising the sale, rent, or lease of real estate on which the sign is located.

- B. Realtor directional signs not exceeding 2 square feet are permitted.
- C. On site temporary construction or subdivision signs are exempt provided, they do not exceed 32 square feet in total area, and not more than four [4] feet high, and not located in the public right-of-way, and permitted only for the duration of construction.
- D. Promotional activity, seasonal and special event signage as permitted by this ordinance.
- E. Temporary signs are limited to 30 consecutive days, except as may be permitted in Table 200-1 or elsewhere in this ordinance.

Table 200-1 Promotional and Special Event	
Promotional or Special Event	Permitted Duration of Seasonal Sign
New Year’s Day	30 days prior to December 31 – January 30.
Tax Season	March 1 - April 30
Memorial Day	April 1 – May 5
Fourth of July	May 15 - July 15
Labor Day	August 1 – September 10
Halloween	September 15 – October 31
Kentucky Derby	April 1 – May 10
Religious Seasons	75 Days prior to the date
Veterans Day	Oct 31 - Nov 15
Special Events, such as boat shows, home shows , Sister Cities, Business Associations, and Little League, among others	30 days prior to the event

Sec. 200-90 Promotional Activity, Seasonal, and Special Event Signage

Recognized seasonal, special and promotional times of the year for temporary special event signage are shown in Table 200-1: Promotional Events or Special Events and this section.

- A. Signs for a promotional activity, other than seasonal shall not exceed 30 consecutive calendar days.
- B. Seasonal events shall be permitted for the duration shown in Table 200-1.
- C. "Grand Opening" does not mean an annual or occasional promotion by a business.
- D. Signs for a store or business closing activity may be permitted for up to 30 days. Such signs shall not be placed into service in excess of 30 calendar days prior to vacating the building.
- E. Permitted signs are:
 Permitted signs shall be on the premise.
 - 1. Banners.
 - 2. Balloon signs or inflatables.
 - 3. Windblown signs, whether blown by mechanical or natural air or wind.
 - 4. Pennants.
- F. Signs for a store or business closing activity may be permitted for up to 30 consecutive days prior to the closing.

Sec. 200-100 Monument Sign

A monument sign is a ground sign having a low profile, not exceeding 14 feet in height with little or no open space between the ground and the sign and having a structure constructed of stone, masonry or wood. Materials similar in appearance may be approved by the Building Commissioner or Planning Director.

- A. Architectural monument signs are permitted at the entry of a subdivision, business park, industrial park, or a planned development, and shall have a size, height, mass, and scale appropriate to the development in which it is located.
- B. An individual business may have a monument sign meeting the requirements of this Division.
- C. Monument signs shall be landscaped with flowers and shrubbery.
- D. Monument signs may be reviewed by a qualified professional selected by the Plan Director.

Sec. 200-110 Historical or Commemorative Signs

- A. Historic memorial, plaques, or commemorative signs not exceeding four [4] square feet.
- B. Historic interpretive signs.

Sec. 200-120 Real Estate and Development Signs

This section applies to real estate developments over one acre.

- A. Temporary real estate signs are permitted provided:
 - 1. One sign per street frontage and not exceeding one hundred twenty [120] square feet.
 - 2. The sign is not located in the public right-of-way and is removed within seven days immediately after the building is inhabited or no longer for sale.
 - 3. Real estate directional signs complying with section 200-80 B. and not exceed two square feet.

Sec. 200-130 Vehicle Signs

- A. The principle purpose of public streets and rights-of-way is transportation and shall not be used to display any advertising.
- B. Mobile billboards or signs including a truck, display van, vehicle side signs, or signs on trailers, obviously used as an advertisement whether moving in any manner, or stationary are off-premise signs and are not permitted.
- C. Vehicles shall not be parked in conspicuous locations to function as a sign.
- D. The only exempt sign on a vehicle is a sign that identifies the product, service, or activity for which the vehicle or trailer is routinely used. Such vehicle shall not be parked in a manner that constitutes a sign.

Sec. 200-140 Creatively Designed Signs

Advertising signs must make a positive contribution to the general aesthetics of the street and area in which they are located. A well-designed sign can be a major asset to a building and neighborhood. The Town encourages imaginative and innovative sign design. A creative sign, artistic sign, architecturally designed, and unusual signs that may not fit the standard sign regulations, neighborhood or zoning design guidelines, may be reviewed by an artist, architect or other qualified professional selected by the Plan Director for consideration by the TRC.

Sec. 200-150 Wall Signs

- A. No sign shall obstruct a fire escape, an access, or be attach to a fire escape, exterior stairs, or other means of ingress/egress.
- B. No sign shall be installed or erected, so as to cover more than 10% of any façade.

Sec. 200-160 Pole/Pylon Signs

- A. A pole sign is a freestanding sign.
- B. The face of the sign attached to a pole shall be at least 8 feet above the normal grade level.

Sec. 200-170 Architecturally Designed Signs

- A. Signs that are a prominent architecturally designed visual feature of a building which makes the signage a prominent visual feature is permitted in the B-1, B-2, CLMU, EBCZ, MD, OTC, OPS, VPCZ zone districts.
- B. Signature buildings or a sign, which by architectural design of a building reinforces signage are permitted.
- C. Architecturally Designed Signs may be required to be reviewed by a qualified professional architect or artist.

Sec. 200-180 Multiple Tenant Signs

- A. Multiple tenant strip center sign bands shall be a horizontal area above a multi-tenants' building entrances, architecturally designed to accommodate signage, are permitted in B-1, B-2, CLMU, MD, OTC, AB, VPCZ and EBCZ.
- B. A directory or monument sign listing tenant names of a multiple tenant structure or center.

Sec. 200-190 Incidental Signs

Informational and directional signs that have a purpose secondary to the use of the lot that have no commercial message such as "NO PARKING," "ENTRANCE" and similar wording are permitted in, R-3, RPO, VPCZ, EBCZ, CLMU, OTC, OPS, MD, AB, B-1, B-2, I-1, or I-2. The maximum height of an incidental sign shall be two and one-half [2½] feet and not exceed six [6] square feet in total area.

Sec. 200-200 Billboards

Billboard shall be permitted only in locations permitted by the Indiana Department of Transportation. No billboard shall be permitted to be erected or maintained in any manner inconsistent with the following:

- A. Billboards shall be separated from another billboard by not less than 1,000 feet in all directions as measured from the billboard structure. In the case of monopole construction, the measurement shall be from pole to pole.
- B. No billboard structure shall contain more than two [2] sign faces.
- C. Billboards shall not be constructed side-by-side.
- D. Billboards shall not be constructed one over the other.
- E. Billboards shall not be portable, inflated, or constructed, installed, modified, or attached in any manner to a display van or motor vehicle or trailer.

Sec. 200-210 Digital Billboards

A digital billboard is an off premise electronic message center or sign that presents multiple static advertisements on a rotating basis.

- A. Digital billboards are permitted provided the sign and sign structure complies with the most current Indiana Department of Transportation Outdoor Advertising Control Manual and sections 200-200, 200-220 and 200-230 of this ordinance. When there is a conflict between the manual and the zoning ordinance the most restrictive shall apply.
- B. A digital Billboard may transition only by fading or dissolving.
- C. No digital billboard face shall be permitted to be located within 200 feet of a residential use.
- D. Digital billboard permits shall be renewed annually in January.
- E. All digital billboards shall have an automatic dimming control, either by photocell and/or software timing controls in order to reduce the brightness and to eliminate glare.
- F. The minimum display time shall be eight seconds.
- G. Digital billboards shall not be permitted in a locally designated historic district.

Sec. 200-220 Dimensions, Setbacks, and Area of Billboard

- A. The maximum height of the total of the sign and sign structure and shall not be greater than that of the zone in which it is located. When located in the public right-of-way. The maximum height of the total sign and sign structure shall not be greater than the zone adjacent to the interstate.
- B. The face of the billboard shall not exceed 850 square feet exclusive of structural members or supports.
- C. The front, side, and rear setbacks of a billboard shall be 30 feet.

Sec. 200-230 Billboard Design and Construction

- A. No billboard shall be permitted which is not engineered, designed, installed, modified, or constructed of inadequate materials.
- B. Public streets and public ways are intended solely for transportation; therefore, moving or stationary display vans, trailers, trucks, or similar vehicles shall not be permitted to be used as billboards.
- C. The application for a billboard shall be accompanied by a signed and sealed certification from an engineer registered in the State of Indiana, certifying that the billboard meets the construction standards of this zoning ordinance, building and applicable codes, and good engineering practices pertaining to all components of the sign and sign structure. Additionally, certification from a structural engineer may be required to verify the structural integrity of the billboard and structure.

Sec. 200-240 Political Signs

- A. Political signs may not be larger than sixteen (16) square feet.
- B. Political signs shall be allowed not more than sixty (60) days prior to election on private property and removed forty-eight (48) hours after election.
- C. Political signs shall be allowed for not more than 30 days prior to the election on public property and shall be removed 48 hours after an election.
- D. Political signs shall not be a hazard to traffic or be placed within the vision clearance area as described in Division 15 of the Zoning Ordinance.
- E. Political signs shall not be placed in landscaping that is municipally installed or maintained including, but not limited to, rights-of-way and medians.
- F. Political signs that are a hazard or otherwise violate the Zoning Ordinance shall be removed by the Building Commissioner and are subject to the violation section of this Zoning Ordinance.

Sec. 200-250 Seasonal Event Signage

Recognized seasonal times of the year for temporary special event signage are shown in Table 200-1: Promotional and Special Event Signage.

Sec. 200-260 Changeable Sign (Manual)

A sign whose message, copy, or content can be changed manually on a display surface is permitted.

Sec. 200-270 On Premise Digital Signs

On premise digital signs are permitted only by variance, if approved by the Board of Zoning Appeals.

Sec. 200-280 Sign Construction and Installation

- A. All signs shall be engineered or designed to accommodate adequate live and dead loads, pull out tension loads, or combination loads including wind loads, weight of material[s], structural loads or loads such as the weight of snow, ice or other natural phenomena such as winds and floods.
- B. The sign shall be engineered, designed and constructed with an adequate foundation.
- C. All signs shall be designed and installed with adequate supports including, as may be the case, but not limited to pole, tube, pylon, wood or other supports, footings, piers, beams, and foundation.
- D. All sign cabinets shall be designed and installed with adequate box trusses, frames, internal supports including “king post,” and connections.
- E. All signs and all components of signs shall be properly engineered, designed and constructed for safety. All components of signs, including but not limited to cabinets, supporting poles, bolts, connections, and foundations shall be designed to

withstand wind-load and wind pressure of 90 mph, and all other environmental factors. The engineering and design of the sign and all of its components shall consider soil conditions, subsoil, and all other physical elements and natural forces of the site on which the sign is to be placed.

- F. All materials of the sign and all components of sign shall be engineered and constructed of durable material that shall support and retain the face panel[s] containing the sign’s message, and be designed and constructed to protect the internal lighting system of the sign and withstand all natural forces such as wind, pressure, weight of materials, snow, ice and all other elements that will bear on the sign.
- G. Every sign and all components of the sign and sign structure shall be designed with adequate anchor bolts, or welded joints, masonry anchors, lags, screws or attachments of the sign to a pole or building.
- H. No sign shall be installed, erected, modified, maintained, or constructed in a manner to obstruct any fire escape or exit, or ingress to or the egress from any window or door opening, or at any time attached in any manner, to any fire escape.
- I. The Planning Director or Building Commissioner may require a signed and sealed certification from an Indiana registered engineer attesting to the adequate engineering and design of the sign and all of its components and the structural integrity of the sign and all of its components including the structure upon which it is mounted.
- J. The Planning Director or Building Commissioner may retain qualified consultants, as it deems necessary to provide assistance in the review of signs and Master Signage Plans. Application fees may be established to cover the costs of staff and/or the costs of a special expert consultant review of a request filed under this ordinance.
- K. Side by side signs shall be structurally tied together to be considered one sign. A single pipe, beam, conduit, or pole between two adjacent boards is not considered as structurally tying those two boards together.

Sec. 200-290 Sign Maintenance Requirements

- A. All signs, sign structures and components shall be kept in good condition and continually maintained at all times by their owners, lessors, or other responsible persons.
- B. Signs shall have clean surfaces so that the sign's message does not become illegible, or have missing, torn or defective parts.
- C. No waste, debris or other refuse shall be allowed to accumulate on or about the property on which a sign is located.

Sec. 200-300 Computations

The following methods of computing area dimensions of a sign[s] shall be used in this ordinance. Illustrations of computations method are shown in Division 210: *Illustrations*.

A. Computation of Area of Individual Signs

- 1. The area of a sign face shall be computed by means of the smallest square, rectangle or combination thereof that will encompass the extreme limits of the copy, which may include words, 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.
- 2. The computation does not include any supporting framework, bracing, or decorative fence or wall when such fence or wall otherwise meets this ordinance and is clearly incidental to the display itself.

B. Computation of Multiple Faced Signs

The sign area for a sign with more than one face shall be computed by adding together the sign area of all sign faces.

C. Computation of Height

- 1. 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 component of the sign. Normal grade shall be construed to be the lower of either [1] the 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 or increasing the heights of a sign.

2. In such cases in which 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 the street or grade of the land at the principal entrance to the principal structure on the lot, whichever is lower.

Sec. 200-310 Consent of Property Owner

No exempt, temporary or permanent permitted sign or sign structure shall be placed on private or public property without the expressed written consent of the owner, the owners or the owner’s representative. In no case shall prohibited signs be placed on private or public property.

Sec. 200-320 Removal of Fire Escape

In no case shall a fire escape be removed or obstructed for the erection of any sign, unless the applicant submits an affidavit from the Fire Marshall showing the fire escape is no longer necessary for the public safety, the intention for which it was constructed, and conditions of occupancy are to remain the same thereafter. The written affidavit shall remain in the records of the Plan Commission.

Sec. 200-330 Replacement or Modification of a Legally Established Nonconforming Sign or Sign Structure

A legally established nonconforming sign which is replaced or modified exceeding two thirds of its present value, shall not be replaced or modified except in conformance with this ordinance.

Sec. 200-340 Restoration of Damaged Legally Established Nonconforming Signs or Sign Structures

Any legally established nonconforming sign shall be permitted without alteration in size or height. Restoration of the damaged nonconforming sign or sign structure shall not include any changes made in the size, height, or bulk of the sign or the temporary removal of the sign. If such sign or sign structure is damaged exceeding two-thirds [2/3] of its value, prior to damage, it shall not be rebuilt except in conformance with this ordinance.

Sec. 200-350 Number of Faces Permitted on a Freestanding Sign

A sign may be two-sided with one face on each side.

Sec. 200-360 Grade Mounding

Earth mounding, inconsistent with the grade level of the land surrounding the sign structure, which increases the elevation of the sign, shall be included in the measurement of the sign height.

Sec. 200-370 Tall Signs

In certain situations, a sign may exceed the height standard of the zone in which it is located. Such situations are:

- A. A sign located at a property line that is contiguous with an adjacent right-of-way, which is elevated, these are:
 1. Adjacent elevated inter-state highway or ramp, including I-65 and Lee Hamilton Highway [I-265].
 2. Adjacent elevated local street, including Brown’s Station Way.
- B. Natural topographic conditions not resulting from some action of the applicant.
- C. A pre-development inspection will be conducted after an application is submitted.
- D. An elevation certificate of a professional engineer or surveyor licensed in the State of Indiana may be required.

Sec. 200-380 Lighting of Signs

Sign lighting shall be internal or within twelve [12] inches of a sign facing. No lighting shall be permitted to be used in any way concerning a sign unless:

- A. It is properly designed and installed to applicable codes.

- B. It is effectively shielded so as to prevent any beam or ray of light from being directed at vehicles traveling on a public way; or from being directed at an adjoining property or use.
- C. It is designed so that it is reflected away from adjacent properties and lighting is screened from direct view from any right-of-way or residential structure.
- D. Lighting shall not be of such intensity or brilliance so as not to cause discomfort to the eye, cause glare, impair the vision of any driver of any motor vehicle, or to otherwise interfere with any driver's operation of a motor vehicle.
- E. It shall not be a nuisance or create adverse visual impact.

Sec. 200-390 Vision Clearance

Vision clearance as defined in Division 15 of this zoning ordinance and no sign or sign structure shall be permitted to obscure vision at any corner or driveway.

Sec. 200-400 Permits Required

Any sign not exempted from the requirements of obtaining a permit shall be required to obtain a permit before placement, construction, modification or installation of a permanent or temporary sign. This provision shall not be construed to require a permit for the routine maintenance. A sign face may be replaced, so long as it does not alter the size of the surface area, or height.

Sec. 200-410 Master Signage Plan

A Master Signage Plan may be submitted for any development requiring a development plan that proposes more than five signs.

A. Voluntary Submittal of a Master Signage Plan

The TRC may increase the total permitted area of signage when an applicant submits a Master Signage Plan. An increase in the total area of signage on a parcel may be increased up to ten percent [10%] of sign area provided the TRC approves a Master Signage Plan

B. A Master Signage Plan shall contain the following:

1. An accurate site plan with vicinity map, showing the configuration and layout of the parcel, adjoining streets, adjoining uses, location of sign[s], north arrow, at 1"=100' or such scale as the Plan Commission may reasonably require.
2. The Master Signage Plan shall include the name, address and telephone, email address, and fax number of the owner and contact person or representative.
3. The dimensions, design, structure, and location of each sign and facade of the building.
4. Location of buildings, parking lots, driveways, and landscaped areas on the parcel.
5. Location of each existing and proposed sign for the parcel and any building.
6. The dimensions, design, and type of each sign.
7. Computation of the area of each sign and the total area of all signs.
8. The height of each sign.
9. Percentage of façade covered.
10. Proposed sign lighting and direction of lighting with photometric drawing.
11. Color renderings of signs.
12. Materials of signs.
13. Footer and foundation information.

- 14. The owner[s] shall sign the Master Signage Plan.
- 15. A signed and sealed certification from an Indiana registered engineer attesting to the adequate engineering and design of the signs and all components and the structural integrity of the sign and all of its components taking into consideration good engineering practices and all applicable codes, may be required.
- 16. Other information as may be required to adequately review the Master Signage Plan.

C. Design Review

The Plan Director may request a qualified professional to review the sign or Master Signage Plan for aesthetics and compatibility with the neighborhood and development.

D. Master Signage Plan Amendment

A Master Signage Plan may be amended by filing a new Master Signage Plan that conforms to all requirements of the ordinance then in effect.

E. Existing Signs Not Conforming to Master Signage Plan

If any new or amended Master Signage Plan is filed for a property on which existing signs are located, it shall include a schedule for bringing each such sign[s] into conformance, within three years. However, the area of the signs shall be taken into consideration in the computation of sign area.

F. Binding Effect

After approval of a Master Signage Plan, no sign shall be permitted, erected, constructed, installed, placed, modified, or painted except in conformance with the approved Master Signage Plan. An approved Master Signage Plan shall be enforced in the same way as any provision of this zoning ordinance.

G. General Permit Procedures

The following procedures shall govern the application for and issuance of all sign permits under this ordinance, the submission and review of Master Signage Plans, or improvement location permit for a single sign.

1. Permits to Construct, Erect, Modify or Install

Signs shall be constructed, erected, installed, or modified only after the issuance of a sign permit.

2. Permit for New Sign or for Master Signage Plan Modification

An application for construction, creation, or installation of a new sign or for modification of an existing sign shall be accompanied by detailed drawings to show the dimensions, including percent of façade covered, area of the proposed sign, dimensions of sign, colors, material board, design, structure, and location of each particular sign on a site map of the development.

Sec. 200-420 Inspections

A pre-inspection may be conducted of the parcel and site of the proposed sign, for which each permit for a new sign or for modification of an existing sign or sign structure.

Sec. 200-430 Signs Existing on Effective Date

- A. A nonconforming sign lawfully existing prior to the effective date of this ordinance may be continued.
- B. A legally nonconforming sign may be changed only to conform to this ordinance.

Sec. 200-440 Annexed Nonconforming Existing Signs, Permits and Terms

An established sign in good condition that is located within the Town, following an annexation is considered a nonconforming sign.

Sec. 200-450 Violations

Any of the following shall be a violation of this ordinance and shall be subject to the enforcement remedies and penalties provided by this ordinance. It is a violation to:

- A. To install, create, modify, or erect a sign without a sign permit.
- B. To install, create, modify, erect, or maintain any sign in a way that is inconsistent with any plan or permit governing such sign or the lot on which the sign is located.
- C. To fail to remove any sign that is installed, created, modified, erected, or maintained in violation of this ordinance.
- D. Any sign erected, installed or used that does not comply with the standards of this zoning ordinance is a violation.
- E. Each sign installed, created, modified, erected, or maintained in violation of this ordinance shall be considered a separate violation when applying the penalty portions of this ordinance.

Sec. 200-460 Enforcement and Remedies

Any violation or attempted violation of this ordinance may be removed, corrected, or abated by the Town. Remedies shall include but not be limited to the following:

- A. Removal of sign or any part of the sign structure.
- B. Removal of any vehicle that is parked or used in a conspicuous manner that fulfills the intent of a sign.
- C. Issuing a stop-work order for any and all work on any sign or sign structure.
- D. Imposing any penalties or fines that may be available and pursue any legal method.
- E. In the case of a sign that poses an immediate danger to the public health or safety, taking such measures as is available to the town under applicable provisions of town ordinances and building code for such circumstances, including removal of such sign and/or sign structure.
- F. The town shall have such other remedies as are and as may from time to time be provided for or allowed by state law or local ordinance.

Sec. 200-470 Sign Development Standards

Except as may be otherwise indicated in this ordinance, Table 200-2 illustrates the dimensional requirements and limitations for all signs.

<i>Sign Development Standards</i>	<i>R-1</i>	<i>R-2</i>	<i>R-3</i>	<i>RPO</i>	<i>MPH</i>	<i>B-1</i>	<i>B-2</i>	<i>MD</i>	<i>AB</i>	<i>CLMU</i>	<i>EBCZ</i>	<i>VPCZ</i>	<i>OTC</i>	<i>OPS</i>	<i>I-1</i>	<i>I-2</i>
Area (sq. ft.)	6	6	12	6	12	120	120	80	60	60	80	80	80	80	120	120
Height (feet)	5	5	5	5	5	35	35	35	35	35	35	35	35	35	35	35
Setback (feet)	15	15	15	15	15	15	15	15	15	15	15	15	15	15	15	15
Number Permitted: Per Zone Lot	1	1	NA	1	NA	NA	NA	NA	NA	NA	NA	NA	NA	NA	NA	NA
Per Feet of Street Frontage	NA	NA	1/150	NA	1/200	1/200	1/100	1/200	1/200	1/200	1/200	1/200	1/200	1/200	1/500	1/800
Wall Area (percent)	NA	NA	NA	10%	10%	10%	10%	10%	7%	5%	10%	10%	10%	10%	5%	5%