City of Bryant, Arkansas
Community Development
210 SW 3rd Street Bryant, AR 72022
501-943-0943

SIGN PERMIT APPLICATION

Applicants are advised to read the Sign Ordinance prior to completing and signing this form. The Sign Ordinance is available at www.cityofbryant.com under the Planning and Community Development tab.

Note: Electrical Permits may be Required, Please contact the Community Development Office for more information.

Date: 9-19-2022

Sign Co. or Sign Owner

Name_____

Address_____

City, State, Zip_____

Phone_____

Email Address_____

Property Owner

Name Bryant MHC -CoolSprings Pointe

Address 154 Quapaw Drive

City, State, Zip Bryant, AR 72022

Phone 501-847-3170

Email Address CoolSprings@flagshipcommunities.co

GENERAL INFORMATION

Name of Business Cool Springs Pointe

Address/Location of sign 154 Quapaw Drive Bryant, AR 72022

Zoning Classification_____

Please use following page to provide details on the signs requesting approval. Along with information provided on this application, **a Site Plan showing placement of sign(s) and any existing sign(s) on the property is required** to be submitted**. Renderings of the sign(s) showing the correct dimensions is also required** to be submitted with the application. A thirty-five dollar ($35) per sign payment will be collected at the time of permit issuance. According to the Sign Ordinance a fee for and sign variance or special sign permit request shall be one hundred dollars ($100). Additional documentation may be required by Sign Administrator.

READ CAREFULLY BEFORE SIGNING

I Ashley Mahomes, do hereby certify that all information contained within this application is true and correct. I fully understand that the terms of the Sign Ordinance supersede the Sign Administrator's approval and that all signs must fully comply with all terms of the Sign Ordinance regardless of approval. I further certify that the proposed sign is authorized by the owner of the property and that I am authorized by the property owner to make this application. I understand

that no sign may be placed in public right of way. I understand that I must comply with all Building and Electrical Codes and that it is my responsibility to obtain all necessary permits.

Use table below to enter information regarding each sign for approval. Please use each letter to reference each sign rendering.

				Top of Sign	Bottom of Sign	
A	monument	7ft, 8 1/2ft, 6ft w	51	7ft	1ft	
B	monument	7ft, 8 1/2ft, 6ft	51	7ft	1ft	
C	monument	7ft, 8 1/2ft 6ft	51	7ft	1ft	
E	Monument	7ft, 8 1/2ft 6ft	51	7ft	1ft	
F						
G						

ORDINANCE 2012 - 29

AN ORDINANCE REGULATING SIGNS WITHIN THE CITY LIMITS OF THE CITY OF BRYANT, ARKANSAS; AND FOR OTHER PURPOSES.

WHEREAS, the City of Bryant Arkansas desires to promote beautification efforts and promote the use of signs in the city which are safe, aesthetically pleasing, compatible with their surroundings and legible in the circumstances in which they are seen.

WHEREAS, the City of Bryant recognizes the need for a well-maintained and attractive physical appearance of the community and the need for adequate business identification for the conduct of competitive commerce.

WHEREAS, the City of Bryant desires to reduce sign or advertising distractions which may increase traffic accidents by distracting driver's attention from the roadway;

NOW BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF BRYANT, ARKANSAS:

SECTION 1: Enactment of Attached Sign Ordinance Regulations.

The City Council of Bryant, Arkansas hereby approves and adopts by reference the Sign Ordinance. Said Ordinance shall be filed in the office of the City Clerk of the City of Bryant, Arkansas and from the date on which this ordinance shall take effect the provisions thereof shall be controlling within the limits of the City of Bryant and those areas in the territory subject to Bryant zoning regulations.

SECTION 2: Severability and General Repealer.

That all ordinances and part of ordinances of a permanent and general nature in effect at the time of adoption of this ordinance and not included herein, are hereby repealed where they are in conflict with this ordinance.

All Ordinances and resolutions and parts thereof in conflict herewith are hereby repealed to the extent of such conflict.

Section 3: Emergency Clause.

An emergency is hereby declared, it being necessary to protect the health and safety of the citizens of Bryant, Arkansas such that this Ordinance shall have full force and effect immediately upon its passage.

PASSED AND APPROVED THIS 27th DAY OF September, 2012, BY THE CITY COUNCIL OF BRYANT, ARKANSAS.

Jill Dabbs, Mayor

Attest:

Heather Kizer, City Clerk

SECTION ONE

Purpose

Signs are an important and necessary means of communication. When properly regulated, signs can serve as a great economic and aesthetic asset. In enacting this Ordinance, it is the intent of the City of Bryant to promote commerce and the use of attractive signage, facilitate traffic safety, and to comprehensively address community aesthetic concerns about visual clutter and blight in the environment. The regulation of signs in the City is intended to cultivate an aesthetically-pleasing environment with these concerns in mind. Sign regulation shall be consistent with land use patterns, and signs shall add to, rather than detract from the architecture of the buildings where they are located. Signs shall be well maintained and, in addition, shall not create traffic safety hazards. The regulation of signs in the City of Bryant is intended to be content-neutral and to provide adequate opportunity for the presentation of messages of all kinds.

Scope

The primary intent of the Ordinance shall be to regulate signs intended to be viewed from any vehicular or pedestrian public right-of-way.

This Ordinance shall relate signage to building design, particularly integral decorative or architectural features of buildings. This Ordinance shall not regulate official traffic or government signs, control devices or signals; the copy and message of signs; signs not intended to be viewed from a public right-of-way; product dispensers and point of purchase displays; scoreboards on athletic fields; gravestones, barber poles; religious symbols; awning signs; decorations which are seasonal, clearly incidental and customarily associated with any national, local, or religious observance; the display of street numbers; and signs not exceeding one square foot in area and bearing only property numbers, postbox numbers, or names of occupants of premises.

Applicability

No signs shall be erected or maintained in any land use district established by the City's Zoning Ordinance, except those signs specifically permitted in this ordinance. The number and area of signs as outlined in this ordinance are intended to be maximum standards.

All signage shall adhere to the guidelines and regulations detailed within this Ordinance and any and all other current laws pertaining to signage.

SECTION TWO

General Provisions

It shall hereafter be unlawful for any person to erect, place, or maintain a sign in the City of Bryant except in accordance with the provisions of this Ordinance.

Section 2.01 - Signs Prohibited

The following types of signs are prohibited in all districts:

1) Abandoned signs.
2) Signs imitating or resembling official traffic or government signs or signals.
3) Signs imitating warning signals.
4) Signs within Right-of-Way. No sign whatsoever, whether temporary or permanent, except erected by an official governmental agency is permitted within any street or highway right-of-way.
5) No signs may be painted on or attached to trees, rocks, or other natural formations, fence posts, utility poles, public benches, streetlights, or building roofs.
6) Portable signs. A portable sign is any signed designed to be moved easily and not permanently affixed to the ground or to a structure or building.
7) Off-premise/off-site signs, except as permitted by Bryant Billboard Ordinance No. 2006-42.
8) Signs that are mounted, attached, or painted on trailers, boats or vehicles when parked to be used as additional signage on or near a business premises; and similar signs. No vehicle or trailer with advertising message mounted or painted thereon may be parked continuously for more than 15 consecutive calendar days in any zoning district, so that it becomes an advertising sign. Such vehicles or trailers parked on active construction sites or within a commercial zoning district with an approved temporary business permit for the vehicle or trailer are exempt from this regulation.

Section 2.02 - Permits Required

Unless otherwise provided by this Ordinance, all new signs shall require permits and payment of fees as described in this ordinance. No permit is required for the maintenance of a sign or for a change of copy on painted, printed, or changeable copy signs.

Section 2.03 - Signs Not Requiring Permits

The following types of signs are exempt from the permit requirements but must be in conformance with all other requirements of the ordinance:

1) On-Premise directional signs of six (6) square feet or less
2) Nameplates of two (2) square feet or less, non-illuminated, attached to building or structure, or supported by a post and arm structure, 1 per occupancy
3) Official public safety signs/devices, traffic control devices and signals.
4) Window signs
5) Incidental signs
6) Signs created by landscaping by which the letters and/or symbols are composed entirely of approved landscape elements.
7) Sign face changes not requiring any change to the structure of a sign
8) A-frame signs.

9) Inflatable signs less than ten (10) feet high, by ten (10) feet wide, ten (10) feet deep or one-thousand (1000) cubic feet. Larger inflatable signs require a permit and are allowed for a special event one time per year for a maximum of 30 days.
10) Blade signs.
11) Temporary signs. A Temporary sign is a sign that is advertising an event or special sale that is viewable by the public for less than seven (7) days.
12) Real estate signs on the premises of property for sale.

Section 2.04 - Lighting

1) Unless otherwise prohibited by this Ordinance, all signs may be illuminated. No illuminated sign shall be permitted which faces the front, side or rear lot lines of any residential lot regardless of zoning district and is located within fifty (50) feet thereof.
2) Every part of the light source of any illuminated sign shall be concealed from view from vehicular traffic in the public right-of-way or adjacent property. The light shall not travel from the light source directly to vehicular traffic in the public right-of-way or adjacent property, but instead shall be visible only from a reflecting or diffusing surface.
3) This provision shall not apply to neon tube lighting or electronic message centers operating in accordance with this ordinance.
4) Backlit Illuminated Awnings - Unless expressly provided otherwise in this ordinance, awning signs may be illuminated, including without limitation by backlighting.
5) Electronic message centers shall be illuminated in accordance with Section 2.05 of this Ordinance.

Section 2.05 - Changeable Copy

Unless otherwise specified by this Ordinance, any sign herein allowed may use manual changeable copy or electronic message centers as follows:

1) Electronic message centers in C-2 Commercial Zoning Districts may display animation so long as flashing is not utilized.
2) Electronic message centers in C-1 and C-2 Commercial Zoning Districts may display static images. Such static images shall remain in place on the sign for a period of at least two seconds prior to transitioning to another static image. Frame effects shall be permitted for transition from one static image to the next so long as animation and flashing are not utilized.
3) Electronic message centers are not allowed in any residential zoning district.
4) All electronic message centers must be equipped with automatic dimming technology which automatically adjusts the sign's brightness in direct correlation with natural ambient light conditions.
5) No electronic message center shall exceed a brightness level of 0.3 foot candles above ambient light as measure using a foot candle (Lux) meter at a distance set by the industry standard as defined by the Outdoor Advertising Association of America.

Section 2.06 - Sign Projections from Buildings

Signs attached to and wholly supported by a building shall not project more than eight (8) feet from any building and the bottom of such sign shall not be less than ten (10) feet above the sidewalk or fourteen (14) feet above a vehicular right of way and shall not project into the public right-of-way.

Section 2.07 - Sign Similarity to Official Signs

No sign may be placed or designed so as to simulate or interfere with traffic control devices or official highway signs.

Section 2.08 - Obstruction of Vision

No sign shall be erected on any corner lot in such a manner as to obstruct pedestrian or vehicular vision. This requirement supersedes all other setback and coverage regulations.

Section 2.09 - Interference With Utilities

No part of any sign shall be located within or over the designated safety zone of any utility easement.

Section 2.10 - Signs Viewed from Public Right of Ways

No person shall erect, fasten, or attach in any way any sign or other advertising message upon any property within the city which is facing or visible from any public street, unless legally authorized under the terms of this Ordinance. These regulations shall apply to all signs and billboards in all districts, subdivisions and zones within the City of Bryant.

Section 2.11 - Setback Requirements

No Sign shall be erected or maintained except in conformity with the following setback requirements:

1) Front: Signs shall be set back a minimum of 10 feet from back of curb, edge of roadway surface, or street right-of-way, whichever is greater.
2) Side: All signs shall be set back a minimum of 10 feet from the nearest side property line.

Exceptions: The above setback requirements shall not apply to those signs mounted on building walls lawfully sited within the setback space, when such signs otherwise conform to the provisions of this ordinance.

Section 2.12 - Sign Erection Deadline

Permits for any sign not completely erected within twelve months of date of issuance shall be void.

Section 2.13 - Inspections

All signs are subject to inspection by the Building Official or Code Enforcement, who may revoke any permit or order any sign removed upon notice and for cause as set out in Section 4.03, Section 6.07, and Section 6.08.

SECTION THREE

Specific Requirements by Sign Type and Zoning District

Section 3.01 - Specific Requirements by Sign Type

The following apply to specific types of signs located in the city.

1) Temporary signs are allowed. Temporary signs are limited to a maximum of 32 square feet in size. Signs such as banners, pennants and posters are considered temporary signs.
2) Election Event Period - An election event period begins 70 calendar days prior to and ends 7 calendar days after any public election for which the county election commission has authorized. During this event period, a lot may contain an unlimited number of temporary signs with the consent of the property owner. Property owners or their authorized agents have the right to remove unauthorized signs from their property. In no event shall signs be located in the public right-of-way.
3) Signs that are constructed, removed, destroyed or replaced shall be replaced only with a monument or ground-mounted sign which conforms to this Ordinance along the roadways listed below. Monument or ground-mounted signs shall be allowed to advertise on-premise businesses only.
   a) A monument sign is a sign mounted directly to the ground. No poles or raised support structures shall be visible.
   b) A ground-mounted sign is a permanent sign that has its supporting structure depending on the ground for attachment, and is made in such a way as to allow the supporting structure to be covered in a façade of shaped metal, brick or other durable material that matches the material encasing or surrounding the messaging area of the sign. No single pole sign, such as a telephone pole or other single wooden pole structure is allowed.
4) All Signs must be maintained and kept in good repair. Signs falling into disrepair, such as falling down, faded, broken, damaged, rusting, paint peeling, or tattered signs, shall be maintained and/or repaired or removed within 30 days of notice of the sign falling into disrepair. If the Director of Code Enforcement is unable to locate an owner of the sign, the Director may post the notice on the sign itself as effective notice of it falling into disrepair.
5) Monument and ground-mounted signs along the following listed roadways will conform to the specifications listed in 3.01(5)(b) below:
   a) Roadways subject to this provision:
      i) Springhill
      ii) Highway 5 from Commerce Drive to Springhill Road;
      iii) Hilldale Road
      iv) Newly constructed Roads connecting to Raymar Overpass , North and South
      v) Woodland Park Road
      vi) Springhill Overpass to Woodland Park
      vii) Prickett Road from Woodland Park to Reynolds Road
      viii) Prickett Road
      ix) Boone Road
      x) Reynolds Road from Mills Park Road south to the City Limits line.

xi) Mt. Carmel Road
xii) Brandon Road

b) The signage on roadways listed above are subject to the following specifications:
   i) Lots or developments on less than 5 acres in size:
      1. Monument or ground-mounted sign may not exceed 8 feet in height and 64 sq ft.
   ii) Lots or developments on property more than 5 acres, but less than 20 acres
      1. Monument or ground-mounted sign may not exceed 10 feet in height and 100 sq. ft.
   iii) Lots or developments on property 20 acres or more in size:
      1. Monument or ground-mounted sign may not exceed 12 feet in height and 144 sq. ft.

6) Signs in Coordinated Shopping Center:
   a) Each Coordinated Shopping Center may have one free-standing identification sign for each street frontage.
   b) Additionally, each Center may have one directory sign, not exceeding 35 feet in height.
   c) Individual tenants in the Center may each have business identification signs mounted on their façade; total sign area shall not exceed two square feet for each one linear foot of building façade fronting the public street or parking area.
7) Signs in commercial cul-de-sacs: A commercial subdivision forming a cul-de-sac for individual commercial lots may have a directory sign located at the entrance to the cul-de-sac. Such sign shall not exceed 35 feet in height and shall be located in a manner which does not restrict the view of traffic entering or exiting the subdivision.
8) Banners:
   a) An unlimited number of banners may be affixed to buildings, subject to aggregate signage permitted by the zoning district.
   b) All banners must be securely-affixed and kept in a safe, neat, and legible condition; banners shall not fall into disrepair. Banners falling into disrepair are subject to section3.01(4) above.

Section 3.02 - Signs permitted in Residential "R" Districts

Signs placed in residential districts, shall conform to the following regulations.

1) One sign which does not exceed two square feet in area is allowed and no permit is required.
2) Signs larger than two square feet but less than 32 square feet may be permitted by special permit process for such non-residential uses.
3) One additional nameplate sign, not to exceed two square feet in area, is allowed without permit for a dwelling group of four or more units to identify the building or as an occupant directory.
4) Temporary signs advertising a new subdivision of five or more lots are allowed by permit for up to one year. Such signs may not exceed 60 square feet in aggregate surface area, and can be no more than 15 feet in height, nor less than two feet above ground. Signs may be erected only at dedicated street entrances. If lots are not sold in one year, the contractor may request additional time to display the temporary sign from the Director of Code Enforcement or his designee. The request must be submitted in writing with a specified date for construction of permanent signage and removal of the temporary sign.

Section 3.03 - Signs in Commercial C-1 District

Signs placed in the C-1 district shall conform to the following regulations.

1) All signs permitted in the Residential Districts are allowed in Commercial Districts.
2) Signs mounted on the building walls are permitted subject to a limit of one sign not exceeding one square foot per each one linear foot of building façade. Each exposed building wall may have one such wall-mounted façade sign.
3) Blade signs are allowed. A blade sign cannot exceed a total of five square feet of signage per side, must have at least six inches between the building wall and the edge of the sign nearest the building, and cannot project more than forty-two inches from the building wall on which it is mounted.
4) Free standing signs are permitted subject to the following:
   a) Except as otherwise allowed in subsection 3.03(5) below, only one sign per lot or commercial street frontage where adequate lot size permits the sign to be located at least 10 feet from edge of curb, street surface, or right-of-way, whichever is greatest.
   b) Sign height shall not exceed 20 feet, and sign shall be constructed to provide at least 10 feet of visual clearance from bottom of sign to lot surface.
5) The maximum aggregate surface area of all permitted signs for any establishment fronting one street shall not exceed 200 square feet. In the case of a corner lot fronting on two public streets, a business may display one sign on each street frontage and will be allowed to add an additional 75 square feet to the total maximum aggregate surface area of permitted signs, to be used only for signs on one of the street frontages. No single sign may utilize more than 50% the total maximum aggregate surface footage allowed under this ordinance.
6) Pole signs will be spaced no closer than 60 feet from any other pole sign.
7) The specific surface area of commercial signs displaying gasoline prices only shall be exempt from calculations of the total aggregate surface area.
8) Internal businesses and brands contained within a host business are allowed exterior signage. Sign area utilized by the internal business/brand shall be deducted from the sign area allowed for the host business sign area.

Section 3.04 - Signs in Commercial C-2 Districts

Signs placed in C-2 districts shall conform to the following regulations.

1) All signs permitted in the Residential Districts are allowed in Commercial Districts
2) One façade sign is allowed per business. This sign shall not exceed two square foot for each one linear foot of building façade fronting a public street, and is to be mounted on the building wall. For businesses on corner lots, side walls facing public streets may have one additional façade sign subject to the same restrictions noted in this paragraph.
3) Blade Signs are allowed. A blade sign cannot exceed a total of five square feet of signage per side, must have at least six inches between the building wall and the edge of the sign nearest the building, and cannot project more than forty-two inches from the building wall on which it is mounted.
4) Free Standing signs are permitted subject to the following:
   a) Except as otherwise allowed in subsection 3.04(5) below, only one sign per lot or commercial street frontage where adequate lot size permits sign to be located at least 10 feet from edge of curb, street surface, or right-of-way, whichever is greatest.
   b) Sign height shall not exceed 25 feet or height of building whichever is less. Sign shall be constructed to provide at least 10 feet of visual clearance from bottom of sign to lot surface.

5) The maximum aggregate surface area of all permitted signs for any establishment shall not exceed 300 square feet. In the case of a corner lot fronting on two public streets, a business may display one sign on each street frontage and will be allowed to add an additional 100 square feet to the total maximum aggregate surface area of permitted signs, to be used only for signs on one of the street frontages. No single sign may utilize more than 50% the total maximum aggregate surface footage allowed under this ordinance.
6) Pole signs will be spaced no closer than 60 feet from any other pole sign.
7) The specific surface area of commercial signs displaying gasoline prices only shall be exempt from calculations of the total aggregate surface area.
8) Internal businesses and brands contained within a host business are allowed exterior signage. *Sign* area utilized by the internal business/brand shall be deducted from the sign area allowed for the host business sign area.

Section 3.05 - Signs in the Airport Industrial District

Signs in the Airport Industrial District are governed by the regulations established specifically for that district.

Section 3.06 - Signs in Planned Unit Development, (PUD) Districts

All signs in the PUD districts shall be submitted for review and approval as part of the PUD approval process.

SECTION FOUR

Nonconforming Signs

Section 4.01 - Determination of Legal Nonconformity

1) A nonconforming sign is any permanent sign that was legally established and maintained in compliance with the provisions of all applicable laws in effect at the time of original installation but that does not comply with the provisions of this sign ordinance as of the date this ordinance is adopted.
2) A nonconforming sign, as defined above, shall be allowed continued use, except that the sign shall not be expanded, moved, or relocated, except in the case of street relocation. A nonconforming sign shall be allowed continued use even if ownership of the property changes.

Section 4.02 - Loss of Legal Nonconforming Status

A legal nonconforming sign shall lose this designation in the following instances:

1) When the sign is intentionally damaged or destroyed or fails to observe the following restrictions in cases of unintentional damage or destruction:
   a) If the sign face is unintentionally damaged or destroyed, the face may be replaced. The sign face supporting structure may be temporarily placed on the ground in order to replace the sign face or service the structure.

b) If the structural components of the sign including the face structure is damaged or destroyed, the structure and face may be replaced with a new face and structure not to exceed the size, height or location of the established nonconforming sign.

2) When the size of the sign is altered in any way, except toward compliance with this ordinance, it will lose its legal nonconforming status. This does not refer to change of copy, face of the sign, or normal maintenance. Normal maintenance does not include the replacement of structural elements.

3) When the sign(s) advertising a building/development contains the majority of the businesses/tenants and the building/development undergoes major redevelopment such as demolition or expansion requiring a building permit.

Exceptions:

a) A remodel of an existing building will not cause the loss of legal non-conformity.

b) The construction of an additional building on the same property shall not cause the loss of legal non-conformity.

4) When the sign is expanded, moved, or relocated, except in the case of street relocation.

Section 4.03 - Maintenance and Repair of Nonconforming signs

The legal nonconforming sign is subject to all requirements of this code regarding safety, maintenance, and repair. If a non-conforming sign is found to advertise a business that has been discontinued for ninety (90) days or more and the business' signs have been abandoned and/or fallen into disrepair (disrepair means broken, cracked, vandalized, torn, rotten, faded, faulty, defective, rusty or otherwise unsightly), the owner will be notified and if the condition(s) is not corrected within thirty (30) days, the sign will lose legal non-conforming status and shall be required to be removed.

SECTION FIVE

Construction Specifications and Maintenance

Section 5.01 - Construction Specifications

Every sign, all parts, portions, and materials shall be manufactured, assembled, and erected in compliance with all applicable state, federal, and city regulations, building and electrical codes.

Section 5.02 - Construction and Maintenance

Every sign, including those specifically exempt from this ordinance in respect to permits and permit fees, and all parts, portions and materials shall be maintained and kept in good repair. The display surface of all signs shall be kept clean, neatly painted, free from rust corrosion and well maintained. If a sign is found to advertise a business that has been discontinued for ninety (90) days or more and the business' signs have been abandoned and fallen into disrepair the owner will be notified and if the condition(s) is not corrected within thirty (30) days, the sign shall be required to be removed.

SECTION SIX

Administration and Enforcement

Section 6.01 – Director of Code Enforcement

All sign permits shall be issued by the Director of Code Enforcement or his/her designee following design review and approval from the Development Review Committee.

The Director of Code Enforcement or his/her designee is empowered, upon presentation of proper credentials, to enter or inspect any building, structure, or premises in the City for the purpose of inspection of a sign and its structural and electrical connections to ensure compliance with all applicable codes and ordinances. Such inspections shall be carried out during business hours unless an emergency exists.

Section 6.02 - Application for Permits

Application for a permit for the erection or relocation of a sign shall be made on a form provided by the Code Enforcement.

Section 6.03 - Permit Fees

Sign permits filed with the Code Enforcement shall be accompanied by a payment of the initial permit fee for each new sign as required by the ordinance. The fee shall be thirty five dollars ($35) per sign.

Section 6.04 - Issuance and Denial

The Director of Code Enforcement or his/her designee shall issue a permit for the erection, structural alteration, or relocation of a sign provided that the sign complies with all applicable laws and regulations of the City. In all applications, where a matter of interpretation arises, the more specific definition or higher standard shall prevail. When a permit is denied, the Director of Code Enforcement shall give a written notice to the applicant along with a brief statement of the reasons for denial, citing code sections and interpretation of possible nonconformity. The Code Enforcement may suspend or revoke an issued permit for any false statement or misrepresentation of fact in the application.

Section 6.05 - Inspection Upon Completion

Any person installing, structurally altering, or relocating a sign for which a permit has been issued shall notify the Code Enforcement upon completion of the work. The Director of Code Enforcement may require a final inspection, including an electrical inspection and inspection of footings on freestanding signs.

The Director of Code Enforcement may require at the time of issuance of a permit that written notification for an inspection be submitted prior to the installation of certain signs.

Section 6.06 - Variances and Special Permits for Signs

1) Variances

A variance for height, location, type, etc. may be requested.

Requests for sign variances shall be in writing and shall be submitted along with the sign application. Such request shall demonstrate that special conditions or circumstances exist that are not applicable to other lands, structures, or buildings such that a literal interpretation of the ordinance would result in an undue hardship.

The Planning Commission shall review the request to determine if the variance should be granted.

If the Planning Commission should also decide to grant the variance, the variance shall be considered granted.

If the Planning Commission denies the variance or takes no action on the request within 30 days following the variance request appearing on its agenda, the variance shall be deemed denied. The applicant may then appeal the decision to the City Council. The appeal must be submitted to the Planning Department no less than thirty (30) working days from the date of the Planning Commission's decision or the deemed denied date whichever may apply. In order to be placed on the City Council agenda, the appeal must be submitted no less than eleven (11) days prior to the City Council meeting. If the decision is appealed but it is within the 11 days prior to the next City Council meeting, it shall be placed on the following month's regularly scheduled City Council meeting agenda.

A variance may be granted only when the requirements noted above have been met. Planning Commission or City Council shall grant only the minimum variance required to make possible the variance request, provided that such variance will be in harmony with the general purpose and intent of the ordinance and will not be injurious to the neighborhood or otherwise detrimental to the public welfare.

2) Special Sign Permit:

In certain circumstances, special sign permits may allow additional signs, sign area and directional message center signs. A special sign permit may be approved by the Planning Commission if the Commission deems a special circumstance exists which warrants the signage requested.

The following criteria shall be used in the review and approval of requests:

(a) Conditions exist which are unique to the property or type and size of development, which would cause hardship under a literal interpretation of the sign code.
(b) The proposed sign will not adversely affect other signs in the area.
(c) The proposed signs will not be detrimental to properties located in the vicinity.
(d) The proposed sign will not obscure fire hydrants, traffic signs or traffic signals, block motorists' line of sight, or otherwise inhibit or interfere with vehicular or pedestrian traffic.

(e) Approval of the special sign permit will not constitute a grant of special privileges which is inconsistent with the limitations placed upon other properties in the vicinity having similar circumstances.

The Planning Commission may attach any additional requirements necessary to maintain the intent and purpose of the sign ordinance, in the interest of the public.

An application for special sign permit shall be accepted by the Planning Commission at a regularly scheduled meeting along with the payment of the application fees. A public hearing shall be scheduled for the next regularly scheduled meeting date of the Planning Commission.

3) Fee for Sign Variance:
The fee for any sign variance or special sign permit request shall be one hundred dollars ($100).

Section 6.07 - Violations

In cases of emergency, the Director of Code Enforcement or his designee may cause the immediate removal of a dangerous or defective sign without notice. Signs removed in this manner must present a hazard to the public safety as defined in the local building or traffic codes.

In cases of illegal signs placed in the public right-of-way, or if banners or temporary signs become faded , worn or tattered; or have become detached from the structure designed to support the signage, the Director of Code Enforcement or his designee may cause immediate removal of the sign without notification of the owner of the sign.

Section 6.08 - Removal of Signs by the Director of Code Enforcement

Signs located within the public right-of-way or which fail to comply with the written orders of removal or repair are subject to removal, the Director of Code Enforcement or his designee may order removal of the sign in question. After removal, a notice shall be mailed to the sign owner stating the nature of the work and the date on which it was performed and demanding payment of the costs as certified by the Director of Code Enforcement or his designee. Alleged violators shall have sixty (60) days from the date of said notice in which to appeal to the Planning Commission. If the amount specified in the notice is not paid within sixty (60) days of the notice and no appeal to the Planning Commission has been formally lodged, it shall become an assessment upon a lien against the property of the sign owner, and will be certified as an assessment against the property together with a ten percent (10%) penalty for collection in the same manner as the real estate taxes

The owner of the property upon which the sign is located shall be presumed to be the owner of all signs thereon unless documented facts to the contrary are brought to the attention of the Director of Code Enforcement or his designee, as in the case of a leased sign. For purposes of removal, the definition of sign shall include all embellishments and structures designed specifically to support the sign.

Removed signs shall be stored at a location designated by the sign Director of Code Enforcement or his designee pending return to the owner(s). Signs will be stored in such a manner as to minimize damage

to them. The sign Director of Code Enforcement or his designee will notify the owner of all removal costs and the procedures for retrieving the removed sign(s).

Temporary signs located within the street right-of-way will be removed without notice and stored for 30 days pending return to owners.

Section 6.09 - Penalties

Any person who fails to comply with the provisions of the Ordinance within ten (10) days after a notice by the Director of Code Enforcement or his designee may be subject to a fine of $25 per day, per occurrence that the violation continues.

SECTION SEVEN

Conflict, Severability, and Effective Date

Section 7.01 - Conflict

If any portion of this code is found to be in conflict with any other provision of any zoning, building, fire, safety, or health ordinance of the City code, the provision which establishes the stricter standard shall prevail.

Section 7.02 - Severability

If any section, subsection, sentence, clause, or phrase of this code or its application to any person or circumstance is held invalid by the decision of any court of competent jurisdiction, the remainder of this code, or the application of the provision to other persons or circumstances is in effect and shall remain in full force and effect.

Section 7.03 - Effective Date

This code shall take effect and be in force upon passage of the Ordinance.