

Sections:

- 98.01 Purpose
- 98.02 Definitions
- 98.03 Signs generally
- 98.04 Prohibited signs
- 98.05 Signs not requiring permits
- 98.06 Signs allowed requiring a permit
- 98.07 Off-Premise Advertising Billboards
- 98.08 Temporary signs Requiring a Permit
- 98.09 Temporary signs Not requiring a permit
- 98.10 Conformance
- 98.11 Permit requirements
- 98.12 Engineering Design Standards
- 98.13 Electrical Signs
- 98.14 Sign Removal or replacement
- 98.15 Board of Zoning Appeals process
- 98.99 Administration and Enforcement

~98.01 Purpose.

The purpose of this chapter is to provide minimum standards to safe-guard life, health, property, property values, and public welfare by regulating and controlling the quality of materials, construction, installation, and maintenance of signs, in addition to the number, size, sign type, location, height, design, and type of illumination of all signs and sign structures.

~98.02 Definitions.

For the purpose of this chapter, the following definitions shall apply unless the context clearly indicates or requires a different meaning (see figure 1).

“Abandoned Sign.” Any sign that advertises a business, lessor, owner, product, service or activity that is no longer located on the premises where the sign is displayed.

“Accessory Sign.” A sign that conveys information (e.g., tenants, their use, and their location), minor business identification or amenities found in an establishment and is designed to be viewed by pedestrians and/or motorists.

A sign which is clearly subordinate to a primary sign and which does not provide the principal means of identification of a building, business, occupant, development or premises. The signs are intended to convey additional information about the building, business, occupants or premises.

Accessory signs shall not contain the “logo”, trademark or other identifiers that are found in the primary sign.

“Attached Sign.” Any sign, which is fastened, attached, connected, or supported to a building in a secure and permanent manner.

“Attention Attracting Device.” Any flashing or moving beacon, animation, banner, clock or other object mounted onto or in a sign designed to attract the attention of the public.

“Awning Sign.” Any sign copy or logo attached to or painted on an awning.

“Banner.” Any cloth, bunting, plastic, paper, or similar non rigid material used for advertising purposes attached to any structure, staff, pole, line, framing, or vehicle that is easily detached.

“Billboard.” See off-premise sign.

“Board of Zoning Appeals.” See Article 11 of Zoning Ordinance.

“Cabinet Sign.” A sign that contains all the text and/or logo symbols within a single enclosed cabinet and may or may not be illuminated.

“Channel Letters.” Individually illuminated letters and graphics. In addition, they may be fabricated or formed three-dimensional letters that may accommodate a light source. The use of a raceway must match the color of the façade which the sign is placed.

“Civic Event Sign.” A temporary sign, other than a commercial sign, posted to advertise a civic event sponsored by a public agency, school, church, civic/fraternal organization, or similar noncommercial organization.

“Copy.” Words, letters, numbers, figures, designs, or other symbolic representations incorporated into a sign.

“Detached Sign.” Any sign not attached to a building.

“Directional Sign.” A sign which guides or directs pedestrian or vehicular traffic, or a sign in conjunction with a drive-thru window, which may be mounted on the ground, on a building, or in connection with a detached sign.

“Double-faced Sign.” A sign constructed to display its message on the outer surfaces of two identical and opposite parallel planes.

“Downtown Zone.” That area which lies within the following boundaries: Blue River as the northern boundary, Colescott Street as the southern boundary, Noble Street as the eastern boundary, and Tompkins Street as the western boundary.

“Future Tenant Identification Sign.” A temporary sign that identifies the names of future businesses that will occupy a site or structure.

“Illuminated Signs.”

1. “Semi-illuminated Sign.” Any sign, which is uniformly illuminated internally over its entire area, including the area of the sign, by use of electricity or other artificial light.
2. “Indirectly Illuminated Sign.” Any sign, which is partially or completely illuminated at any time by an external light source, which is so shielded, as to not be visible at, eye level.
3. “Fully Illuminated Sign.” Any sign which is illuminated by an internal light source which is visible.

“Interstate Corridor.” The area 1000 feet in either direction from Interstate 74.

“Maintenance.” The repair or replacement in kind of individual sign components that may include the repair or replacement of panels; electrical wiring and bulbs; paint, stucco or other exterior finishes. This may also include the repair or replacement of metal or wood cabinets, structural faces, supporting structural mechanisms and poles, or the sign in its entirety.

“Monument Sign.” An identification sign which rises from the ground and generally has no clearance under it. Also known as ground sign.

“Nonconforming Sign.” An advertising structure or sign which was lawfully erected and maintained prior to the adoption of this sign ordinance, and which has subsequently come under the requirements of this sign ordinance, but does not now completely comply.

“Off-premise Sign.” A sign which directs attention to a business, commodity, service, activity, or product sold, conducted or offered off the premises where such sign is located.

“On-premise Sign.” A sign which directs attention to a business, commodity, service, activity, or product sold, conducted or offered on the premises where such sign is located.

“Permanent Sign.” A sign constructed of durable materials and intended to exist for the duration of time that the use or occupant is located on the premises.

“Pole Sign.” A sign mounted on a free-standing pole or other support so that the bottom edge of the sign face is eight feet or more above finished grade.

“Political Sign.” Any sign bearing a photograph or printed material which promotes a person or issue which will be determined by voters in an election.

“Portable Sign.” A sign that is not permanently affixed to one location and has the capability of being moved from one site to the next.

“Project Sign.” A sign that states the name of the developer and contractor(s) working on the site and any related engineering, architectural or financial firms involved with the project.

“Projecting Sign.” Any sign extending more than one foot from the face of the building to which it is attached.

“Promotional Sign.” A sign erected on a temporary basis to promote the sale of new products, new management, new hours of operation, a new service, or to promote a special sale.

“Real Estate Sign.” A sign indicating that a property or any portion thereof is available for inspection, sale, lease, rent, or directing people to a property, but not including temporary subdivision signs.

“Roof Sign.” A sign that is mounted on the roof of a building or which is wholly dependent upon a building for support and which projects above the highest point of a building with a flat roof, the eave line of a building with a gambrel, gable, or hip roof, or the deck line of a building with a mansard roof.

“Sign.” Any words, letters, numbers, figures, devices, designs, or trademarks by which information is made known to the public. **(Please see Figures 1, 4, and 5)**

“Sign Area.” The area of a sign set out in these regulations shall mean the area encompassed by the perimeter of the sign. The area of the sign shall be computed from the area enclosed by the perimeter upon which the letters, logo, and the like are placed, except that when individual letters or logos are mounted individually and directly upon a building surface without change in the color or appearance of the surface background, the area of the sign shall be deemed to be rectangle or some other geometric form that encompasses the letters, logo, and the like. **(Please see Figures 2 and 3)**

“Sign Permit.” A discretionary written authorization issued through the office of the Plan Commission upon a finding that the proposed activity permitted by such use permit is in conformance with the intent of this Code. Such Use Permit may be limited to a specific period of time.

“Street Frontage.” That building elevation that fronts on a public street where customer access to the building is available.

“Subdivision Development Amenity Sign.” A sign directing traffic to amenities such as a clubhouse or swimming pool within the subdivision.

“Subdivision Development Sign.” A detached sign identifying the subdivision, located at one or more of the subdivision entrances.

“Tall Sign.” A sign located within 1,000 feet of Interstate 74 for the purpose of advertising a commercial establishment to interstate vehicular traffic.

“Temporary Sign.” A sign of cloth or other combustible material, with or without a frame, which is usually attached to the outside of a building on a wall or store front, for a limited period of time; or a sign which is not permanently attached to the ground, building, or other load bearing structure.

“Under Canopy Sign.” A display attached to the underside of a marquee or canopy and projecting perpendicular from a structure over public or private sidewalks or right-of-way.

“Variance.” A discretionary authorization issued by the Zoning Administrator/ Board of Zoning Appeals only upon finding, through a public hearing, that the proposed activity permitted by such Variance is in conformance with the intent of this code, the General Plan and/ or other specified plans or Council policies, and will be compatible with, and not detrimental to, adjacent properties or the neighborhood in general and may be limited by specific conditions, restrictions, terms or time periods. This could be in the form of a departure from the literal requirements of the Municipal Code generally involving dimensional and location provisions, but excluding land use.

“Wall Sign.” A sign attached to or erected against an exterior wall of a building or structure, which projects not more than 12 inches from a wall and presents only one face with advertising copy to the public and does not extend above the roof line.

“Window Sign.” Any sign placed on, affixed to, painted on or located within the confines of a window.

“Yard Card.” A temporary sign used to advertise a special sale, event or occasion.

“Zoning Administrator.” The Plan Commission staff or the Mayor’s designee.

~98.03 Signs Generally

(A) Signs are not to constitute traffic hazards.

- (1) No sign shall encroach into a public right-of-way, except that a projecting sign attached to a building façade may project a maximum of six feet away from the building façade and the lowest part of the sign is at least eight feet above the sidewalk surface.
- (2) No sign or other advertising structure, as regulated by this chapter, shall be erected at the intersection of any street in such a manner as to obstruct free and clear vision, or at any location where, by reason of the intensity, position, shape, or color, it may interfere with, obstruct the view, or be confused with any traffic sign, signal or device.

- (3) No sign, as regulated by this chapter, shall be erected which makes use of the words "Stop," "Look," "Danger," or any other word, phrase, symbol, or character in such a manner as to interfere with, mislead, or confuse traffic.

(B) Measurement of sign area.

- (1) Areas refer to the total area of the sign which would customarily be used for presenting information or attracting attention, including any border.
 - (a) The area of regular geometric shapes, such as cabinet signs, shall be calculated using standard formulas (see figure 2).
 - (b) Where channel letters or awning signs are used, the area shall be measured as the area of the smallest polygon which will completely enclose all figures, letters, designs and tubing which are part of such sign (see figure 3).
 - (c) Each side of an awning or canopy shall be considered a separate face, except that the continuous signage on all sides of an awning shall be considered a single sign.
 - (d) The area of a spherical, cylindrical and other three-dimensional sign shall be measured by calculating the area of an elevation drawing of the sign.
 - (e) When two or more separate items in a sign (such as a word and a logo) are separated horizontally or vertically by less than twice the width or height of the largest item, the items shall be considered a single sign, and the area shall be determined by measuring the area enclosed by a perimeter enclosing all of the items (see figure 4).
 - (f) When two or more separate items (such as a word and a logo) are separated horizontally or vertically by more than twice the width or height of the largest item, the items shall be considered separate signs, and the area of each item shall be determined individually (see figure 5).
 - (g) Double-faced (back-to-back) signs shall be regarded as a single structure if the distance between each sign face does not exceed two feet at any one point. Only one face of a double-faced sign shall be measured when determining maximum allowable area except for off-site billboards.
 - (h) Supporting framework or bracing that is clearly incidental to the display itself shall not be computed as sign area.

(C) Measurement of sign height.

- (1) The height of a sign shall be measured as the vertical distance from the uppermost point used in measuring the sign to the average grade immediately below and adjoining the sign.

(D) Sign copy.

- (1) The copy (text of permanent signs) shall relate only to the name and/or nature of the business.

- (2) Permanent signs that advertise continuous sales, special prices, etc. shall not be allowed.
 - (3) No sign shall be allowed which advertises activities that are illegal under federal, state, city or county laws.
 - (4) With the exception of misleading information and profanity, the city does not intend by any provision of this chapter to regulate the content of any sign.
- (E) Illumination of signs.
- (1) The artificial illumination of signs, either from an internal or external source, shall be designed to eliminate negative impacts on surrounding rights-of-way and properties.
 - (2) External light sources shall be directed and shielded to limit direct illumination of any object other than the sign.
 - (3) The light from an illuminated sign shall not be of an intensity or brightness that will create a negative impact on adjoining properties in direct line of sight to the sign.
 - (4) Signs shall not have blinking, flashing, or fluttering lights, or other illuminating devices that have a changing light intensity, brightness or color.
 - (5) Colored lights shall not be used at a location or in a manner so as to be confused or construed as traffic control devices.
 - (6) Reflective type bulbs and incandescent lamps that exceed 15 watts shall not be used on the exterior surface of signs so that the face of the bulb or lamp is exposed to a public right-of-way or adjacent property.
- (F) Any sign that is placed directly under or within ten feet of any power line must be approved by the affected utility in addition to obtaining local approval.
- (G) Signs required by law to be a specific size, composition, or location may be permitted by the Zoning Administrator.
- (H) Sign maintenance.
- (1) Signs and supporting hardware, including temporary signs and time/temperature signs, shall be structurally safe, clean, free of visible defects and functioning properly at all times.
 - (2) Repairs to signs shall be equal to or better in quality of materials and design than the original sign.
- (I) Painted wall signs shall be permitted in addition to signs made of brick, metal, or wood. All painted wall signs shall conform to all other requirements of the sign code for wall signs, including, but not limited to size location, illumination, lettering, style, and color.
- (J) Permit fees. Every applicant, before being granted a permit hereunder said permit, shall pay to the city a fee as set by ordinance.
- (K) The zoning administrator has the authority to issue a sign permit so long as the said sign complies with the provisions outlined in this chapter.

- (L) The Board of Zoning Appeals shall have the right to grant a variance in the terms of this chapter with regard to size, location, or placement of any sign in any district.

~98.04 Prohibited Signs.

Except as otherwise specifically provided in the city code, and by variance procedure, the following provisions apply in all zones for signs.

- (A) No sign shall be permitted which may obstruct visibility for the purpose of public safety in any direction at all intersections of streets, alleys, sidewalks, and/or driveways.
- (B) No sign shall be allowed which advertises activities that are illegal under federal, state, city or county laws.
- (C) No signs shall be painted upon retaining walls, rocks, natural features or vegetation.
- (D) Off-site directional signs identifying the way to a private event or establishment.
- (E) Signs which advertise goods, product, services or facilities or direct persons to a different location from where the sign is installed. Off-premise signs require a variance from the Board of Zoning Appeals. This does not apply to billboards as defined herein.
- (F) Signs not permanently attached to the ground, building, or structures are prohibited, except for temporary signs.
- (G) Pole signs are not allowed in any district. This does not apply to legally placed billboards.
- (H) Signs generally are prohibited in the public right-of-way or any easement of record.
- (I) Attention attracting devices are prohibited. Flashing, rotating, or blinking signs are not permitted.
- (J) Banners and temporary signs are not permitted as primary signs.
- (K) No sign shall be mounted on the roof of any structure. If a roof is considered a part of the structure, such as a mansard style roof, signs will be reviewed on an individual basis by the Planning Commission Staff for determination of compliance with the intent of this chapter.
- (L) No wall sign shall exceed the height of the wall or façade on which they are mounted.

- (M) No sign may block or be placed in front of any door, window, fire escape, or opening required for ventilation in any structure.
- (N) All signs, including temporary signs, shall not be permitted on any public utility pole, fence post, fence, light pole, tree, or any other public owned structures such as a street or stop sign.
- (O) With the exception of misleading information and profanity, the city does not intend by any provision of this chapter to regulate the content of any sign.
- (P) Signs which advertise an activity, business, project, or service no longer conducted on the premises upon which the sign is located; otherwise known as an “abandoned sign.” When a business or tenant vacates a particular site, then the sign shall be removed if the sign is not utilized within 180 days. That includes the structure support of the sign such as the pole and framework which the sign is placed.
- (Q) Motor vehicles, trailers and similar vehicles whose sole purpose is for advertising shall not be permitted in any district.
- (R) If any provisions of this chapter conflict with any other adopted city code regulating signs, the more restrictive shall govern.
- (S) No sign or other advertising device with visible moving parts or with flashing, animated or intermittent illumination shall be erected except signs indicating the time, date, or weather conditions provided this area does not exceed 10% of the permitted sign area and may not flash or blink. No sign shall be permitted that displays video or emitting graphics. These signs are commonly known as Full Color Electronic Message Centers.

~98.05 Signs Not Requiring Permits.

A permit will not be required for the following listed signs. These exemptions, however, shall apply only to the requirement of the permit and shall not be construed as relieving the owner of the sign from the responsibility for its erection, maintenance and appearance.

(A) Real Estate Signs.

- (1) Agricultural, commercial and industrial acreage that is for sale, for rent, or future tenant identification sign is permitted per street frontage.
 - (a) The sign must be located on the premises and it must be removed upon completion of the project, sale or letting of the property within ten days.
 - (b) The sign shall have a maximum size of 32 square feet.
 - (c) The sign shall not be placed in an area which may constitute a safety hazard or visibility obstruction.
 - (d) The sign shall not exceed the maximum height of eight (8) feet.

- (2) Residential structure for sale or for rent signs shall have a maximum size of six square feet for both sides.
- (B) Developing Subdivision Directional Signs – Signs that direct people off-site to the project that is currently under construction for sales.
- (1) Owner or persons wanting to place temporary directional signage must meet with the Planning Commission Staff prior to placing said signage.
 - (2) Signs shall only be placed from Friday through Sunday
 - (3) Shall have the maximum size of six square feet on each side
 - (4) Shall not be taller than 2.5 feet.
 - (5) Shall have property owners' permission.
 - (6) Shall only have two directional signs at the each intersection.
 - (a) The Planning Commission Staff shall regulate the number of intersections where signage is to be placed.
 - (7) If signs are in place longer then the time framed allowed, the Plan Commission Staff has the authority to remove the signs.
- (C) Political signs.
- (1) Shall have a maximum size of 32 square feet.
 - (2) Shall not be placed in an area which may constitute a safety hazard or visibility obstruction.
 - (3) Shall not apply to legally established billboards off-premise.
 - (4) The sign shall not exceed the maximum height of eight (8) feet.
- (D) Existing signs that are only having alterations such as change of copy, sign face, color, or supporting structure.
- (1) The dimensions of the sign shall remain the same as the previous sign.
 - (2) Illumination of signs can be changed as long as it meets the requirements of the sign standards of section 98.06
 - (3) This provision applies only to conforming signs and legal non-conforming signs on the property.
- (E) Historic Place signs shall not exceed two square feet and shall be mounted on the building's façade.
- (F) Window signs (Example: credit card signs, business hours sign, sale sign, and the like).
- (1) Window signage may be placed applied directly to the window. It shall cover no more than 20 percent of the window area.
 - (2) Window signage may be a detached panel that is hung inside the window. Panels shall be made of wood, metal or composite resin materials.
- (G) Under canopy signs.
- (1) The sign shall have a maximum size of six (6) square feet.
 - (2) This sign may be non-illuminated, semi-illuminated or illuminated.

- (3) It shall not project out past the canopy.
 - (4) It shall have a minimum distance of eight (8) feet from the ground to the bottom of the sign.
 - (5) It shall be placed only on a ground floor façade.
- (H) Street and address related numbers.
- (I) Menu type signs.
- (J) Subdivision development amenity signs.
- (1) Shall have a maximum size of 6 square feet per face.
 - (2) Shall be located within the development.
 - (3) Shall not be placed in an area which may constitute a safety hazard or visibility obstruction.
- (K) Temporary residential garage sale signs.
- (1) Shall have a maximum size of six square feet.
 - (2) Shall be permitted one per residential premises.
 - (3) To be located only on the premises having the sale unless another property owner grants permission to use their property to place a sign.
 - (4) Sign shall be placed on the property for a period not to exceed three consecutive days.
 - (5) Signs shall not be placed on any public utility pole, fence post, fence, light pole, or tree (98.04 L).
 - (6) Sign shall not be placed on any publicly owned property.
- (L) Directional signs may be placed within the development subject to approval of the Zoning Administrator
- (1) Directional signs are allowed only in BH, BN, BP, BG, IL and IG zoning districts
 - (2) A total of three directional signs may be placed within a development.
 - (3) These signs shall be non-illuminated.
 - (4) They shall have a maximum size of 6 square feet.
 - (5) They shall have a maximum height of four feet.
 - (6) They shall be set back a minimum of 5 feet from the existing right-of-way.
 - (7) Directional signs shall not contain advertisement material or advertise any commercial activity.
 - (8) Any size and height change to a directional sign shall need a variance.
- (M) Parking signs shall have a maximum size of six square feet per entrance and shall not exceed two signs at each access.
- (1) Signs shall follow the same standards listed in Section L
- (N) Off-site directional signs identifying a publicly owned facility.
- (1) Signs shall follow the same standards listed in Section L

~98.06 Permitted Permanent Signs

(A) ZONING DISTRICTS: Single-family Residential District (R-1), Agriculture (AG) and Agriculture/Rural Residential (A/R).

(1) Home Occupation.

- (a) Type: Wall Sign mounted directly on the residence
- (b) Number: One
- (c) Maximum Size: two square feet
- (d) Illumination: non-illuminated
- (e) When residence is not visible from the street right-of-way, one detached sign may be substituted for the above residence attached sign. Said detached sign shall not exceed four square feet in area, nor four feet in height and must be set back ten feet from the existing or proposed right-of-way and property lines.

(2) Agricultural Products.

- (a) Type: detached sign, ground
- (b) Number: One
- (c) Information: pertaining to the identification of the premises or the sale of products raised thereon
- (d) Maximum Size: 32 square feet
- (e) Maximum Height: four feet
- (f) Illumination: non-illuminated
- (g) Setback: 10 Feet from existing or proposed right-of-way and property lines

(3) Subdivisions/Development

- (a) Type: ground monument signs on premise
- (b) Number: Two
- (c) Maximum Size: 90 square feet per sign
- (d) Maximum Height: six feet
- (e) Illumination: non-illuminated or indirectly illuminated
- (f) Setback: 10 feet from existing or proposed right-of-way and property lines
 - a. Signs that are requesting to be closer than 10 feet or in the right-of-way need permission from the Shelbyville Board of Works.
- (g) Landscape: Landscaping shall be provided in the form of flowers, shrubs or other plant material for the area immediately adjacent to the sign.
- (h) Sign base shall be constructed of brick, block or similar materials associated with the development as determined by the Plan Commission Staff.

(4) Churches and Other Institutional Uses.

(a) Type: detached monument signs

- a. Number: One
- b. Maximum Size: 125 square feet
- c. Maximum Height: six feet
- d. Illumination: non-illuminated, semi-illuminated or indirectly illuminated
- e. Information: Name(s), activities and services therein
- f. Setback: 10 feet from existing or proposed right-of-way and property lines
- g. Landscape: Landscaping shall be provided in the form of flowers, shrubs or other plant material for the area immediately adjacent to the sign.
- h. Sign base shall be constructed of the same materials as the primary structure to which the sign is associated.

(b) Type: Wall Sign

- a. Number: one
- b. Maximum size: 10% of the façade on which it is mounted

(5) Other uses as specified as special exception sections of each residential district.

(a) Signage following under these provisions shall be reviewed by the Board of Zoning Appeals and shall conform to the following criteria.

(b) Type: Wall Sign

- a. Number: One per façade
- b. Maximum Size: 10% of the façade it is mounted on
- c. Maximum Height: not exceed height of the wall

(c) Type: Detached Monument sign

- a. Number: One
- b. Maximum Size: 32 square feet
- c. Maximum Height: four feet
- d. Illumination: semi-illuminated or non-illuminated; Sign shall not be illuminated at night unless there is a conflict with the times of operation. This is to eliminate light that would affect the residential properties.
- e. Setback: 10 feet from existing or proposed right-of-way and property lines
- f. The area surround the base of the sign shall be maintained
- g. Sign base shall be constructed of the same materials as the primary structure to which the sign is associated.

(d) Directional Signs: as needed to safely direct customers, patients, residents, and the like, once on the property.

(B) Two-family Residence District (R-2) and Multiple-family Residence District (RM).

- (1) Type: ground monument signs on premise
 - (a) Number: One
 - (b) Maximum Size: 90 square feet per sign
 - (c) Maximum Height: six feet
 - (d) Illumination: non-illuminated or indirectly illuminated
 - (e) Setback: 10 feet from existing or proposed right-of-way and property lines
 - a. Signs that are requesting to be closer than 10 feet or in the right-of-way need permission from the Shelbyville Board of Works.
 - (f) Landscape: Landscaping shall be provided in the form of flowers, shrubs or other plant material for the area immediately adjacent to the sign.
 - (g) Sign base shall be constructed of brick, block or similar materials associated with the development as determined by the Plan Commission Staff.
- (2) Signs as permitted in division (A) (4) and (5).
- (3) A multi-family development shall be permitted one non-illuminated wall sign per building not to exceed 12 square feet in area identifying the building.

(C) Highway Business District (BH), Neighborhood Business District (BN), Professional Business District (BP), and General Business (BG).

- (1) Type: Wall Sign – Single Tenant Building
 - (a) Number: One per street frontage
 - (b) Maximum Size: 25% of the façade on which it is place not to exceed 125 square feet.
 - (c) Illumination: non-illuminated, semi-illuminated, or illuminated
- (2) Type: Accessory wall signs - Single Tenant Building
 - (a) Number: two
 - (b) Information: subordinate to a primary sign
 - (c) Maximum Size: each shall not exceed 75 square feet
 - a. The gross square footage of all wall signs shall not exceed 25% of the façade on which they are place and not to exceed a total of 275 square feet
 - (d) Illumination: non-illuminated, semi-illuminated, or illuminated
- (3) Type: Wall Sign – Buildings with more than one tenant
 - (a) Number: One
 - (b) Maximum Size: 25% of the façade that the tenant occupies the building; not to exceed 125 Square feet.
 - (c) Illumination: non-illuminated, semi-illuminated, or illuminated
 - (d) Each tenant is permitted one wall sign and no accessory signs. Tenants are allowed one additional sign on the rear of the building if the rear of the building has frontage on a public way

or interior drive. The additional sign shall comply with the same size and square footage requirements as set forth in item 2(c).

(1) Type: Awning Sign

- (a) Number: In lieu of a wall sign, one awning sign shall be permitted per street frontage.
- (b) Maximum size: 25% of the façade on which it is placed and not to exceed 125 square feet.
- (c) Illumination: non-illuminated, semi-illuminated, or illuminated
- (d) Clearance: minimum distance of eight feet from the ground to the bottom of the sign and if it shall project over public walk, a maximum of six feet from the building façade.
- (e) It shall be placed only on a ground floor façade.

(2) Type: Projection sign

- (a) The Zoning Administrator determines that a projecting sign is needed if the wall sign would not be easily seen from the street and there is sufficient area on the site to accommodate such a sign.
- (b) Number: In lieu of a wall sign and awning sign, one projecting sign per street frontage
- (c) Maximum Size: 20 square feet
- (d) Clearance: minimum distance of eight feet from the ground to the bottom of the sign and if it shall project over public walk, a maximum of six feet from the building façade.
- (e) Illumination: non-illuminated, semi-illuminated, or illuminated
- (f) It shall be placed only on a ground floor façade.

(3) Type: Monument sign (permitted for single tenant buildings)

- (a) Number: one
- (b) Maximum Size: sixty-four square feet
- (c) Maximum Height: eight feet
- (d) Setback: ten feet from the existing or proposed right-of-way and property line.
- (e) Illumination: non-illuminated, semi-illuminated, or illuminated
- (f) Landscaping: Landscaping shall be provided in the form of flowers, shrubs or other plant material for the area immediately adjacent to the sign.
- (g) Sign base shall be constructed of the same materials as the primary structure to which the sign is associated.

(4) A shopping center or office park, designed as one entity and consisting of one or more buildings, shall be permitted one detached sign identifying the center. If the “center or office park” elects not to utilize said sign, individual monument signs for each tenant are prohibited.

- (a) Type: one detached sign monument per street frontage.

- (b) Maximum Size: 125 Square feet
 - (c) Maximum Height: ten feet.
 - (d) Illumination: non-illuminated, semi-illuminated, or illuminated
 - (e) Setback: ten feet from the existing or proposed right-of-way and property line.
 - a. If any boundaries are next to a residential district, the distance shall be equal to the height of the sign
 - (f) **Landscaping:** Landscaping shall be provided in the form of flowers, shrubs or other plant material for the area immediately adjacent to the sign.
 - (g) Sign base shall be constructed of the same materials as the primary structure to which the sign is associated.
- (5) New commercial subdivisions shall provide a master sign plan of the overall area for review during final plat approval.
- (6) Tall signs are permitted in the Interstate Corridor.
- (a) Tall signs are only allowed by special exceptions through the Board of Zoning appeals.
 - (b) Interstate corridor is defined as 1000 feet (**right-of-way**) from I-74
 - (c) Type: Tall Pole Sign intended to be used as interstate signage and visible from the interstate.
 - (d) Maximum Size: 200 square feet
 - (e) Maximum Height: 100 feet
 - (f) Illumination: non-illuminated, semi-illuminated, or illuminated
 - (g) Setback: ten feet from the existing or proposed right-of-way and property line.
 - a. If any boundaries are next to a residential district, the distance shall be equal to the height of the sign
 - (h) Must be an on-premise sign.
 - (i) A Shopping Center or Office Park shall be permitted one tall sign for the entire property.
- (7) For each business or commercial establishment that is located in either a BN, Neighborhood Business or a BG, Business General zoning district and it is predominately surrounded by any residential use, said business or commercial establishment shall have a sign that is not illuminated at night unless there is a conflict with the times of operation. This is to eliminate light that would affect the residential properties.

(D) Central Business District (BC)

- (1) Type: Wall Sign
 - (a) Number: One per street frontage
 - (b) Maximum size: 25% of the façade on which it is placed not to exceed 125 square feet

- (c) Illumination: non-illuminated or indirectly illuminated. It shall not be internally lit or illuminated.
- (d) The sign shall be placed so that it does not cover any significant feature or overwhelm the building.
- (e) The sign shall be limited to fit within existing features, such as the lintel band or within other natural framing features.
- (f) Materials shall complement the architectural style and features of the building. Wood, metal and composite resin replications are generally acceptable.
- (g) All cabinet signs are prohibited. In addition, upon the cessation of business, any existing cabinet signs that are located upon the façade of the business that is ceasing operation must be removed from the premises. This does not prohibit the use of individual “channel letters” as defined previously.
- (h) Channel letters are allowed. These channel letters can be directly illuminated. Channel letters can be placed on a raceway as long as the color of the structure matches the façade which the sign is placed.

(2) Type: Awning sign

- (a) Number: In lieu of a wall sign, one awning sign shall be permitted per street frontage.
- (b) Maximum size: 25% of the façade on which it is placed not to exceed 125 square feet
- (c) Maximum Height: it shall be placed only on a ground floor façade.
- (d) Illumination: non-illuminated or indirectly illuminated.
- (e) Clearance: minimum distance of eight feet from the ground to the bottom of the sign, and if it shall project over public walk, a maximum of six feet from the building façade.

(3) Type: Projection sign

- (a) The Zoning Administrator determines that a projecting sign is needed if the wall sign would not be easily seen from the street and there is sufficient area on the site to accommodate such a sign
- (b) Number: In lieu of a wall sign and awning sign, one projecting sign per street frontage
- (c) Maximum Size: 20 square feet
- (d) Clearance: minimum distance of eight feet from the ground to the bottom of the sign and if it shall project over public walk, a maximum of six feet from the building façade.
- (e) Illumination: non-illuminated or indirectly illuminated.
- (f) It shall be placed only on a ground floor façade.

- (g) Materials shall complement the architectural style and features of the building. Wood, metal and composite resin replications are generally acceptable.
 - (h) Plastic and vinyl signage are not permitted.
- (4) Exterior neon signs and lighted marquis signs are generally not permitted, except in historically appropriate cases.
- (E) Light Industry District (IL) and General Industry District (IG) signs shall be permitted as per division (C) with the following exception:
- (1) Type: Wall Sign: Single and Multi-tenant Buildings
 - (a) Number: One per street frontage
 - (b) Maximum Size: 25% of the façade on which it is placed not to exceed 200 square feet. For multi tenant buildings, the façade is considered the façade which the tenant occupies.
 - (c) Illumination: non-illuminated, semi-illuminated, or illuminated.
 - (2) Identification signs, such as employee entrance, shall be exempt for sign allowance.
- (F) Planned Unit Development. Sign standards for this zoning district shall be governed by the Planned Unit Development Ordinance.

~98.07 Off-premise Advertising Billboards

- (A) Off-premise signs shall be allowed in the Interstate Corridor areas with zoning classifications of BH, IL, and IG.
- (B) The maximum size per face of an off-premise sign shall be 500 square feet, excluding structural supports and trim.
- (C) The faces of the sign constructed in the form of a “V” shall not exceed 45 degrees.
- (D) The maximum height of an off-site sign shall be limited to the allowable maximum height of the principle structure for the zoning district in which the sign is located.
- (E) The sign shall have a minimum clear space of ten feet.
- (F) Off-premise signs shall be separated by a distance of 1000 feet on the same side of the road/street and shall have a 500 feet circumference from any other off-premise sign on the opposite side of the street.

- (G) The setback from the street right-of-way shall be equal to the height of the off-premise sign.
- (H) The setback from all other property lines shall be a minimum of ten feet.
- (I) When a sign is adjacent to a residential area, the sign shall be set back equal to the height of the sign.
- (J) The structural support of the off-premise sign shall be constructed on a steel pole(s).
- (K) Off-premise signs may be illuminated, subject to the following conditions:
 - (1) Signs which contain, include or are illuminated by any flashing, intermittent or moving light(s) are prohibited.
 - (2) Signs which are not effectively shielded as to prevent beams or rays of light from being directed at any portion of a street or roadway and which are of such intensity or brilliance as to cause glare and to impair the vision of the driver of any motor vehicle are prohibited.
 - (3) No sign shall be so illuminated that it interferes with the effectiveness of or obscures an official traffic sign, device or signal.
- (L) All off-premise signs shall be maintained in a state of good repair.
- (M) Before erecting any off-premise sign, a sign permit, location improvement permit, and a building permit must be obtained through the proper offices.
- (N) Whenever it shall appear that any sign has been constructed or is being maintained in violation of this section, such display shall be made to conform with all regulations herein or shall be removed at the expense of the owner within thirty (30) days after written notification by the Zoning Administrator or Building Inspector.

~98.08 Temporary Signs Requiring a permit

Temporary signs are only allowed in zoning districts RM, BN, BC, BP, BG, BH, IL, and IG as Defined in the Zoning Ordinance Article 2, unless exempt in section 98.05.

- (A) A property is permitted one portable sign or one banner sign per street frontage which shall be located on premises.
 - (1) Type: Portable Signs.
 - (a) Number: one per street frontage
 - (b) Maximum size: 32 square feet per side
 - (c) Setback: ten feet from existing or proposed right-of-way
 - (d) These signs shall be placed on private property.
 - (e) No sign shall be placed between the curb and the sidewalk, nor shall it encroach the street right-of-way.

- (f) No sign shall restrict visibility, limit pedestrian movement on the sidewalk or restrict access from the street to the sidewalk.
 - (g) Time Limit: Each property owner shall be afforded the opportunity to place, or cause to be placed by their agent, one temporary sign no more than six times during a calendar year. This type of temporary sign may remain for a maximum of thirty (30) days during any one placement.
 - (h) A permit must be obtained from the City of Shelbyville Plan Commission office and all applicable fees paid prior to displaying this sign.
- (2) Type: Banner Signs.
- (a) Signs as permitted in division (G) (2) (a), (b), (c), (d), (e), (f), and (g).
 - (b) If this sign is to be placed on a building, it shall be placed flat against the façade.
 - (c) They shall be adequately secured to the building or supporting structure.

(B) Yard Card Signs. A Yard Card is defined by the City of Shelbyville as a free standing temporary sign that is rented and placed by a Yard Card Company. If sign is placed that resembles a yard card but its not placed by a Yard Card Company it must follow the standards set forth in section A.

(1) Permit Process: A permit must be obtained from the Planning Department prior to the beginning of the erection of the sign. The permit must state what the yard card is for, the location, and the time frame. The permit must be handed delivered, mailed or faxed to the Planning Department for approval prior to placement of the sign. No Fees shall be charged. The permit is only required for the purpose of monitoring the usage of such displays and enforcing regulation that follows in this section.

(2) On-Premise Yard Cards

- (a) On-Premise Yard Cards are allowed in residential districts if the sign is for special events such as birthdays, anniversaries, etc and/or if the non-for-profit event is located on a property in the residential district. Special events (birthdays, anniversaries, etc) are exempt from the permit process.
- (b) This sign shall be located on the property for any public or private event at that location. Any sponsor(s) for said events shall not also be allowed to place a sign at their location or any other locations they may own.
- (d) One sign of this type is allowed per street frontage.
- (e) These signs shall be placed on private property.
- (f) It shall not exceed 32 square feet in size per side nor eight (8) feet in height.
- (g) No sign shall be placed between the curb and the sidewalk, nor shall it encroach the street right-of-way.
- (h) No sign shall restrict visibility, limit pedestrian movement on the sidewalk or restrict access from the street to the sidewalk.

- (i) This sign shall be set back ten feet from the existing or proposed right-of-way.
- (j) Each property owner shall be afforded the opportunity to place, or cause to be placed by their agent, one temporary sign on no more than 12 times during a calendar year. A sign may remain for a maximum of fourteen days during any one placement.
- (k) In the Downtown area:
 - 1. Each downtown merchant shall be afforded the opportunity to place, or cause to be placed by their agent, one temporary sign in the designated downtown area on no more than 24 separate occasions during a calendar year. A sign may remain for a maximum of three days during any one placement.
 - 2. Temporary signs may be placed only in those locations designated by the City of Shelbyville so as not to harm the public safety or welfare.
 - 3. No sign shall restrict visibility, pedestrian movement on the sidewalk or access from the street to the sidewalk. A sign can be placed on a public sidewalk as long as 36” wide clearance remains clear for pedestrian movement.
 - 4. No temporary sign shall exceed 32 square feet in size.
 - 5. The merchant placing the temporary sign and/or their agent shall be solely responsible for the care and maintenance of all temporary signs.

(3) Off-Premise Yard Cards

- (a) A Yard Card sign may not be used as a means of off-site advertising for business activities in a manner consistent with an “Off Premise Sign”. Yard Card signs are only allowed to be Off-Premise if it is for a non-profit service, educational or charitable organization.
- (b) One off-premise sign is allowed per property street frontage.
- (c) No more than four off-premise signs shall be allowed for any one event within the city.
- (d) These signs shall be placed on private property.
- (e) It shall not exceed 32 square feet in size per side or eight (8) feet in height.
- (f) No sign shall be placed between the curb and the sidewalk, nor shall it encroach the street right-of-way.
- (g) No sign shall restrict visibility, limit pedestrian movement on the sidewalk or restrict access from the street to the sidewalk.
- (h) This sign shall be set back ten feet from the existing or proposed right-of-way.
- (i) Each property owner shall be afforded the opportunity to place, or cause to be placed by his or her agent, one temporary sign no more than 12 times during a calendar year. A sign may remain for a maximum of fourteen days during any one placement

- (j) Must obtain permission of the property owner before the placement of any sign off-premise.
- (k) Off-Premise Yard Cards are not allowed in the R-1, R-2, PK, and BC zoning districts.

(C) All combinations of Temporary signs shall not exceed total time frame of 180 days of calendar year at any one property.

(D) Violation – If any Yard Cary Company or property owner violates this section of sign code, they will meet the same penalties as listed in 98.99. Violations will be handled by the Board of Works.

~98.09 Temporary Signs Not Requiring a permit

(A) Future Tenant Identification Sign.

- (a) Number: one per street frontage
- (b) Type: Banner or Portable Sign
- (c) Maximum size: 32 square feet per side
- (d) Setback: ten feet from existing or proposed right-of-way
- (e) These signs shall be placed on private property.
- (f) No sign shall be placed between the curb and the sidewalk, nor shall it encroach the street right-of-way.
- (g) No sign shall restrict visibility, limit pedestrian movement on the sidewalk or restrict access from the street to the sidewalk.
- (h) Time Limit: Each property owner shall be afforded the opportunity to place, or cause to be placed by his or her agent, one temporary sign that may remain for a maximum of thirty (30) days during any one placement.
- (i) The sign must be replaced by a permanent sign after the tenant opens for business.

~98.10 Conformance

(A) All signs lawfully existing on the effective date of this chapter, or amendment thereto, that do not conform to all the standards and regulations of this chapter, is considered a legal nonconforming sign.

(B) A legal nonconforming sign shall immediately lose its legal nonconforming designation if

- (1) The sign is not kept in good repair and in a safe condition and/or the state of disrepair or unsafe condition continues for six months
- (2) The sign is relocated
- (3) The complete sign and sign structure are replaced
- (4) Adding lights, or altering light intensity
- (5) The sign is information is increased or the size of the sign is increased, or
- (6) The height of the sign is changed, or

- (7) The sign permit or variance under which the sign was allowed or permitted expires
 - (8) On the happening of any one of the above conditions, the sign shall be immediately brought into conformance with this ordinance with a new sign permit secured therefore, or it shall be removed.
- (C) No nonconforming sign may be replaced or repaired if said sign is damaged more than 50% of its value unless it is brought into compliance with this chapter.
 - (D) A nonconforming sign shall be removed or brought into compliance with this chapter by the owner or lessee of the premises upon which the sign is located when the business it advertises is no longer conducted on the premises. If the owner or lessee fails to remove the sign, the Plan Commission shall follow the Abandoned sign requirements in section 98.99
 - (E) All signs shall be located on private property except if by law a sign is to be in a specific location.
 - (F) Right-of-way Acquisition
 - (1) *Existing Conforming Signs*: In the case of a legally established sign that would become a legal nonconformity due to its setback from the new right-of-way line or position within a redefined sight visibility triangle by virtue of right-of-way acquisition by any government entity, the sign shall be required to be relocated to a position that would bring it into compliance with the sign regulations of this chapter. The cost of such relocation should be factored into the price paid for the additional right-of-way during the condemnation proceedings, and the property owner or lessee shall be responsible for accomplishing the relocation within ninety (90) days of receiving payment for the right-of-way.
 - (2) *Existing Legal Nonconforming Signs*: In the case of a legal nonconforming sign for which the nonconformity is increased due to its setback from the new right-of-way line or position within a redefined sight visibility triangle by virtue of right-of-way acquisition by any government entity, the sign shall be required to be relocated to a position that would bring it into compliance with the sign regulations of this chapter. The cost of such relocation should be factored into the price paid for the additional right-of-way during the condemnation proceedings, and the property owner or lessee shall be responsible for accomplishing the relocation within ninety (90) days of receiving payment for the right-of-way.
 - (3) *Existing Illegal Nonconforming Signs*: In the case of illegal nonconforming signs that may be discovered during right-of-way acquisition by any government entity, the sign shall be removed at the cost of the property owner or lessee.

~98.11 Permit Requirements

- (A) Every applicant, before being granted a sign permit, shall provide a sketch of the proposed sign.
 - (1) This drawing shall indicate the sign copy and the design of the sign.
 - (2) It shall provide the dimensions of the sign.
 - (3) It shall indicate where the sign will be placed on the property.

- (a) If it is a wall sign, the placement of the sign on the wall shall be indicated as well as the dimensions of the wall.
 - (b) If it is a pole sign, the height of the sign and the distance of the sign from the existing or proposed right-of-way shall be shown (a site plan shall be provided).
 - (c) If it is a temporary sign, the distance from the right-of-way shall be indicated.
- (B) The applicant shall provide the Office of the Plan Commission with a completed sign permit application.
- (C) A sign shall be placed within 6 months (180 Days) once a sign permit is issued for that sign(s). The permit shall be invalid if the sign is not in placed within that time and persons shall apply for a new sign permit.
- (D) Every applicant before being granted a sign permit, shall pay a fee per sign to the City according to the following schedule:

Permanent Signs:

(1) Residential	\$10
(2) Commercial/industrial	\$25
(3) Institutional	\$10
(4) Billboard	\$100
(5) Right-of-Way Acquisition - Exempt from Fees	

Temporary Signs:

(1) Reader Board Signs	\$10 per month
(2) Banner Signs	\$10 per month

- (E) The Zoning Administrator shall have the authority to permit, prohibit or send before the Board of Zoning Appeals all sign permit requests.

~98.12 Engineering Design Standards

All signs shall be built in accordance with the Uniform Sign Code.

~98.13 Electrical Signs.

- (A) Any electrical work done in connection with the installation of any sign must be done by a licensed electrical contractor and an electrical permit obtained prior to any electrical work being performed.
- (B) All electrical signs shall have a disconnect within sight of the sign per National Electric Code.

~98.14 Sign Removal or Replacement.

- (A) When a sign is removed or replaced, all brackets, poles, and other structural elements that supported the sign shall be removed.
- (B) Affected building surfaces shall be restored to match the adjacent portion of the structure.
- (C) Such persons or companies requesting issuance of a Sign Permit shall be required to assume sole responsibility for the restoration of the building façade at the time the existing sign is removed.
- (D) Removal of Sign shall be governed by the Board of Public Works and Safety as specified below.

~98.15 Board of Zoning Appeals.

(A) The Board of Zoning Appeals shall have the following authority and responsibilities under this Chapter:

- (1) The Board of Zoning Appeals may grant a variance from the development standards of this chapter in accordance with Section 98 of this title only if the “practical difficulties” are special physical conditions that are due to the exceptional narrowness, shallowness, shape, topography or other unique characteristic of the property that impairs the visibility of the sign from the street or highway or makes compliance with the development standards of this chapter infeasible.
 - i. The existence of nonconforming signs in the general area shall not be justification for a variance, because the intent of this chapter is to bring properties into compliance with the provisions of this chapter.
 - ii. In order to qualify for a variance, the petitioner shall provide the board with evidence to indicate the minimum relief necessary to preserve the spirit and intent of this chapter. This evidence shall address the peculiarities of the property and shall not be related to the type of business or to the owner.
- (2) Whenever the Board grants a conditional use or use variance application, the board shall determine any limitation on signs necessary to preserve the spirit and intent of this chapter.

~98.99 Administration and Enforcement.

- (A) Notwithstanding the authority given to the Board of Zoning Appeals above, this chapter shall be enforced by the Shelbyville Board of Works and Safety, and whatever City Department(s), City Official(s), or City Employee(s) the Board wishes to designate or appoint.
- (B) The Board shall approve a set of Enforcement Procedures that shall govern the enforcement of this chapter. The Enforcement Procedures shall be published and be made freely available to the public upon request.
- (C) All sections of this chapter may be enforced through a proceeding before the Board of Works and Safety, and at the discretion of the City Attorney.
- (D) Whoever violates any provision of this chapter for which another penalty is not specifically provided shall be punished as provided under § 10.99.
- (E) Any person who violates any provision contained in this chapter shall be subject to a penalty for each and every such violation of this chapter, and each day a violation is permitted to continue may constitute a separate offense.