

ORDINANCE NO. 407-2011

AN ORDINANCE AMENDING ORDINANCE NO. 1994-20 OF THE CITY OF SPANISH FORT, ALABAMA, AS AMENDED, SIGN ORDINANCE

BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF SPANISH FORT, ALABAMA, AS FOLLOWS:

SECTION 1. Ordinance No. 1994-20, as amended, is hereby amended by adding Section 2.15 to read in its entirety as follows:

2.15 Exceptions for overlay Zone 3.

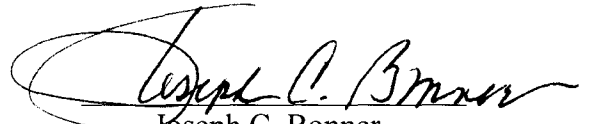
1. Maximum Height. In all business and industrial zoning districts as designated in accordance with Ordinance No. 51-96, as the same may be amended, which are located in Zone 3 as depicted in Exhibit A, the maximum height requirement for signs shall be as follows:
 - (a) The height requirement shall be the same as those standards approved for the Eastern Shore Center which are attached hereto as Exhibit B.
 - (b) In all areas within three hundred (300) feet of Highway 181, all signs shall have a maximum height of sixteen (16) feet above natural ground level or grade level (see definition) to the top of the sign face or frame or supporting structure, whichever is higher, with the exception of the project identification pylon signs set forth in Section III of Exhibit B which shall not exceed the height requirements set forth therein.
2. Maximum Surface Area. In all business and industrial zoning districts as designated in accordance with Ordinance No. 51-96, as the same may be amended, which are located in Zone 3, as depicted in Exhibit A, the aggregate surface area of all ground signs shall be the same as those approved for the Eastern Shore Center as set forth in Exhibit B. However, in all areas located within three hundred (300) feet of Highway 181, no new ground sign shall be larger than one hundred (100) square feet, with the exception of the project identification pylon signs set forth in Section III of Exhibit B which shall not exceed the maximum surface area requirements set forth therein.
3. Maximum number of signs. Only one (1) ground sign and one (1) wall, mansard, marquis or canopy, shall be allowed for each premises; except that on a corner and double frontage lots, two (2) ground signs are allowed, provided that premises for more than one (1) street frontage may utilize up to the maximum sign surface area allowed for each frontage, but no transfers of allowable area be made from one frontage to another. In all business and industrial zoning districts as designated in accordance with Ordinance No. 51-96, as the same may be amended, which are located in Zone 3 as depicted in Exhibit A, signs shall be allowed to cover twenty percent of the gross area of each wall not to exceed three hundred (300) square feet of aggregate surface area for all signs.

SECTION 2. Except as expressly amended herein, all terms and provisions contained in Ordinance No. 1994-20, as amended, shall remain in full force and effect. Ordinance No. 232-2005 is hereby repealed in its entirety.

SECTION 3. If any part, section or subdivision of this ordinance shall be held unconstitutional invalid for any reason, such holding should not be construed to invalidate or impair the remainder of this Ordinance, which shall continue in full force and effect notwithstanding such holding.

SECTION 4. This Ordinance shall become effective upon its adoption.

ADOPTED AND APPROVED this 3rd day of **October, 2011.**


Joseph C. Bonner
Mayor

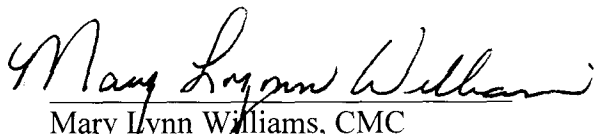

Mary Lynn Williams, CMC
City Clerk

Exhibit B

I. *General Requirements and Prohibitions for Out Parcels and/or Segregated Buildings*

1. General Requirements

The following criteria shall apply to all out parcels and/or segregated buildings with exterior signs or insignia placed or installed on the buildings or improvements thereon.

Painted lettering, painted symbols or painted identification of any nature shall not be permitted except with the approval of the City Council or its designated representative.

No exposed wiring, conduits, tubing, lamps, ballast boxes or raceways will be permitted, except with the prior approval of the City Council or its designated representative. Exposed neon lighting or other lighting tubes may be used in an aesthetically desirable manner as hereinafter specifically provided.

All penetrations of the building structure required for sign installation shall be neatly sealed in a watertight condition.

No labels will be permitted on the exposed surface of signs, except those required by this Ordinance and, if required, shall be in an inconspicuous location.

All electrical signs shall bear the U.L. label and shall be connected to the electrical service for the parcel of property on which such sign is located.

All cabinets, conductors, transformers, ballasts, attachment devices and other equipment shall be concealed.

No flags or banners shall be installed or permitted on any parcel or on any improvements constructed thereon, unless approved by the City Council or its designated representative in connection with a grand opening or other special event. In no event shall the period for the display of said flags or banners exceed three (3) weeks for any single occasion. No paper, cloth or cardboard signs shall be permitted. This provision shall not prohibit the erection of flagpoles to display national, state or corporate flags.

No portable signs or flashing signs shall be permitted.

The advertising or informative content of all signs shall be limited to letters designating the establishment name and type of establishment (which designation will generally be descriptive and shall not include any specification of the merchandise offered for sale therein or the services rendered therein) and shall contain no advertising devices, slogans, symbols or marks.

All signage must be submitted to the City Council or its designated representative for review and approval. No sign shall be erected without approval of the City Council or its designated representative.

2. Freestanding Signs

All freestanding signs shall be of a monument type in a landscaped or planter setting, uniform in design and setback.

A landscaped area of three (3) square feet for each six (6) square feet of sign area, including both sides, shall be required at the base of the sign. Landscaping and planter shall not be measured as a part of the sign for the purpose of meeting horizontal and vertical size requirements. All landscaped areas shall be maintained to minimum standards set forth in this Ordinance.

Only one freestanding sign shall be allowed for each 500 feet of road frontage or portion thereof. The sign may be double-faced with the display area not exceeding sixty (60) square feet/each face. Display area is defined as the entire sign surface where sign may be displayed.

All signs shall be of permanent construction and shall be subject to the provisions of the building code of the City of Spanish Fort.

Signs may be internally illuminated or backlighted. Illumination shall be turned off within one hour of closing and turned on within one hour of opening.

The vertical dimensions of the sign display area shall be no greater than eight (8) feet and the top of the said sign shall be no higher than eight (8) feet from grade level and the maximum height of the sign panel shall not exceed four (4) feet.

The horizontal dimensions of the sign display area shall be no greater than ten (10) feet. The maximum thickness of the structure shall not exceed 36 inches.

Multiple user facilities such as strip shopping centers or office buildings may have site identification signage that includes additional variables that are considered. Conceptual designs for signs serving these types of facilities shall be submitted to the City Council or its designated representative early in the project development stage to allow ample time for revisions, resubmittal and approval.

Subject to the foregoing restrictions and such additional restrictions as the City Council or its designated representative may impose, a theater may be permitted to have one pylon sign in conjunction with any approved shopping center entrance signs that includes the name of the theater.

3. Building-Mounted Wall Signs

Wall signs shall identify the individual business, building or building complex by name or trademark only.

Any building erected upon any parcel that is readily visible to the public from only one direction may contain only one building mounted sign; any other building may contain multiple signs, which shall be located on separate walls or facades of such building as approved by the City Council or its designated representative.

The area of any building-mounted sign shall not exceed one hundred (100) square feet.

The height of any building mounted sign letter shall not exceed thirty-six (36) inches without written approval of the City Council or its designated representative.

One wall sign per occupant will be allowed for buildings of multiple occupancy. Each Occupant sign shall meet requirements of the sign criteria contained herein. In the event that any development in which the Occupant is located shall maintain sign restrictions which are more restrictive than those imposed in this Ordinance, the more restrictive conditions shall apply.

Wall signs shall be back-lighted so as to appear in silhouette or internally illuminated. Externally illuminated signs must be expressly approved by the City Council or its designated representative.

Exposed neon shall be subject to the City Council or its designated representative's prior approval. Exposed neon letters may be allowed if the neon tubing is designed to highlight an open channel letter without a cover and having a broader stroke. The flat letters may be painted or some other appropriate material applied to the background field. Colors must be chosen with highlighting of the letters as the major consideration.

No building-mounted sign, or any portion thereof, may project above the parapet wall or top of the exterior wall or building facade upon which it is mounted.

There shall be no rooftop or penthouse signs of any kind.

No signs perpendicular to the face of the building or its facade will be permitted, except as specifically permitted by the City Council or its designated representative.

The letters on all signs shall be script or individual block type. No boxed signs will be permitted, and all individual letters shall be illuminated.

4. Traffic and Information Directional Signs

Property owners and/or Occupants shall be permitted to install signs designed and located solely for the purpose of relieving traffic congestion and promoting the smooth flow of traffic. Such signs shall contain no advertising or identification copy of any sort and should conform to the design of the building and site signage as approved by the City Council or its designated representative.

All traffic signs should conform to standard signage contained in the Manual of Uniform Traffic Control Devices.

Informational signage can be illuminated if desired.

5. Prohibited Signs

No flashing, smoking, moving, audible signs or rooftop signs are permitted except for the following exception:

With the prior written consent of the City Council or its designated representative, a bank or other financial institution may install a time/temperature sign.

6. Criteria for Temporary Signs

The sign must conform to applicable governing codes, standards, regulations and this Ordinance. The City Council or its designated representative reserves the right to accept or reject any sign proposals it deems unsuitable and incompatible with the requirements of this Ordinance.

Total height from grade will not exceed 6 feet and a maximum horizontal dimension will not exceed 8 feet.

The sign will be two-sided only with each face parallel and opposite the other.

Reflective surfaces, letters, trim, buttons, etc. are not allowed.

All copy is to be black and background is to be white, except nationally recognized logos may include color.

The sign must be maintained at regular and necessary times and shall not be allowed to fall into disrepair. Painted surfaces shall be repainted at regular and necessary intervals to keep the sign appearance in first class condition.

The location of the sign will not infringe on visibility or present a hazard to vehicular or pedestrian traffic, adjacent parcels, setbacks, and non-building areas.

The sign approval, if accepted, will be for 180 day periods or less as determined by the City Council or its designated representative, with time beginning at the completion of erection. Erection time shall not exceed two weeks.

The sign is not to be moving, smoking, flashing action or audible type.

Illumination is not allowed.

Sturdy, durable, non-corrosive materials and construction appropriate to exterior exposure are to be used. Treated wood is acceptable.

Drawing(s) of sign construction and location are to be submitted to the City Council or its designated representative for review and approval before installation.

7. Criteria for Interstate Pylons

Parcels immediately adjacent to Interstate 10, at the City Council or its designated representative's discretion, may be allowed one interstate pylon sign to comply with the following:

1. Signs shall be located on outparcel so as to be visible from interstate.
2. Signs shall be pole type with maximum height of one hundred twenty (120) feet to top of sign from adjacent grade.
3. Signs face shall be limited to three hundred eighty (380) SF (2 sides maximum).
4. Signs shall be internally illuminated and shall be limited to trade name or recognizable logo only.
5. All interstate signs shall be submitted to the City Council or its designated representative and be approved in writing prior to installation.
6. In the event that the developer or declarant of any development in which a parcel is contained requires more restrictive conditions than those established in this Ordinance, the stricter requirements shall apply.

II. Requirements for signage within a Multi-User Facility or Shopping Center

The purpose of this Ordinance is to promote consistent, high quality signage, while allowing occupants freedom to create unique, unusual graphics, which are consistent with the overall store design. The design of all signage and graphics is subject to prior written approval by the City Council or its designated representative. Conformance is strictly enforced, and non-conforming or inappropriate signage will be rejected. Note that it is the Occupant's responsibility to obtain approval by the applicable landlord and/or developer and to insure compliance with all applicable covenants and restrictions.

1. Location and Size of Signs

The signage package may consist of the following elements:

A. Main Storefront Sign:

Occupants are permitted one (1) sign per building front elevation or any side or rear facing a public right of way. Corner locations will be considered individually. The sign is limited to the trading name of the Occupant or descriptive phrase or word such as "Law Office" or "Dry Cleaners." No advertising copy, slogans or tag lines are permitted (i.e., "Shoes for the Whole Family"). Occupant may also incorporate with the City Council or its designated representative's approval, logos or names on both glass areas and awnings. These logos or names will not be considered as part of the signage noted above. Logos, marks or names shall conform to requirements noted below for other graphics.

Exception: Occupants choosing to place a graphics logo only on the sign band may do so if the logo does not exceed 68" high or 102" wide. If this option is exercised, the Occupant may place one sign at, on or near an entrance canopy if the canopy is constructed of permanent materials and the sign described does not exceed 30" high and 120" long and meets all of the other general requirements.

B. Other Storefront Signs:

1. Address:

All Occupants shall provide the address number of the store above or on the entrance doors or on another approved location. The address number shall be provided by the developer or the landlord to identify the premises. Such number design and location is at the

Occupants discretion, but must be installed in accordance with postal regulations. Innovation of design and sophistication of materials (i.e. polished brass, etc.) are encouraged.

2. Canopy Graphics:

Additionally, graphics such as logos, crests, letters, etc. may be placed on the entrance canopy or window canopies.

3. Menu Board Signs:

Illuminated menu board signs displaying the daily menu for restaurants and food establishments with prices must be installed on the storefront or installed permanently as a free standing sign in the common area within five (5) feet of the entrance in a location approved by the City Council or its designated representative.

4. Blade Sign:

Each Occupant is required to provide a minimum of one blade sign per elevation with maximum of two per Occupant. Blade signage is to provide simple straightforward Occupant identification to pedestrians. The sign must have the Occupant's name and may include a logo or appropriate symbol emphasizing the Occupant's function or business. No blade sign may be internally illuminated but illumination from appropriate adjacent luminaries will be considered and encouraged by the City Council.

Each Blade sign:

- (1) Must extend perpendicular to storefront plane but no more than 4'-0" from the surface to which it is mounted nor more than 6'-0" total in front of the Occupant lease line.
- (2) May not extend below 7'-0" above finished floor at the lowest point.
- (3) Face area may not exceed 16 SF not including area of bracket.
- (4) More than one blade sign is permissible but the total face area may not exceed 24 SF for 2.signs.
- (5) The thickness of the blade sign shall be a minimum of 1-1 /2" around the entire perimeter in the case of a metal sign this can be in the form of an appropriately proportional frame.
- (6) The blade sign may be fabricated from metal (no bare metal), wood or exterior grade foam with a weather-resistant coating(s).
- (7) Molded, vacuum formed fiberglass or plastic blade signs are not permitted.
- (8) Pedestrian level wall plaques or other creative solutions will be considered as meeting this requirement at the discretion of the City Council or its designated representative.

5. Open/Closed Sign:

Each Occupant may provide at his option one (1) sign with a maximum overall area of 15" x 20" indicating the hours of operation. This sign shall be located within 5'-0" horizontally of the Occupant entrance. Letters on glass shall consist of a maximum size of 1" white or gold reverse adhesive die-cut vinyl letters - Helvetica Medium or similar. Size of letters and type style may vary or be executed in a different manner if unusual and distinctive with the approval of the City Council or its designated representative. Open/closed signage may not be neon or include credit card information or advertising. Advertising decals may not be applied to the storefront.

6. Service Entrance Door Sign:

Occupant shall provide Occupant trade name and address identification signage at rear service entrance. Copy shall be 3" high, pre-spaced, die-cut vinyl letters, self-adhesive matte white, 3.5 mil thickness equal to Scotchcal installed on Occupant rear door.

2. Other Graphics:

Each Occupant may submit proposals for additional signage but approval of such will be granted only when appropriate for the storefront design requirements and if the proposal not only adheres to the requirements but also enhances, in the opinion of the City Council or its designated representative, the design intent. The proposed graphics may be:

- (1) Signage on glass, i.e. "Established 1873" or "Cheese mongers since 1931", etc. Such signage may be alphanumeric or graphic symbols no more than 6" high with serif or ornate type face, or larger recognized graphics logos, all permanently painted or silk screened on interior side of glass (gold leaf, metallic color, etc.)
- (2) Graphics constructed of neon, non-flashing, mounted near the storefront glass area in a manner that enhances the design intent.
- (3) Edge-lit sandblasted glass.

3. Sign Specifications

All Occupant main storefront signs shall be illuminated. No illuminated box signs of any type will be allowed.

4. Types Suggested

- (1) Individual dimensional metal back-lit (halo effect) reverse channel letters or lighted by decorative external light fixtures.
- (2) Internally Illuminated channel letters with opaque metal sides and translucent plastic faces. Transformer may be placed behind the sign fascia with provision made for proper cooling and access.
- (3) Exposed neon tubes in open channels forming letters or logos; however, neon is to be used in a decorative as well as informative fashion and shall be allowed only at the discretion of the City Council or its designated representative on an individual basis and must be approved in writing by the City Council or its designated representative.
- (4) Exposed neon tubes in open channels forming letters or logos; however, neon is to be used in a decorative as well as informative fashion and shall be allowed only at the discretion of the City Council or its designated representative on an individual basis and must be approved in writing by the City Council or its designated representative.

5. Size allowed for main storefront sign (small Occupants):

- (1) Maximum height of single line of copy:

§ Small Occupants: 42" (0SF – 9,999 SF)

§ Mini Majors: 60" (10,000 SF – 24,999 SF)

§ Major Occupants: 72" (Greater than 25,000 SF)

Exception: An unusually shaped letter or ampersand may extend beyond the maximum height requirements if approved by City Council or its designated representative.

- (2) Maximum total height of sign for two or more lines of copy: 72"
- (3) Maximum length of sign: 80% of length of leased storefront.
- (4) Maximum Area of Sign: 2 square feet/linear foot of leased storefront, the area shall be calculated as a box enclosing all letters, numbers and symbols of sign design, including all spaces separating letters, numbers and symbols.

6. Sign Criteria Requirements

The City Council or its designated representative reserves the right to review and approve or disapprove all proposed plans, installation and graphic treatment governed by these Criteria per the City Council or its designated representative's interpretation, and to require revisions of any sign design or installation which the City Council or its designated representative judges not in compliance.

Occupant shall not erect, install, paint or fix any signs, posters, cards, banners or other advertising medium to, upon or above the exterior of the premises of the building, nor on the interior or exterior of the premises of the building, nor on the interior or exterior of the glass surface of the windows and doors, except as stated herein. Occupant shall bear all costs for correction of sign installation and damage to the building by signs that do not conform to this Sign Criteria. The City Council or its designated representative reserves the right to have all non-conforming signs removed regardless of state of erection.

The City Council or its designated representative reserves the right to make periodic changes to these criteria which in the sole discretion of the City Council or its designated representative will benefit of the City of Municipality.

Sign fabrication and installation shall comply with any restrictive covenants and conditions and the National Electrical Code. All internal and external wiring, lighting, and other electrical devices shall bear the UL® symbol. It is the Occupant's responsibility to verify that the sign installation is in accordance with these requirements.

Occupant is responsible for maintaining the sign in a good state of repair including prompt replacement of burned out lighting or damaged pieces. Occupant has 24 hours to make repairs after notification in writing by City Council or its designated representative.

All signs shall be mounted according to City Council or its designated representative approved drawings. All fasteners shall be of non-corrosive material and concealed.

Sign company names or stamps shall be concealed if permitted by Code.

No animated components, flashing lights, or formed plastic are allowed.

7. Submittals

Each Occupant shall supply three (3) copies of scaled drawings to the City Council or its designated representative for review and approval. The drawings must show the sign in relation to the entire façade of the store and include details of the color, size and construction of the sign.

The Occupant's sign drawings and submittal must include the following:

- (1) Elevation view of storefront showing sign (drawn to accurate scale) with dimensions of height of letters and length of sign.
- (2) Color sample of sign.
- (3) Color sample of sign letters (unless they are to be white).

- (4) Cross section view through sign letter and sign panel showing location of sign relative to the storefront line and showing the dimensioned projection of the face of the letter from the face of the sign panel.
- (5) The drawings shall also show other elements such as soffits, canopies and the relationship of the sign to the other elements of the storefront, especially the vertical fascia.

The City Council or its designated representative must approve sign drawings in writing prior to the fabrication or installation of any signage. All permits for signage and installation of signage shall be at Occupant's sole cost and expense. The City Council or its designated representative shall not be responsible for the cost of signs fabricated or installed that do not conform to the sign criteria or do not receive written approval from the City Council or its designated representative.

8. Miscellaneous Sign Requirements

All storefront signage must be illuminated. All signs must be connected to Occupant's electric service. All electrical penetrations through the storefront fascia for sign installation shall include PK housings. All electrical signage is to bear the UL® label and must comply with all governing codes. All conduit, raceways, crossovers, wiring, ballast boxes, transformers, and other equipment necessary for sign connection shall be concealed.

No Occupant will be allowed to open without City Council or its designated representative-approved permanent signage installed. Vinyl banners are not allowed at any time. Please allow adequate time to design, fabricate and install signage, prior to opening of store. Approval and permits required from any project developer or landlord are the Occupant's sole responsibility.

Sign design is encouraged to be different from adjacent and nearby stores, i.e., type, color, size, format.

Any sign, notice, or graphic, located within the interior of the premises and easily legible from the exterior of the premises, requires the prior written approval of City Council or its designated representative.

Light leaks in sign letters will not be allowed and must be repaired promptly by Occupant.

The following types of signs and sign components are strictly prohibited:

- (1) Box or cabinet-type construction in which the background as well as the letters are illuminated.
- (2) Non-illuminated main signage.
- (3) Signs employing audible equipment, or moving or flashing lights.
- (4) Signs employing exposed raceways, ballast boxes, or transformers.
- (5) Sign manufacturers' names, stamps, or decals.
- (6) Signs employing luminous vacuum formed-type plastic letters.
- (7) Signs employing a raw edge or uncapped plastic letters with no returns and exposed fasteners.
- (8) Paper or cardboard signs, sticks, or decals hung around, on, or behind storefront.
- (9) Roof top signs.

- (10) Banners or flags without prior written approval.

All letters are to be of full-welded construction. Channeled letters, bolts, fastenings, and clips shall be of enameling iron with porcelain enamel finish; stainless steel, polished brass or copper, or carbon baring steel with painted finish. No black iron material will be allowed.

III. *Project Identification Signage*

A pylon sign may be substituted, in lieu of a monument sign, for project identification at one location along the public right-of-way of Highway 181 and Highway 31 (2 total). The pylon sign must meet the requirements set forth below:

- A. The pylon sign shall not exceed 32' in height, measured from adjacent grade or centerline of public right-of-way, whichever is greater.
- B. The sign shall have a maximum length of 16' and be no greater than 4' wide.
- C. Sign shall be of permanent construction and subject to the provisions of the building code.
- D. One of the allowed pylon signs may include a marquee for a theater.
- E. Pylon signs may include additional space for tenants; however, in no case shall the sign area of each face of the sign exceed 405 square feet.
- F. No flashing, intermittent, cyclical, moving, video, electronic or digital reader board signs shall be permitted.