

ORDINANCE NO. 598-2021

AN ORDINANCE ADOPTING STANDARDS AND REGULATIONS REGARDING THE PLACEMENT, CONSTRUCTION AND MAINTENANCE OF SIGNS WITHIN THE CITY OF SPANISH FORT

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

GENERAL PROVISIONS.

Findings, purpose and intent; interpretation.

(a) Signs obstruct views, distract motorists, displace alternative uses for land and pose other problems that legitimately call for regulation. The purpose of this Ordinance is to regulate the size, color, illumination, movement, materials, location, height and condition of all signs placed on private property for exterior observation; ensure the protection of property values, the character of the various neighborhoods, and the creation of a convenient, attractive and harmonious community; and protect the First Amendment rights of citizens and encourage economic development. This Ordinance allows adequate communication through signage while encouraging aesthetic quality in the design, location, size and purpose of all signs. This Ordinance must be interpreted in a manner consistent with the First Amendment guarantee of free speech. If any provision of this Ordinance is found by a court of competent jurisdiction to be invalid, such finding shall not affect the validity of other provisions of this Ordinance which can be given effect without the invalid provision.

(b) Signs not expressly permitted as being allowed by right or by special use permit under this Ordinance, by specific requirements in another portion of this Ordinance, or otherwise expressly allowed by the City Council or Board of Adjustment are prohibited.

(c) A sign placed on land or on a building for the purpose of identification, protection or directing persons to a use conducted therein must be deemed to be an integral, but accessory and subordinate, part of the principal use of land or building. Therefore, the intent of this Ordinance is to establish limitations on signs in order to ensure they are appropriate to the land, building or use to which they are appurtenant and are adequate for their intended purpose while balancing the individual and community interests identified in subsection (a) of this section.

(d) These regulations are intended to promote signs that are compatible with the use of the property to which they are appurtenant and the landscape and architecture of surrounding buildings; legible and appropriate to the activity to which they pertain; not distracting to motorists; and are constructed and maintained in a structurally sound and attractive condition.

(e) These regulations distinguish between portions of the City designed primarily for vehicular access and portions of the City designed primarily for pedestrian access and the land use districts where the property is located.

(f) These regulations do not regulate every form and instance of visual communication that may be displayed anywhere within the jurisdictional limits of the City. Rather, they are intended to regulate those forms and instances that are most likely to meaningfully affect one or more of the purposes set forth above.

(g) These regulations do not entirely eliminate all of the harms that may be created by the installation and display of signs. Rather, they strike an appropriate balance that preserves ample channels of communication by means of visual display while reducing and mitigating the extent of the harms caused by signs.

(h) Unless otherwise exempted by law or the City Council, these regulations are intended to apply to signs erected, maintained or otherwise posted, owned or leased by this State, the federal government and this City or any other governmental agency.

SECTION 1. DEFINITIONS.

1.1 Sign. A name, identification, description, display or illustration, which is affixed to, painted or represented directly or indirectly upon a building, or other outdoor surface, which directs attention to or is designed or intended to direct attention to the sign face or to an object,

product, place, activity, person, institution, organization or business. Signs located completely within an enclosed building, and not exposed to view from a street or the exterior of the building, shall not be considered a sign regulated by this Ordinance. Each display surface of a sign or sign face must be considered to be a sign.

- 1.1.1 Sign area: the space enclosed within the extreme edges of the sign for each sign face, [not including the supporting structure], or where attached directly to a building wall or surface, the space within the outline enclosing all the characters of the words, numbers or design.
- 1.1.2 Sign face: The entire display surface area of a sign upon, against or through which copy is placed.
- 1.2 Electric. Any sign containing electric wiring. This does not include signs illuminated by an exterior floodlight source.
- 1.3 Flashing. Any illumined sign on which the artificial light is not maintained stationary or constant in intensity and color at all times when such sign is in use. For the purpose of this Ordinance, any moving illumined sign must be considered a flashing sign.
- 1.4 Freestanding. A sign erected and maintained on a freestanding frame, mast or pole not attached to any building, including ground mounted signs.
- 1.5 Government Sign. A government sign is a sign that is constructed, placed or maintained by the federal, state or local government or a sign that is required to be constructed, placed or maintained by the federal, state or local government.
- 1.6 Ground Mounted. A sign which extends from the ground, or has support which places the bottom of the sign not more than two (2) feet from the ground.
- 1.7 Highway Sign. A Freestanding sign, Integral Sign or Flat Mounted Sign that is erected and maintained within the view of motorists who are driving on a highway.
- 1.8 Integral. A sign that is embedded, extruded or carved into the material of a building façade. A sign made of bronze, brushed stainless steel or aluminum, or similar material attached to the building façade.
- 1.9 Marquee. A canopy or covering structure bearing a signboard or copy projecting from and attached to a building.
- 1.10 Original Art Display. A hand-painted work of visual art that is either affixed to or painted directly on the exterior wall of a structure with the permission of the property owner. An original art display does not include: mechanically produced or computer generated prints or images, including, but not limited to, digitally printed vinyl; electrical or mechanical components; or changing image art display.
- 1.11 Outdoor Advertising. A sign which advertises goods, products, businesses, activities, events or services which are not located, sold, manufactured or distributed on or from the premises or facilities on which the sign is located; off-premise sign.
- 1.12 Portable Sign. Any sign or structure without a permanent foundation or otherwise permanently attached to a fixed location, which can be carried, towed, hauled or driven and is primarily designed to be moved rather than be limited to a fixed location regardless of modifications that limit its movability.
- 1.13 Projecting. A sign, other than a wall sign, which projects from and is supported by a wall of a building or structure.
- 1.14 Roof Sign. A sign located on or above the roof of any building, not including false mansard roof, canopy, or other fascia.
- 1.15 Temporary. A banner, pennant, poster or advertising display constructed of paper, cloth, canvas, plastic sheet, cardboard, wallboard, plywood or other like materials and that appears to be intended or is determined by the code official to be displayed for a limited period of time.
- 1.16 Flat Wall (Façade-Mounted). A sign affixed directly to or painted on or otherwise inscribed on an exterior wall and confined within the limits thereof of any building and which projects from that

surface less than twelve (12) inches at all points.

1.17 Digital Billboard. A sign that is static and changes messages by any electronic process or remote control.

1.18 *Vehicle sign* means any sign attached to or displayed on a vehicle.

SECTION 2. PROHIBITED SIGNS.

2.1 Signs are prohibited in all Districts unless: constructed pursuant to a valid building permit when required under this Ordinance; and authorized under this Ordinance.

2.2 A property owner may not accept a fee for posting or maintaining a sign allowed under Section 3.2, and any sign that is posted or maintained in violation of this provision is prohibited.

2.3 In residential zones or on property used for non-transient residential uses, commercial signs are prohibited.

SECTION 3. AUTHORIZED SIGNS.

The following signs are authorized under Section 2.1 in every District:

3.1 These regulations clarify that Government signs outlined below are allowed in every zoning district which form the expression of this government when erected and maintained and include the signs described and regulated in 3.1.1, 3.1.2, 3.1.3 and 3.1.4, when erected and maintained pursuant to law.

3.1.1 Traffic control devices on private or public property must be erected and maintained to comply with the Manual on Uniform Traffic Control Devices adopted in this state and, if not adopted by this state, with the Manual on Uniform Traffic Control Devices adopted by the Federal Highway Administration.

3.1.2 Each property owner must mark their property using numerals that identify the address of the property so that public safety departments can easily identify the address from the public street. Where required under this Ordinance or other law, the identification must be on the curb and may be on the principal building on the property. The size and location of the identifying numerals and letters, if any, must be proportional to the size of the building and the distance from the street to the building and in no case larger than twenty-four (24) inches in height. In cases where the building is not located within view of the public street, the identifier must be located on the mailbox or other suitable device such that it is visible from the street.

3.1.3 Where a federal, state or local law requires a property owner to post a sign on the owner's property to warn of a danger or to prohibit access to the property, either generally or specifically, the owner must comply with the federal, state or local law to exercise that authority by posting a sign on the property, which sign face shall not exceed six (6) square feet.

3.1.4 A flag that has been adopted by the federal government, this state or the local government may be displayed as provided under the law that adopts or regulates its use and as provided in Section 3.4.

3.1.5 The signs described in Sections 3.1.1, 3.1.2, and 3.1.3, are an important component of measures necessary to protect the public safety and serve the compelling governmental interest of protecting traffic safety, serving the requirements of emergency response and protecting property rights or the rights of persons on property.

3.2 Temporary Signs, Generally.

3.2.1 Temporary signs allowed at any time subject to the provisions set forth below:

- (a) A property owner may place one sign with a sign face no larger than six (6) square feet on the property at any time.
- (b) A property owner may place a sign no larger than 8.5 inches by 11 inches in one window on the property at any time.
- (c) In Residential Districts, no commercial, business or Outdoor Advertising signs are

allowed.

- 3.2.2 One temporary sign may be located on each parcel of property for a period of ninety (90) days prior to an election involving candidates for a federal, state or local office that represents the district in which the property is located or involves an issue on the ballot of an election within the district where the property is located, and one sign per issue and per candidate shall be allowed. In Residential Districts, the size of the sign shall not exceed six (6) square feet. In Commercial Districts, the size of the sign shall not exceed six (6) square feet.
- 3.2.3 One temporary sign may be located on a property when:
- (a) the owner consents and that property is being offered for sale through a licensed real estate agent; and
 - (b) if not offered for sale through a licensed real estate agent, when the sign is owned by the property owner and the sign is located on the property that is offered for sale by the owner; and
 - (c) for a period of 15 days following the date on which a contract of sale has been closed by a person purchasing the property; and
 - (d) in Residential Districts, the size of the sign shall not exceed six (6) square feet; and
 - (e) in Commercial Districts, the size of the sign shall not exceed thirty-two (32) square feet.
- 3.2.4 One temporary sign may be located on the owner's property on a day when the property owner is opening the property to the public; provided, however, the owner may not use this type of sign in a Residential District more than four times a calendar year and for no more than two consecutive days, and may not use this type of sign in any Commercial District more than two times a year for more than 14 days which must be consecutive. During the 40 day period from December 1 to January 10, a property owner may place one temporary sign on the property and may use lights that do not exceed 3 foot-candles over ambient light as measured at the property line to decorate the property, even if the lights might be arranged to form a sign, unless otherwise approved by the City.
- 3.2.5 A person exercising the right to place temporary signs on a property as described in this Section 3.2 must limit the number of signs on the property at any one time to 2-plus a sign allowed in 3.2.1(b), or within the time period outlined in Section 3.2.2 related to an election, and the maximum number of signs shall be as set forth in Section 3.2.2.
- 3.2.6 The sign face of any temporary sign, unless otherwise provided in this Section 3.2, must not be larger than six (6) square feet.
- 3.3 For purposes of this Section 3, the lessee of a property is considered the property owner as to the property, if the lessee holds a right to use exclusive of others. If there are multiple lessees of a property, then each lessee must have the same rights and duties as the property owner as to the property the lessor leases. The size of the leased property must be deemed to be the property that the lessee has the sole right to occupy under the lease.
- 3.4 Flags as follows:
- 3.4.1 Residential Zoning Districts. In a residential zoning district, a maximum of two flags and one flag pole per premises shall be allowed. Each flag must be a maximum of [15] square feet in area. The flag pole must be a maximum of [25] feet in height or no higher than the highest point of the principal building's roof, whichever is lower. [Flag poles must meet the minimum yard setback requirements for a principal building.]
- 3.4.2 Non-residential Zoning Districts. In a non-residential zoning district, one flag per [25] feet of frontage on a right-of-way up to a maximum of three flags and three flag poles per premises. Each flag must be a maximum of 24 square feet in area. Flag poles must be a maximum of [50] feet in height, but no higher than the highest point of the nearest principal building's roof on the premises, whichever is lower. [Flag poles must meet the minimum yard setback requirements for a principal building or a minimum of ten feet, whichever is more restrictive.]

3.5 Vehicle signs must be covered if the vehicle is parked on the same property for longer than 72 hours so that the sign is not visible from a public way, and the vehicle must be operational and have a valid tag with current sticker.

SECTION 4. PERMIT REQUIRED.

4.1 In general. With the exception of temporary signs as described in Section 3.2, Temporary Signs, a sign permit is required prior to the display and erection of any sign, except as provided in section 4.5 of this Ordinance.

4.2 Application for permit.

- (a) An application for a sign permit must be filed with the Building and Zoning Officer on forms furnished by the Building and Zoning Department. The applicant must provide sufficient information to determine if the proposed sign is allowed under this Ordinance and other applicable laws, regulations and ordinances.
- (b) The Building and Zoning Officer or designee must promptly process the sign permit application and approve the application, reject the application, or notify the applicant of deficiencies in the application within twenty (20) days after receipt.
- (c) If the application is rejected, the Building and Zoning Officer must provide a list of the reasons for the rejection in writing. An application must be rejected for non-compliance with the terms of this Ordinance, the Zoning Ordinance, building code or other applicable law, regulation or ordinance. In the event the Building and Zoning Officer does not either approve or reject the application within twenty (20) days of receipt of the application, the application shall be deemed denied.

4.3 *Permit fee.* A nonrefundable fee as set forth in the fee schedule adopted by the City Council must accompany all sign permit applications.

4.4 *Duration and revocation of permit.* If a sign is not installed and a use permit issued within six months following the issuance of a sign permit (or within 30 days in the case of a temporary sign permit), the permit shall be void. The City may revoke a sign permit under any of the following circumstances:

- (a) The City determines that information in the application was materially false or misleading;
- (b) The sign as installed does not conform to the sign permit application;
- (c) The sign violates this Ordinance, the Zoning Ordinance, building code or other applicable law, regulation, or ordinance; or
- (d) The Code Official/Zoning Officer determines that the sign is not being properly maintained or has been abandoned.

4.5 *Permits not required.* A sign permit is not required for signs:

Described in Sections 3.1 with a total area of up to thirty-two (32) square feet and a maximum height of eight (8) feet, including official notices or advertisements posted or displayed by or under the direction of any public or court officer in the performance of official or directed duties; provided, that all such signs must be removed no more than ten (10) days after their purpose has been accomplished.

4.6 *Appeals.* If the Building and Zoning Officer denies a permit or the permit is denied by operation of law, the applicant may appeal the decision to the Board of Adjustment, which shall have the authority to hear the appeal and either approve or deny the application. The

appeal to the Board of Adjustment shall be filed in writing with the Building and Zoning Officer and the Board of Adjustment within fifteen (15) days of the denial of the permit.

SECTION 5. SPECIFIC SIGN REGULATIONS BY DISTRICT.

The following sign regulations shall apply to all Zoning Districts as indicated.

5.1 Residential Districts

5.1.1 Scope:

This Section 5.1 shall apply to all Residential Districts.

5.1.2 Number and Size:

- (a) When a sign is authorized on a property, the sign must not exceed six (6) square feet in area. Where attached dwellings exist on a property, the total square footage of signs must not exceed six (6) square feet per dwelling unit and must not exceed a total of twelve (12) square feet in area per structure.
- (b) For Residential Developments (including subdivision identification), the maximum size and number of signs that the owner or owners of the residential development may erect and maintain at the entrances to the development shall be controlled according to the following:
 - (1) Residential developments four (4) acres or less in area may have a sign or signs with a total area of no more than thirty-two (32) square feet.
 - (2) Residential developments over four (4) acres, but less than forty (40) acres, in area may have a sign or signs which have a total area of no more than forty-eight (48) square feet.
 - (3) Residential developments of forty (40) acres or more in area may have a sign or signs with a total area of no more than one hundred (100) square feet.
 - (4) Only one sign may be allowed per entrance. If the entrance consists of a boulevard, the entrance may have one double sided sign or two single signs.

5.1.3 Location:

Permitted signs may be anywhere on the premises, except in a required side yard or within ten (10) feet of a street right-of-way.

5.1.4 Height:

The following maximum heights must apply to signs:

- (a) If ground-mounted, the sign face must not be over four (4) feet in height, and the total height of the sign shall not exceed eight (8) feet in height above the ground; and
- (b) If building mounted, must be flush mounted and must not project above the roof line.

5.1.5 Illumination:

Illumination, if used, must not be blinking, fluctuating or moving. Light rays must shine only upon the sign and upon the property within the premises.

5.1.6 The following signs are not allowed in Residential Districts: any signs not specifically authorized by this Ordinance, including, but not limited to, Highway Signs, Portable Signs, Marquee Signs, Digital Billboard, Outdoor Advertising Sign, and Projecting Sign.

5.2 Commercial Districts

5.2.1 Scope:

This Section 5.2 shall apply to all Commercial Districts.

5.2.2 Number and Size:

For each lot or parcel, a sign at the listed size may be authorized:

(a) Sign face must not exceed sixty (60) square feet and shall be a ground mounted sign, and the sign face shall not exceed four (4) feet in height. The sign shall not exceed eight (8) feet in height above the ground.

(b) Two (2) or more lots or parcels having a combined linear frontage of 300 feet may combine their sign areas allowed by Section 5.2.2 (a) for the purpose of providing one common ground-mounted sign. The sign must not exceed one hundred twenty (120) square feet and shall not exceed eight (8) feet in height above the ground.

(c) Corner Lots:

Where a lot fronts on more than one street, only the square footage computed for each street frontage must face that street frontage.

5.2.3 Location:

- (a) Flat Wall Signs may be located on any wall of the building, and the sign face shall not exceed sixty (60) square feet.
- (b) One ground-mounted sign per lot or parcel may be located anywhere on the premises, except a ground-mounted sign must not be located in a required side yard, rear yard or within five (5) feet of a street right-of-way.
- (c) Marquee Signs or signs located on or attached to marquees must have a minimum clearance of not less than eight (8) feet six (6) inches (8' 6"). The maximum vertical dimension of signs must be determined as follows:

Height above Grade	Vertical Dimension
8' 6" up to 10'	2' 6" high
10' up to 12'	3' high
12' up to 14'	3' 6" high
14' up to 16'	4' high
16' and over	4' 6" high

- (d) Wall signs must not extend above the top of a parapet wall or a roofline at the wall, whichever is higher.
- (e) Sandwich board signs shall be allowed on private sidewalks in front of a business in Commercial Districts. Only one sandwich board sign per storefront entry door shall be allowed, and the sign shall not exceed six (6) square feet of sign face on each side of the sandwich board sign. The sandwich board sign shall not block the sidewalk and must allow sufficient space for safe pedestrian traffic and must comply with ADA requirements.
- (f) One banner shall be allowed in Commercial Districts for the grand opening of a business or going out of business for a period not to exceed thirty (30) days. The banner shall not exceed thirty-two (32) square feet in size.
- (g) Feather signs and sail signs shall be prohibited except as set forth in this section. One feather sign or sail sign for each thirty (30) feet of street frontage, not to exceed a total of four (4) feather and/or sail signs, shall be allowed in Commercial Districts upon the grand opening of a business for a period not to exceed thirty (30) days.
- (h) The following signs are not allowed in Commercial Districts: any signs not specifically authorized by this Ordinance, including, but not limited to, Portable Signs, Digital Billboards, and Outdoor Advertising Sign.

5.2.4 Height:

Ground-mounted signs must not exceed eight (8) feet in height from ground level.

5.2.5 Copy:

- (a) Any of the signs pursuant to this Section 5.2 may be changeable copy signs.

- (b) The primary identification sign as allowed under 3.1.2 for each property must contain its street number. The street number must be clearly visible from the street right-of-way.

5.2.6 Illumination:

Must be as provided in Section 6.7 and as otherwise specified in this Ordinance and any other applicable ordinances, laws, rules and regulations.

5.3 Industrial Districts

5.3.1 Scope:

This Section shall apply to the Industrial District.

5.3.2 Number, Size and Height:

- (a) One ground-mounted sign for each street frontage, each with a maximum area of sixty (60) square feet and a height not to exceed eight (8) feet above the ground shall be permitted.
- (b) The maximum size and number of signs that the owner or owners of an Industrial Park development may erect and maintain at the entrances to the development shall be controlled according to the following:
 - (1) Industrial developments four (4) acres or less in area may have a sign or signs with a total area of no more than thirty-two (32) square feet.
 - (2) Industrial developments over four (4) acres, but less than forty (40) acres, in area may have a sign or signs which have a total area of no more than forty-eight (48) square feet.
 - (3) Industrial developments of forty (40) acres or more in area may have a sign or signs with a total area of no more than one hundred (100) square feet.
 - (4) Only one sign may be allowed per entrance. If the entrance consists of a boulevard, the entrance may have one double sided sign or two single signs.

5.3.3 Location:

- (a) Flat Wall Signs may be located on any wall of the building, and the sign face shall not exceed sixty (60) square feet.
- (b) One ground-mounted sign per lot or parcel may be located anywhere on the premises, except a ground-mounted sign must not be located in a required side yard, rear yard or within five (5) feet of a street right-of-way.
- (c) Marquee Signs or signs located on or attached to marquees must have a minimum clearance of not less than eight (8) feet six (6) inches (8' 6"). The maximum vertical dimension of signs must be determined as follows:

Height above Grade	Vertical Dimension
8' 6" up to 10'	2' 6" high
10' up to 12'	3' high
12' up to 14'	3' 6" high
14' up to 16'	4' high
16' and over	4' 6" high

- (d) Wall signs must not extend above the top of a parapet wall or a roofline at the wall, whichever is higher.
- (e) The following signs are not allowed in Industrial Districts: any signs not specifically authorized by this Ordinance, including, but not limited to, Portable Signs, Digital Billboards, and Outdoor Advertising Sign.

5.3.4 Illumination:

Must be as provided in Section 6.7 and as otherwise specified in this Ordinance and any other applicable ordinances, laws, rules and regulations.

SECTION 6. SUPPLEMENTAL CRITERIA IN ALL DISTRICTS.

6.1 Temporary Signs:

Temporary signs are subject to the following standards:

- (a) Must not be located within any right-of-way whether dedicated or owned in fee simple or as an easement;
- (b) Must only be located on property that is owned by the person who owns the sign and must not be placed on any utility pole, street light, similar object, or on public property;
- (c) Must not be illuminated except as allowed in 5.1.5 or 6.7 based on the District in which the sign is located; and
- (c) Must be removed within seven (7) days after the election, sale, rental, lease or conclusion of the event which is the basis for the sign under 3.2, or if a different standard is required in Section 3.2, the sign must be removed within the time period required by that Section.

6.2 Bench Signs: Bench signs are prohibited.

6.3 Outdoor Advertising Signs: Outdoor Advertising and off-premise signs are prohibited in all Districts, except as expressly allowed in certain overlay districts.

6.4 Integral Signs:

There are no restrictions on sign orientation including whether it is freeway-oriented. Integral sign must not exceed sixteen (16) square feet per façade. Integral signs may be illuminated externally, but must not be illuminated internally.

6.5 Private Traffic Direction:

Illumination of signs erected as required by the Manual on Uniform Traffic Control Devices must be in accordance with Section 6.7.

6.6 Original Art Display

Original art displays are allowed provided that they meet the following requirements:

- (a) May be located in Commercial Districts only.
- (b) Must not be placed on a dwelling;
- (c) Must not extend more than six (6) inches from the plane of the wall upon which it is painted or to which it is affixed;
- (d) Must be no more than sixty (60) square feet in size, per lot or parcel;
- (e) Compensation shall not be given or received for the display of the original art or the right to place the original art on site; and
- (f) Must not be illuminated.

6.7 Illumination

6.7.1 No sign must be erected or maintained which, by use of lights or illumination, creates a distracting or hazardous condition to a motorist, pedestrian or the general public.

6.7.2 In addition, exposed reflective type bulb, par spot or incandescent lamp, which exceeds twenty-five (25) Watts, must not be exposed to direct view from a public street or highway, but may be used for indirect light illumination of the display surface of a sign.

6.7.3 When neon tubing is employed on the exterior or interior of a sign, the capacity of such tubing must not exceed three hundred (300) milliamperes rating for white tubing or one hundred (100) milliamperes rating for any colored tubing.

6.7.4 When fluorescent tubes are used for the interior illumination of a sign, such illumination must not exceed:

(a) Within Residential Districts:

Such Illumination is prohibited in Residential Districts.

(b) Within land use districts other than Residential Districts:

Illumination equivalent to eight hundred (800) milliamperere rating tubing behind a Plexiglas face spaced at least nine (9) inches, center to center. Sign shall not operate at an intensity level of more than 0.3 foot-candles in illumination intensity over ambient light as measured at a distance of one hundred fifty (150) feet.

SECTION 7. PROHIBITED SIGNS.

The following signs or lights are prohibited which:

- (a) Are of a size, location, movement, coloring or manner of illumination which may be confused with or construed as a traffic control device or which hide from view any traffic or street sign or signal;
- (b) contain or consist of banners, balloons, posters, pennants, ribbons, streamers, strings of light bulbs, spinners, or other similarly moving devices or signs which may move or swing as a result of wind pressure. These devices when not part of any sign are similarly prohibited, unless they are permitted specifically by other provisions of this Ordinance;
- (c) have blinking, flashing or fluttering lights or other illuminating devices which exhibit movement;
- (d) roof signs except as allowed in this Ordinance;
- (e) would be an Original Art Display but does not have the permission of the owner of the property on which it is located or is graffiti;
- (f) are portable signs that do not comply with the location, size or use restrictions of this Ordinance;
- (g) mobile/digital or electronic truck signs shall be prohibited; or
- (h) flopping man signs or movable signs which move in the wind or by mechanical means are prohibited.

SECTION 8. SUPPLEMENTAL SIGN CRITERIA FOR DESIGNATED OVERLAY DISTRICTS.

8.1 The Overlay Zone Districts for the City of Spanish Fort Sign Ordinance are as set forth and depicted in Exhibit A.

8.2 The supplemental sign criteria for the Zone 1 overlay district shall be as set forth in Exhibit 1.

8.3 The supplemental sign criteria for the Zone 2 overlay district shall be as set forth in Exhibit 2.

8.4 The supplemental sign criteria for the Zone 3 overlay district shall be as set forth in Exhibit 3.

8.5 The supplemental sign criteria for the Zone 4 overlay district shall be as set forth in Exhibit 4.

8.6 In addition, Zone 1 and 2 shall have supplemental criteria set forth in Exhibit 5.

8.7 Supplemental criteria for Zones 3 and 4 are set forth in Exhibit B.

SECTION 9. NONCONFORMITY AND MODIFICATION.

9.1 Except as provided in this Ordinance, signs lawfully in existence on the date the provisions of this Ordinance were first posted, which do not conform to the provisions of this Ordinance, but

which were in compliance with the applicable regulations at the time they were constructed, erected, affixed or maintained, shall be regarded as nonconforming.

9.2 Signs which were nonconforming to the prior Sign Ordinance and which do not conform to this Ordinance must be removed immediately.

9.3 Any sign which is structurally altered, relocated or replaced must be brought immediately into compliance with all provisions of this Ordinance.

9.4 Non-Conforming Signs. Any non-conforming sign in existence on the date of enactment of this Ordinance, including off-premise signs, Outdoor Advertising signs and signs which have been made non-conforming due to annexation, shall be subject to the following conditions:

- (a) The following to be removed or made to conform to this Ordinance within ninety (90) days:
 - (1) Non-conforming signs made of paper, cloth or other non-durable material.
 - (2) All temporary signs other than those permitted herein.
- (b) If any non-conforming sign is removed or more than 50% destroyed above ground level, the replacement sign shall be in conformity with the requirements of this Ordinance. No non-conforming sign existing at the time of the enactment of this ordinance may be improved or expanded.
- (c) Where a change in use, occupancy or ownership occurs which necessitates the altering of a sign in any manner, the altered or changed sign shall be in conformance with the requirements of this Ordinance.
- (d) Upon failure to comply within the time specified, the Planning Commission is hereby required to recommend to the City that it cause removal as provided by law of such sign and any expense incident thereto shall be paid by the owner, agent or lessee of said sign or of the property upon which the sign is located.
- (e) Existence of any non-conforming sign on the premises will prohibit issuance of further sign permits while the non-conforming exists.

SECTION 10. SEVERABILITY CLAUSE.

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

SECTION 11. REPEALER CLAUSE.

The Sign Ordinance of the City of Spanish Fort, Ordinance No. 1994-20, as amended, is hereby repealed and replaced by this Ordinance. Any ordinance heretofore adopted by the City Council of the City of Spanish Fort, Alabama, which is in conflict with this Ordinance is hereby repealed to the extent of such conflict.

SECTION 12. EFFECTIVE DATE.

This Ordinance shall become effective upon its adoption or as otherwise required by state law.

ADOPTED and APPROVED this _____ day of _____, 2021.

Michael M. McMillan
Mayor

ATTEST:

Rebecca A. Gaines
City Clerk

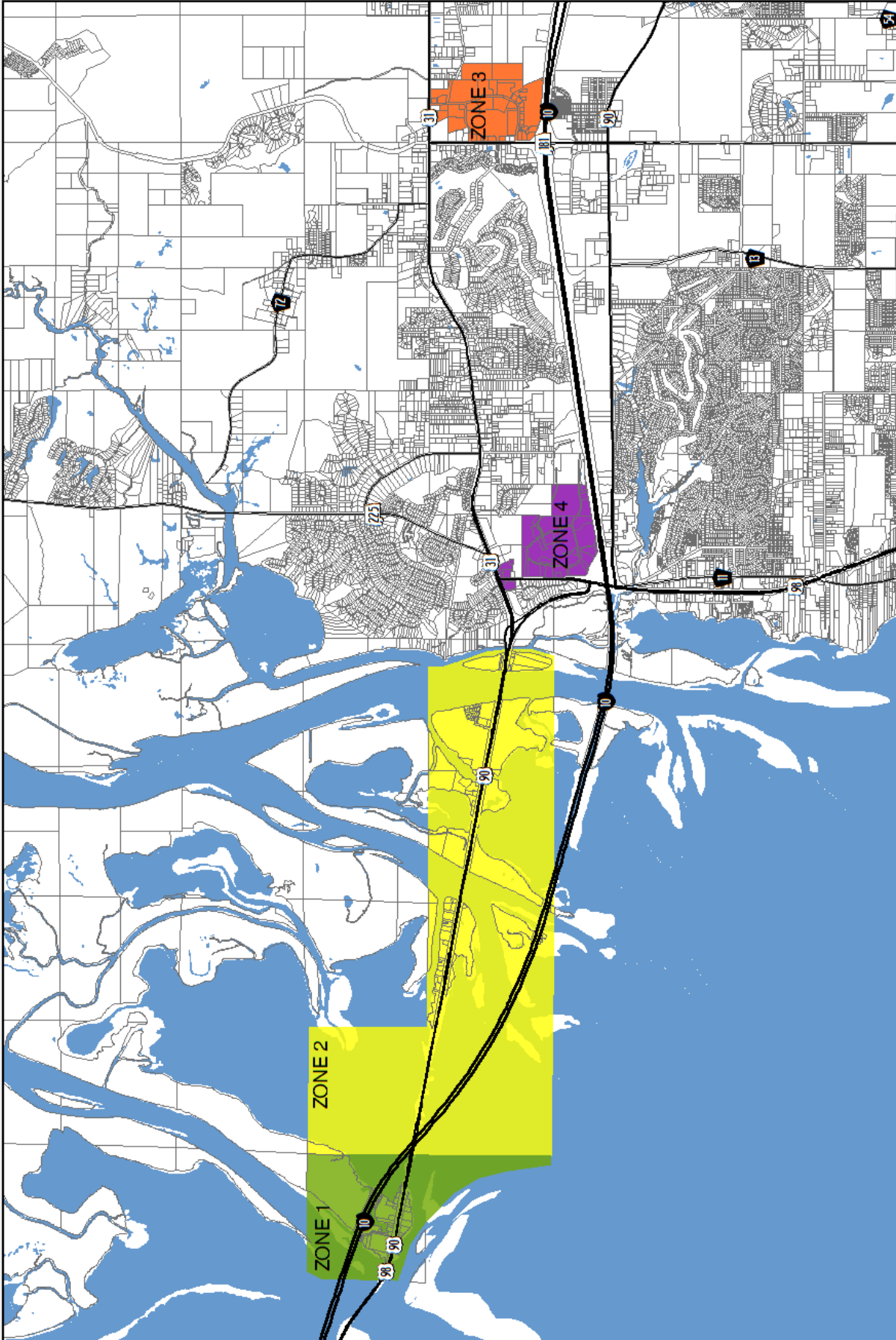


EXHIBIT 'A' - SIGN ZONES

NOTE:
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WITHOUT ANY WARRANTY WHATSOEVER, ALWAYS REFER TO ORIGINAL DOCUMENTATION ON RECORD IN THE SPANISH FORT BUILDING DEPARTMENT.

OCTOBER 6, 2016



0 0.75 1.5 Miles



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/cach 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.

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.
- (2) 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.

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 not be allowed to open without City Council or its designated representative-approved permanent signage installed. Vinyl banners are not allowed at any time.

EXHIBIT 1

Exceptions for Overlay Zone 1

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 District I as depicted in Exhibit A, the maximum height requirement for ground signs shall be measured beginning at two (2) feet above the base flood elevation as determined in accordance with the City of Spanish Fort's Flood Damage Prevention Ordinance, Ordinance No. 92-99, as the same may be amended. All signs located in District 1 shall not exceed a maximum height of twenty (20) feet to the top of the sign face or frame or supporting structure, whichever is higher.

2. Surface Area. In all business and industrial zoning districts as designated in accordance with Ordinance 51-96, as the same may be amended, which are located in Zone I, the aggregate surface of all ground signs shall not exceed two hundred (200) square feet. On property having a building frontage of one hundred (100) feet or more, the aggregate surface area of all ground signs shall not exceed two hundred (200) square feet plus one square foot for each additional front foot of building frontage in excess of one hundred (100) feet for a total aggregate surface area not to exceed three hundred (300) square feet.

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 1 as depicted in Exhibit A, signs shall be allowed to cover twenty percent of the gross area of each wall not to exceed two hundred (200) square feet of aggregate surface area for all signs.

4. Off premise signs. In all business and industrial zoning districts as designated in accordance with Ordinance No. 51-96, which are located in Zone I as depicted in Exhibit A, two (2) off premises signs may be allowed on property located within seventy-five (75) feet from the I-10 right-of-way. The aggregate surface area of said off premise signs shall not exceed six hundred seventy-two (672) square feet on each side, and the height of said signs shall not exceed thirty (30) feet above the base flood elevation as determined in accordance with the City of Spanish Fort's Flood Damage Prevention Ordinance, Ordinance No. 92-99, as the same may be amended. No more than two (2) off premise signs shall be allowed per parcel of property, and said off premise signs shall not be located within a five hundred (500) foot radius to the nearest existing off premise sign. Finally, all signs shall be constructed in accordance with any applicable state and federal laws, rules, or regulations governing the placement of signs within or adjacent to state and federal rights-of-way.

EXHIBIT 2

Exceptions for Overlay Zone 2

1. Maximum Height. All business and industrial zoning districts are designated in accordance with Ordinance No. 51-96, as the same may be amended, which are located in District 2 as depicted in Exhibit A, the maximum height requirement for ground signs shall be measured beginning at two (2) feet above the base flood elevation as determined in accordance with the City of Spanish Fort's Flood Damage Prevention Ordinance, Ordinance No. 92-99, as the same may be amended. All signs located in District 2 shall not exceed a maximum height often (10) feet to the top of the sign face or frame or supporting structure, whichever is higher.

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 District 2, the aggregate surface area of all ground signs shall not exceed one hundred fifty (150) square feet.

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 2 as depicted in Exhibit A, signs shall be allowed to cover twenty percent of the gross area of each wall not to exceed two hundred (200) square feet of aggregate surface area for all signs.

EXHIBIT 3

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.

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.

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.

4. Signs for Multiple-Occupancy Buildings or Complex Located Adjacent to Interstate 10.

Where a parcel of property is located in a business district in Zone 3 having at least 1,500 continuous feet of frontage along Interstate 10 upon which a single building or complex of buildings located on the subject property contains eight or more separate business establishments, one multiple listing ground sign shall be allowed to advertise or promote the businesses located on that parcel, or on related parcels located within a given financing district, planned unit development or other unified development project in which the subject property is located, subject to the following terms and conditions:

(a) The maximum height of the sign shall be eighty (80) feet above the natural ground level or grade level (see definition) to the top of the sign face, frame or supporting structure, whichever is higher.

(b) The maximum width of the sign shall be thirty (30) feet measured to the edge of the sign face, frame or supporting structure, whichever is wider.

(c) The individual tenant signage placed on the sign shall not exceed four (4) feet in height and twenty (20) feet in width for a total of eighty (80) square feet for each tenant.

(d) One video or electronic sign board which shall not exceed five hundred (500) square feet of sign face shall be allowed on the multiple listing sign subject to the following requirements:

(1) The information contained on the sign shall be limited to advertising businesses or activities located on the subject premises or a related premises. A related premises is any property or business that is part of the same financing district, planned unit development or other unified development project as the premises on which the sign is located.

(2) Continuous or streaming video, flashing lights, flashing video or display of any physical movement, including movement of borders, arrows, components, graphics or images

appearing consecutively for less than eight (8) seconds shall be prohibited. All advertising on the video or electronic sign board shall utilize images that are kept at a constant video and light intensity for at least eight (8) seconds in duration.

(3) The hours of operation for that portion of the sign devoted to video or electronic sign boards shall be from 5:00 a.m. to 12:00 midnight. During the hours of 12:01 a.m. to 5:00 a.m. the video or electronic sign boards shall be turned off and shall not emit any light.

(4) The multiple listing sign allowed pursuant to this section shall be constructed on the subject property within seventy-five (75) feet from the Interstate 10 right-of-way.

(5) The aggregate surface area of said sign, including all tenant signage and video or electronic sign boards, shall not exceed 1,500 square feet on each side.

(6) In addition, all signs shall be required to meet any applicable state and federal laws, rules and regulations governing the placement of signs within or adjacent to state and federal rights-of-way.

(7) No other ground sign shall be allowed or constructed on any portion of the subject property that has frontage on Interstate 10.

(8) For video or electronic signs, the sign owner shall make at least 8.5 seconds of time during each 3 minute interval available to the City for public service announcements. In addition, in emergency situations as declared by the Mayor, the sign owner shall make the sign available for emergency notices such as Amber Alerts, evacuation notices, natural disasters, etc.

EXHIBIT 4

Exceptions for Overlay Zone 4

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 4 as depicted in Exhibit A, the maximum height requirement for signs shall be as follows:

(a) The maximum height for signs shall be the same as those approved for the Eastern Shore Center as set forth in Exhibit B.

(b) In all areas located within three hundred (300) feet of U.S. Highway 98, the maximum height of signs shall be sixteen (16) feet above natural ground level or grade level (see definition) to the top of sign face or frame or supporting structure, whichever is higher.

(c) 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 4, one (1) shopping center sign shall be allowed on parcels containing 3 ½ acres or more of land. Said signs shall not exceed thirty-five (35) feet in height, and the aggregate surface of all ground signs shall not exceed three hundred (300) square feet.

(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 4 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 U.S. Highway 98, no new ground signs shall be larger than one hundred (100) square feet.

(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 4 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.

(4) Signs for Multiple-Occupancy Buildings or Complex Located Adjacent to Interstate 10.

Where a parcel of property is located in a business district in Zone 4 having at least 1,500 continuous feet of frontage along Interstate 10 upon which a single building or complex of buildings located on the subject property contains eight or more separate business establishments, one multiple listing ground sign shall be allowed to advertise or promote the businesses located on that parcel, or on related parcels located within a given financing district, planned unit development or other unified development project in which the subject property is located, subject to the following terms and conditions:

(a) The maximum height of the sign shall be eighty (80) feet above the natural ground level or grade level (see definition) to the top of the sign face, frame or supporting structure, whichever is higher.

(b) The maximum width of the sign shall be forty (40) feet measured to the edge of the sign face, frame or supporting structure, whichever is wider.

(c) The individual tenant signage placed on the sign shall not exceed five (5) feet in height and twenty-five (25) feet in width for a total of one hundred twenty-five (125) square feet for each tenant.

(d) One standard sign board or one video or electronic sign board which shall not exceed five hundred (500) square feet of sign face shall be allowed on the multiple listing sign subject to the following requirements:

(1) The information contained on the sign shall be limited to advertising businesses or activities located on the subject premises or a related premises. A related premises is any property or business that is part of the same financing district, planned unit development or other unified development project as the premises on which the sign is located.

(2) Continuous or streaming video, flashing lights, flashing video or display of any physical movement, including movement of borders, arrows, components, graphics or images appearing consecutively for less than eight (8) seconds shall be prohibited. All advertising on the video or electronic sign board shall utilize images that are kept at a constant video and light intensity for at least eight (8) seconds in duration.

(3) The hours of operation for that portion of the sign devoted to video or electronic sign boards shall be from 5:00 a.m. to 12:00 midnight. During the hours of 12:01 a.m. to 5:00 a.m. the video or electronic sign boards shall be turned off and shall not emit any light.

(4) For video or electronic signs, the sign owner shall make at least 8.5 seconds of time during each 3 minute interval available to the City for public service announcements. In addition, in emergency situations as declared by the Mayor, the sign owner shall make the sign available for emergency notices such as Amber Alerts, evacuation notices, natural disasters, etc.

(e) The multiple listing sign allowed pursuant to this section shall be constructed on the subject property within seventy-five (75) feet from the Interstate 10 right-of-way.

(f) The aggregate surface area of said sign, including all tenant signage and video or electronic sign boards, shall not exceed 1,500 square feet on each side.

(g) In addition, all signs shall be required to meet any applicable state and federal laws, rules and regulations governing the placement of signs within or adjacent to state and federal rights-of-way.

(h) No other ground sign shall be allowed or constructed on any portion of the subject property that has frontage on Interstate 10.

EXHIBIT 5

On the Causeway, a/k/a Battleship Parkway, from the westernmost corporate limits of the City to the Highway 98 cutoff, one digital billboard shall be allowed as part of the sign face on one ground sign subject to the following terms and conditions:

- A. Display only static messages that remain constant in illumination intensity and do not have movement or the appearance or optical illusion of movement;
- B. Not operate at an intensity level of more than 0.3 foot-candles over ambient light as measured at a distance of one hundred and fifty (150) feet;
- C. Be equipped with a fully operational light sensor that automatically adjusts the intensity of the billboard according to the amount of ambient light;
- D. Change from one message to another message no more frequently than four times in a twenty-four (24) hour period, and the actual change process is accomplished in .5 second or less;
- E. Be designed to either freeze the display in one static position, display a full black screen, or turn off in the event of a malfunction; Not be authorized until the Building and Zoning Administrator is provided evidence that best industry practices for eliminating or reducing uplight and light trespass were considered and built into the digital billboard;
- F. Not be authorized within 250 feet of a Residential District;
- G. The digital billboard portion of the ground sign shall not exceed sixty (60) square feet);
- H. The digital billboard shall not be used for Outdoor Advertising; and
- I. The digital billboard shall not be used for Outdoor Advertising or off-premise advertising.