

**ORDINANCE NO. [ \_\_\_1667\_\_\_ ]**

**AN ORDINANCE TO AMEND THE SIGN ORDINANCE**

BE IT ORDAINED AND ENACTED by the Board of Mayor and Aldermen of the Town of Greeneville that Ordinance Number 1396 adopted October 6, 1998 entitled Sign Ordinance is hereby repealed in its entirety.

BE IT FURTHER ORDAINED that in place of said Ordinance above set forth, the following is enacted:

**PART I. GENERAL PROVISIONS**

**101. PURPOSE AND INTENT**

The purpose and intent of this ordinance is to:

- 101.1 Regulate the type, placement, and size of signs and other graphic devices within the town.
- 101.2 Ensure safe construction and maintenance of signs.
- 101.3 Protect and enhance public and private property.
- 101.4 Promote the public health, safety, and welfare by prohibiting improperly designed or located signs which could distract, confuse, mislead, or obstruct vision.
- 101.5 Protect and enhance the scenic beauty of the natural environment in the town and the surrounding area.
- 101.6 Improve the appearance of the town's business areas, especially along major thoroughfares.

**102. MINIMUM STANDARDS AND ELECTRICAL SAFETY**

- 102.1 **MINIMUM STANDARDS**  
The minimum standards set forth in this ordinance shall not relieve an owner or tenant of the responsibility for compliance with other local ordinances, codes and regulations, including established requirements and provisions of the Town Building Codes and/or National Electrical Code or any law or regulation of any or other authority having jurisdiction.
- 102.2 **ELECTRICAL SAFETY**  
All signs having electrical wiring shall bear a seal of approval of a nationally recognized electrical testing laboratory. Each sign with electrical wiring must

have an outside disconnect. Where appropriate, label numbers shall be registered with the Building Official.

### **103. DEFINITIONS**

For the purpose of this ordinance, certain words or terms used herein shall be defined as follows: words used in the present tense include the future tense, words used in the singular number include the plural, and words used in the plural include the singular. The word "shall" is always mandatory, not directory, and the word "may" is permissive.

**ABANDONED SIGN:** A sign which identifies or advertises a discontinued business, lessee, owner, product, or activity.

**ALTERATION, STRUCTURAL:** A change or rearrangement in the structural parts, or an enlargement, whether by extending overall area, increasing height or other structural changes. Structural alteration does not include minor repairs and superficial alterations involving no changes in dimensions or physical placement on the ground.

**ARCHITECTURAL SIGN ELEMENT:** An object which is shaped to represent a product or service provided. It may be attached as a wall sign, or may be located on the ground as a free-standing sign. Examples include food products sold by restaurants or mascots which are identified with a particular business.

**AUCTION SIGN:** A sign located in a public right-of-way which advertises and/or provides directions to an auction.

**AWNING:** A shelter projecting from and supported by the exterior wall of a building and constructed of non-rigid materials on a supporting framework. (See also Under-awning sign.)

**AWNING SIGN:** A sign painted on, printed on, or attached to the surface of an awning or canopy. For purposes of determining permitted use, area, or location, as applied to this ordinance, an awning sign shall be considered a wall sign.

**BALLOON:** A tethered gas- or air-filled figure used for advertising purposes. This definition does not include balloons used for flight, which may contain incidental advertising.

**BANNER:** A sign made of fabric or any non-rigid material with no enclosing framework. National flags, state or municipal flags, or the official flag of any institution or business shall not be considered banners.

**BILLBOARD:** See off-premise advertising sign.

**BUILDING:** Any structure having a roof supported by columns or by walls and intended for the shelter, housing or enclosure of any individual, animal, process, equipment, goods, or materials of any kind or nature.

**BUILDING GROUND COVERAGE:** The area of a lot or parcel, expressed in a percentage, which is covered by a structure or structures. Parking areas which are open to the sky, uncovered loading/unloading areas, and substantially similar uses, are not included when calculating building ground coverage (BGC).

**BUILDING-MOUNTED SIGN:** See wall sign.

**BUILDING OFFICIAL:** Responsible for interpreting the Sign Ordinance, issuing sign permits, and determining compliance with the ordinance.

**BUSINESS SIGN:** A sign which advertises the name, logo, slogan, prices, products, or services offered by the business or activity on the premises.

**CANOPY:** A permanent shelter supported by a framework upon the ground. A canopy may be either free-standing or attached to a building.

**CIVIC SIGN:** A temporary sign used in connection with a civic noncommercial campaign.

**COMMERCIAL MESSAGE:** Any sign wording, logo, or other representation that, directly or indirectly, names, advertises, or calls attention to a business, product, service, or other commercial activity.

**CONSTRUCTION SIGN:** A temporary sign identifying an architect, contractor, subcontractor, engineer, financier, and/or material supplier participating in construction on the property on which the sign is located.

**DIRECTIONAL SIGN:** An on-premise sign with a maximum height of three (3) feet which gives directions, instructions, or facility information, such as "parking", "loading", "entrance", or "exit".

**DOUBLE-FACED SIGN:** (see also sign area) A free-standing sign with two faces.

**ERECT:** To build, construct, attach, hang, place, suspend, or affix and shall also include the painting of wall signs. As applied to this ordinance, the process of erecting a sign shall not include activities which lawfully expand, alter, and/or relocated existing signs.

**FESTOONS:** A string of ribbons, pennants, streamers, tinsel, small flags, or pinwheels.

**FLAG:** Any fabric, banner, or bunting containing distinctive colors, patterns, or symbols, used as a symbol of a government, political subdivision, or other entry.

**FREESTANDING-SIGN:** A business sign supported upon the ground by poles or braces and not attached to any building or structure.

**FRONTAGE, BUILDING:** The distance that a building on one (1) lot fronts on any public street(s).

**FRONTAGE, STREET:** The distance for which a lot line adjoins a public street, from one lot line intersecting said street to the furthest distant lot line intersecting the same street.

**GOVERNMENT SIGN:** Any temporary or permanent sign erected and maintained by the town, county, state, or federal government for traffic direction or for designation of, direction to, or announcement of activities at any school, hospital, historic site, or other public property or facility. This definition shall also include signs giving necessary traffic information or warning, such as railroad signs or temporary traffic signs erected by contractors working within or adjacent to a public street.

**ILLUMINATED SIGN:** A sign illuminated in any manner by an artificial light source.

**INCIDENTAL SIGN:** Any business sign of a permanent nature which is not legible to a person of average eyesight standing on any property line and which is secondary or supplemental to the use of the lot on which it is located. Typically such a sign would include, but not be limited to , menu-boards and gasoline pumps.

**INDUSTRIAL PARK:** An area set aside for industrial uses, which was planned and designed as one development, and which has a common public street which provides access to the individual uses.

**LOT:** A parcel of land which fronts on and has access to a public street and which is occupied or intended to be occupied by a building or buildings with customary accessories and open spaces.

**MANSARD:** A sloped roof or roof-like facade architecturally comparable to a building wall.

**MARQUEE:** Any permanent roof-like structure projecting beyond a building or extending along and projecting beyond the wall of the building, generally designed and constructed to provide protection from the weather.

**MARQUEE SIGN:** A projecting sign attached to or hung from a marquee.

**MENU BOARD:** A sign associated with drive-thru windows and oriented toward drive-thru window traffic.

**MULTI-TENANT CENTERS:** A building or a group of buildings which has more than one occupant or tenant.

**NORMAL MAINTENANCE:** For the purposes of this ordinance, normal maintenance includes work which can be performed on a sign without benefit of a sign permit. This includes scraping, painting, cleaning, and like activities of an existing sign structure and sign face.

**OFF-PREMISE ADVERTISING SIGN:** A sign that identifies or communicates a commercial or non-commercial message related to an activity conducted, a service rendered, or a commodity (including property) sold at a location (i.e. a lot or parcel) other than where the sign is located. Such a sign, particularly when it is relatively large, is commonly referred to as a billboard or poster panel.

**PEDESTRIAN SIGN:** Signs for hospitals, office buildings, etc., that give the names and locations of occupants or uses in a multi-occupant, nonresidential development, building, or organized merchant association. Such signs shall be oriented to the view of pedestrians or vehicles on the site, rather than to view from the adjacent public right-of-way.

**PERMANENT SIGN:** A sign set on its own foundation, sunk into the ground, or permanently fastened to or painted on a permanent structure.

**POLITICAL SIGN:** A temporary sign used in connection with a political, religious, or civic, noncommercial campaign.

**PORTABLE SIGN:** Any outdoor sign intended to be used as a permanent sign but which is designed to be moved and not permanently attached to the ground or to a

structure or building. For an existing business with a legal nonconforming portable sign, the sign counts toward the maximum sign area and number of signs permitted.

**PROJECTING SIGN:** A business sign attached to a building or wall in such a manner that its leading edge extends more than twelve (12) inches beyond the surface of such building or wall. For purposes of calculating sign area, projecting signs shall be considered wall signs.

**REAL ESTATE SIGN:** A temporary sign which announces the auction, sale, rental, or lease of the property upon which the sign is located.

**ROOF-MOUNTED SIGN:** Any sign, permanent or otherwise which is anchored to a roof, placed upon a roof, or located above the roofline of the structure on which it is located. This definition also includes banners, pennants, streamers, or any item which displays a commercial message.

**SHOPPING CENTER:** A group of commercial establishments planned, developed, owned and managed as a unit, with off-street parking provided on the property.

**SIGN:** Any device, structure, placard, surface, or fabric using graphics, letters, symbols, pictures, or sculptured matter designed to convey information visually and exposed to public view from outside a structure.

**SIGN AREA:** Calculated in one of two ways. The method to be used depends upon the type of sign proposed. Sign area does not include any supporting framework, bracing, or decorative fence or wall when such fence or wall is not an integral part of the sign and otherwise meets Zoning Ordinance regulations. Methods of determining sign area are explained in additional detail in Section 110.

**SIGN HEIGHT:** The height of a sign erected within thirty (30) feet of a public right-of-way shall be the distance from the grade level of the nearest curb of the street to the top of the sign face or sign structure, whichever is greater. The height of all signs farther than thirty (30) feet from a public right-of-way shall be the distance from the grade level where the sign is erected to the top of the sign face or sign structure, whichever is greater.

**SPECIAL EVENT SIGN:** Temporary on- or off-premise sign used on occasions to commemorate an event or occasion and designated for a specific purpose in the Town that has received the approval of the Board of Mayor and Aldermen. These signs will be allowed up to fourteen (14) days prior to an event and must be removed within two (2) days following the event, allowing for a total of sixteen (16) days.

**STREET, PUBLIC:** A strip of land or way subject to vehicular traffic (as well as pedestrian traffic) that provides direct or indirect public access to property, including, but not limited to, alleys, avenues, boulevards, courts, drives, highways, lanes, roads, terraces, trails or other thoroughfares.

**TEMPORARY SIGN:** A sign intended for use for only a limited period of time and which is not permanently mounted.

**TEMPORARY SIGN FRAME:** A frame that shall be of an approved heavy metal or wood secured in the ground that meets towns building codes.

**UNDER-AWNING SIGN:** A sign located under a permitted awning or canopy at the entrance to the premises. Such sign shall identify only the name of the business or

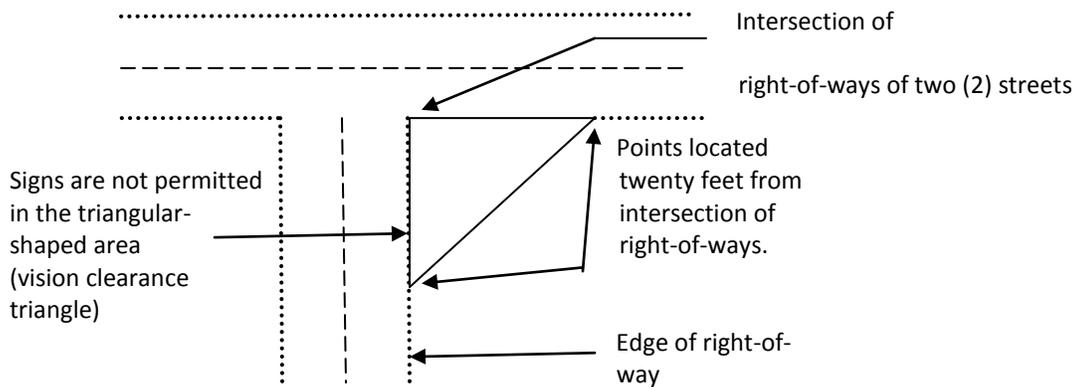
premises, shall be perpendicular to the entrance wall of the building, and shall be placed at least eight (8) feet above the sidewalk or ground level so as not to constitute a hazard or impediment to pedestrians. The maximum size of an under awning sign shall be four (4) square feet.

**UNSAFE SIGN:** Any sign or structure or appurtenance which, in the opinion of the Town Building Official, poses a threat to the public health or safety, whether personal or property.

**VEHICULAR SIGN:** A sign placed on a vehicle or trailer which is parked, located, or driven for the primary purpose of displaying said sign. For the purposes of this ordinance, vehicular signs shall not include business logos, identification, or advertising on vehicles primarily used for other purposes.

**VISION CLEARANCE TRIANGLE:**

- a. A triangular-shaped area located at the intersection of driveways and public right-of-ways or intersecting right-of-ways, where structures such as signs are regulated in order to provide for clear view of pedestrians and traffic.
- b. Intersecting streets: Signs are not permitted within twenty (20) feet of the intersection of two public right-of-ways (see diagram below) and shall be located at least ten (10) feet behind the right-of-way/property line.



**WALL SIGN:** Any business sign attached parallel to, but within twelve (12) inches of the face or on the outside wall of any building, and supported throughout its entire length by such wall. This definition includes painted, individual letter, and cabinet signs located on the outside of the building, whether located on or, where applicable, under a wall, mansard, awning, canopy, or window.

**WINDOW SIGN:** Any sign, pictures, symbol, or combination thereof, designed to communicate information about an activity, business, commodity, event, sale, or service, that is placed inside a window or upon the window panes or glass and is visible from the exterior of the window.

## 104. PERMIT REQUIRED

### 104.1 General

No sign shall be painted, constructed, erected, remodeled, relocated, expanded, or otherwise have a change made until a sign permit has been obtained from the Town Building Official or his/her designee in accordance with the provisions of this ordinance. Any work begun on a sign face or sign structure without benefit of a sign permit will result in penalties up to one hundred (100) percent of the cost of the sign. The Town of Greeneville may also pursue a conviction for violation of the Sign Ordinance, which would result in penalties as outlined in Section 305.

This section does not apply to those signs listed in Section 105, signs meant to have changes made to them, such as reader boards, and signs with changes defined under "normal maintenance".

**104.2 Compliance**

No permit for any sign shall be issued unless the sign complies with all applicable requirements of this ordinance.

**104.3 Revocation of Permits**

The Town Building Official and/or his designee is hereby authorized and empowered to revoke any permit upon failure of the holder to comply with any provision of this ordinance or with the terms of the permit at the time of its issuance.

**104.4 Inspection of Signs**

At any time deemed necessary, the Town Building Official, or his designee, may inspect each sign regulated by this ordinance to ensure that such sign conforms to the applicable provisions of this ordinance and to all other ordinances of the Town.

**104.5 Expiration of Permits**

A sign permit shall expire if the work has not, in the opinion of the Town Building Official, been substantially initiated within six (6) months from the date of issuance.

**105. PERMIT EXCEPTIONS**

**105.1 Exempted Activities**

The following operations shall not be considered as creating a sign and therefore shall not require a sign permit:

**105.11** The changing of the advertised copy of a message on an approved sign which is specifically designed for the use of replaceable copy. Such signs would include reader boards with changeable letters, movie theater marquees, service station price changes, and similar operations.

**105.12** Painting, cleaning, and other normal maintenance and repair of a conforming sign, provided structural alterations are not made. If changes are made to the structure, a sign permit is required.

**105.2 Exempted Noncommercial Signs**

The following noncommercial signs shall be exempt from the sign permit requirements of this ordinance:

- 105.21 Signs of any constituted governmental body such as traffic signs and signals, legal notices, railroad crossing signs, danger signs, and other temporary, emergency, or non-advertising signs.
  - 105.22 Memorial tablets or signs, historic markers, corner stones, or a building name and date of erection.
  - 105.23 Signs required to be maintained by law such as governmental order, rule, or regulations with a total sign face area not to exceed ten (10) square feet.
  - 105.24 Flags, emblems, or insignias of any constituted governmental body, religious groups, civic organizations and service clubs.
  - 105.25 Directional signs displayed for the direction or convenience of the public, including signs which identify restrooms, the location of public telephones, vehicular entrances and exits, freight entrances and exits, parking or the like with a total area not to exceed four (4) square feet per sign. Where business names and commercial messages are proposed to be included on directional signs, the sign face area of such proposed signs shall not exceed four (4) square feet, and the portion of the sign with the commercial message/business name shall be computed as part of the total sign area allocated for any freestanding sign(s) on the lot in question. These directional signs with commercial messages are not exempt from the sign permit requirement and shall be included in the sign permit application process. Horizontal directional signs flush with paved areas are, however, exempt from these standards.
  - 105.26 Signs attached to fences or similar permitted structures at approximate eye level that are no larger than four (4) square feet and warn the public against hunting, fishing, trespassing, dangerous animals, swimming, and similar activities and/or points of concern.
  - 105.27 Any information, directional, or identification signs erected by a public agency which may give directions and distances to commercial facilities or points of interest for the convenience of the travelling public.
  - 105.28 Window signs 12 sq ft or less.
- 105.3 Permitted Temporary Signs  
Temporary signs are allowed in all non residential zoning districts subject to specific restrictions all temporary signs are required to be ten (10) feet from all property lines.
- 105.31 Approval by the Town Building Official and/or his/her designee required.
  - 105.32 Businesses are limited to one hundred and twenty (120) days of on-premise temporary signage per year, permit required.
  - 105.33 Days of display may be separated into fifteen (15) separate days and eight (8) occurrences, not to exceed one hundred and twenty (120) days.

- 105.34 Limited to two(2) temporary on-premise signs, not to exceed six (6) square feet per sign.
- 105.35 Banners are permitted on premise for one hundred and twenty (120) days per year, not to exceed thirty-two (32) square feet with fastening system meeting towns building code.
- 105.36 Temporary window signs twelve (12) square feet or less are allowed without permits. Window signs exceeding twelve (12) square feet require permits. Total not to exceed square feet limit per zoning.
- 105.37 All temporary signs shall have an approved structure that meets the towns utility and towns building code.
- 105.4 Exempted Temporary Signs  
Except where specifically qualified below, no permit shall be required for any of the following temporary signs.
- 105.41 Official notices or advertisement required by the direction of any public or court officer in the performance of his official or directed duties or by trustees under deeds of trust, deeds of assignment or other similar instruments, provided that all such signs shall be removed no later than seven (7) days after the last day of the period for which they are required to be displayed.
- 105.42 Political campaign signs, including signs for campaign headquarters, not exceeding six (6) square feet in single family, multi-family, and medical-residential zones or sixteen (16) square feet in all other zones. Each sign may not be erected more than ninety (90) days prior to the nomination, election, or referendum which it advertises. Such signs shall be removed within seven (7) days after the announced results of that nomination, election, or referendum.
- 105.43 Signs not exceeding twelve (12) square feet in single family, multi-family, and medical-residential zones, or twenty-four (24) square feet in all other zones to announce a campaign, drive or event of a civic, philanthropic, education or religious organization, provided that the sponsoring organization shall insure proper and prompt removal of such sign. Such signs may be erected not more than thirty (30) days prior to the event advertised, and shall be removed within seven (7) days following the event.
- 105.44 Construction signs, provided they do not exceed a total of four (4) square feet in single family, multi-family, and medical-residential zones, or thirty-two (32) square feet in all other zones. For commercial zones, height cannot exceed 10 feet. Construction signs shall be removed within seven (7) days following completion of construction.
- 105.45 Seasonal displays and decorations not advertising a product, service or entertainment, provided such displays are removed within seven (7) days after the end of the associated season or event.

- 105.46 Yard sale signs: maximum of two (2) signs on private property with no more than four (4) square feet per sign.
- 105.47 Real Estate Signs, provided that:
  - 105.471 The signs shall not be located within twenty (20) feet of an intersection of two public streets or road measured from the edge of the pavement.
  - 105.472 The signs shall not interfere with driver or pedestrian sight distance.
  - 105.473 The signs are not permitted within the right-of-way of any public street, public road, or state highway.
  - 105.474 Signs shall not exceed thirty-two (32) square feet in area per side, and five (5) feet in height.

**105.5 Special Event Signs**

- 105.51 The BMA has the right to approve any special event signs within the Town.
- 105.52 Portable signs are permitted that meet all state requirements and the town's building codes. Portable sign locations must be approved by the BMA and shall be at least twenty (20) feet from all property lines. Such signs shall be displayed not more than sixteen (16) days.
- 105.53 Special event signs are not allowed in public right-of-ways unless approved by the BMA.
- 105.54 Special event signs that have not received approval by the BMA are subject to penalties outlined in Section 305.

**106. PROHIBITED SIGNS**

The following signs are prohibited in any zoning district in the Town of Greeneville:

- 106.1 Any sign which, by reason of its location, position, size, shape or color may obstruct, impair, obscure, interfere with the view of, or be confused with any traffic control sign, signal, or device, or where it may interfere with, mislead or confuse traffic. To those ends, no sign shall use the words "stop", "slow", "caution", "yield", "danger", "warning", or "go" when such sign may be confused with a traffic control sign used or displayed by a public authority.
- 106.2 Any portable sign, except special event signs included in Section 105.5.
- 106.3 Any sign that violates any provision of any law or regulation of the State of Tennessee relative to outdoor advertising.
- 106.4 Any sign that violates any provision of the town's building codes.

- 106.5 Any sign located so as to obscure all or any portion of a sign or traffic signal erected by a governmental authority.
- 106.6 Any sign where all or any part is in continuous motion, including fluttering or rotating, by means of the atmosphere.
- 106.7 Any sign that obstructs any window, door, fire escape, stairway, ladder, opening or access, intended for light, air, ingress to or egress from any building.
- 106.8 Signs on roadside appurtenances including utility poles and trees.
- 106.9 Beacons, excluding those required by the Federal Aviation Administration.
- 106.10 Abandoned signs. The sign face, or portion of a sign which advertises a discontinued use, occupant, product, or service shall be removed within thirty (30) days of the discontinuance of said use, occupant, product, or service. If such portion of the sign is not removed within this period, the Building Official or designee shall direct that it be removed. The cost of the removal shall be placed as a lien against the property until such cost is paid.
- 106.11 Festoons, pennants, ribbons, streamers, and pinwheels, unless such signs meet all the following requirements: 1.) No message is displayed, and 2.) they are located at least ten (10) feet from all property lines.
- 106.12 Signs on vehicles-- Exception: A vehicle having a valid registration and while used in pursuit of a primary purpose other than being a commercial sign or a collection of commercial signs.
- 106.13 Off-premise signs
- 106.14 Any sign which would interfere with proper vision clearance, as defined in Section 103 of this ordinance.
- 106.15 Inflatable signs and tethered balloons, unless such signs meet the following requirement: a sign permit is obtained stating the dates the balloons/inflatable sign will be displayed. Inflatable balloon signs are allowed for a period of seven (7) days per calendar year, three (3) times a year, for a total of twenty-one (21) days. Extension may be granted by building official for no more than seven (7) days due to in climate weather. Sign permit is required.
- 106.16 Window signs, except that notices of cultural, religious, school, political, or non-commercial events are permitted signs measuring up to two (2) square feet which detail the event.
- 106.17 Signs located in any public right-of-ways.
- 106.18 Roof mounted signs
- 106.19 Feather/Banner type signs

106.20 Off-premise signs are prohibited. All off-premise advertising signs permitted by law superior to this ordinance shall nevertheless be subject to the lawful provisions of Section 108, Off-Premise Advertising Signs.

106.21 Temporary signs not permitted or approved by Building Official.

## **107. INSPECTION, MAINTENANCE, AND REMOVAL**

### **107.1 Inspection**

Signs which require a permit may be inspected as deemed necessary by the Town Building Official to assess compliance with this and other ordinances of the Town of Greeneville. Foundation inspection is required on all signs.

### **107.2 Maintenance**

All signs, including lawful nonconforming signs, and components thereof shall be kept in good repair and in a safe, clean, neat and attractive condition, including the replacement of defective parts and wiring, painting, repainting, cleaning, and other acts required for the general maintenance of said signs. For the purposes of this ordinance, repairing or replacing a damaged or deteriorated sign face without a change in ownership, tenancy, dimensions, location or use shall be deemed "normal maintenance" and subject to Subsection 105.1 of this ordinance.

### **107.3 Removal**

107.31 When any sign is unlawfully installed or erected in violation of any applicable provision of this ordinance, including installation without a sign permit, the owner, person, or firm maintaining the sign shall remove the sign within 24 hours of written notice from Building Official.

107.32 Signs not adequately maintained shall either be repaired to the written specifications of the Building Official or removed.

107.33 Abandoned signs. The sign face, or portion of a sign which advertises a discontinued use, occupant, product, or service shall be removed within thirty (30) days of the discontinuance of said use, occupant, product, or service. If such portion of the sign is not removed within this period, the Building Official or his/her designee shall direct that it be removed. The cost of the removal may be placed as a lien against the property until such cost is paid.

107.34 If a sign or sign face is removed by the town after proper notification of the sign violation, the expense may be assessed as a lien against the property until such cost is paid. In addition, the property owner will be subject to Section 305 of this ordinance for failure to comply with the provisions.

### **107.4 Special Removal Procedures**

The Town Building Official may remove any sign immediately and without written notice if, in his opinion, the condition, location, or similar aspect of the sign presents an immediate threat to the safety of the public. The expense will be placed as a lien against the property until such cost is paid. Prohibited temporary signs may be removed without notice by any authorized employee of the Town of Greeneville.

## 108. OFF-PREMISE SIGNS

No off-premise signs will be permitted. Existing off-premise signs fall under Tennessee Code Ann. 13-7-208.

## 109. NONCONFORMING SIGNS

109.1 **Continuance of Nonconforming Signs**  
Signs which do not conform to the regulations and restrictions provided in this ordinance but which were erected in accordance with all applicable regulations in effect at the time of their erection may remain erected as legal nonconforming signs.

109.2 **Expansion and/or Alteration of Nonconforming Signs**  
No nonconforming sign shall be enlarged, reconstructed, or structurally altered, nor shall such sign be worded so as to advertise or identify any use other than that in effect at the time it became a nonconforming sign, except that the advertising copy on a nonconforming sign may be changed, provided such copy conforms with all provisions of this ordinance. Nonconforming signs which are recognized as lawful under this ordinance may be superficially altered as part of a normal maintenance program designed to enhance their appearance and/or allow for minor repairs. Such normal maintenance shall be subject to the provisions of Subsection 105.1.

109.3 **Moving Nonconforming Signs**  
No nonconforming sign shall be moved on the same lot nor to another lot unless the moving will relocate the sign into a zoning district or any area in which it would conform with all applicable provisions of this ordinance.

109.4 **Removal of Unlawful Nonconforming Signs**  
Nonconforming signs which are unlawfully enlarged, altered, or moved shall be subject to the removal procedures specified by the Building Official in his written notification regarding the violation.

## 110. GENERAL PROVISIONS

### 110.1 Freestanding Signs

110.11 Permitted freestanding signs shall be set back a minimum of ten (10) feet from all property lines and rights-of-way, unless a greater distance is needed to ensure adequate vision clearance. Adequate clearance shall be based on the definition of vision clearance provided in Section 103.

Zoning and Sign Type	Sign Area Formula	Max Size	Max Height	Minimum Setback
<b>B-1:</b>				
Freestanding		50 sq ft per side	15'	10'
<b>B-3:</b>				

Freestanding	.80 sq ft/linear ft building face	80 sq ft per side	20'	10'
Monument	1.0 sq ft/linear ft building face	100 sq ft per side	15'	10'
Pylon	1.0 sq ft/linear ft building face	100 sq ft per side	20'	
<b>B-4, M-1, M-2:</b>				
Freestanding	1.0 sq ft/linear ft building face	100 sq ft per side	30'	10'
Monument	1.25 sq ft/linear ft building face	125 sq ft per side	15'	10'
Pylon	2.0 sq ft/linear ft building face	200 sq ft per side	30'	
<b>B-2,</b>				
Freestanding	Certificate of Appropriateness Required from the Historical Zoning Commission			
Monument	Certificate of Appropriateness Required from the Historical Zoning Commission			
<b>R-1, R-SF1, R-SF2, R-1A, R-2, R-3, R-4:</b>				
Freestanding		4 sq ft	3'	10'

110.12 Freestanding signs shall be located on the street frontage used to calculate the sign area.

110.13 For multi-tenant buildings, it is the responsibility of the property owner to ensure adequate signage for each tenant. The method used to determine the amount of sign area dedicated to each use on a freestanding sign is at the discretion of the property owner. More than one (1) freestanding sign may be approved by the Building Official, not to exceed signage limit allowed per zoning.

**110.2 Wall Signs**

110.21 Wall signs shall not project above the roof line. Permitted wall signs shall reflect the building frontage of the wall on which they are to be placed. In no case may the sign area for two or more walls be combined and placed on a single wall.

Zoning and Sign Type	Max Size
<b>B-1:</b>	
Wall	80 sq ft total
<b>B-3:</b>	

Wall	80 sq ft total
<b>B-4, M-1, M-2:</b>	
Wall	80 sq ft total
<b>B-2,</b>	
Wall	Certificate of Appropriateness Required from the Historical Zoning Commission
<b>R-1, R-SF1, R-SF2, R-1A, R-2, R-3, R-4:</b>	
Wall	Not Permitted

110.22 All signs projecting from a building shall have a minimum height clearance of nine (9) feet and shall extend no more than four (4) feet from the wall or one-half (1/2) the distance between the wall of the building and the curb line of the adjacent street, whichever is less. Proof of insurance shall be required for projecting signs prior to the issuance of a sign permit.

**110.3 LED Signs**

LED signs are permitted with approval of the Building Official. Building Official may require detailed information about the sign. LED signs shall meet all zoning square feet regulations and will count toward total square feet allowed per building.

**110.4 Awning Signs**

110.41 A permit is not required for awning signs with area of six (6) sq ft or less.

110.42 For the purposes of calculating wall signage, the sign area of awning signs are to be included in the total calculation for wall signage over six (6) sq ft.

**110.5 RESERVED**

**110.6 Sign Area**

110.61 Sign area is calculated in one of two ways, depending upon the type of sign proposed. Sign area does not include any supporting framework, bracing, or decorative fence or wall when such fence or wall is not an integral part of the sign and otherwise meets Zoning Ordinance regulations.

110.62 Wall Sign Method 1: If the wall sign contains individual letters which are attached directly to the building or painted onto the building, and

are not connected to each other, then sign area may be computed by drawing the smallest rectangle possible which encompasses the entirety of each individual letter and adding the area of each letter to obtain a total.

**110.621 Wall Sign Method 2:** Signs composed of panels which contain lettering, emblems, or other display, together with any material or color forming an integral part of the background of the display or used to differentiate the sign from the backdrop or structure against which it is placed shall have sign area determined by drawing the smallest rectangle possible which encompasses the entirety of the sign panel.

**110.63 Freestanding Signs:** The area of freestanding signs is the product of the width and height of the sign panel. When two (2) identical sign faces are placed back to back so that both faces cannot be viewed from any point at the same time, and when such sign faces are part of the same sign structure and are not more than forty-two (42) inches apart, then only one sign face is used to determine sign area.

**110.7 Signs Placed in Public Right-of-Ways**

**110.71 Nonconforming signs placed in the public right-of-way may be immediately confiscated by the Town. Signs shall be returned upon approval of Building Official or acting designee.**

**110.711 Each confiscated sign will invoke a \$25 fee.**

**110.72 The Town of Greeneville may, without notice to the owner of the sign, dispose of any sign removed from a public right-of-way.**

**110.8 Unlawful Cutting of Trees and Shrubs**

No person may, for the purpose of increasing or enhancing the visibility of any sign, damage, trim, destroy, or remove any trees, shrubs or other vegetation located:

**110.81 Within the right-of-way of any public street or road, unless the work is done pursuant to the express written authorization of the city or state, whichever is appropriate.**

**110.82 On property that is not under the ownership or control of the person doing or responsible for such work unless the work is done pursuant to the express authorization of the person owning the property where such trees or shrubs are located. Notwithstanding the foregoing, the owner of the property where such trees or shrubs are located may not give permission to remove or destroy trees or shrubs required by his site plan without first obtaining approval of an amendment to the site plan by the Planning Commission of the Town.**

**110.9 Illumination of Signs:** Where external light sources are utilized to illuminate signs, the lighting must meet state highway requirements. The lights shall be situated so they are not directed off-site and onto adjacent property, into the sky, or onto public right-of-ways.

- 110.10 Architectural sign elements shall be permitted provided the following conditions are met:
- 110.101 The elements are treated as signage and must meet the requirements for signage for the district in which they are located, including size, number, height, and location.
- 110.102 The square footage of the element is obtained by multiplying the maximum width of the element by the maximum height of the element.
- 110.11 Menu Boards: These signs, which shall not exceed a total of thirty-two (32) square feet for all sides, shall be oriented toward the drive-thru window traffic. A permit is not required.
- 110.12 Inflatable Balloon Signs and other similar temporary signs may be utilized under the following conditions: 1.) Inflatable balloon signs are allowed for a period of up to three (3) times per year for fifteen (15) days each event; 2.) a sign permit is obtained at a cost of \$50.00 per permit; 3.) any balloon violating this ordinance shall be removed by the Town without prior notice to the property owner.

**PART II. SIGN REGULATIONS BY DISTRICT**

**201. PROVISIONS RELATED TO THE GREENEVILLE HISTORIC ZONE**

Signs which are proposed to be erected in the Town's historical overlay zone shall be subject to a review by the Greeneville Historical Zoning Commission as part of the application process for a certificate of appropriateness. Signage permitted in the local historical overlay zone shall be governed by the base zoning placed on the site.

**PART III. ADMINISTRATION**

**301. PERMIT IDENTIFICATION**

In coordination with provisions provided in Section 104, any sign erected under permit shall indicate, in the lower right hand corner, the number of the permit and the name of the person, firm or corporation owning, erecting, maintaining, or operating such sign.

**302. FEES FOR SIGN PERMITS**

302.1 The following fee schedule shall be applicable for any sign permit(s) issued under this ordinance:

<b><u>Total Value of Sign*</u></b>	<b><u>Fee</u></b>
One thousand (\$1,000) and less	Fifteen (\$15) dollars
One thousand and one (\$1,001) and greater	Fifteen (\$15) dollars for the first one thousand (\$1,000) dollars of calculated sign value, plus five (\$5) dollars for each additional thousand.

\*(Including sign face, sign support, and labor installation fees)

<b>Temporary Signs</b>	<b>Fee</b>
Inflatable Signs/Tethered Balloons (21 day annual permit)	Twenty-five (\$25) dollars per inflatable
On-premise (120 days max annually)	Twenty-five (\$25) dollars per sign
Banners (120 max anr	Fifty (\$50) dollars per banner

302.2 Permits for electrical work are required and will be issued by the Greeneville Light and Power Department. Permit fees for electrical work will be determined by representatives from the Light and Power.

302.3 If construction is begun on any sign before a valid sign permit has been secured, a fine up to one hundred (100) percent of the cost of the sign may be assessed. In addition, the property owner may be penalized as outlined in Section 305.

### **303. PERMIT APPLICATION**

The application for a sign permit shall be filed with the Town Building Official or his/her designee on forms furnished by the Town. The application shall contain the location of the sign structure, the name and address of the sign owner, detailed drawings showing the overall design, labeled dimensions of all portions of the sign, and any other information the Building Official and/or his/her designee may deem necessary to properly evaluate the application. The Greeneville Board of Zoning Appeals shall determine any questions concerning the conformity of a sign.

### **304. VARIANCES**

#### **304.1 Sign Removal Provision**

Except for instances relating to signs or sign structures located or proposed to be located on or over public property, any person who has been ordered by the Town Building Official or his/her designee to incur an expense for the alteration or removal of a sign may appeal to the Greeneville Board of Zoning Appeals. The Board of Zoning Appeals may permit the alteration or may allow the sign to remain, provided it finds that the sign is safe, necessary to the occupation which it represents, and does not conflict with the intent of this ordinance.

#### **304.2 Administrative Review**

The Board of Zoning Appeals shall hear and decide appeals where it is alleged by the permit applicant that there is an error in any permit, decision, determination, or refusal made by the Town Building Official or other administrative official in carrying out or enforcing any provisions of this ordinance.

#### **304.3 Hardships**

The Board of Zoning Appeals shall hear and decide applications for variances by reason of exceptional topographical conditions, practical difficulties, or undue hardships caused by the strict application of this ordinance in relation to additional signs, sign area, sign height, and sign location.

**304.4 Variance Fees**

Any petition or request for a variance shall be accompanied with a filing fee of one hundred (\$100) dollars. If multiple variances are requested (e.g. one variance related to square footage and another concerning height limitations), the above mentioned fee shall be charged for each provision of this ordinance from which a variance has been requested.

**304.5 Change of Ownership**

An approved sign variance is considered to "run with the land", and is not affected by the transfer of property or change of business.

**305. PENALTIES**

Any person violating any provision of this ordinance shall be subject to being fined not more than fifty dollars (\$50.00) for each offense. Each day such violation shall continue shall constitute a separate offense.

**306. SEVERABILITY**

The various sections, subsections, paragraphs, and clauses of this ordinance are severable and in the event that any section, subsection, paragraph, or clause is adjudged invalid, the remainder of the ordinance shall remain in full force and effect.

This ordinance shall become effective upon passage on second reading, the public welfare requiring it.

Passed first reading: \_\_\_\_\_

Passed second reading: \_\_\_\_\_

\_\_\_\_\_  
Mayor

Attest:

\_\_\_\_\_  
Recorder