

Section 2.15 - Signs

2.15.1 - Purpose and Intent

The purpose of the sign regulation is to permit signs that will not, by their reason, size, location, construction, or manner of display, endanger the public safety of individuals, confuse, mislead, or obstruct the vision necessary for traffic safety, or otherwise endanger public health, and morals; and to permit and regulate signs in such a way as to support and complement objectives and guidelines of the Comprehensive Plan,

2.15.2 - Exempt Signs

The following types of signs shall be exempted from the requirements of this subsection:

- (1) Non-illuminated names of buildings, dates of erection, monument citations, commemorative tablets and the like when carved into stone, concrete, metal, or any other permanent type of construction and made an integral part of an allowed structure or made flush to the ground.
- (2) Signs not exceeding one square foot in area and bearing only property numbers, post box numbers, names of occupants of premises or home service which are not part of an otherwise existing attached or freestanding sign.
- (3) Signs required by law or flags and insignia of any duly constituted governmental body.
- (4) Signs placed by a public utility for the safety, welfare, or convenience of the public, including, but not limited to signs identifying high voltage, public telephone, or underground cables.
- (5) Signs upon a vehicle, provided that any such vehicle with a sign face of over two square feet is not conspicuously parked so as to constitute a sign; nothing herein prevents such a vehicle from being used for bona fide delivery and other vehicular purposes.
- (6) Temporary holiday decorations.
- (7) Signs placed within the interior of a building which area attached to and/or visible through windows or doors provided the sign occupies no more than one-fourth the total square footage of the window door.
- (8) Legal notices, identification information, or directional signs erected by or by order of governmental bodies.
- (9) Integral decorative or architectural features of buildings, except letters, trademarks, logos, moving parts or moving lights.
- (10) Signs directing and guiding traffic and parking on private property, but bearing no advertising matter, including logos.
- (11) Political advertisement signs, on private property, may be erected no more than thirty (30) days prior to the election and are to be removed within twenty-four (2.1) hours after said election.

2.15.3 - General Sign Provisions

- (1) In any district, except as noted, the provisions of this subsection shall be applied to effect the safety of motorists and facilitate traffic movement.
 - (a) No sign shall be erected or maintained at any location where, by reason of its position, wording, illumination, size, shape, or color, it may obstruct, impair, obscure, interfere with the view of, or be confused with any authorized traffic control sign, signal, or device.
 - (b) No sign shall contain or make use of any phrase, symbol, shape, form, or character in such a manner as to interfere with, mislead, or confuse moving traffic.
 - (c) No exterior sign shall be permitted to display flashing, intermittent, revolving, rotating or animated lighting or illumination, nor any illumination which simulates or displays motion.
 - (d) All signs not expressly exempted or permitted by this Ordinance are prohibited.
 - (e) No sign shall be placed in a manner visible from any public street, alley, right-of-way, sidewalk or other public easement except as provided herein nor shall any sign be placed in or extend over any required yard in any district or be placed in or extend over any street, right-of-way, roadway, sidewalk, public or private utility or access or other easement, or alley except as provided herein.
 - (f) All signs allowed hereunder shall be constructed and placed so as not to interfere with vehicular traffic by obstructing sight lines for streets, pedestrian rights-of-way and driveways.
 - (g) No sign shall be allowed to be illuminated except as expressly provided herein. Signs which are otherwise allowed to be illuminated are not allowed if the Plan Commission shall find that the lighting causes glare or otherwise interferes with the vision of persons operating motor vehicles. All illuminated signs shall be non-flashing and shall be constant in intensity and color, except that signs which display time and temperature are allowed in the B-1, B-2, I-1 and I-2 zones.
 - (h) The maximum allowed area for all signs other than freestanding business signs shall be determined by drawing four or fewer straight lines encompassing the extremities of the sign within the smallest possible areas, except that outdoor advertising signs are allowed extensions and embellishments beyond the rectangular sign.
 - (i) The maximum allowed area for freestanding business signs shall be measured by drawing eight (8) or fewer straight lines encompassing the extremities of the sign within the smallest possible area, provided, however, that the area of a freestanding sign shall not include poles, supports or other structures which are solely for support and which do not contain any advertising and, the area of a freestanding sign shall not include the space between the business identification portion of a freestanding business sign and the reader board portion, provided that these portions are separated by a distance of more than two (2) feet and no small freestanding sign is located on the lot.

- (j) No sign shall have more than four faces.
- (k) One freestanding rent/sale sign per site not exceeding twelve (12) square feet in area shall be allowed in any district. On lots abutting more than one street, one such rent/sale sign shall be allowed for each abutting street. Such signs shall be removed not later than ten (10) days after closing of sale or consummation of lease.
- (l) One sign identifying persons or business firms engaged in the construction of a building on site, is allowed, provided that the sign shall not exceed twelve (12) square feet in area or fifteen (15) feet above ground in height. All such signs must be removed within twenty (20) days following issuance of a certificate of occupancy for the building.
- (m) A back-to-back or V-shaped sign constitutes one sign if it has a common set of supports. A composite group of signs integrated into one framed unit or compact structure constitutes one sign.

2.15.4 - On-Premise Signs

- (1) In the R-1, R-2, R-3, and RPO Districts, the provisions of this subsection shall apply:
 - (a) One freestanding subdivision identification sign not exceeding sixty (60) square feet in area or fifteen (15) feet in height shall be allowed at each dedicated street entrance within the building lines of the subdivision during construction, for not more than sixty (60) days prior to the commencement of construction, and after construction until such time as eighty percent (80%) of the lots are sold. Thereafter, one subdivision identification sign not exceeding fifteen (15) feet in height shall be allowed at each dedicated street entrance within the building lines.
 - (b) One freestanding or attached community facility identification sign not to exceed thirty (30) square feet in area and not exceeding ten (10) feet in height facing each bordering street is allowed on the premises of any community center, church, school, library, museum or similar institution. A church sign may be illuminated if it is less than eighteen (18) square feet in area and less than eight (8) feet in height, provided that, if the church is located in a district for which a larger business sign would be allowed, then the size of the sign shall conform to the size allowed in that district.
 - (c) For institutional and residential uses not otherwise defined herein one sign facing each bordering street not to exceed six (6) square feet in area is allowed on each site. Any such sign if freestanding must not exceed six (6) feet in height,
 - (d) One illuminated or non-illuminated multi-family residential identification sign attached flat on the face of the building and extending no more than twelve (12) inches from the surface of such building is allowed to face each street bordering on the site on which a multi-family dwelling is located. Said signs may not exceed twelve (12) square feet in area. In no event shall an attached sign be located more than three (3) feet above the ceiling of the first floor of the building. In the alternative one freestanding sign which shall not extend into any required yard is allowed to face each street bordering the site provided that such freestanding signs shall not exceed a height of six (6) feet above ground nor exceed an area of six (6) square feet.

- (e) One illuminated or non-illuminated office building identification sign attached flat on the face of the building and extending not more than twelve (12) inches from the surface of such building is allowed to face each street bordering the site on which an office building is located. Said signs may not exceed twelve (12) square feet in area. In no event shall an attached sign be located more than three (3) feet above the ceiling of the first floor of the building. In the alternative one freestanding sign, which shall not extend into any required yard is allowed to face each street bordering the site, provided that such freestanding signs shall not exceed a height of six (6) feet above ground nor exceed an area of six (6) square feet.

(2) In the GO, B-1, B-2, I-1 and 1-2 Districts, the provisions of this subsection shall apply.

(a) Wall-Mounted Signage

- i) In single use buildings, each building is permitted one attached "tenant identification" sign in letters and one attached "business logo" sign on each building facade facing a public access roadway, provided that the total area of signage on a facade shall not exceed that stated below and that no more than two facades shall have wall-mounted signs. Fully controlled access roadways (i.e., expressways and freeways) are not considered "public access roadways". If the "tenant identification" and "business logo" are combined into a single sign, there shall be only one attached sign on the facade; and no more than two street-facing facades shall have signs.
- ii) In multiple use buildings with separate entrances for each tenant, each building may have one attached "tenant identification" sign in letters and one attached "business logo" sign for the primary tenant on each building facade facing a public access roadway, and one additional attached sign (either a letters sign or a combination letters and logo sign) for each secondary tenant with a separate entrance that shall be installed in a predestinated space adjacent to the secondary tenant's entrance, provided that the total area of signage on a facade shall not exceed that stated below and that no more than two facades shall have wall-mounted signs for the primary tenant. Fully controlled access roadways (i.e., expressways and freeways) are not considered "public access roadways". If the "tenant identification" and "business logo" are combined into a single sign for the primary tenant, there shall be only one attached sign on the facade; and no more than two street-facing facades shall have signs.
- iii) In the case of multiple use buildings with only one primary exterior entrance, exterior signs for secondary tenants shall be incorporated into the freestanding sign.
- iv) In single use buildings any "tenant identification" attached sign (i.e., letters sign) shall not exceed 80 square feet, any separate "business logo" sign shall not exceed 25 square feet and 5 feet in height, and any

combination "tenant identification" (letters) and business "logo" sign shall not exceed 120 square feet, subject to the following total sign area limitations per facade:

- 20% of building facade area if facade area is less than 500 square feet.
- 100 square feet plus 10% of the amount by which the building facade exceeds 500 square feet if the facade area is greater than or equal to 500 square feet but less than 700 square feet.
- 120 square feet if the facade area is equal to or greater than 700 square feet.

v) In multiple use buildings with separate entrances for each tenant, any primary "tenant identification" attached sign (i.e., letters sign) shall not exceed 80 square feet, any separate "business logo" sign for the primary tenant shall not exceed 25 square feet and 5 feet in height, and any combination "tenant identification" (letters) and "business logo" sign for the primary tenant shall not exceed 120 square feet; and each secondary tenant may have an attached "tenant identification" (letters) sign or attached combination "tenant identification and business logo" sign that shall not exceed 10 square feet, subject to the following total sign area limitations per facade for signage:

- 20% of building facade area if facade area is less than 500 square feet.
- 100 square feet plus 15% of the amount by which the building facade exceeds 500 square feet if the facade area is greater than or equal to 500 square feet but less than 1,000 square feet.
- 175 square feet plus 5% of the amount by which the building facade exceeds 1,000 square feet if the facade area is greater than or equal to 1,000 square feet but less than 3,500 square feet.
- 300 square feet if the facade area is equal to or greater than 3,500 square feet.

vi) No sign shall be mounted on any roof.

vii) No sign shall extend above a line eighteen inches (18") below the top of the building parapet and no attached sign shall extend to a height greater than twenty-five feet (25') above ground.

viii) Attached signs shall not project beyond eighteen inches (18") from the face of wall.

ix) Letters shall be individual, and shall not exceed two feet (2') in height for

the primary tenant identification sign and one foot (1') in height for the secondary tenant identification sign.

- x) All signage attached to buildings shall consist of individual letters and shall be attached parallel to the facade.
- xi) Signage shall be devoid of advertising.
- xii) Painted signs shall not be used, and no sign shall be painted on a building surface.

(b) Freestanding Building Signage

- i) Only freestanding on premises signs are permitted. Off premises signs (commonly known as billboards) and small freestanding signs (other than those freestanding signs and freestanding directional) are prohibited.
- ii) Each lot is permitted one freestanding sign of the maximum height and area specified below fronting on a public access roadway. Fully controlled access roadways (i.e., expressways and freeways) are not considered "public access roadways".
- iii) No freestanding sign shall be higher than twenty feet (20') at the property line in the B-1 District, but may be increased in height one foot for every five feet set back from the property line in the B-2, I1 and 1-2 Districts provided the maximum sign height shall not exceed twenty-five (25) feet.
- iv) No freestanding sign shall encroach into a required yard.
- v) The maximum area of one face of any freestanding sign shall not exceed 80 square feet in the B-1 District, and shall not exceed the 20% of the square of height of the sign in the B-2, I-1 and 1-2 Districts provided that remaining sign area shall not exceed 125 square feet.
- vi) No sign shall have more than two faces.
- vii) Portable or temporary signs are not acceptable.
- viii) Signage shall be devoid of advertising.
- ix) Painted signs shall not be used.
- x) A lot fronting on two public streets shall be allowed to have two freestanding signs. If two signs are to be used, the total maximum combined area of the two signs shall not exceed the maximum sign area of the one freestanding sign allowed on lots

fronting on only one public street.

- xi) The maximum area of each face of a freestanding sign as calculated above may be increased by twenty percent (20%) if the sign is located on a lot with more than three hundred (300) feet of frontage on a public street, by thirty five percent (35%) if the sign is located on a lot with more than four hundred fifty (450) feet of frontage on a public street and by fifty percent (50%) if the sign is located on a lot with more than six hundred (600) feet of frontage on a public street. In the alternative, a lot with more than four hundred fifty (450) feet of public street frontage shall be allowed to have one additional freestanding sign, but if such additional sign is placed on the lot the maximum area of the combination of both freestanding signs shall be calculated above for a single freestanding sign and the maximum area of each such sign shall not be embellished by the foregoing sentence.
- xii) An outdoor advertising sign shall not be counted in determining compliance with the above.
- xiii) No lot shall have a freestanding sign unless the building situated on that lot is set back at least ten (10) feet from the front and street side property line.

(c) Freestanding Directional Signs

Freestanding directional signs, i.e., signs used primarily to direct on premise vehicular or pedestrian circulation or traffic, are allowed to a maximum height of three (3) feet, with a maximum area of five (5) square feet. Such signs shall not be counted toward the number of freestanding signs allowed on a lot. One single faced "Menu Board" type sign is allowed for a "drive through" facility and shall not be counted toward the number of freestanding signs allowed, provided such sign is no larger than sixteen (16) square feet.

(d) Projecting Signs

Buildings on lots which contain no freestanding sign (other than a freestanding directional sign) may not have more than one sign which projects perpendicularly from the facade (but not the roof) of the building providing that the sign does not exceed thirty-two (32) square feet in area, does not extend below nine (9) feet above the ground or sidewalk, or more than seven (7) feet from the facade of the building, or closer than two (2) feet to the abutting roadway.

2.15.5 - Outdoor Advertising Signs

- (1) Outdoor advertising signs shall be allowed in the I-1 and 1-2 district.
- (2) Outdoor advertising signs shall be separated by one thousand (1,000) feet in all directions, and pertaining to the Interstate and limited access highways, no outdoor advertising sign may be located adjacent to or within five hundred (500) feet of an interchange, at-grade intersection, or rest area, said five hundred (500) feet shall be measured from the right-of-way line.
- (3) No outdoor advertising sign shall be permitted if it is located within three hundred (300) feet of land that has been platted for residential use or is zoned R-1, R-2, R-3, RPO, GO, B-1, or B-2.

- (4) No outdoor advertising sign structure shall contain more than two facings and no facings shall display more than two (2) signs.
- (5) The maximum area for any one sign shall be 1,000 square feet and the maximum width 25 feet and maximum length of 60 feet, exclusive of any border, trim, ornamental base, apron, supports, embellishments, and other structural members, if the exclusions do not exceed 20 percent of the sign area. The area shall be measured by the smallest square, rectangle, triangle, circle, or combination thereof which will encompass the area affected.

2.15.6 - Portable Signs

- (1) All signs are to be considered portable or movable, either lighted or non lighted, if they are capable of being moved either by vehicle, on a vehicle, or such sign does contain its own wheels and axle, or is not permanently affixed to a permanent structural device. Further, signs that are permanent in nature are exempt from this subsection provided that such signs meet all regulations of the pertinent subsections relating to permanent signs, and is approved and permit fees are paid in the Building Commissioner's office.
- (2) Any signs illuminated shall not flash, be intermittent in light source which exhibits changing effects by means of animation, or be externally-mounted intermittent light source; such as direction arrow, which are also defined as flashing signs. Permanent automatic changing signs such as time, temperature, date, or electronically controlled message counters are classified as "Changing Signs", not "Flashing Signs".
- (3) No sign or sign structure shall be erected at any location so as to interfere or obstruct traffic view at intersections of either public or private drive intersecting with a public right-of-way. Setback of said signs shall be a minimum of 20'-0" from curb at all intersections and shall not be placed in a public right-of-way.
- (4) No sign shall be confused with any authorized traffic sign, signal, or device. No rotating beam, beacon, or flashing illumination resembling any emergency lights shall be used in connection with any sign display, nor shall any sign make use of the words "STOP", "LOOK", or "DANGER", or any other word, phrase, symbol or character in such a manner as to interfere with, mislead, or confuse traffic.
- (5) Signs shall be allowed in size up to a maximum of 64 square feet of advertising space for double faced signs. Sign shall be permitted by purchasing a sign permit in the Building Commissioner's office. A permitted sign shall be allowed at one location or address for a period of thirty (30) days from the issue of said permit. Sign shall be removed on the thirty-first (31st) day, and a sign shall not be located at the same location or address for a period of one hundred eighty (180) days at which time another permit may be obtained for an equal period of thirty (30) days.
- (6) Any person, business, or applicant allowing said sign to remain beyond the thirty (30) day period shall be subject to a fine not exceeding \$2,500.00 for each offense. Each subsequent day which such sign shall remain in place shall constitute a separate offense. The Town of Sellersburg may prosecute any such offense in the Sellersburg Town Court, or any other Court in Clark County of equal or greater civil jurisdiction.
- (7) Illuminated signs or signs that are electrified in nature shall be connected by an outdoor cord not to exceed 12'-0" in length from power source of the appropriate wire size pursuant to National Electric Code (Table 310) and shall be connected to a ground fault

receptacle pursuant to section 210-8 (A) (3). Under no circumstances shall extension cords be permitted. The Building Commissioner shall have the duty to enforce this requirement. Failure to meet this regulation will give the Building Commissioner the authority to disconnect said sign for safety of the general public. Failure of the applicant to obey these safety regulations may force the removal of said sign, and the permit being voided with no refund allowed. Sign shall also bear UL approval label affixed to unit.

- (8) Only one (1) sign shall be allowed at each single business address or parcel of property in the GO, B-1, B-2, I-1 or I-2 District during each thirty (30) day period of time. Further, should said sign be used for "not-for-profit" use such as: church functions, service organizations, service clubs, or bona fide "not-for-profit" organizations, said sign shall be permitted for 1/2 permit fee under same regulations set forth in this Ordinance and shall be allowed in any district.

Section 2.16 - Landscaping Requirements

2.16.1 - Application

- 2.16.1.1 - Property perimeter landscaping requirements apply to all property lines. Fully controlled access roadways (i.e., expressways and freeways) are not considered "public access roadways".
- 2.16.1.2- All uses except agricultural and detached single-family dwelling units shall comply with the provisions of this section except:
- (1) where a detached single-family dwelling use is built after a different abutting use, the single-family use must comply; or
 - (2) when the existing structure (building or parking area) is expanded less than twenty (20) percent in square footage.
- 2.16.1.3 - When an existing structure (building or parking area) is expanded and represents more than a twenty (20) percent but less than a fifty (50) percent increase in square footage, only the portion of the structure being expanded shall comply with the landscaping requirements.
- 2.16.1.4- When an existing structure (building or parking area) is expanded and represents a fifty (50) percent or more increase in square footage, the entire lot shall comply with the landscaping requirements.
- 2.16.1.5 - The Plan Commission may waive any landscaping requirement after a public hearing and finding of fact supporting the waiver or after all abutting property owners have agreed in writing to the waiver of any landscaping requirements.