

ARTICLE 8

SIGNS

Signs are permitted in accordance with regulations listed below and in accordance with other applicable regulations of this Ordinance.

Section 8.1 Intent

The purpose of this Article is to permit such 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, safety, and general welfare; protect and enhance property values and community appearance as part of the Town's concerted effort to enhance the aesthetic quality; and to permit and regulate signs in such a way as to support and complement land use objectives set forth in the land development plan.

Section 8.2 Definitions

Unless otherwise specifically provided or unless clearly required by the context, the words and phrases defined in this section shall have the meaning indicated when used in this article.

Advertising Sign

A sign other than a directional sign which directs attention to or communicates information about a business, commodity, service, or event that exists or is conducted, sold, offered, maintained or provided at a location other than the premises where the sign is located. Any advertising sign allowed under this Ordinance may display either commercial or noncommercial copy.

Attached Sign

A wall sign, a marquee sign, a window sign, and a canopy sign.

Billboard

A sign structure and/or sign utilized for advertising an establishment, an activity, a product, service or entertainment, which is sold, produced, manufactured, available or furnished at a place other than on the property on which said sign structure and or/sign is located.

Business Sign

A sign that directs attention to a business, to a product sold, manufactured, or assembled, or to services or entertainment offered upon the premises where the sign is displayed, but not a sign pertaining to the preceding if such activity is only minor and incidental to the principal use of the premises.

Campaign or Election Sign

A sign that advertises a candidate or issue to be voted upon on a definite election day.

Canopy and Awning Sign

A sign attached to or painted or printed onto a canopy or awning. For the purposes of this Ordinance, the permitted size of a canopy or awning sign will be calculated on the basis of the size of the building wall to which the canopy is attached. It will, for measuring purposes, be considered a wall sign.

Construction Sign

A sign placed at a construction site identifying or announcing the project or the name of the architect, engineer, contractor, financier, or others involved in the development of the project.

Copy

Any words, letters, numbers, figures, characters, symbols, logos, or insignia that are used on a sign display surface area.

Directional Sign

A sign fronting on a road containing only the name of the principal use, directional arrow and mileage to the principal use. Such principal use shall not be visible to the motorist at the location at which the sign is placed.

Directory Sign

A sign on which the names and locations of occupants or the use of a building or property is identified.

Flag

Any fabric or bunting containing distinct colors, patterns or symbols, used as an ornamental flag or as a symbol of government, political subdivision, corporation or business or other entity.

Flashing Sign

A sign that uses an intermittent or flashing light source or windblown and/or mechanical moved reflective material to attract attention.

Freestanding Sign

Any sign that is not affixed to a building and is securely and permanently mounted in the ground. Such sign may include a ground, pole or monument sign.

Ground Sign

Any sign which extends from the ground or which has supports which places the bottom thereof less than three and one-half feet from the ground directly beneath the sign.

Ground level

The finished grade of a parcel of land exclusive of any filling, berming or mounding.

Height

The vertical distance measured from ground level nearest the base of the sign to the highest point of the sign.

Identification Sign

A sign which displays only the name, address, and/or crest, or insignia, trademark, occupation or professional of an occupant or the name of any building on the premises.

Illuminated Sign

A sign either internally or externally illuminated, which contains a source of light or which is designed or arranged to reflect light from an artificial source including indirect lighting, neon, incandescent lights, back-lighting, and shall also include signs with reflectors that depend upon automobile headlights for an image.

Incidental Sign

A sign used in conjunction with equipment or other functional elements for a use or operation. These shall include, but not be limited to drive through window menu boards, and signs on automatic teller machines, gas pumps, vending machines, or newspaper delivery boxes. These signs shall not exceed one (1) square foot in size and shall be attached to a freestanding sign or affixed to a wall.

Illegal Sign

Any sign, which has been determined to be in violation of any provisions of this Article.

Instructional Sign

An on-premises sign designed to guide vehicular and/or pedestrian traffic by using such words as "Entrance", "Exit", "Parking", "One-Way", or similar directional instruction, but not including any advertising message. The name or logo of the business or use to which the sign is giving direction may also be included on the sign.

LED Sign

Light Emitting Diode (LED) sign utilizing technology of diodes arranged in pixels to create messages changeable by electronic means. Said signs are sometimes referred

to as electronic message centers and shall include other similar signs such as liquid crystal display signs, fiber optic signs, plasma display screen signs, incandescent signs, time-temperature-date signs or any other such sign using similar technologies.

Lighted Sign

A sign illuminated only by light cast upon the sign from an external light source.

Luminous Sign

A sign lighted by or exposed to artificial lighting either by lights on or in the sign.

Monument Sign

A nonmetallic sign in which the bottom of the sign is flush with the ground and the vertical dimension is greater than the horizontal dimension.

Nonconforming Sign

A sign that, of the Effective Date of this Ordinance or the date of any subsequent amendment thereto, does not conform to one or more of the regulations set forth in this Ordinance.

Off-Premises Sign

A sign that draws attention to or communicates information about a business, service, commodity, that exists or is conducted, sold, offered, maintained or provided at a location other than the premises where the sign is located.

On-Premises Sign

A sign that draws attention to or communicates information about a business, service, commodity, that exists or is conducted, sold, offered, maintained or provided on the premises where the sign is located.

Parapet

That portion of a building wall or false front that extends above the roof line.

Pole Sign

A detached sign erected and maintained on a free-standing frame, mast, or pole and not attached to any building but not including ground-mounted or monument signs. The bottom of such sign shall be greater than three and one-half (3-1/2) feet from the ground directly beneath the sign.

Portable Sign

Any sign not permanently attached to the ground or other permanent structure, or a sign

designed to be transported, including, but not limited to, signs designed to be transported by means of wheels; signs converted to A- or T-frames; or umbrellas used for advertising.

Projecting Sign

Any sign other than a wall, awning, canopy, or marquee sign, which is affixed to a building and is supported only by the wall on which the sign is mounted.

Public Interest Sign

A sign on private property that displays information pertinent to the safety or legal responsibilities of the general public such as "Warning" and "No Trespassing" signs.

Real Estate Sign

A sign that is used to offer for sale, lease, or rent the premises upon which such sign is placed.

Roof Sign

A sign erected or maintained in whole or in part upon or over the roof or parapet of a building.

Sandwich Board Sign

A portable sign comprised of two (2) separated panels or faces joined at the top and spread apart at the bottom to form the base on which the sign stands. The sign face shall not exceed two and one-half (2 ½) feet in width or eight (8) square feet in area.

Sign

Any object, display or structure, or part thereof, situated outdoors, which is used to advertise, identify, display, direct, or attract attention to an object, person, institution, organization, business, product, service, event or location by any means, including words, letters, figures, design, symbols, fixtures, colors, illumination, or projected images. The term "sign" does not include the flag or emblem of any nation, organization of nations, state, political subdivision thereof, or any fraternal, religious or civic organization; works of art which in no way identify a product or business; scoreboards located on athletic fields; or religious symbols.

Sign Area

The entire face of a sign including the advertising surface and any framing, trim, or molding, but not including the supporting structure. In computing area, only one side of a double-faced sign shall be considered.

Sign Permit

A permit issued by the Zoning Administrator that authorizes the recipient to erect, move, enlarge, or substantially alter a sign.

Sign Structure

Any structure which is designed specifically for the purpose of supporting a sign, which has supports or which is capable of supporting a sign. The definition shall include any decorative covers, braces, wires, supports, or other components attached to or placed around the sign structure.

Snipe Sign

Any sign tacked, nailed, posted, pasted, glued or otherwise affixed to trees, poled, stakes, or fences, with a message appearing thereon not applicable to the present use of the premises upon which the sign is located.

Special Event Sign

A content-neutral sign providing notice of, or direction to, an event, gathering, assembly or meeting that is open to the public at large.

Subdivision Monument Identification Sign

A monument sign, which contains only the name of a platted subdivision or other residential development. A subdivision monument identification sign at a platted subdivision or neighborhood entrance shall not be considered a billboard.

Suspended Shingle Post Sign

A detached sign supported by a single post with an arm. The maximum area of this sign is six (6) square feet.

Temporary Sign

Any sign erected and maintained for a specific period of time.

Vehicular Sign

Signs on parked vehicles visible from the public right-of-way where the primary purpose of the vehicle is to advertise a product or to direct people to a business or activity located on the same or nearby property, and said vehicles are not used in the normal day to day operations of said business. For the purposes of this Ordinance vehicular signs shall not include business logos, identification or advertising on vehicles primarily used for other transportation purposes.

Section 8.3 Signs Permitted Without Permit

The following signs shall not require a permit:

- a) Signs required to be posted by law. Signs established by governmental agencies. "Warning" signs and "No" Trespassing" signs. Historical markers placed by a governmental agency or a recognized historical society. Private unofficial traffic signs indicating directions, entrances, or exits.
- b) One (1) sign, including a professional name plate, per dwelling unit, denoting the name of the occupant not to exceed one and one half (1-1/2) square feet in area.
- c) Temporary political signs advertising candidates or issues to be decided in an election or referendum provided such signs do not exceed one (1) sign per candidate per 100' of road frontage. Political signs are limited to six (6) square feet in size and shall be no higher than four (4) feet from grade level. Political signs shall not be placed on any property more than 30 days before the election date and shall be removed by the candidates or responsible parties within five (5) days after Election Day. Such signs shall not obstruct visibility for motorists. Signs shall not be placed in any town designated landscaping areas.
- d) One sign advertising real estate "for sale", "for rent", or "for lease", not greater than six (6) square feet in area located upon property so advertised, and shall be no higher than four (4) feet from grade level. Such signs shall not obstruct visibility for motorists. Such signs shall be removed within seven (7) days after the property has been sold, (upon closing) rented or leased. Any signs erected pursuant to this provision must not violate Section 8.3 (f) of this Ordinance. Any signs advertising real estate subdivisions shall be limited to one (1) sign, no greater than six (6) square feet in area, located at the entrance of the subdivision.
- e) One (1) sign advertising the sale of produce out of a home garden on the premises where the produce is being sold shall be permitted with no more than sixteen (16) square feet in area and no higher than four (4) feet above grade level.
- f) Churches may have two (2) free standing directional signs only. The signs shall be no larger than two (2) square feet in area and placed off the right-of-way.
- g) One (1) sign per dwelling unit advertising a yard sale, or for the sale of up to two (2) vehicles, or small pets, or the like for no more than ten (10) days' total duration. All yard sales' signs shall be removed twenty-four (24) hours after the yard sale has been terminated. No such sign shall be greater than four (4) square feet in area. All such signs shall be located off the street right-of-way.
- h) Temporary directional signs for yard sales' are limited to three (3) in number and may be placed forty-eight (48) hours before the sale, and must be removed twenty-four (24) hours after termination.
- i) Temporary special event signs, banners, streamers for non-profit agencies are allowed ten (10) days before the special event and must be taken down two (2) days after the special event. The size shall be no larger than twenty-four (24) square feet and must be located off the street right-of-way, unless otherwise specified by the

Department of Transportation.

- j) Flags of the United States of America, the State of North Carolina, Union County, the Town of Mineral Springs, or any flag adopted or sanctioned by an elected legislative body of competent jurisdiction, as well as flags bearing a logo of corporate, non-profit, or religious origin. Such flags shall not be flown from a pole the top of which is more than 35 feet in height.
- k) Window signs placed or painted on the interior or exterior of glass windows or door provided that such signs cover no more than thirty (30) percent of the glass area of the entire storefront. Window signs that cover more than thirty (30) percent of the glass shall be considered as wall signs and shall meet requirements for painted wall signs within the appropriate zoning district.
- l) Neon tube signs or LED signs visible from outside of a building shall be limited to two (2) per business and located on the inside of a window such that no more than ten (10) percent of the window area is covered by the sign area.

Any sign in the Town of Mineral Springs that is found to be in need of repair shall be renovated or removed within thirty (30) days by the owner upon receipt of written notification, or said sign may then be removed by the Zoning Administrator, and the reasonable cost of such removal shall be the owner's responsibility.

Section 8.4 Prohibited Signs

Any non-governmental signs placed on utility poles or traffic control signs without express approval of both the Town of Mineral Springs and the owner of the utility poles or traffic control signs may be taken down and destroyed without prior notification to the sign owner.

Any unauthorized or prohibited signs placed in a public right-of-way or on any other public property may be removed and destroyed without prior notification to the sign owner.

Any other unauthorized or prohibited signs shall be removed within ten (10) days by the sign owner upon receipt of written notification from the Zoning Administrator. Any sign owner who fails to comply with such notification shall be subject to enforcement procedures and penalties as provided for in Section 1.5 of the Zoning Ordinance of the Town of Mineral Springs. Unless proven conclusively to the contrary, the owner of such sign(s) shall be considered to be the individual, company or other organization whose products, services or notices are displayed.

The following signs are expressly prohibited within all zoning districts, unless as otherwise specified in this Ordinance.

- a) All off-premise signs, including billboards, unless otherwise specified in this ordinance.
- b) All portable signs.

- c) Flashing light signs (except signs which give time and temperature and other public information messages).
- d) Any sign which the Zoning Administrator determines obstructs the view of bicyclists or motorists using any street, private driveway, approach to any street intersection, or which interferes with the effectiveness of or obscures any traffic sign, device or signal.
- e) Luminous signs.
- f) Any sign placed upon a traffic control sign, tree, or utility pole, for any reason whatsoever, except for governmental signs.
- g) Any sign that is an inflatable device or which is affixed to or directly applied to a motor vehicle.

Section 8.5 General Sign Requirements

- a) Any lighted sign or lighting device shall be so oriented as not to cast light upon a public right-of-way so as to cause glare, intensity or reflection that may constitute a traffic hazard or a nuisance, or cast light upon adjacent property that may constitute a nuisance.
- b) Lighted signs shall employ only devices emitting a light of constant intensity, and no signs shall be illuminated by a flashing, intermittent, rotating or moving light.
- c) The area of a sign shall be measured by measuring one-face of the entire sign including any border or trim and all of the elements of the matter displayed, but not including the base or apron, supports or other structural members. The area of a double face sign shall be the area of one face of the sign. The sign surface area of a double faced sign constructed in the form of a "V" shall be calculated by using the area of only one side of such sign (the larger side if there is a size difference), so long as the angle of the "V" does not exceed forty-five (45) degrees.
- d) Nonconforming Signs

The provisions contained in Section 7.6 of this Ordinance shall apply to all signs nonconforming at time of initial adoption of this Ordinance, except for any and all signs that are prohibited or have not previously received a permit from Union County and which is valid as of the Effective Date of this Ordinance.

Section 8.6 Attached (On Structure) Signs

- a) On Structure signs shall be considered either attached signs or painted wall signs.
- b) No sign painted on a building or wall shall exceed twenty percent (20%) of the wall area, or a maximum of sixty-four (64) square feet.
- c) No sign shall be located on the roof of any structure or extended above the parapet or eave line of any structure.

Section 8.7 Ground Signs

- a) No part of a ground sign including projections may extend into or over an existing public right-of-way.
- b) Ground signs are permitted so long as the building or structure in which the activity is conducted is set back at least thirty (30) feet from the street right-of-way.
- c) All ground signs must be secured to the ground or affixed so as not to create a public safety hazard.
- d) The sign shall be located so as to not impair traffic visibility.
- e) The maximum area of the sign shall be twenty (20) square feet.
- f) No part of the sign shall be located closer than five (5) feet to any adjacent side lot line.

Section 8.8 Temporary Signs

a) Banners, Pennants and Temporary Signs:

The following temporary signs are allowable after the Zoning Administrator has issued a temporary sign permit, for a total period not to exceed thirty (30) days, unlighted on premise portable signs, banners, and windblown signs such as pennants, spinners, flags, streamers, and balloons for special events and grand openings.

b) Announcement Signs:

Announcement signs are signs that indicate the names, address, etc. of firms making improvements on property. One sign per project shall be permitted and shall require a Temporary Sign Permit, good for six (6) months and renewable, one time, for one (1) additional six (6) month period and shall comply with Section 8.7, "Ground Signs", and shall be single faced of a maximum area of ten (10) square feet. Announcement signs are not to be used to advertise real estate or subdivisions. No illumination of announcement signs shall be permitted.

c) Directional Signs:

Directional signs for commercial purposes are allowable subject to the following provisions:

- 1) Directional signs are limited to two (2) per property for sale, rent, or lease.
- 2) Directional signs shall not exceed two (2) square feet in area and are limited to two (2) per property for sale, rent or lease.
- 3) Applicant(s) for directional sign(s) must apply for a permit for the installation of said sign(s), which permit shall identify the proposed sign(s), and the proposed location for each sign(s).
- 4) Proposed signs must not be located within the right-of-way of roadways.

However, proposed signs may not be placed in locations which will obstruct vision, traffic, or create a hazard.

- 5) Applicant must provide written permission of the property owner on which proposed sign(s) are to be located, and submit same when applying for a permit.

Subject to submission of an application for directional signs, the Zoning Administrator shall issue a permit for no more than two (2) directional signs for property for sale, rent, or lease, or an event to be held. The permit shall identify the number of signs and their approved locations.

An applicant who believes that two (2) directional signs are inadequate to provide reasonable direction to the property for sale, lease or rent, may apply in writing for a permit for additional directional signs. However, such applicant must demonstrate to the satisfaction of the Zoning Administrator the need for such additional directional signs. The Zoning Administrator shall use his best judgment in approving such additional directional signs, which shall include the following criteria:

- a) The number of street intersections in the vicinity of the subject property and/or event.
- b) The number of streets in the vicinity of the subject property and/or event.
- c) The configuration of the streets in the vicinity of the subject property and/or event.
- d) The volume of vehicular and pedestrian traffic on the streets upon which the additional directional signs are requested.

The Zoning Administrator may only permit additional directional signs as are necessary to adequately locate the subject property and/or event. However, the Zoning Administrator shall not issue a permit for more than two (2) directional signs per lineal mile.

Subject to application for renewal, permits for all directional signs shall expire no later than ninety (90) days from the date of issuance, or the day after the event so advertised occurs, or upon the closing, rental, or leasing of the property being advertised, whichever date occurs first.

For purposes of this Section, if an applicant or their affiliated company owns more than two (2) properties for sale, rent or lease, for which applicant seeks directional signs, such properties (regardless of number) are deemed one property if they are located within one linear mile of each other, and shall be treated as one property for the purposes of this Ordinance.

d) Temporary Special Event Directional Signs

Temporary special event directional signs for commercial purpose are allowable subject to the following provisions:

- 1) Temporary special event directional signs are limited to two (2) per event to be held.
- 2) Temporary special event directional signs shall not exceed two (2) square feet in area or shall be a sandwich board sign not to exceed two and one-half (2 ½) feet in width and three (3) feet square feet in height.
- 3) Applicants for temporary special event directional signs must apply for a permit for the temporary placement of said sign(s), which permit shall identify the proposed sign(s) and the proposed location for each sign(s)
- 4) Proposed sign(s) must not be located within the right-of-way of roadways. However, the proposed sign(s) may not be placed in locations which will obstruct vision, traffic, or create a hazard.
- 5) Applicant must provided written permission of the property owner on which proposed sign(s) are to be located and submit the same when applying for a permit.
- 6) Temporary special event directional signs shall not be placed more than eight (8) hours prior to the event and must be removed immediately following the conclusion of the event.
- 7) Placement of temporary special event directional sign(s) permits is limited to two (2) times per week. The permit shall consider all of the events as one for application purposes. A single application is valid for the special event directional sign(s) placements permitted under subsection 7 above.

Subject to application for renewal, permits for all temporary special event directional signs shall expire no later than one-hundred and eighty (180) days from the date of issuance.

Section 8.9 Signs Permitted in All Residential -R- Districts

- A) Signs on premises of single-family dwellings and on the premises of manufactured or modular homes shall be regulated as follows:
 - a) Types of sign permitted: Identification
 - b) Permitted number of signs: One (1) per dwelling unit
 - c) Maximum area of signs: Three (3) square feet
 - d) Permitted location: Behind street right-of-way

- B) Signs on premises of small group day care homes shall be regulated as follows:
 - a) Types of sign permitted: Identification
 - b) Permitted number of signs: One (1) per dwelling unit
 - c) Maximum area of signs: Three (3) square feet
 - d) Permitted location: Behind street right-of-way

C) Signs on premises of cemeteries shall be regulated as follows:

- a) Types of sign permitted: Identification
- b) Permitted number of signs: One (1) per street front
- c) Maximum area of signs: Twenty (20) square feet
- d) Permitted location: Behind required setback

D) Signs on premises of home occupations shall be regulated as follows:

- a) Types of sign permitted: Suspended Shingle Post Sign
- b) Permitted number of signs: One (1) per dwelling unit
- c) Maximum area of signs: Six (6) square feet
- d) Permitted location: Signs shall be located a minimum of five (5) feet behind street right-of-way
- e) Permitted materials: Signs and supporting posts shall be of a color and material which are similar to those of the structure housing the subject establishment. Neon/fluorescent colors are prohibited

E) Monument signs on premises of major subdivisions shall be regulated as follows:

- a) Types of sign permitted: Identification
- b) Permitted number of signs: Two (2) per subdivision entrance
- c) Maximum area of signs: Combined total of thirty (30) square feet
- d) Permitted location: Ground. Shall be located a minimum of five (5) feet behind street right-of-way
- e) Maximum height of signs: Five (5) feet

F) Signs on all other non-residential uses in a Residential -R- district shall be regulated as follows:

- a) Types of sign permitted: Identification and bulletin board.
- b) Permitted number of signs: One (1) identification and one (1) bulletin board each if only one principal building is involved. A third sign is permitted if the building is located on a through lot or has frontage on

three or more streets.

If more than one (1) principal building is involved, one (1) identification and one (1) bulletin board for the first principal building is permitted plus one (1) identification or (1) bulletin board for each additional principal building.

c) Maximum area of signs: One Principal Building - No sign shall be greater than twenty (20) square feet.

Two or more Principal Buildings - No sign shall be greater than ten (10) square feet.

d) Permitted location: Identification and bulletin board: Behind right-of-way line.

Section 8.10 Signs permitted in the B-2, B-4 and LI Zoning Districts

A) Signs on premises of permitted uses conducted in buildings or with buildings associated shall be regulated as follows:

a) Types of sign permitted: Business and/or identification.

b) Permitted number of signs Attached - One (1) only.
All requirements of Section 8.5 shall also be met.

Ground - One (1) only except that an additional ground sign may be permitted on through lots having frontage on three (3) or more streets.

c) Maximum area of signs: Attached - One (1) square foot of aggregate area per linear foot of building street frontage up to a maximum of sixty-four (64) square feet per premises regardless of the number of establishments occupying such premises.

Ground - Twenty (20) square feet.

If there are two principal buildings involved, one (1) identification or one (1) bulletin board may be erected for the additional principal building in accordance to the aforementioned requirements.

d) Permitted location: Attached - Signs shall be located on the building and shall not extend above the parapet of the building nor more that eighteen (18) inches from any building wall or marquee

face provided that such sign shall not project more than six (6) inches into the street right-of-way unless it is at least ten (10) feet above street grade, in which case it may not extend more than eighteen (18) inches into the street right-of-way.

Ground – Behind street right-of-way line and in accordance with Section 8.7.

B) Shopping Center Identification signs shall be regulated as follows:

- a) Type of sign permitted: Shopping Center Identification
- b) Permitted number of signs: A shopping center containing three (3) or more businesses with separate entrances shall have one ground identification sign giving the names of the businesses located in the shopping center. Such sign shall be in accordance with Section 8.7.
- c) Maximum area of signs: Forty (40) square feet provided that no portion of the sign advertising a particular business shall be in excess of ten (10) square feet.
- d) Permitted location: Ground – Behind street right-of-way and in accordance with Section 8.7.