

SECTION 9 SIGN REGULATIONS

The following regulations are for the purpose of providing for the orderly placement of signs and outdoor advertising devices within the City of Opelika. It is intended that all advertising devices within the City conform to these standards.

SECTION 9.1 EXEMPT SIGNS¹

Exempt signs are allowed without a sign permit and are not to be included in determinations of the allowable numbers, type and area of signs that require a sign permit. Nothing in this section shall exempt an individual who desires to erect a sign from the necessity of obtaining a building permit, should such be required by the Building Code. The signs identified in the remainder of this section are exempt from the requirement for a sign permit.

A. Agricultural Signs

Two signs not exceeding thirty-two (32) square feet in aggregate display area for each farm or agricultural support business.

B. Community Decorations

C. Construction Signs

One sign per each contractor each sign limited to thirty-two (32) square feet and not exceeding a height of eight (8) feet above ground level; identifying parties involved in construction on the premises and future activity for which the construction is intended. Removal is required within fourteen (14) days following completion of construction.

D. Directional Signs

Parking lot and other private traffic directional signs, each not exceeding five (5) square feet in area. Such signs are to be limited to guidance of pedestrian or vehicular traffic within the premises on which they are located, and are not to display any logo or name of a product, establishment, service, or any other advertising. The aggregate display area of all such signs shall not exceed forty (40) square feet.

E. Directory Signs

One (1) sign or directory that does not exceed twenty (20) square feet on any single building wall.

F. Holiday Decorations

G. House Numbers

H. Information Kiosks

The total area of the kiosk display is not to exceed forty (40) square feet or a height of eight (8) feet. Kiosks are to be separated from adjacent structures by a minimum of six (6) feet.

I. Internal Signs

J. Nameplate

¹ Ordinance # 100-96, Feb 7, 96

K. Official Flags and Official Governmental Signs

L. Political Signs

Temporary political signs are allowed on private property, provided that campaign signs are not to be posted more than thirty (30) days preceding the election, and are to be removed within seven (7) days following the election.

M. Prohibition Signs

N. Public Service Message Sign

O. Real Estate Signs

1. For Sale Signs. Temporary signs indicating the property on which the sign is located is for sale, rent or lease. Only one sign per four hundred (400) linear feet of road frontage is permitted to face each street adjacent to the property. Such signs may not exceed thirty-two (32) square feet.
2. Model Homes. Temporary signs, banners and decorations attracting attention to a model home and sales office within a new subdivision, provided that the aggregate area of such signing is not to exceed thirty-two (32) square feet.
3. Open House. Temporary signs or banners attracting attention to an open house, with signage having a maximum aggregate area of thirty-two (32) square feet, to be in place a maximum of seven (7) days.
4. Directional Sign. A maximum of two signs per listing directing attention to a property for sale or lease. Such signs may not exceed one (1) square foot.

P. Subdivision Identification Marker

A single structure at the entrance to any subdivision or office or industrial park may not exceed one hundred (100) square feet in display area, nor may two or more such structures at one (1) entrance exceed an aggregate total display area of one hundred-fifty (150) square feet.

Q. Temporary Promotional Display Signs and Other Temporary Signs

Temporary Signs. The intent of temporary signs is to allow additional signs and sign face area over and-above the normally permitted number of signs and sign face area for short periods of time to advertise grand openings, special events, special observances, special functions, special days and the like. For districts in which temporary signs are permitted, the following regulations shall apply:

1. Each use of a temporary sign must have a permit authorizing its use issued by the Building Inspection.
2. A permit for the use of a temporary sign can be granted for period of up to 30 days for grand openings of offices, businesses and the like.
3. A permit for the use of temporary signs can be granted up to 14 days for special events, special observances, special functions, special days and the like.
4. A permit, whether 30 days or 14 days, is not renewable for a period of six months for the same business or office or special events, observances, functions and the like.
5. Temporary signs shall adhere to the size, location, height and other requirements in the district in which they are to be located.
- 6.

R. Window Signs

Window signs are exempt on business premises in all zoning districts.

SECTION 9.2 PROHIBITED AND ILLEGAL SIGNS

In addition to any sign or advertising device that is not specifically permitted by these regulations, the signs identified in this section are prohibited in all zoning districts in the City. No variance shall be considered by the Board of Zoning Adjustment in regard to any of these signs.

- A. Any sign which simulates or imitates in size, color, lettering or design, any traffic sign or signal, or which makes use of words, symbols or characters in such a manner to interfere with, mislead or confuse pedestrian or vehicular traffic.
- B. Signs consisting of any moving, rotating, flashing, or otherwise animated light or component, except for time and temperature displays and barber poles.
- C. Any sign or sign structure identifying a previous use or activity that has not occupied the site for a period greater than ninety (90) days.
- D. Flashing strips or strings of lights outlining property lines, sales area, rooflines, doors, windows, wall edges or other architectural features of a building. Such lighting is not prohibited alone or in combination with Community or Holiday Decorations or a Temporary Promotional Display.
- E. Signs on public land, other than those erected at the direction or with the permission of a public authority.
- F. Any signs, other than official traffic control devices or highway identification markers, which are erected within the right-of-way lines of any street or alley. Any sign that is erected or maintained outside the right-of-way and interferes with visual clearance along any street, road, or highway between the heights of three (3) and ten (10) feet above ground level.
- G. Signs visible from a public right-of-way that use the word "stop" or "danger" or otherwise present or imply the need or requirement of stopping, caution, the existence of danger, or which for any reason are likely to be confused with any sign displayed or authorized by a public authority.
- H. Signs attached to trees, utility poles or similar structures and signs painted on or attached to rocks and other natural features.
- I. Signs installed, erected, enlarged or structurally altered in violation of the provisions of this Article.
- J. Signs judged to be dangerous because they are not securely affixed to the ground, or otherwise affixed in a permanent manner to an approved supporting structure.
- K. Signs that have become deteriorated or damaged to an extent that the cost of the reconstruction or restoration of such signs is in excess of fifty (50) percent of its replacement value exclusive of foundations.

SECTION 9.3 PERMITS REQUIRED

It shall be unlawful for any person to erect, repair, alter or relocate any General Business Sign, or any sign determined to be non-exempt, within the City without first obtaining a sign permit, which has been duly issued by the Building Official.

- A. Permits. The following regulations apply generally to all signs and are in addition to the regulations contained elsewhere in this Ordinance.
 - 1. Sign Permit: No sign, unless herein exempted, shall be erected, constructed, structurally altered or relocated, except as provided in this Ordinance, until a permit has been issued by the Administrator or his designee. Before any permit is issued, an application provided by the Administrator or his designee shall be filed together with three sets of drawings or specifications, one to be returned to the applicant, as may be necessary to advise and acquaint the administrator or his designee fully with the location in relation to adjacent buildings, construction, materials, manner of illuminating or securing or fastening, and number of signs applied for and the wording of the sign or advertisement to be carried on the sign for the purpose of calculating the sign face area only.

2. Electrical Permit: All signs which are electrically illuminated shall require a separate electrical permit and an inspection.
3. Permit Time Limit: All signs shall be erected on or before the expiration of six months from the date of issuance of the permit; otherwise the permit shall become null and void, and a new permit shall be required.

SECTION 9.4 MAINTENANCE

All signs and components thereof shall be maintained in good repair. All signs, components, supports and their surroundings shall be maintained in a safe, clean and attractive condition.

SECTION 9.5 GENERAL REQUIREMENTS APPLICABLE TO ALL SIGNS

- A. Projections. No sign shall project beyond a property line or into a public right-of-way, except as specifically permitted herein.
- B. Building Code Requirements. All signs shall comply in every respect with the building code of the city whether exempt or permitted by- this Article.
- C. Obstruction to Exit Ways. No sign shall be erected, displayed, or maintained so as to obstruct any fire escape, any required exit way, Window or door opening used as a means of egress, or to obstruct any other means of egress required by the building code of the city.
- D. Obstruction of Ventilation. No sign shall be erected, displayed, or maintained in a manner that interferes with any opening required for ventilation under the building code of the city.
- E. Illumination Devices. Devices that illuminate a sign or signs shall be placed and shielded so that the direct light rays therefrom, or from the sign itself, shall not be cast into the eyes of any passing motorist.
- F. Setback. All signs are excluded from the minimum setback requirement regulated by the district in which they are located. Except the "Traffic Safety Triangle" which is an isosceles triangle with two 25-foot sides extending from the street corner along the curbs. In addition, any ingress and egress area required for visibility from vehicles shall not have any sign from three (3) feet above the ground to ten (10) feet above the ground.

SECTION 9.6 RESIDENTIAL SIGNS²

It shall be unlawful to erect, permit the erection of, display or permit the display of any sign in a residential district unless such sign is expressly permitted by Section hereof, or Section 8.14 D. if applicable, and is therefore exempt from the requirement to obtain a sign permit.

SECTION 9.7 GENERAL BUSINESS SIGNS

It shall be unlawful to erect, permit the erection of, display or permit the display of any General Business Sign in any zoning district unless such sign is expressly permitted by this Section subject to all of the limitations and provisions stated herein.

- A. General Business Signs may be reader boards, canopy signs, ground signs, projecting signs, off-premises signs, elevated signs, roof signs, wall signs, and open letter signs, subject to the limitations set forth in this Article. Each General Business Sign may communicate an advertisement for more than one product, service or subject.
- B. Any combination of the General Business Signs described herein is permitted in the business and manufacturing districts. The maximum total display area of General Business Signs on a lot, parcel or premises may, therefore, be distributed among one or more signs, but it is limited in each district in accordance with the provisions of this Section.

² Ordinance # 100-96, Feb 7, 96

- C. In the Downtown Commercial (C-1) District and Office/Retail (C-2) District, the maximum total display area of all General Business Signs on any single lot or premises may not exceed two hundred (200) square feet, plus one (1) additional square foot of display area for each foot of building front that exceeds thirty (30) feet.
- D. In the General Commercial (C-3) and Industrial (M-1, M-2) Districts the maximum total display area of all General Business Signs on any single lot shall not exceed three hundred (300) square feet, plus one (1) additional square foot of display area for each foot of setback beyond the setback required by the district in which the development is located.³
- E. In a group development, the development is entitled to the full display area of signage and each separate business in the group development is likewise entitled to the same aggregate display area of signage. However, a group development shall be permitted no more than one (1) freestanding sign per street frontage. It is recommended that a Multiple Use Identification Sign be used (see definition). Businesses, developed on outlot parcels but being part of the group development by virtue of shared parking and access will be permitted their own freestanding sign. However, in no case shall more than one freestanding sign be located along the same frontage or side of the building.⁴

Furthermore, this allowance is applicable to office and industrial buildings that house more than one (1) business, service or manufacturing operation. However, in the Shopping Center District these standards may be varied by the planning commission when they review signage as part of overall site plan approval.

- F. In no case shall any sign, or signs, whether exempt of a General Business Sign, be permitted in a zoning district that exceeds the size, height and setback requirements established by this Section and Ordinance.

SECTION 9.8 BILLBOARDS AND PORTABLE SIGNS

- A. No new billboard structures shall be permitted in any district.^{5,6}
- B. Portable signs are not permitted in any District.

SECTION 9.9 NON-CONFORMANCE OF EXISTING SIGNS

All existing signs that are not specifically permitted or that do not comply with all the provisions of this Article shall be considered nonconforming signs and shall not, after the effective date of this Article, be enlarged, structurally altered or extended unless such signs shall be made to comply with all provisions of this Section.

- A. Normal repairs and repainting of nonconforming signs is permitted. However, when a nonconforming sign is structurally repaired, damaged or destroyed by any means to the extent of fifty (50) percent or more of its replacement value, exclusive of foundations, it shall not thereafter be restored, unless such sign shall be made to conform to all the provisions of this Section.

³ Ordinance #100-96, Feb 7, 96

⁴ Ordinance #136-95, Dec 6, 1995

⁵ Ordinance #100-96, Feb 7, 96

⁶ Ordinance #102-02, Jan 8, 02

- B. All existing billboards located in any zoning district, except as permitted in 9.8A shall be considered nonconforming and shall be regulated in accordance with the provisions of this Section.⁷
- C. All existing portable signs located in any zoning district shall be considered nonconforming and shall be removed no later than ninety (90) days from the effective date of this ordinance.

SECTION 9.10 APPROVAL OF PLANS AND ISSUANCE OF SIGN PERMIT

It shall be unlawful for the Building Official to approve any plans or to issue a permit for a sign until he has inspected such plans and found them in conformity with the Ordinance. The Building Official shall therefore require a plan of the proposed sign that indicates the scale of the drawing, or is properly dimensioned.

- A. In order to satisfy himself as to the conformity of the proposed sign with this Ordinance, the Building Official may also require the submission of a survey of the lot or parcel upon which the sign is to be placed and which indicates its proposed location on the lot; the general location of existing and proposed buildings and other structures on the lot and the setbacks of said structures; and the existing and intended use of any and all structures, whether existing or proposed.
- B. If the proposed sign, as set forth in the application, is in conformity with all the provisions of this Ordinance, and other City Codes, the Building Official shall issue a sign permit. If, on the other hand, the application for a sign permit is not approved, he shall state in writing on the application the cause for disapproval.

Table 9.1 GENERAL BUSINESS SIGNS

Sign Description	Size Regulations
Billboards	Off-premises advertising sign of greater than 32 S.F., in display area, all-metal construction, twenty (20) feet clearance between lowest point on sign and ground and not to exceed 480 square feet per side, 2 sides per site.
Canopy Signs	Greater than 2 S.F. per sign, but not to exceed 50 S.F. per sign.
Elevated Sign	Not to Exceed 200 S.F. per sign.
Ground	Not to Exceed 100 S.F. per sign
Off-Premises	Not to Exceed 32 S. F. per sign.
Projecting Sign	Not to Exceed 100 S.F. per sign.
Reader Board	Not to Exceed 100 S.F. per sign.
Roof Sign	Not to Exceed 300 S.F. per sign
Wall Sign	Not to Exceed 300 S.F. per sign.

⁷ Ordinance #100-96, Feb 7, 96