

406 SIGN REGULATIONS

The following information is provided as an excerpt from the Madison County Land Use Regulations, Section 406. A complete copy of these regulations is available in the Office of Madison County Planning and Code Enforcement.

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MADISON COUNTY, KENTUCKY

406 SIGN REGULATIONS

406.1 Purpose

The purpose of this section is to promote and protect the public health, welfare, and safety by regulating existing and proposed signs of all types, to protect property values, create a more attractive economic and business climate, enhance and protect the physical appearance of the community, preserve the scenic and natural beauty of areas, reduce sign distractions and obstructions that may contribute to vehicular accidents, and reduce hazards to the public that may be caused by overhanging or projecting signs.

406.2 Permits Required

No sign (except those excluded below in Section 406.3) may be constructed, erected, moved, enlarged, illuminated, or substantially altered except in accordance with provisions of these regulations. Repainting or changing the message of a sign shall not, in and of itself, be considered a substantial revision.

406.3 Signs Excluded From Permitting

The following signs are exempt from regulations under this section:

- 1. Signs not exceeding four (4) square feet in area that are normally associated with residential use (such as for property identification, trespassing, etc.)
- 2. Signs erected by or on behalf of or pursuant to authorization of a governmental body.
- 3. Official signs of a non-commercial nature erected by public utilities.

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- 4. Church bulletin boards or identification signs.
- 5. Signs used to designate the name of a subdivision. Such signs shall be located at the entrance into the subdivision (may be within the right-of-way) and shall not exceed twenty-four (24) square feet in size.
- 6. Real estate signs indicating property for sale, rent, or lease. Such signs should not exceed six (6) square feet in residential areas, and twelve (12) square feet in commercial/industrial areas, shall be located on the property that is being advertised or promoted for sale, and shall be removed immediately after the transaction is completed.
- 7. Construction site identification signs, one per site, not to exceed forty (40) square feet. Such signs shall not be erected prior to issuance of a building permit and shall be removed within 10 days after occupancy.
- 8. Displays (including lighting) erected in connection with the observance of holidays (to be removed within 10 days following the holiday).
- 10. Signs indicating a special event such as a grand opening, fair, carnival, circus, festival or similar event that is to take place on the lot where the sign is located. Such sign shall not exceed thirty (30) square feet, may be erected no sooner than two (2) weeks before the event, and must be removed within three (3) days after the event.

406.4 Types of Signs

- 1. Wall or facade sign: A sign fastened to or painted on the wall of a building or structure in such a manner that the wall becomes the supporting structure or sign surface, and that does not project more than two (2) feet from the building or structure.
- 2. Freestanding sign: A sign that is attached to, erected on, or supported by some structure (such as a pole or frame) that is not an integral part of or attached to a building or other structure whose principal function is other than support of a sign.

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- 3. Internally illuminated sign: A sign where the source of illumination is inside the sign and light emanates through the message of the sign.
- 4. Off-premise sign: A sign that draws attention to or communicates information about a business, service, commodity, accommodation, attraction, or other enterprise or activity that exists or is conducted, sold, offered, maintained, or provided at a location other than the premises on which the sign is located (a billboard is an example).
- 5. On-Premise sign: A sign that draws attention to or communicates information about a business, service, accommodation, attraction, or other enterprise or activity that exists or is conducted, sold, offered, maintained, or provided on the premises where the sign is located.
- 6. Temporary sign: A sign that is used in connection with a circumstance, situation, or event that is designed, intended, or expected to be completed within a reasonably short time, not to exceed sixty (60) days.

406.5 Number of Signs

For the purpose of determining the number of signs, a sign shall be considered to be a display surface or display device containing elements organized, related, and composed to form a unit. A two-sided or multi-sided sign shall be regarded as one sign.

Property having more than one street frontage shall be allowed one free-standing sign per street frontage. A shopping center or other multiple business building shall be limited to one free-standing sign per street frontage. An out-lot within a shopping center shall be allowed a separate free-standing sign. Each separate business (free-standing) shall be allowed one wall sign per street frontage.

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406.6 Sign Dimensions

The maximum surface area of a wall sign shall not exceed twenty-five (25) percent of the total area of the building front upon which it is located.

The maximum surface area of a freestanding sign shall be two hundred (200) square feet, and the maximum height forty (40) feet.

406.7 Setback Requirements

A freestanding sign shall conform to the setback requirements of the district in which it is located. If there is no minimum yard requirement indicated, the minimum setback from the street pavement edge shall be 15 feet. At the intersection of highways the setback or signs shall be fifty (50) feet from the right-of-way line. Signs shall be designed and placed in such a manner as to not cause excessive light or glare for adjacent property.

406.8 Temporary Signs

All temporary signs (except those excluded in Section 406.3) shall require a permit. A permit is for a sixty (60) day period (plus construction time if applicable).

No temporary sign shall exceed forty (40) square feet in surface area.

Mobile or portable signs are a special type of temporary sign and must meet the following requirements:

1. They are not allowed in residential areas.

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- 2. Mobile signs must not extend higher than eight (8) feet above the surface on which they are located.
- 3. Mobile signs shall not be placed in such a way as to create a safety hazard or impede traffic flow. They shall meet the setback requirements addressed in Section 406.7.
- 4. Each individual business or parcel of property shall be permitted only one mobile sign.
- 5. Mobile signs shall meet all requirements of other sections of this ordinance and related codes, as applicable.
- 6. Mobile signs may be allowed by permit for a period not to exceed sixty (60) days.

406.9 General Requirements

In addition to the requirements above, all permitted signs in the county shall adhere to the following regulations:

- 1. All wiring, fittings, and materials used in construction, connection, and operation of electrically illuminated signs shall be in accordance with the provisions of the National Electric Safety Code (most recent edition).
- 2. Illuminated signs shall emit light of a constant intensity. Waivers may be granted to signs that provide weather, time, public announcements/ information, and change copy electronically, or lights used with the observance of holidays.
- 3. No permanent sign or part thereof shall consist of banners, ribbons, streamers, spinners, or similar moving parts.

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- 4. Any sign found to be non-conforming with these regulations at the time of their adoption shall meet the requirements dealing with non-conforming uses and structures.
- 5. No sign shall be placed in any public right-of-way except public signs such as traffic control signs and directional signs.
- 6. Should any sign become unsafe or be in danger of falling, or to be in need of repainting or other repair, the owner thereof, or the person maintaining the sign shall, upon receipt of written notice from the Administrative Official, proceed at once to put said sign into a safe and secure condition, or remove the sign. In the case of an abandoned sign, the owner of the property on which the sign is located is responsible for meeting these requirements.
- 8. Off-premise signs (including billboards) are prohibited.

406.10 Political Signs:

- 1. A candidate for any elected office or a proponent for any issue or question on a ballot, shall obtain a permit from the Madison County Codes Enforcement Officer prior to the display of any sign relating to said election or question within the unincorporated territory of Madison County. There shall not be a fee assessed or charged for said permit, but each candidate or proponent shall acknowledge being given a copy of these regulations and further acknowledge that he or she understands same. These regulations place no burden on any landowner not a candidate or proponent to obtain a permit or comply with these sections relating to political signs.
- 2. No political signs shall be placed in a public right of way or on private property without the consent of the landowner, nor shall any signs be placed in a location that interferes with site visibility on any roadway.
- 3. Political signs shall be displayed no earlier that thirty (30) days prior to an election. All signs shall be removes within seven (7) days after the same election.
- 4. No political sign shall exceed the size of 4' x 8' (32 square feet), and no signs exceeding the size of 3' x 4' (12 square feet) shall be placed on residential property.
- 5. Only one political sign per candidate or question shall be allowed per lot. In the event any sign is displayed or allowed to remain in violation of this ordinance, a notice of said violation shall be mailed to the candidate or proponent or his or

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her filing papers. In the event the violation is not corrected within five (5) days from the mailing of said notice, a \$10.00 fee per violation shall be imposed upon the candidate of proponent and the county shall correct the violation. The fee imposed shall be used to defray any the costs the county incurs for removing the signs determined to be out of compliance with these regulation. While a landowner is encouraged to remove any signs on his or her property in violation, this ordinance does not impose any duties on him or her. Instead, it is presumed that a candidate for which the sign promotes or a proponent for whose cause is promoted is responsible for complying with the terms of this ordinance.

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407 SUPPLEMENTARY REGULATIONS

<u>407.1 General</u>

The purpose of supplementary regulations is to set specific conditions for various uses, classifications of uses, or areas where problems are frequently encountered, and are not covered elsewhere in these regulations.

<u>Visibility at Street Intersections</u> - on a corner lot, nothing shall be erected, placed, planted, or allowed to grow in such a manner as to materially impede vision in the area bounded by a line measuring twenty-five (25) feet from the intersecting right-of-way lines.

<u>Fences</u>, <u>Walls</u>, <u>and Hedges</u> - Notwithstanding other provisions of this ordinance, fences, walls, and hedges may be permitted in any required rear or side yard or along the edge of a yard provided they not infringe upon the property line, or impair traffic visibility.

<u>Accessory Buildings</u> - Accessory buildings shall be located in the rear or side yard of a principal structure and shall not be erected within ten (10) feet of any property line.

<u>Structures to Have Access</u> - Every building hereafter erected or moved shall be on a lot adjacent to a public street or with access to an approved private street, and all structures shall be so located on lots as to provide safe and convenient access for servicing, fire protection, and required off-street parking.

<u>Parking and Storage of Vehicles</u> - No recreational vehicle, travel trailer, camper, coach, motorized dwelling, tent trailer, tent, or similar equipment shall be used for living, sleeping, or housekeeping purposes on a semi-permanent or permanent basis when parked or stored on residential lot or in any location not approved for such use. This requirement is not intended to eliminate an occasional overnight use of such equipment by a visitor.

<u>Solid Waste Management</u> - Development plans for multi-family, commercial, and industrial uses shall include provisions for storage and disposal of solid waste. Containers for solid

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waste shall be of sufficient capacity to handle the waste being generated. Containers shall be placed in rear or side yards, and located in such a way as to be accessible by service vehicles. Containers shall be separated from the remainder of the developed area by an acceptable fence, wall, or vegetative screen. In the case of construction projects, all waste resulting from the construction, demolition, or remodeling shall be removed promptly from the site and disposed of in accordance with appropriate waste disposal laws.

<u>Exceptions to Height Requirements</u> - Height limitations described elsewhere in this ordinance do not apply to such items as belfries, spires, steeples, antennas, water tanks, air conditioning-heating units, chimneys, or other similar appurtenances usually required to be placed above the roof level and not intended for human occupancy.

<u>Loading Space Requirements</u> - Loading spaces are required on commercial and industrial sites. A loading space shall have minimum dimensions of not—less than twelve (12) feet in width, fifty (50) feet in length (exclusive of driveways, aisles, and other circulation areas), and a height of clearance of not less than fifteen (15) feet. One off-street loading space shall be provided and maintained on the same lot for every separate floor area of up to five thousand (5,000) square feet. One loading space shall be provided for each additional ten thousand (10,000) square feet or fraction thereof.

<u>Protection Standards</u> - Any manufacturer locating in an industrial district shall be required to submit information regarding storage, use, and disposal of any materials or substances which might be detrimental to public health, safety, and welfare. Agencies to be involved in the review of such information shall include the fire department, county health department, county utilities, and other agencies as deemed appropriate. No materials or waste shall be stored in such a way as to be transferred off the site by natural forces or causes. No fire, explosion, or related safety hazard shall be created or maintained on the site that could create a safety or health hazard beyond the site. There shall not be emitted from the site any excessive noise (beyond the average noise levels in the area), not any objectionable heat, glare, vibration, dust, smoke, dirt, vapors, gases, or toxic/noxious matter.