§ 156.355 INTENT.

(A) The intent of this subchapter is to provide adequate opportunity for the erection of signs while reducing visual clutter and achieving an aesthetically pleasing appearance in the city. In so doing, this subchapter intends to improve the visual environment of the city, eliminate traffic hazards caused by improper signs and ensure that information is presented safely and effectively.

(B) This subchapter establishes a comprehensive system for the regulation of signs to promote the public safety, health and welfare. It presents a set of reasonable, non-arbitrary and non-discriminatory standards and procedures that are intended to facilitate the improvement and protection of the community by prohibiting the misuse of signs.

(C) This subchapter furthers the greater public interest by allowing a property owner to identify the ownership of property and the activities, services and products available thereon. The identification of property, activities, services and products located elsewhere is permitted to a lesser degree. (Ord. 0-01-0024, passed 9-10-2001)

§ 156.356 DEFINITIONS.

For the purposes of this subchapter, the following definitions shall apply unless the context clearly indicates or requires a different meaning.

ANIMATED SIGN. Any sign that includes action and/or motion, not including flashing or changing signs.

BANNER SIGN. A temporary sign composed of cloth, canvas or other lightweight material that may or may not be enclosed in a frame.

BENCH SIGN. Any sign on or attached to any structure or device intended for exterior public seating.

BUSINESS SIGN. A lawfully operating enterprise or use licensed as a business by the city.

CHANGING SIGN. A sign, such as an electronic sign, temperature or date sign, message center or reader board, on which content changes at timed intervals.

CONSTRUCTION SIGN. A temporary sign stating the names of those persons directly connected with the construction of a project and may include address and telephone information.

DIRECTIONAL SIGN. A sign, the sole purpose of which is to direct the flow of vehicular or pedestrian traffic, indicate entrances or exits, transmit parking information or convey similar information,

DOUBLE-FACED SIGN. A sign with two distinct faces of equal size, generally back-to-back, supported on the same structure and designed so that each face is viewed from a different direction.

FLASHING SIGN. A sign on which illumination flashes intermittently, in whole or in part, or which gives the perception of intermittent or flashing light by another means.

FREESTANDING SIGN. A sign erected on a freestanding frame, mast or pole and not attached to any other structure.

HEIGHT. As applied to a sign means the vertical distance measured from the lowest ground level directly beneath the sign to the highest point at the top of the sign. The ground level shall be the lowest of natural grade or finished grade.

IDENTIFICATION SIGN. A sign, the sole purpose of which is to identify the site or the building, use or persons occupying the site on which the sign is located.

ILLUMINATED SIGN. A sign having its own immediate source of internal or external lighting.

INSTITUTIONAL SIGN. A sign incorporating information regarding governmental, quasi governmental, educational, charitable or religious institutions.

NAMEPLATE SIGN. A sign identifying only the name, address and/or occupation or profession of the occupant of the premises on which the sign is located.

OFF-PREMISE SIGN. A sign with content unrelated to the premises on which the sign is located.

OUTDOOR ADVERTISING SIGN. An off-premise sign.

POLITICAL SIGN.

(1) A sign designed to influence the action of voters whether for the passage or defeat of a measure appearing on the ballot in any federal, state or local election. The election or defeat of a candidate for nomination or election to any public office, or for the support of any political party, not exceeding eight square feet in sign area. Excluded from this definition is signage identifying a political headquarters or office of a political party or candidate.

(2) Signs shall be secured by wire frame; or shall have the option of employing faring strips for support, if wire framing is not available. No ***POLITICAL SIGNS*** shall be attached or placed upon any abandoned building within any zoning classification of the city. The earliest date that a political sign can be installed or placed is October! or April I of any year that a federal, state or local election is held. Any political sign shall be removed not later than seven days following the election to which it relates. Exception: The provisions of this section shall not apply to lawful commercial outdoor advertising structures licensed under this subchapter.

PORTABLE SIGN. A sign intended to be moved or capable of being moved, whether or not on wheels or other special supports, including but not limited to A-frame signs and placards.

PROJECTING SIGN. A sign, other than a wall sign, suspended from or supported by a building or wall, projecting from 12 inches to 30 inches from the building or wall.

REAL ESTATE SIGN. A sign intended to convey information regarding the availability of the property on which the sign is located for sale, lease or rent and removed within seven days of the sale, lease or rental of the property.

ROOF SIGN. Any sign erected on or extending above the roofline or parapet of any building or structure.

SIGN. Any device, fixture, structure, construction, cloth or other material that conveys a message in pictorial, symbolic or word form, placed for display to the outdoor public. The term ***SIGN*** shall not include time and temperature devices, church windows, religious symbols, noncommercial flags, barber poles or similar devices if there is no identification or advertising thereon.

SIGN AREA. The entire area within a single, continuous perimeter enclosing the extreme limits of a sign and not passing between or through any elements of the sign. The perimeter shall include all elements and ornamentation forming an integral part of the design of the sign. Directional signs and signs identifying or indicating restrooms, telephones and similar convenience areas shall not be included in calculating ***SIGN AREA.***

SPECIAL EVENT SIGN. A temporary sign pertaining to events of civic, community, philanthropic, educational or religious organizations, which are not conducted in connection with the operation of a commercial enterprise.

UNLAWFUL SIGN. A sign in violation of any term of the municipal code.

WALL SIGN. A sign attached or erected against the wall of a building or structure with the sign face parallel to and less than 12 inches from the wall of the building or structure and not extending above the building face or parapet.

WINDOW SIGN. A sign placed inside a window for purposes of viewing from outside the window. (Ord. 0-01-0024, passed 9-10-2001; Ord. 0-03-0010, passed 2-10-2003)

§ 156.357 GENERAL REGULATIONS.

(A) No sign shall be erected, installed, altered or maintained in any zoning district in the city, including public and private streets therein, except in conformity with this subchapter. All signs shall comply with the particular regulations of the district in which they are located.

(B) No sign attached to a building shall extend above the height of the building, project more than 30 inches from the outside wall of the building nor project in a manner as to impede movement on a public sidewalk, street, alley or other public way. Signs shall be maintained in an attractive and structurally safe condition. All exterior parts shall be painted, coated or made of rust inhibitive material. Any supporting structure shall be free of any bracing such as guy wires or cables and shall be designed as an architectural feature of the building.

(C) No sign shall obstruct any door, fire escape or free passage over any public right-of-way or create a traffic hazard. Signs shall be placed with care so as not to obscure unreasonably existing conforming signs on adjacent properties.

(D) On a site on which more than one lawful use conducted, each use shall be permitted an identification sign not larger in area than the identification sign for uses permitted under the requirements of the zoning district in which the site is located. However, the total site area on site shall not exceed the total sign area for the site as permitted in the zoning district.
(Ord. 0-01-0024, passed 9-10-2001) Penalty, see § 156.999

§ 156.358 PROHIBITED SIGNS.

The following signs are prohibited:

(A) Roof signs;

(B) Signs on benches or other similar structures;

(C) Signs on non-working vehicles or trailers placed on the premises for purposes of advertising;

(D) Signs that, by their wording, color or location resemble or conflict with traffic control signs or devices;

(E) Signs that create a safety hazard;

(F) Signs that obstruct any door, window, fire escape or other emergency exit; and

(G) Signs erected in the public right-of-way or on any public pole, bench, bus shelter or other public structure, excepting when posted by a public officer in the performance of a public duty.
(Ord. 0-01-0024, passed 9-10-2001) Penalty, see § 156.999

§ 156.359 TEMPORARY SIGNS.

The following signs are permitted for a period of not more than seven days with a temporary sign permit:

(A) Freestanding, moveable signs;

(B) Balloon signs;

(C) Banner signs;

(D) Flags and pennants; and

(E) Special event signs. (Ord. 0-01-0024, passed 9-10-2001) Penalty, see § 156.999

§ 156.360 SIGNS REQUIRING A SPECIAL USE PERMIT.

The following signs are permitted only with a conditional use permit:

(A) Animated signs;

(B) Flashing signs;

(C) Signs for cinemas, theaters, auditoriums, banquet facilities, hotels, motels, riverboats, casinos or similar facilities; and

(D) Signs within the Waterfront Development District.
(Ord. 0-01-0024, passed 9-10-2001) Penalty, see § 156.999

§ 156.361 ZONING CLASSIFICATION REGULATIONS.

Only signs for purposes consistent with the uses or activities authorized within the zoning district or for the particular premises may be erected or maintained.

(A) *Residential signs.*

(1) *Permitted residential signs.*

(a) A sign identifying a lawful home occupation limited to a nameplate sign not exceeding two square feet in sign area;

(b) A sign identifying an institutional, religious, charitable, educational or multifamily facility within a residential zoning district not exceeding six square feet in sign area for the first 100 feet of street frontage and an additional two square feet in sign area for each additional 100 feet of street frontage, not to exceed 48 square feet total sign area;

(c) Real estate signs; and

(d) Political signs.

(2) *Conditional residential signs.*

Temporary signs.

(B) *Commercial signs.*

(1) *Permitted C-1 signs.*

(a) An identification sign for each business on site up to 16 square feet in sign area; and

(b) Additional signs up to a total sign area on site of the total of the number of businesses on site multiplied by 16 square feet, plus an additional 16 square feet for the first 500 feet or street frontage, and an additional two square feet in sign area for each additional 100 feet of street frontage.

(2) *Permitted C-2 signs.*

(a) An identification sign for each business on site up to 32 square feet in sign area;

(b) Additional signs up to a total sign area on site of the total of the number of businesses on site multiplied by 32 square feet, plus an additional 32 square feet for the first 500 feet of street frontage and an additional two square feet in sign area for each additional 100 feet of street frontage.

(3) *Additional signs.* Signs for theaters, auditoriums, banquet facilities, hotels, motels, casinos or related facilities may be erected or maintained contrary to the provisions of this subchapter only upon approval of the site development plan by the Planning Commission with a special use permit.

(C) *Industrial signs.*

(1) *Permitted M-1 signs.*

(a) An identification sign for each business on site not exceeding 64 square feet in sign area;

(b) Additional signs up to a total sign area on site of the total of the number of businesses on site multiplied by 64 square feet, plus an additional 64 square feet for the first 500 feet of street frontage and an additional four square feet for each additional 100 feet in street frontage; and(c) An off-premise sign, in conformance with the criteria set forth herein:

1. Off-premise signs will only be allowed on Cline A venue (State Road 912) corridor and the Indiana Toll Road (1-90) corridor;

2. No off-premise signs of any kind will be allowed in the following surface street corridors:

a. Indianapolis Boulevard;

b. Chicago Avenue;

c. Railroad Avenue;

d. Kennedy Avenue;

e. Huish Drive;

f. Euclid Avenue; and

g. Columbus Drive.

3. The maximum number of faces per sign structure shall be two, constructed back to back. No faces shall be installed side-by-side or stacked;

4. The maximum sign area shall be 672 square feet per face. Temporary extensions of copy for artistic purposes, up to 200 additional square feet, may be approved by the City Planner for a period not to exceed 120 days;

5. The maximum height shall be 50 feet, measured from the centerline of the roadway toward which the sign is faced, to the top of the sign structure;

6. The mm1mum distance between two off-premise signs shall be 2,640 feet measured along the roadway surface in either direction. The separation distance is measured from the center points of the sign posts. If the sign has more than one support, then the separation distance is measured from the center of the lineal dimension of the sign;

7. The minimum distance between an off-premise sign and a platted residential district, school, park, church or waterfront district shall be 500 feet, measured from the base of the sign to the nearest property line of any residential district, school, park, church or waterfront district;

8. The minimum setback from the nearest property line for any off-premise signs 50 feet. In addition, no off-premise sign shall project over or onto the right-of-way of any roadway;

9. Lighting of an off-premise sign shall be designed in a manner as to not be or become a nuisance to any residentially-zoned property in the city; and10. Any pre-application conference filed with the City Planner for an off-premise sign (billboard) will need to include a plat of survey from a registered surveyor to include the proposed sign location on the property, the setback of the sign from the roadway, the legal description of the property and key number, separation measurements from any existing off-premises signs within 3,000 feet, and schools, churches, parks any platted residential districts, and Waterfront Development District within 600 feet.

(2) *Permitted M-2 signs.*

(a) An identification sign for each business on site not to exceed 96 square feet in sign area;

(b) Additional signs up to a total sign area on site of the total of the number of businesses on site multiplied by 96 square feet, plus an additional 96 square feet for the first 500 feet of street frontage and an additional six square feet in sign area for each additional 100 feet in street frontage; and

(c) An off-premise sign, in conformance with the criteria set forth herein:

1. Off-premise signs will only be allowed on Cline Avenue (State Road 912) corridor and the Indiana Toll Road (1-90) corridor;

2. No off-premise signs of any kind will be allowed in the following surface street corridors:
    a. Indianapolis Boulevard;
    b. Chicago Avenue;
    c. Railroad Avenue;
    d. Kennedy Avenue;
    e. Huish Drive;
    f. Euclid Avenue; and
    g. Columbus Drive.

3. The maximum number of faces per sign structure shall be two, constructed back to back. No faces shall be installed side-by-side or stacked;

4. The maximum sign area shall be 672 square feet per face. Temporary extensions of copy for artistic purposes, up to 200 additional square feet, may be approved by the City Planner for a period not to exceed 120 days;

5. The maximum height shall be 50 feet, measured from the centerline of the roadway toward which the sign is faced, to the top of the sign structure; 6. The minimum distance between two off-premise signs shall be 2,640 feet measured along the roadway surface in either direction. The separation distance is measured from the center points of the sign posts. If the sign has more than one support, then the separation distance is measured from the center of the lineal dimension of the sign;

7. The minimum distance between an off-premise sign and a platted residential district, school, park, church or waterfront district shall be 500 feet, measured from the base of the sign to the nearest property line of any residential district, school, park, church or waterfront district;

8. The minimum setback from the nearest property line for any off-premise signs 50 feet. In addition, no off-premise sign shall project over or onto the right-of-way of any roadway;

9. Lighting of an off-premise sign shall be designed in a manner as to not be or become a nuisance to any residentially-zoned property in the city; and

10. Any pre-application conference filed with the City Planner for an off-premise sign (billboard) will need to include a plat of survey from a registered surveyor to include the proposed sign location on the property, the setback of the sign from the roadway, the legal description of the property and key number, separation measurements from any existing off-premises signs within 3,000 feet, and schools, churches, parks, any platted residential districts and Waterfront Development District within 600 feet.

(D) *Waterfront development signs.* All signs in the Waterfront Development District shall require site development review and a special use permit.
(Ord. 0-01-0024, passed 9-10-2001) Penalty, see § 156.999

§ 156.362 ABANDONED SIGNS.

The owner of property on which a sign advertising a use, facility, product or event that is no long sold, conducted or available on the premises shall remove the sign within 90 days of the discontinuance. Signs remaining after 90 days shall be considered abandoned signs and may be removed by the city, with the cost of the removal charged to the property owner(s). In the event that the property owner(s) fails to pay for the expense of removing any abandoned sign, the city may place a lien on the property for the amount due. (Ord. 0-01-0024, passed 9-10-2001) Penalty, see § 156.999

§ 156.363 PRE-APPLICATION CONFERENCE-EXEMPT SIGNS.

The following signs shall be exempt from the requirement of a pre-application conference:

(A) One identification sign, not exceeding the square footages established pursuant to the zoning district in which the property is located, affixed to the building;

(B) Directional signs;

(C) Properly displayed national, state or local flags;

(D) Seasonal holiday decorations; (E) Political signs in conformance with this subchapter;

(F) Real estate signs in conformance with this subchapter;

(G) Bulletin boards on the site of a national, state or local public facility, religious, charitable or educational institution;

(H) Official traffic, fire and police related signs, temporary traffic control signs, utility location and identification signs and markers, and any signs required by the city or any other public authority to be erected, installed or maintained; and

(I) Notices required to be posted by law.

(Ord. 0-01-0024, passed 9-10-2001) Penalty, see § 156.999

§ 156.364 SIGN PRE-APPLICATION CONFERENCE-REQUIRED.

No person shall place, erect, install or maintain any sign in the city without first obtaining a sign pre-application conference pursuant to this subchapter, unless the sign is exempt under the provisions of § 156.363. (Ord. 0-01-0024, passed 9-10-2001) Penalty, see § 156.999

§ 156.365 SIGN PRE-APPLICATION CONFERENCE-FEE.

Application for a sign pre-application conference shall be made to the City Planner on form as may be prescribed by the Department of Business Development and Planning. Approval for signs not requiring site plan review and conforming to the regulations of this subchapter shall be issued by the City Planner and referred to the Building Commissioner for permits. An application for a sign requiring development plan review shall be referred by the City Planner to the Planning Commission for review in the same manner as other projects requiring development plan review. An application for a sign requiring a special use permit shall be processed in the same manner as any other application for a special use permit. (Ord. 0-01-0024, passed 9-10-2001) Penalty, see § 156.999

§ 156.366 PERMITS AND FEES.

(A) After a pre-application conference and/or sign approval has been issued by the City Planner, a permit shall be obtained before placing, erecting, installing or repairing any sign, using forms furnished by the Building Commissioner pursuant to construction codes adopted by the city.

(B) Fees for sign permits shall be established by the Common Council of the city from time to time. The current fee schedule, adopted contemporaneously with the ordinance adopting this subchapter, shall be $1 per square foot of sign area. The sign application fee shall accompany the sign application. (Ord. 0-01-0024, passed 9-10-2001) Penalty, see § 156.999

§ 156.367 ENFORCEMENT.

It shall be the duty of the Building Commissioner to see that this subchapter is enforced through the proper proceedings.

(A) Any sign lawfully erected prior to the effective date of this subchapter and maintained in conformance with the requirements of this subchapter shall be permitted to continue as a legal nonconforming sign. No modification shall be made to a legal nonconforming sign, unless the modification serves to make the sign more conforming to the requirements of this subchapter.

(B) Any unlawfully erected or maintained sign shall be subject to removal under the provisions of Indiana Code and the city municipal code. The reasonable expense of removal, including reasonable attorney fees, may be placed as a lien on the property on which the sign was unlawfully erected or maintained. (Ord. 0-01-0024, passed 9-10-2001) Penalty, see § 156.999