

CHAPTER 174: SIGNS

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§ 174.01 PURPOSE.

(A) (1) Signs obstruct views, distract motorists, displace alternative uses for land, and pose other problems that legitimately call for regulation. The purpose of this chapter is to regulate the size, color, illumination, movement, materials, location, height, and condition of all signs placed on private property for exterior observation, thus ensuring the protection of property values, the character of the various neighborhoods and districts, the creation of a convenient, attractive, and harmonious community, protection against destruction of or encroachment on historic convenience to citizens, and encouraging economic development. This chapter allows adequate communication through signage while encouraging aesthetic quality in the design, location, size, and purpose of all signs.

(2) This chapter must be interpreted in a manner consistent with the First Amendment guarantee of free speech. If any provision of this chapter is found by a court of competent jurisdiction to be invalid, such finding must not affect the validity of other provisions of this chapter which can be given effect without the invalid provision.

(B) A sign placed on land or on a building for the purpose of identification, protection, or directing persons to a use conducted therein must be deemed to be an integral but accessory and subordinate part of the principal use of land or building. Therefore, the intent of this chapter is to establish limitations on signs in order to ensure they are appropriate to the land, building, or use to which they are appurtenant and are adequate for their intended purpose while balancing the individual and community interests identified in division (A) of this section.

(C) These regulations are intended to promote signs that are compatible with the use of the property to which they are appurtenant, landscape and architecture of surrounding buildings, are legible and appropriate to the activity to which they pertain, are not distracting to motorists, and are constructed and maintained in a structurally sound and attractive condition.

(D) These regulations distinguish between portions of the town designed for primarily vehicular access and portions of the town designed for primarily pedestrian access.

(E) These regulations do not regulate every form and instance of visual communication that may be displayed anywhere within the jurisdictional limits of the town. Rather, they are intended to regulate those forms and instances that are most likely to meaningfully affect 1 or more of the purposes set forth above.

(F) These regulations do not entirely eliminate all of the harms that may be created by the installation and display of signs. Rather, they strike an appropriate balance that preserves ample channels of communication by means of visual display while still reducing and mitigating the extent of the harms caused by signs.

(G) These regulations are not intended to and do not apply to signs erected, maintained, or otherwise posted, owned, or leased by the State of Indiana, the United States government, or this town. The inclusion of "government" in describing some signs does not intend to subject the government to regulation, but instead helps illuminate the type of sign that falls within the

immunities of the government from this regulation.

(Ord. 2017-02, passed 2-20-2018)

§ 174.02 DEFINITIONS.

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

AWNING. Any fixed or retractable structure made of cloth, metal or other material that is attached to a building. If the sign is on an awning, then only the awning area covered by the actual lettering or symbol shall be used in calculating the sign area. If the awning is illuminated then the entire lit area shall be included in computing the sign area.

BANNER SIGN.

(1) A temporary sign constructed of cloth, canvas, plastic fabric, or similar lightweight non-rigid material and fastened at all corners or edges to a building or other structure.

(2) Any sign of lightweight fabric or similar material that is mounted to a pole or a building at 1 or more edges. See § 174.13, Banner Signs, for additional information.

COMMISSION. The Town of Chandler Advisory Plan Commission.

COPY. Any word, number, letter, picture or emblem that is a feature of a sign.

ELECTRONIC MESSAGE SIGN (EMS). A sign capable of displaying words, symbols, figures or images that can be electronically or mechanically changed by remote or automatic means.

EXECUTIVE DIRECTOR. The Executive Director of the Advisory Plan Commission.

FLAG. A geometric shaped cloth, fabric or other lightweight non-rigid material normally fastened to a stringer which is secured or tethered to a building, flag pole or other permanent structure so as to allow movement of the flag caused by movement in the atmosphere.

FLASHING SIGN. One that employs a pattern of changing light where the sign illumination suddenly, instantaneously, rapidly and/or repeatedly changes for the purpose of drawing attention. The term excludes signs illuminated by an exterior light source.

FLAT WALL SIGN. Signs attached directly to or painted on or otherwise inscribed on the exterior walls or surface of a building and confined within the limits thereof of any building, no part of which projects or extends more than 12 inches out from that surface at all points.

HIGHWAY SIGN. A pole sign, banner sign, or EMS that is erected and maintained for the purpose of being within the view of motorists who are driving on a state or federal highway.

MARQUEE SIGN. A canopy or covered structure bearing a signboard or copy projecting from and attached to a building.

MONUMENT SIGN. An identification device permanently embedded in the ground, upon which is affixed only the name and/or symbol of a particular neighborhood, subdivision, municipality, commercial or industrial development.

NON-ELECTRONIC MESSAGE SIGN. A sign capable of displaying words, symbols, figures or images that cannot be electronically or mechanically changed by remote or automatic means.

POLE SIGN. A sign supported by 1 or more poles which elevate the sign. Also see **FREESTANDING SIGN**.

PORTABLE SIGN. Any sign not permanently attached to the ground or other permanently attached to the ground or other permanent structure, or sign designed to be transported, including, but not limited to "A" or "T" frames; menu and sandwich board signs; umbrellas used for advertising; and signs attached to or painted on vehicles parked and visible from the public right-of-way, unless the vehicle is used in the normal day-to-day operation of the business.

REGULATORY SIGN. Traffic and other municipal signs, legal notices, railroad crossings, danger, and other such necessary, temporary, emergency, or non-advertising signs. **REGULATORY SIGNS** do not required a sign permit.

ROOF SIGN. A sign erected upon or above a roof or parapet wall of a building and which is wholly or partially support by said building. A **ROOF SIGN** shall not be larger than 40 square feet in total area.

SIGN. A name, identification, description, display, or illustration, which is affixed to, painted, or represented directly or indirectly upon a building or other outdoor surface which directs attention to or is designed or intended to direct attention to the sign face or to an object, product, place, activity, person, institution, organization, or business. Signs located completely within an enclosed building, and not exposed to view from a street, shall not be considered a **SIGN**. Each display surface of a sign or sign face must be considered to be a **SIGN**.

SIGN AREA.

(1) That area within a line including the outer extremities of all the characters of words, numbers, graphics, or design, or within a line including the outer extremities of the framework or background of the sign whichever line includes the larger area. The supporting structure shall not be included in the **SIGN AREA**.

(2) Where attached directly to a building wall or surface, the space within the outline enclosing all the characters of the words, numbers, graphics or design.

(3) The supporting structure shall not be included in the **SIGN AREA**, unless the supporting structure provides back-lighting for the sign, then the back-lighting portion will be calculated as part of the **SIGN AREA**.

SIGN FACE. The entire display surface area of a sign upon, against, or through which copy is placed.

SIGN PERMIT. An improvement location permit for a sign, issued in accordance with this chapter by the Executive Director of the Plan Commission.

SNIFE SIGN. Any sign of any size, made of any material, including paper, cardboard, wood, and metal, when such sign is tacked, nailed, posted, pasted, glued or otherwise attached to trees, poles, fences, or other objects, and the advertising matter appearing thereon is not applicable to the premises upon which said sign is located.

TEMPORARY SIGN. A banner, pennant, poster, or advertising display constructed of paper, cloth, canvas, plastic sheet, cardboard, wallboard, plywood, or other like materials and that appears to be intended or is determined by the Commission to be displayed for a limited period of time. Properties that have an electronic message sign shall not be eligible to have **TEMPORARY SIGNS**.

VEHICLE SIGN. Any sign attached to or displayed on a vehicle.

(Ord. 2017-02, passed 2-20-2018; Am. Ord. 2022-06, passed 8-15-2022)

§ 174.03 GENERAL REQUIREMENTS.

(A) All signs shall be constructed and erected in a safe and stable manner in accordance with the provisions of this chapter applicable to their construction. Every sign installed within the town pursuant to this chapter, which is deemed unsafe by the Executive Director, shall be removed immediately on the order of the Executive Director, or shall be put in a safe condition.

(B) Signs are prohibited in all districts unless authorized under this code or constructed pursuant to a valid building permit when required under the code.

(C) In residential zones or on property used for non-transient residential uses, commercial signs are prohibited except for those properties on which a home occupation or a transient residential use has been approved.

(D) No signs of any kind shall be attached to or placed on a building in such a manner as to obstruct any fire escape or any window or door, nor shall any sign be attached in any form, shape, or manner to a fire escape.

(E) All electrical work in signs shall be in accordance with the provisions of this chapter and the rules of the Department of Buildings relative to electrical wiring.

(F) A property owner may not accept a fee for posting or maintaining a sign allowed under §174.05(B) and any sign that is posted or maintained in violation of this provision is prohibited.

(G) *Illumination.* Lights used to illuminate a sign shall be shielded from adjacent properties to prevent glare across property lines or into any thoroughfare.

(1) All electronic message signs shall either utilize automatic dimming technology which electronically adjusts the sign's brightness in direct correlation with ambient light conditions, or from sunset to sunrise display only messages that have a dark colored background.

(2) Existing signs that do not have the automatic dimming ability and are determined to be a nuisance or safety hazard must be turned off from sunset to sunrise or otherwise be adjusted to comply with this chapter.

(Ord. 2017-02, passed 2-20-2018) Penalty, see § 175.99

§ 174.04 PERMIT PROCESS.

(A) No sign for which a permit is required in this chapter shall be erected or altered unless a permit shall have first been obtained from the Executive Director for the erection or alteration.

(B) *Application for permit.*

(1) An application for a sign permit must be filed with the Executive Director on forms furnished by that Department and approved by the APC. An application for sign permits shall be accompanied by the plans, drawings, and specifications as are necessary to fully advise the Executive Director of the type, size, shape, location, construction, and materials of the proposed sign and the building or structure on which the sign is to be placed.

(2) The Executive Director must promptly process the sign permit application and approve the application, reject the application, or notify the applicant of deficiencies in the application within 30 days after receipt. Any application that complies with all provisions of this code, the zoning ordinance, the building code, and other applicable laws, regulations, and ordinances must be approved.

(3) If the application is rejected, the Executive Director must provide a list of the reasons for the rejection in writing. An application must be rejected for non-compliance with the terms of this code, the zoning ordinance, building code, or other applicable law, regulation, or ordinance.

(C) *Permit fee.* The following fees shall apply to all sign permit applications when the permit sought is for a sign greater than 32 sq. ft. in size:

(1) A nonrefundable application fee of \$25 accompanying each sign permit application; plus

(2) For non-electronic message signs, \$75 plus \$1 per sq. ft. per sign: and

(3) For electronic message signs, \$150 plus \$1 per square ft. per sign.

(D) *Duration and revocation of permit* If a sign is not installed within 6 months following the issuance of a sign permit, the permit is void. The town may revoke a sign permit under any of the following circumstances:

(1) The town determines that information in the application was materially false or misleading;

(2) The sign as installed does not conform to the sign permit application;

(3) The sign violates this code, the zoning ordinance, building code, or other applicable law, regulation, or ordinance; or

(4) The Executive Director determines that the sign is not being properly maintained or has been abandoned.

(E) *Permits not required*. A permit is not required for signs:

(1) Described in § 174.05 with a total area of up to 32 square feet and a maximum height of 8 feet; or

(2) Official notices or advertisements posted or displayed by or under the direction of any public or court officer in the performance of official or directed duties; provided that all such signs must be removed no more than 10 days after their purpose has been accomplished.

(F) *Appeal*. If the Commission denies a permit the applicant may appeal to the Town Council within 60 days of the denial.

(Ord. 2017-02, passed 2-20-2018; Am. Ord. 2022-06, passed 8-15-2022) Penalty, see § 175.99

§ 174.05 AUTHORIZED SIGNS.

(A) Although these regulations do not apply to signs erected, maintained, or posted by the state, federal, or town government, these regulations clarify that government signs which form the expression of that government are allowed in every zoning district and include the signs described and regulated in this section when erected and maintained pursuant to law.

(1) Traffic control devices on private or public property must be erected and maintained to comply with the Indiana Manual on Uniform Traffic Control Devices adopted in this state.

(2) Each property owner may mark their property using numerals that identify the address of the property so that public safety departments can easily identify the address from the public street. Where required under this code or other law the identification may be on the curb and must be on the principal building on the property. The size and location of the identifying numerals and letters, if any, must be proportional to the size of the building and the distance from the street to the building and in no case larger than 2 square feet. In cases where the building is not located within view of the public street, the identifier may be located on the mailbox or other suitable device such that it is visible from the street each direction. Minimum 3-inch high numerals for residential, and minimum 5-inch high numerals for anything other than residential.

(3) Where a federal, state, or local law requires a property owner to post a sign on the owner's property to warn of a danger or to prohibit access to the property either generally or specifically, the owner must comply with the federal, state, or local law to exercise that authority by posting a sign on the property. If the federal, state, or local regulation describes the form and dimensions of the sign, the property owner must comply with those requirements; otherwise, when not defined, the sign shall be no larger than 2 square feet and located in a place on the property to provide access to the notice that is required to be made. Signs posted under this section are not snipe signs.

(4) Official notices or advertisements may be posted or displayed by or under the direction of any public or court officer in the performance of official or directed duties; provided, however, that all such signs must be removed by the property owner no more than 10 days after their purpose has been accomplished or as otherwise required by law. Signs posted under this section are not snipe signs.

(5) A flag that has been adopted by the federal government, the State of Indiana, or the Town of Chandler may be displayed as provided under the law that adopts or regulates its use and as provided in division (D) below.

(B) *Temporary signs*. It is the intent of this code to limit the aesthetic impact of signs on properties to prevent clutter and protect streetscapes thereby preserving property values and protecting traffic safety. The accumulation of signs adversely affects these goals, property values, and public safety. Accordingly, a person exercising the right to place temporary signs on a property as described in this division (B) must limit the number of temporary signs on the property per 0.25 acre at any 1 time to 2 plus any sign allowed in division (B)(2), or if the property is smaller than 0.25 acres then no more than 2 signs plus any sign allowed in division (B)(2) per principal building on the property unless a court having jurisdiction determines that additional signs must be permitted and then the signage must be limited to the fewest signs and the smallest accumulated sign area permissible under the court's determination. The sign face of any temporary sign, unless otherwise limited in this division (B) must not be larger than 2 square feet. Permitted temporary signs include:

(1) A property owner may place 1 temporary sign at any time with a sign face no larger than 2 square feet on the property.

(2) Temporary signs may be located on the owner's property for a period of 60 days prior to, and a period of 60 days after, an election involving candidates for a federal, state, or local office that represents the district in which the property is located or involves an issue on the ballot of an election within the district where the property is located.

(3) One temporary sign may be located on a property when the owner consents and that property is being offered for sale.

(4) One temporary sign may be located on the owner's property on a day when the property owner is opening the property to the public; provided, however, the owner may not use this type of sign in a Residential District on more than 2 days in a year

and may not use this type of sign in any Commercial District for more than 14 days in a year and the days must be consecutive. For purposes of this division (B)(4) a year is counted from the first day on which the sign is erected counting backwards and from the last day on which the sign exists counting forward.

(5) During the 40-day period from December 1 to January 10, a property owner may place 1 temporary sign on the property and may use lights that do not exceed 4,000 lumens as measured at the property line between the hours of 8:00 a.m. and 10:00 p.m. to decorate the property even if the lights might be arranged to form a sign.

(C) For purposes of this section, the lessor of a property is considered the property owner as to the property the lessor holds a right to use exclusive of others (or the sole right to occupy). If there are multiple lessors of a property then each lessor must have the same rights and duties as the property owner as to the property the lessor leases and has the sole right to occupy and the size of the property must be deemed to be the property that the lessor has the sole right to occupy under the lease.

(D) *Flags.*

(1) *Single-Family Zoning Districts.* In a Single-Family Zoning District, 2 flags and 1 flag pole per premises. Each flag must be a maximum of 15 square feet in area. The flag pole must be a maximum of 25 feet in height or no higher than the highest point of the principal building's roof, whichever is lower. Flag poles must meet the minimum yard setback requirements for a principal building.

(2) *Non-Residential Zoning Districts.* In a Non-Residential Zoning District, 1 flag per 25 feet of frontage on a right-of-way up to a maximum of 6 flags and 6 flag poles per premises. Each flag must be a maximum of 24 square feet in area. Flag poles must be a maximum of 50 feet in height but no higher than the highest point of the nearest principal building's roof on the premises. Flag poles must meet the minimum yard setback requirements for a principal building or a minimum of 10 feet whichever is more restrictive.

(3) *Small flags at vehicle sales and service establishments.* One small flag of no more than 1 square foot per vehicle on display for sale or rent at vehicle sales and service establishments. Such flags must be no higher than 2 feet above the height of the vehicle as if it were displayed at grade level.

(Ord. 2017-02, passed 2-20-2018) Penalty, see § 175.99

§ 174.06 PROHIBITED SIGNS.

The following types and placement of signs are prohibited in all zoning districts:

(A) *Portable signs.* Any portable signs not defined in §174.05, Authorized Signs; provided, however, that arrow boards and other rigid portable signs and marquees may be used if a sign permit is obtained for the use, which is subject to the following conditions and restrictions in addition to those otherwise required for a sign permit:

- (1) One sign per development site.
- (2) Maximum area: 32 square feet.
- (3) Maximum freestanding height: 6 feet.
- (4) Setback from edge of pavement: 15 feet.
- (5) Placement limitation: 6 times per year.
- (6) Time limitation: 30 days per placement.
- (7) Must not be used at the same time as any sign exempt under §174.05(D).

(8) Signs erected in a manner as to obstruct free and clear vision of streets, alleys, or driveways or erected, designed, or positioned to interfere with, obstruct, or be confused with any authorized traffic sign, signal, or device that may mislead or confuse traffic.

(9) Signs posted on public property, including utility poles, lighting fixtures, street signs, benches, and similar fixtures.

(10) Billboards.

(B) *Emissions.* Signs that emit audible sound, odor, or visible matter.

(C) *Imitation of official signs.* Signs that purport to be, are in imitation of, or resemble, but that are not, an official traffic sign or signal pursuant to § 174.05, or which bear words such as "Stop," "Slow," "Caution," "Danger," "Warning," "Look," or any other word, phrase, symbol or character in a manner that creates a danger of interfering with, misleading, or confusing motorists or other individuals; however, use of the words listed in this division (C) is not prohibited if the use does not create such danger.

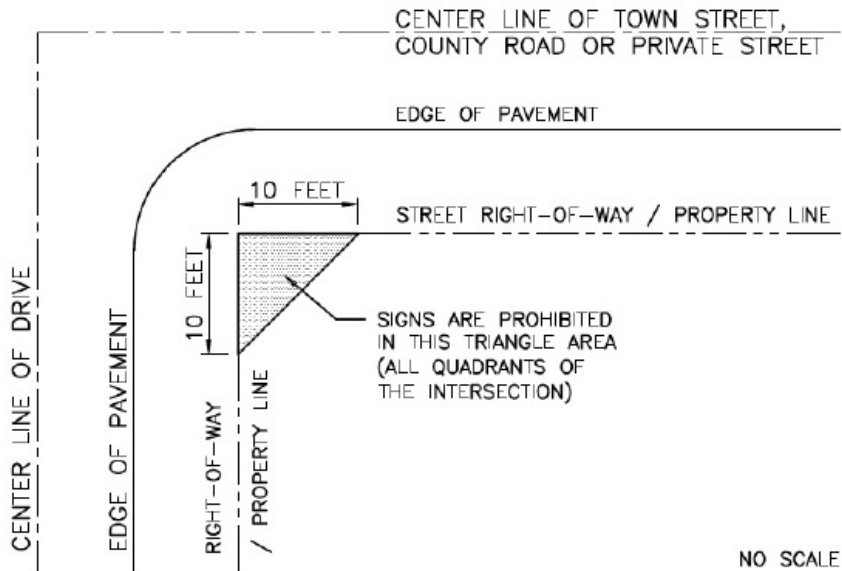
(D) *Imitation of emergency vehicles or lights.* Signs or displays that may be mistakenly construed as a light of an emergency or road equipment vehicle, or lights resembling danger or emergency lights of any kind.

(E) *Visual impairment and obstruction.* Signs that hide any traffic or roadway sign, signal, or device from view, as well as signs that obstruct the visibility or use of any door, fire escape, stairway, or any opening intended to provide entrance or exit for any structure.

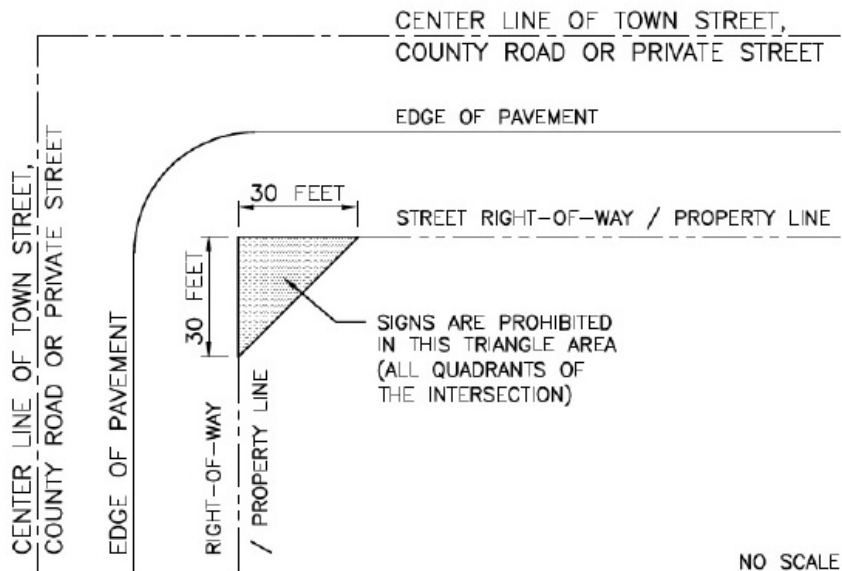
(1) No sign or sign structure is allowed at any location where it may interfere with a motorist's or pedestrian's view of other traffic or pedestrians at any street or highway intersection, or in such a manner as to materially impede view at an intersection of a street, highway, alley, or driveway with a railroad grade crossing.

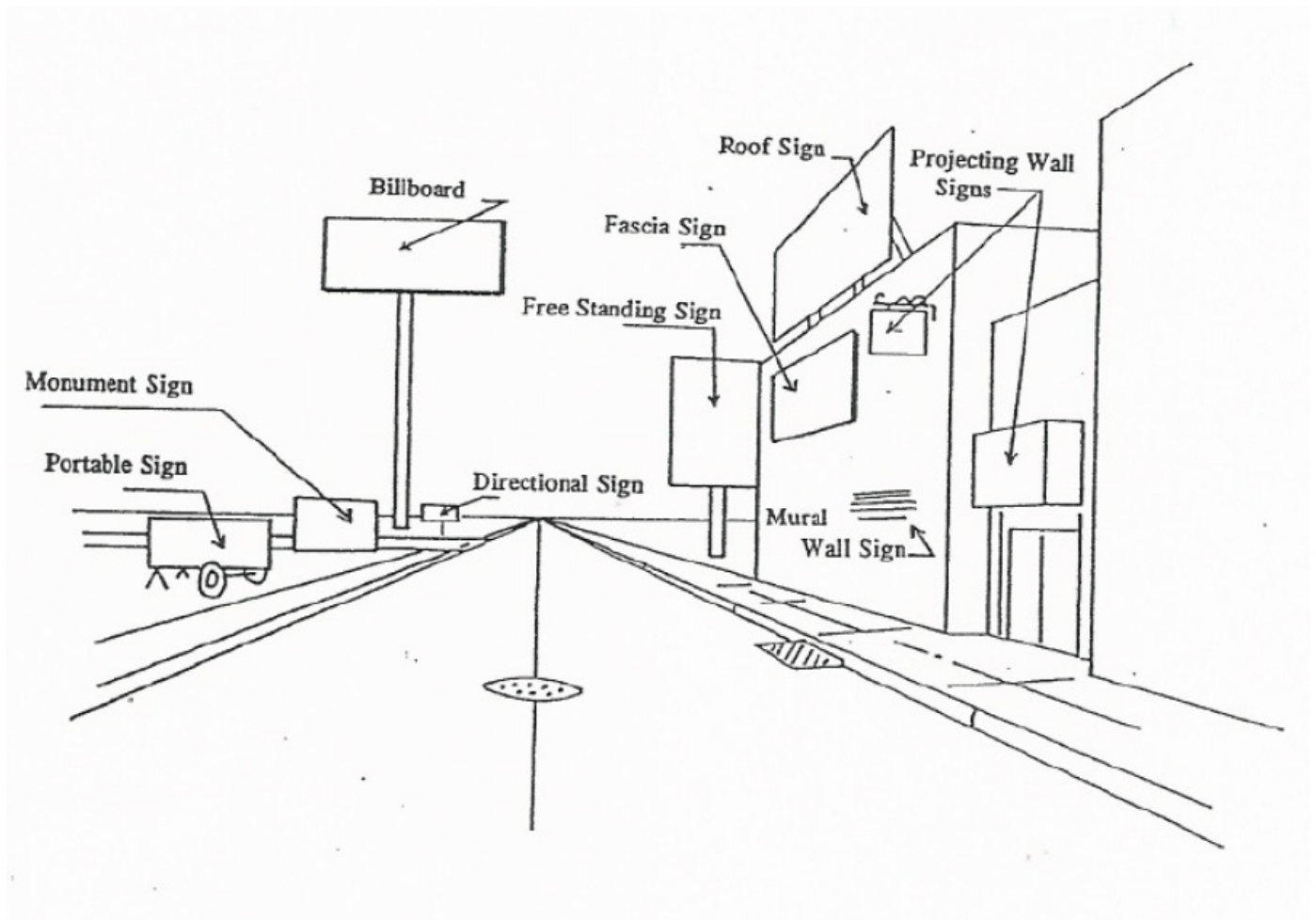
(2) On a corner lot, no sign is allowed in the area bounded by: (a) lines on each side of the corner, drawn along the edge of pavement on each side and extended toward the intersection to the point of intersection; and (b) a line joining the points on each edge of pavement line 25 feet from the point of their intersection. For purposes of illustration, this area is depicted as the "Sight Triangle" in Figure 1, below. No advertising device shall be erected or maintained in the sight triangle unless the triangular area is occupied by an existing building or structure. In that event, no advertising devices shall be erected or maintained closer to the intersection than the building or structure itself. However, a wall sign that does not protrude/project more than 12 inches may be attached to the building or structure.

INTERSECTION OF DRIVEWAYS AND RIGHT-OF-WAYS



INTERSECTION OF RIGHT-OF-WAYS (PRIMARY HIGHWAYS EXCLUDED)





(F) *Obscenity.* Signs that contain statements, words or pictures which are obscene as defined by I.C. 35-49-2-1.

(G) *Encroachment.* Signs that are located in any right-of-way or thoroughfare setback including projecting signs and signs posted on utility poles or street signs, except pursuant to an encroachment permit approved by the town and the entity that owns the structure, and by the Executive Director of the Commission in the case of signs located in a thoroughfare setback.

(H) *Vehicle and trailer signs.* Any sign attached to, or placed on, a vehicle or trailer moving or parked on public or private property except for signs meeting the following requirements:

(1) The primary purpose or use of the vehicle or trailer for any period of time must not be the display of signs.

(2) The sign must be:

- (a) A magnetic sign attached to a steel body panel of the vehicle or trailer;
- (b) An adhesive decal, including an adhesive vehicle wrap;
- (c) Painted onto the vehicle itself;
- (d) A delivery vehicle sign; or
- (e) An integral part of the vehicle or equipment as originally designed by the manufacturer.

(3) The vehicle or trailer on which the sign appears is in operating condition, currently registered and licensed to operate on public streets when applicable, and actively used or available for use in the daily function of the business to which such signs relate.

(I) Signs that are improperly illuminated/shielded resulting in glare being shed across property lines creating a nuisance for any abutting property owner or into any thoroughfare creating a hazard or distraction for traffic.

(J) *Flashing signs.* Signs that pose significant distraction to drivers by the rapid and repeated changes in the sign illumination.

(K) *Parking interference.* Signs placed in such a manner as to displace, obstruct or interfere with the use of a required parking space, and signs placed in any parking or access aisle without approval by the Commission.

(L) Electronic message signs are not allowed in a historic district which has been established by ordinance or recognized by the National Register of Historic Places.

(Ord. 2017-02, passed 2-20-2018) Penalty, see § 175.99

§ 174.07 IDENTIFICATION OF SIGNS.

Signs of the following classes, except temporary signs, shall carry the imprint of the licensed erector in clearly legible letters, as follows:

(A) On projecting signs, flat signs, pole signs, and ground signs, the imprint of the licensed erector may be applied in the border thereof in color or by metal tag substantially and permanently attached to each sign in such a place on the sign as can be seen from the sidewalk or street below the signs after the signs are erected.

(B) On all roof signs, the imprint of the licensed erector may be applied in the border thereof, in color, or on a separate metal panel attached to the framework of the sign.

(C) In case of re-hanging or re-erection of any sign required to carry the imprint of the erector, the new erector, if different than the original, shall remove the imprint of the former erector and place its own imprint on the sign.

(D) All electrical signs shall meet the specifications of and be labeled with the Underwriters Laboratory (UL) listing mark in a place visible and legible from the ground after installation.

(Ord. 2017-02, passed 2-20-2018) Penalty, see § 175.99

§ 174.08 INSPECTION OF SIGNS.

(A) All signs, signboards, projecting signs, and roof signs for which a permit has been issued may be inspected by the Executive Director or a designee of such official, and if found to have been well constructed, supported, braced, and painted in accordance with approved plans submitted to the Department, and in accordance with the provisions of this chapter, then a certificate of inspection shall be issued, upon request, without charge to the owner or erector.

(B) If, upon inspection, a sign of any class is found unsafe, insecure, corroded, or subject to corrosion, so that the sign may become unsafe or insecure, then the owner shall be required to make the sign safe and secure by causing the necessary repairs, additions, paint, or other matters to be made or done within 1 week from the time of notification in writing to that effect from the Executive Director or a designee of such official. If the notice is not complied with within the time specified, the Executive Director or a designee of such official shall cause the sign to be removed, the expense to be assessed against the owner of the sign. It shall also be the duty of the Executive Director or a designee of such official to order the removal of unsafe signs for which a permit and license is not required herein. The maintenance of the sign in an unsafe condition after receipt of notice to remove or repair the sign shall be a violation of this chapter.

(Ord. 2017-02, passed 2-20-2018) Penalty, see § 175.99

§ 174.09 GROUND OR MONUMENT SIGNS.

(A) Permits shall be required for the erection of all ground signs and monument signs and the Executive Director shall collect the prescribed fee in accordance with this chapter. No ground sign or monument sign shall be erected to a height greater than 30 feet above finished grade. However, no permits shall be required where signs pertaining to the lease, hire, or sale of a piece of property are erected by the owner or agent on the real estate.

(B) Ground or monument signs shall be thoroughly braced and constructed to withstand a wind pressure of 30 pounds per square foot in all directions.

(C) All ground or monument signs shall be properly and securely embedded and anchored in the ground and all signs of steel construction shall have braces and supporting members which extend into the ground embedded in concrete or secured to masonry, anchors, or piers.

(D) No ground or monument sign shall be so erected as to obstruct free access to any building, nor shall the signs be so erected as to unduly obstruct the view of traffic on intersecting streets or highways.

(Ord. 2017-02, passed 2-20-2018; Am. Ord. 2022-06, passed 8-15-2022) Penalty, see § 175.99

§ 174.10 FLAT WALL SIGNS.

(A) Permits shall be required for any flat wall sign that is greater than 60 square feet in area. The signs shall be strongly built and thoroughly secured to the building as described herein. No permit shall be required for any flat wall sign which is painted directly on a wall. For those flat wall signs that a permit is required, the Executive Director shall collect the prescribed fee in accordance with this chapter.

(B) For all flat wall signs larger than 60 square feet in area and attached to a wall (e.g., not merely painted on the wall), a permit shall be required and, if the signs are more than 2 feet high or more than 100 square feet in area, they shall be constructed of metal or of wood covered with metal not less than No. 30 U.S. standard gauge, or of glass, porcelain, or other hard, durable, nonflammable materials, except that ornamental moldings, top boards, and wood letters not over 3 feet high shall not be required to be covered with metal. Any flat wall sign attached to the cornices or other projection of any building in such fashion that any part of the sign projects more than 12 inches from the face of the building shall be made entirely of metal or of glass, porcelain, or other hard, durable, nonflammable materials.

(C) All flat wall signs shall be securely attached to structural members of the building with metal brackets, expansion bolts, through bolts, or lag screws. Nails and wire shall not be used for this purpose and no flat wall sign shall be dependent for support on any cornice, window sill, window frame parapet, or other projection. No flat wall signs shall be more than 12 inches thick and no sign projecting over public property shall be created less than 8 feet above any sidewalk, or less than 15 feet above any alley, but the signs, if projecting not more than 4 inches into public property, shall not be limited as to height above a

sidewalk or alley. In no case shall any flat wall signs be allowed to cover any windows or exit doors.

(Ord. 2017-02, passed 2-20-2018; Am. Ord. 2022-06, passed 8-15-2022) Penalty, see § 175.99

§ 174.11 PROJECTING SIGNS.

(A) No permit shall be required for any projecting sign less than 2 square feet in area and not projecting more than 3 feet from the face of the building. The signs shall be strongly constructed entirely of metal or other incombustible material and shall be thoroughly secured to the building with the bottom thereof not less than 8 feet 6 inches above the ground level.

(B) Permits shall be required for projecting signs not designated in division (A) above, and in issuing a permit, the Executive Director shall collect the prescribed fee in accordance with this chapter. All such signs, including letters, shall be construed entirely of metal, glass, porcelain, or other hard, durable, incombustible material. All projecting signs shall be supported by strong steel brackets attached to the walls of the building with through bolts, expansion bolts, or some other equally secure method, and shall be braced and held firmly in place with soft iron or steel cables of adequate strength.

(C) Projecting signs shall be further limited in size and projection as follows. No projecting signs shall be allowed to extend beyond the curb line without the permission of the Board of Public Safety and, if permission is given, the signs shall be erected at a height of 18 feet above the street. In cases where a street is widened, all signs on the street shall be made to conform with the provisions of this chapter relating to the installation of the signs.

(D) No sign shall project out from the street or alley line a greater distance than the least distance measured from the sign to the nearest side or adjoining property line without permission of the owner or tenant of the adjoining property. Street or alley lines shall not be considered adjoining property lines for the location of signs.

(E) Except for signs noted in division (A) above, there shall not be more than 1 projecting sign for each 20 feet of street frontage of any building, but buildings having less than 20 feet of frontage may have 1 sign. There shall not be less than 10 feet horizontally between any 2 signs erected on the same building. The requirements as to 10 feet separation shall not apply to the 2 halves of "V" shaped signs made in 2 portions joined at 1 point similar to a letter "V."

(F) No sign shall be erected so that any part of the sign, including cables, guys, or other wires, will be within 4 feet of any electric light pole, street lamp, or other public utility pole or standard. The minimum clearance of a sign from public utility conductors shall be not less than 24 inches for conductors carrying not over 600 volts, and 36 inches for conductors carrying more than 600 volts. In all cases where a sign is proposed to be hung adjacent to an electrical conductor carrying a higher voltage than 600 volts, the erection of the sign shall not be made until a representative of the public utilities company overhead inspection department shall have examined and approved the conditions.

(Ord. 2017-02, passed 2-20-2018; Am. Ord. 2022-06, passed 8-15-2022) Penalty, see § 175.99

§ 174.12 MARQUEE SIGNS.

Signs not complying as to height above ground level as provided in the preceding sections may be erected on marquees if the signs comply with the following provisions. Permits shall be obtained for these signs and in issuing such a permit, the Executive Director shall collect the prescribed fee in accordance with this Chapter.

(A) All marquee signs shall be made entirely of metal, porcelain, glass, or other hard, incombustible material, and the use of wood, wall board, cloth, or paper signs in, on, or under any marquee is prohibited.

(B) The wording on the marquee signs shall be confined to the following: the name of the proprietor or firm occupying the premises, the name of the building or institution, and the general business or trade carried on, such as jeweler, café, or dancing. The marquee signs may be used to designate the location of the building entrance, box office, or the program of a theater. No sign shall advertise any particular article of merchandise, nor shall the sign refer to price or reduction in price.

(C) The height of the signs shall be limited to the equivalent of 1/5 the length of the front of the marquee. The bottom of the signs shall not be less than 8 feet 6 inches above any sidewalk. The signs shall not extend beyond the ends of the marquee.

(Ord. 2017-02, passed 2-20-2018; Am. Ord. 2022-06, passed 8-15-2022) Penalty, see §175.99

§ 174.13 BANNER SIGNS.

No permit from the Executive Director shall be required for the erection of any banner sign. However, such signs shall not be installed for more than 60 days and shall not exceed 100 square feet. When 2 or more signs are erected on any building, the signs shall be separated vertically by the height of 1 story less the height of the sign, or horizontally by a distance of at least 9 feet. All signs shall be strongly constructed and securely attached flat against the building (except those described as an encroachment outlined below). The signs shall not obstruct any door, window, or fire escape, and shall be removed as soon as torn or damaged and prior to the expiration of the time limit. Additionally, no person shall cause to be installed any banner sign over or upon any street, public sidewalk, or right-of-way without obtaining an encroachment permit therefor from the Town Council. A liability insurance certificate in the amount of \$1,000,000 shall be provided to the Board of Public Works prior to erecting any banner sign over a street or right-of-way. The insurance certificate shall name the Town of Chandler and its officials and employees as additional insureds.

(Ord. 2017-02, passed 2-20-2018) Penalty, see § 175.99

§ 174.14 ROOF SIGNS.

(A) Permits shall be required for all roof signs. In issuing a permit, the Executive Director shall collect the prescribed fee in accordance with this chapter. All roof signs shall be constructed entirely of metal or other incombustible material. The minimum

clearance between the lower edge of the sign and the roof surface of support shall be not less than 5 feet. No roof sign shall be placed so that the face of the sign shall come within 3 feet of the inner plane of the outer wall of the building on which the sign is placed. No roof sign shall exceed 100 feet in height above the mean level of the roof.

(B) In all cases where the extreme height of a roof sign exceeds 24 feet above the level of the roof, all sign loads and reactions shall be carried directly to masonry walls or structural columns of the building on which the sign is placed, unless the roof construction is designed to carry the weight of the sign, and the wind load of the sign in addition to other required loads. When the signs are erected on roofs which are not designed to take the sign load, the roof beams, girders, or roof construction shall not be used to resist any vertical reactions except uplift due to wind.

(C) No solid roof sign shall be erected of a greater height than 24 feet above the level of the roof without obtaining a permit therefor from the Board of Public Works.

(D) Complete structural plans and details shall be submitted for all roof signs showing the construction of the sign and of the building on which the sign is to be placed. The maximum stresses in the frame of the sign, as well as the stresses in the supporting structure, shall not exceed the safe stresses as permitted in this chapter.

(E) All joints and connections of roof signs over 25 feet in height above the roof level shall be made with rivets or with finished bolts driven tightly to a snug fit in well-reamed holes which shall be in perfect alignment.

(Ord. 2017-02, passed 2-20-2018; Am. Ord. 2022-06, passed 8-15-2022) Penalty, see § 175.99

§ 174.15 POSTER ADVERTISING PANELS.

Permits shall be obtained for these signs. In issuing a permit, the Executive Director shall collect the prescribed fee in accordance with this chapter.

(A) All poster advertising panels shall be designed to resist a horizontal wind pressure of at least 30 pounds to the square foot with stresses not exceeding those allowed elsewhere in this chapter for the materials used in their construction. Poster advertising panels may be framed with wood standards not less than 4 inches by 6 inches, with back bracing and framing to take a plain surface of sheet metal not less than No. 38 gauge.

(B) All poster advertising panels shall be located entirely within the lot lines and shall not extend further than the building lines. Where panels face 2 streets, the junction point shall be arranged for a cut-off corner of not less than 12 feet to be set at an angle of 45 degrees joined to the sections facing each street.

(C) All panels shall have the owner's name on a separate board, not to exceed 12 inches high, placed either above or below the panel, and no panel shall bear more than 1 name plate.

(D) All panels erected under the terms of this chapter shall be kept in repair and no fee shall be charged for erection, resurfacing, repair, or maintenance of any poster advertising panel erected by a concern who is licensed.

(E) No person shall scatter, daub, or leave any paste, glue, or similar substance used for pasting materials on any public walk or pavement, or scatter or throw any old bills or waste material removed from panels on any thoroughfare or private ground.

(Ord. 2017-02, passed 2-20-2018; Am. Ord. 2022-06, passed 8-15-2022) Penalty, see § 175.99

§ 174.16 PERMITTED USE BY DISTRICT.

(A) In all districts, signs (except for highway signs in C-1, C-2, C-3, C-4, M-1, M-2, and M-3 Districts) must not be erected or maintained unless they conform to the requirements shown on the following Table 174.16(A).

TABLE 174.16(A)

<i>DISTRICT</i>	<i>R1, R-2, R-3, R-4, R-O, R-MH1</i>	<i>C-1, C-2, C-3, C-4</i>	<i>M-1, M-2, M-3</i>
Max. area of signage	10 square feet	300 square feet	700 square feet
Number of signs per street frontage	1	2	3
Electronic message signs (EMS)	Special use permit required; only allowed as accessory to a different established special use.	Permitted, subject to § 174.16(B)	Permitted, subject to § 174.16(B)
Max. area for EMS (see Figure 2)	18 sq. ft. of 100 sq. ft. allowed in special use	32 sq. ft. of max. area of signage allowed	50 sq. ft. of max. area of signage allowed
Max. ht.* of EMS (top of electronic screen, measured from grade)	6 ft. (see Figure 2)	Subject to overall sign height.	Subject to overall sign height.

Special provisions and restrictions	100 sq. ft. if approved as a special use by the BZA	Flat signs: Maximum coverage of wall area 50%; Canopy signs: maximum extension above canopy 6 ft.	N/A
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(B) The following requirements shall apply to electronic message signs:

(1) All electronic message signs shall be located at least 200 feet from any residence/dwelling.

(2) The specific requirements for electronic message signs are:

(a) In Agricultural, Conservation, R-1, R-2, R-O, and R-MH1 Districts, electronic message signs are not permitted unless a special use (other than for the electronic message sign) has been established on the site.

(b) In C-1 and C-2 Districts, electronic message signs must obtain special use approval from the Board of Zoning Appeals.

(c) In the C-3, C-4, M-1, M-2, and M-3 Districts, electronic message signs are a permitted use and special use approval is not required.

(d) The size of an electronic message sign shall not exceed the maximum area for the EMS allowed in Table 174.16(A) for the district or use.

(e) *Message duration.* Static message displays for on-premises electronic message signs shall display each message for at least 4 seconds before transitioning to another message; however, such messages displayed on an electronic message sign that is only capable of displaying 1 line of text at a time and that has a display area no more than 12 inches in height shall display each line of text for at least 3 seconds before transitioning to another line of text.

(f) Only 1 electronic message sign per single-use commercial lots/parcels; and for uses such as commercial shopping centers, institutional campuses, and the like which could incorporate multiple parcels under common ownership with unified, integrated development such as a shared roof, facade, parking, drainage or similar facilities.

(C) Highway signs in the C-1, C-2, C-3, C-4, M-1, M-2, and M-3 Districts must conform to the requirements shown on the following Table 174.16(C). For the purpose of applying the spacing requirements of Table 174.16(C) below, the following must apply:

- (1) Distances must be measured parallel to the centerline of the highway;
- (2) Measurements for the spacing between signs must be based on when the construction of the sign:
 - (a) Received final approval by the Commission measuring from the first sign to have received that approval; or
 - (b) If the Commission has not given final approval to a sign that will be limited by the spacing requirement once it is constructed, then:
 1. Measured from the first sign given a building permit that is not cancelled or void at the time of measurement; or
 2. When no permit has been issued that is still valid, measured from the first fully complete application for a building permit received by the Code Official that has not been cancelled or which is void.
- (3) Back-to-back, multiple signs on 1 freestanding pole, double-faced, or V-type signs must be considered as 1 sign.

TABLE 174.16(C)

DISTRICT	C-1, C-2	C-3, C-4	M-1, M-2, M-3
DISTRICT	C-1, C-2	C-3, C-4	M-1, M-2, M-3
Max. area of signage	300 square feet	700 square feet	700 square feet
Maximum height	30 feet	50 feet	50 feet
Minimum setback from right-of-way	Equal to zoning code setback requirements		
Minimum setback from right-of-way: controlled access thoroughfares*	Equal to zoning code setback requirements		
Minimum spacing between signs: controlled access thoroughfares*	Minimum 500 feet; 1,000 feet along same side of street	Minimum 500 feet; 1,000 feet along same side of street	Minimum 500 feet; 1,000 feet along same side of street
Minimum spacing between signs	Minimum 400 feet; 800 feet along same side of street	Minimum 400 feet; 800 feet along same side of street	Minimum 400 feet; 800 feet along same side of street
Minimum distance from residential property	200 feet from a residential dwelling; 200 feet from property line of undeveloped residential district property; absolute minimum 60 feet from any residential property line		
Minimum distance from public park, school, church, or museum	300 feet		
Electronic message signs (EMS)	Permitted, subject to § 174.16(B)	Permitted	Permitted
	300-foot spacing from a residential dwelling or undeveloped R District		
Max. area for EMS (see Figure 2)	32 sq. ft. of max. area of signage allowed	12.5 sq. ft. of max. area of signage allowed	50 sq. ft. of max. area of signage allowed
Special provisions and restrictions	Nonilluminated signs only after 10:00 p.m.	Height limit increased along elevated roads; Maximum 65 feet	Height limit increased along elevated roads; Maximum 65 feet
* Streets defined within Chandler Municipal Code.			

§ 174.17 MAINTENANCE AND REMOVAL.

(A) When the product, business, or service that is advertised on a sign is abandoned or altered, or when the event or purpose advertised by the sign has passed or no longer exists, the sign and its structural elements must be removed or altered within 30 days to depict an existing product, person, business, service, or event, or to communicate an existing purpose. The owner and tenant of the land are equally responsible for removal or alteration of the sign and its structural elements.

(B) If copy is not displayed for a period exceeding 60 days, the permit for a sign may be revoked and the sign and structure may be removed, or required to be removed, pursuant to this section.

(C) Except in the case of a face change of a sign or as otherwise provided in this section, prior to the alteration of a sign or

the erection of a previously removed or abandoned sign, an improvement location permit and compliance with this chapter are required.

(D) Every sign shall be maintained in a safe, presentable, and good structural condition at all times including the replacement of defective parts, painting, re-painting, cleaning, and other acts required for maintenance of the sign. Compliance shall be required with all standards of this chapter and with all standards in this code that are applicable to signs.

(E) A sign is considered not functional when any of the following conditions exist:

- (1) Its essential elements are no longer readable or recognizable;
- (2) It is physically obstructed from view;
- (3) A condition of dilapidation or danger exists;
- (4) The area that is leased for or within 25 feet of a sign is not kept free of weeds, debris, or refuse; or
- (5) Copy is not displayed for a period of 60 days.

(F) The Executive Director of the Planning Department, or a designee of such official, has the right of entry to inspect signs to determine whether they are functional.

(G) If a sign is not made to comply with adequate safety standards, not kept in a presentable or good structural condition, is not functional, has been abandoned, or is not removed or altered as required under division (A) above, its removal will be required as follows:

(1) The Executive Director of the Planning Department or designee(s) thereof shall provide a 10-day written notice to the owner or lessee of the sign in violation to either remove the sign or to bring it into compliance.

(2) Upon failure to comply with the written notice of violation, the Executive Director of the Planning Department, or the respective designee, may do either or both of the following:

- (a) Remove the sign, its structure, or both, with all cost of removal to be borne by all owner(s) or lessee(s) of the sign, jointly and severally;
- (b) Issue a notice of violation with fines pursuant to this code.

(3) The Executive Director or designee(s) may remove a sign, its structure, or both, immediately and without notice and with all cost of removal to be borne by the owner(s) and lessee(s) of the sign, jointly and severally, if in the opinion of the Executive Director or designee the condition of the sign is such as to present an immediate threat to the safety of the public.

(H) When relocation or removal of a sign becomes necessary, and documentation is provided from the owner of the site that the relocation of the sign is necessary due to construction, expansion, or other development planned for the site where the sign is located, the sign may be moved by the sign owner to another location on that same site within 20 feet of the original location of the sign, providing the location within 20 feet of the original sign does not create nonconformity of the sign. Once the sign has been removed from its original location, it may remain removed for a period of up to 90 days without requiring a permit, and will be considered to remain in existence at its original location or within 20 feet thereof during that period for purposes of locating other signs. At or before the expiration of the 90-day period, a new sign permit must be obtained for the sign being relocated or replaced. Permit fees may be waived if the sign structure is the same configuration and erected in the same manner as the original sign and is of the same or smaller size than the original sign. Removal or relocation of a sign under this division (I) does not waive or alter the need for permits required by the Planning Department or any other agency.

(I) When replacement of a sign becomes necessary, and documentation is provided from the Executive Director, OSHA, or other governmental agency of competent jurisdiction that replacement of the sign is necessary due to the unsafe or dangerous condition of the sign, a safety upgrade by the sign owner is allowed on that same site within 20 feet of the original location of the sign, provided the safety upgrade or the location within 20 feet of the original location does not create nonconformity of the sign. Once the sign has been removed from its original location, it may remain removed for a period of up to 90 days without requiring a permit, and will be considered to remain in its existence at its original location or within 20 feet thereof during that period for purposes of locating other signs. At or before the expiration of the 90-day period, a new sign permit must be obtained for the sign being relocated or replaced. Permit fees may be waived if the sign structure is the same configuration and erected in the same manner as the original sign, is of the same or smaller size as the original structure, and documentation is provided from the Executive Director, OSHA, or other governmental agency of competent jurisdiction that replacement of the sign is necessary due to the unsafe or dangerous condition of the sign. Removal or relocation of a sign under this division (I) does not waive or alter the need for permits required by the Planning Department, Executive Director, or any other agency.

(J) When a legal nonconforming sign is removed, no permit may be issued to replace the sign.

(K) Electronic message signs shall be immediately turned off in the event of a malfunction.

(Ord. 2017-02, passed 2-20-2018) Penalty, see § 175.99

§ 174.18 ENFORCEMENT.

(A) Except as otherwise provided in this chapter, the enforcement of the requirements of this chapter shall be as follows:

(1) The Executive Director of the Planning Department or designee thereof will issue a warning letter to the person(s) committing, in whole or in part, a violation. The letter will identify the violation, set out required corrective measures, and specify the time frame for such corrective measures.

(2) In the event there is no response or action taken by the violator within 10 days of the notice of the violation, 1 additional violation letter shall be reissued explaining the violation and making demand that the violator comply or risk fine.

(3) If the violator fails to respond to the notice of violation after 30 days from the issuance of the original letter sent in division (A)(1) above, the Executive Director of the Planning Department or designee thereof shall issue a notice of violation with fines pursuant to § 157.16.

(4) If at any time a person to whom a violation notice has been issued commits another signage violation in regards to this chapter, whether of the same section or otherwise, the Executive Director of the Planning Department shall issue a notice of violation along with fines pursuant to § 157.16 without any further warning or notice. This provision does not apply in the event the Board of Zoning Appeals or a court of competent jurisdiction has found that the person did not commit any of the alleged violations referred to in the prior notices.

(B) The enforcement procedures in this chapter are subject to modifications at the discretion of the Executive Director of the Planning Department to include additional notices, extensions of time limits, or expedited or delayed steps to address immediate threats to public safety.

(Ord. 2017-02, passed 2-20-2018)

§ 174.19 SIGN TABLE.

SIGN TABLE

<i>Sign Type</i>	<i>R-1</i>	<i>R-1A</i>	<i>R-1B</i>	<i>R-1C</i>	<i>R-1D</i>	<i>R-2</i>	<i>R-3</i>	<i>R-4</i>	<i>R-O</i>	<i>R-MH1</i>	<i>R-MH2</i>	<i>C-1</i>	<i>C-2</i>	<i>C-3</i>	<i>C-4</i>	<i>M-1</i>	<i>M-2</i>	<i>M-3</i>
<i>Sign Type</i>	<i>R-1</i>	<i>R-1A</i>	<i>R-1B</i>	<i>R-1C</i>	<i>R-1D</i>	<i>R-2</i>	<i>R-3</i>	<i>R-4</i>	<i>R-O</i>	<i>R-MH1</i>	<i>R-MH2</i>	<i>C-1</i>	<i>C-2</i>	<i>C-3</i>	<i>C-4</i>	<i>M-1</i>	<i>M-2</i>	<i>M-3</i>
Address	A	A	A	A	A	A	A	A	A	A	A	A	A	A	A	A	A	A
Banner	A	A	A	A	A	A	A	A	A	A	A	A	A	A	A	A	A	A
Poster advertising panels (Billboard)	N	N	N	N	N	N	N	N	N	N	N	S	S	S	S	S	S	S
Government flag	A	A	A	A	A	A	A	A	A	A	A	A	A	A	A	A	A	A
Government sign	A	A	A	A	A	A	A	A	A	A	A	A	A	A	A	A	A	A
Ground or monument sign	N	N	N	N	N	N	S	S	S	S	S	S	S	S	S	S	S	S
Flashing	N	N	N	N	N	N	N	N	N	N	N	S	S	S	S	S	S	S
Flat wall	N	N	N	N	N	N	N	N	N	N	N	P	P	P	P	P	P	P
Marquee	N	N	N	N	N	N	N	N	N	N	N	S	S	S	S	S	S	S
Projecting	N	N	N	N	N	N	N	N	N	N	N	S	S	S	S	S	S	S
Roof	N	N	N	N	N	N	N	N	N	N	N	S	S	S	N	S	S	S
Temporary	A	A	A	A	A	A	A	A	A	A	A	A	A	A	A	A	A	A
Traffic	A	A	A	A	A	A	A	A	A	A	A	A	A	A	A	A	A	A
<p>Table Key: A Sign permitted without Planning Commission approval. No sign permit required when installed in conformance with code. P Sign permitted subject to Planning Commission approval. No sign permit required depending on the size and location. S Sign permitted subject to Planning Commission approval. A sign permit is required. N Sign not allowed.</p>																		

(Ord. 2017-02, passed 2-20-2018) Penalty, see § 175.99