

ORDINANCE NO. 1348

**AN ORDINANCE ADOPTING A NEW (FREESTANDING) MUNICIPAL SIGN ORDINANCE FOR THE CORPORATE LIMITS OF DICKSON, TENNESSEE**

WHEREAS, the City of Dickson wishes to clarify aspects of the existing sign regulations and to update the regulations to reflect changes made in the Dickson Municipal Zoning Ordinance as the zoning districts are referenced by the Sign Ordinance;

WHEREAS, signs may create distractions for drivers of motor vehicles and thus create a potential threat to the motoring public and to public safety in general, the City of Dickson desires to amend its existing Sign Ordinance in an effort to better protect public safety;

WHEREAS, the Dickson Municipal Planning Commission has reviewed the new Sign Ordinance and has recommended that the City Council adopt the regulations by ordinance on December 23, 2014; and

WHEREAS, the City of Dickson wishes to clarify that the Municipal Sign Ordinance is freestanding and not part of the Dickson Municipal Zoning Ordinance.

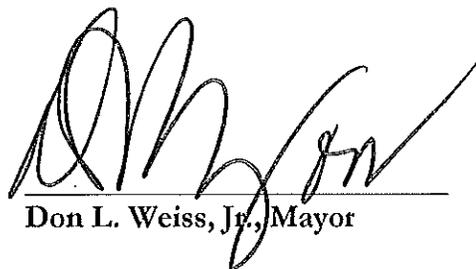
**NOW, THEREFORE, BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF DICKSON, TENNESSEE:**

That Ordinance 1266, the Municipal Sign Ordinance, be deleted in its entirety and be replaced by the new Municipal Sign Ordinance attached to this Ordinance.

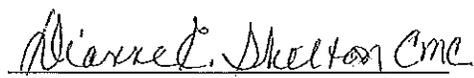
This Ordinance shall take effect within thirty (30) days of its passage on second and final reading, the welfare of the public requiring the same.

Date of First Reading February 2, 2015

Date of Second Reading March 2, 2015 As Amended

  
\_\_\_\_\_  
Don L. Weiss, Jr., Mayor

Attest:

  
\_\_\_\_\_  
Dianne E. Shelton, CMC, Recorder

**MUNICIPAL SIGN ORDINANCE  
OF  
DICKSON, TENNESSEE**

**1. TITLE**

This ordinance shall be known as the "Municipal Sign Ordinance of Dickson, Tennessee".

**2. PURPOSE**

The ordinance creates the legal framework for commercial signage regulations that is intended to facilitate an easy and agreeable communication between people. It recognizes the need for well maintained and attractive appearance in a community and the need for adequate business identification and advertising and communication. This code recognizes that aesthetics and design quality cannot be satisfactorily legislated, as individual opinions vary and general public opinions vary from one era to another. It is recognized, however, that a great percentage of that which is unattractive can be eliminated by sensible quality control, through adequate maintenance and inspection and by reasonable guidelines formulated to minimize clutter.

The general purpose and intent of this ordinance shall be the fair and comprehensive regulation of signs in order to work toward the further attainment of the community development goals and objectives of the citizens of Dickson, Tennessee. It is the intent of this ordinance that its interpretation and application assists in the economic development of the City, but without lessening a quality of life; which the citizens of Dickson strive to maintain and improve to the extent possible through the administration of these regulations.

The sign regulations as set forth in this Sign Ordinance are established to provide for the public safety, area development, preservation of property values and the general welfare within the City of Dickson, Tennessee. Among the purposes of the provisions of the ordinance are intended to but not limited to: (1) aid in traffic control and safety through the regulation of undue concentration of signs which could be distracting and endanger traffic safety and traffic flow; (2) protect property values by avoiding unnecessary visual competition and the controlled proliferation of signs; (3) lessen congestion of available land and air spaces by the establishment of reasonable standards for commercial and other advertising through the use of signs so as not to be of future detriment to the business activity and area development; (4) recognize the rights of the public while using the roads, streets, highways and other public rights-of-way; (5) preserve the wholesome attractive character of the city; and (6) recognize that the general welfare requires a community to be visually healthful and in other ways well balanced in its development and growth.

**3. DEFINITIONS**

Certain terms are defined for the purposes of this ordinance, as follows:

**Abandoned Sign** – A sign which no longer identifies or advertises a bona fide business, lessor, service, owner, product, or activity, and/or for which no legal owner can be found.

**Administrator** – The Codes Administrator or his designated representative.

**Animated Sign** – Any sign which uses movement or change of lighting to depict action or to create a special effect of scene. (compare "Flashing Sign")

**Area** – (see “Sign, Area of”)

**Awning** – A shelter projecting from and supported by the exterior wall of a building constructed of non-rigid materials on a supporting framework. (compare “Marquee”)

**Awning Sign** – A sign painted on, printed on, or attached flat against the surface of an awning.

**Banner Sign** – A sign made of fabric or any non-rigid material with no enclosing framework.

**Billboard** – see “Off-Premise Sign”)

**Building** – As defined by the Dickson Municipal Zoning Ordinance.

**Changeable Copy Sign (Automatic)** – A sign on which the copy changes automatically on a lampbank or through mechanical means, e.g., electrical or electronic time and temperature units.

**Changeable Copy Sign (Manual)** – A sign on which copy is changed manually in the field, e.g., reader-boards with changeable letters.

**City** – Unless the context clearly discloses a contrary intent, the word “City” shall mean the City of Dickson.

**Clearance (of a Sign)** – The smallest vertical distance between the grade of the adjacent street or street curb and the lowest point of any sign, including framework and embellishments, extending over that grade.

**Commercial Message-** Any sign or wording logo or other representation that directly or indirectly names or advertises or calls attention to a product, service, or other commercial activity.

**Construction Sign** – A temporary sign identifying an architect, contractor, subcontractor, and/or material supplier participating in construction on the property on which the sign is located.

**Copy** – The wording on a sign surface in either permanent or removable letter form.

**Directional/Information Sign** – An on-premise sign giving directions, instructions, or facility information and which may contain the name or logo of an establishment but no advertising copy, e.g., parking or exist and entrance signs.

**Double-Faced Sign** – A sign with two (2) faces.

**Electrical Sign** – A sign or sign structure in which electrical wiring, connections, or fixtures are used.

**Electronic Message Center** – (see “Changeable Copy Sign, Automatic”)

**Facade** – The entire building front including the parapet.

**Face of Sign** – The area of a sign on which the copy is placed.

**Festoons** – A string of ribbons, tinsel, small flags, or pinwheels.

**Flashing Sign** – A sign which contains an intermittent or sequential flashing light source used primarily to attract attention. Does not include changeable copy signs, animated signs, or signs which, through reflection or other means, create an illusion of flashing of intermittent light (compare “animated Sign”, “Changeable Copy Sign”)

**Freestanding Sign** – A sign supported upon the ground by poles or braces and not attached to any building.

**Frontage** – The length of the property line of any one premise along a public right-of-way on which it borders.

**Frontage, Building** – The length of an outside building wall on a public right-of-way. Alley frontage not included unless a parcel has no other frontage.

**Government Sign** – Any temporary or permanent sign erected and maintained by the city, county, state, or federal government for traffic direction or for designation of or direction to any school, hospital, historical site, or public service, property, or facility.

**Height (of a Sign)** – The vertical distance measured from the highest point of the sign, excluding decorative embellishments, to the grade of the adjacent street or the surface grade beneath the sign, whichever is less (compare “Clearance”).

**Identification Sign** – A sign whose copy is limited to the name and address of a building, institution, or person and/or to the activity or occupation being identified.

**Illegal Sign** – A sign which does not meet the requirements of this code and which has not received legal nonconforming status.

**Illuminated Sign** – A sign with an artificial light source incorporated internally or externally for the purpose of illuminating the sign.

**Incidental Sign** – A small sign, emblem, or decal informing the public of services available on the premises, e.g., a credit card sign or a sign indicating hours of business.

**Lot** – A parcel of land legally defined on a subdivision map recorded with the assessment department or land registry office, or a parcel of land defined by a legal record of survey, map.

**Maintenance** – For the purpose of this ordinance, the cleaning, painting, repair, or replacement of defective parts of a sign in a manner that does not alter the basic copy, design, or structure of the sign.

**Mansard** – A sloped roof or roof-like façade architecturally comparable to a building wall.

**Marquee** – A permanent roof-like structure or canopy of rigid materials supported by and extending from the façade of a building (compare “Awning”)

**Marquee Sign** – Any sign attached to or supported by a marquee structure.

**Monument Sign** – A freestanding sign supported primarily by an internal framework or integrated into landscaping or other solid structural features, other than support poles with a base affixed to the ground. \* Monument signs may be erected in lieu of a freestanding pole sign in any zoning district.

**Nameplate** – A nonelectric on-premise identification sign giving only the name, address, and/or occupation of any occupant or group of occupants.

**Nonconforming Sign** – (1) A sign which was erected legally, but which does not comply with subsequently enacted sign restrictions and regulations; (2) A sign which does not conform to the sign code requirements, but for which a special permit has been issued.

**Non-Profit** – An organization operating entirely for charitable or service functions and recognized as tax exempt under Federal Tax Law as a 501 (c) (3).

**Occupancy** – The portion of a building or premises owned, leased, rented, or otherwise occupied for a given use.

**Off-Premise Sign** – A sign structure advertising an establishment, merchandise, service, or entertainment, which is not sold, produced, manufactured, or furnished at the property on which said sign is located, e.g., “billboards” or “outdoor advertising”.

**On-Premise Sign** – A sign which pertains to the use of the premises on which it is located.

**Owner** – A person recorded as such on official records. For the purposes of this ordinance, the owner of property on which a sign is located is presumed to be the owner of the sign, unless facts to the contrary are officially recorded or, otherwise, brought to the attention of the Administrator, e.g., a sign leased from a sign company.

**Painted Wall Sign** – Any sign which is applied with paint or similar substance on the face of a wall.

**Parapet** – The extension of a false front or wall above a roofline.

**Person** – For purposes of this ordinance, any individual, corporation, association, firm, partnership, or similarly defined interest.

**Point of Purchase Display** – Advertising of a retail item accompanying its display, e.g., an advertisement on a product dispenser.

**Pole Cover** – Covers enclosing or decorating poles or other structural supports of a sign.

**Political Sign** – For the purposes of this ordinance, a temporary sign used in connection with a local, state, or national election, or referendum.

**Portable Sign** – Any sign designed to be moved easily and not permanently affixed to the ground or to a structure or building.

**Premises** – A parcel of land with its appurtenances and buildings which, because of its unity of use, may be regarded as the smallest conveyable unit of real estate. Continuous buildings to be considered as one real estate unit.

**Projecting Sign** – A sign, other than a flat wall sign, which is attached to and projects from a building wall or other structure not specifically designed to support the sign.

**Real Estate/Auction Sign** – A temporary sign advertising the real estate upon which the sign is located as being for rent, lease, or sale.

**Roofline** – The top edge of a roof or building parapet, whichever is higher, excluding any cupolas, pylons, chimneys, or minor projections.

**Roof Sign** – A sign erected over or on the roof of a building (compare “mansard,” “wall sign”).

**Rotating Sign** – A sign in which the sign itself or any portion of the sign moves in a revolving or similar manner. Such motion does not refer to methods of changing copy.

**Sign** – Any device, structure, fixture, or placard using graphics, symbols, and/or written copy designed specifically for the purpose of advertising or identifying any establishment, product, goods, or services.

#### **Sign, Area of**

(1) **Projecting and Freestanding:** The area of a freestanding or projecting sign shall have only one face (the largest one) of any double or multi-faced sign counted in calculating its area. The area of the sign shall be measured as follows if the sign is composed of one or two individual cabinets:

(a) The area around and enclosing the perimeter of each cabinet or module shall be summed and then totaled to determine total area. The perimeter of measurable area shall not include embellishments such as pole covers, framing, decorative roofing, etc., provided that there is not written advertising copy on such embellishments.

(b) If the sign is composed of more than two (2) sign cabinets or modules, the area enclosing the entire perimeter of all cabinets and/or modules within a single, continuous geometric figure shall be the area of the sign. Pole covers and other embellishments shall not be included in the area of measurement if they do not bear advertising copy.

**Wall Signs:** The area shall be within a single, continuous perimeter composed of any straight line geometric figure which encloses the extreme limits of the advertising message. If the sign is composed of individual letters or symbols using the wall as the background with no added decoration, the total sign area shall be calculated by measuring the area of each individual letter and the spaces between each letter. The combined areas of the individual figures and spaces shall be considered the total sign area.

**Snipe Sign** – A temporary sign or poster affixed to a tree, fence, utility pole, street sign or in the ground by metal or wood stakes in the state or local right of way, etc.

**Special Events** – An event having a limited or special function, arranged for a particular occasion or purpose limited to anniversaries, holidays, grand openings, re-openings, and to religious or non-profit activities.

**Subdivision Identification Sign** – A freestanding or wall sign identifying a recognized subdivision, condominium complex, or residential development.

**Temporary Sign** – Any sign constructed of light fabric, cardboard, wallboard, plywood, paper or other light materials intended to be displayed for a limited period of time.

**Trailer Sign** – Any sign including single or double face surface which is temporary in nature, mounted on wheels, easily moveable and not permanently attached to the premises or any building, wall, fence, or any other structures. For benefit of the ordinance tires and axles must be removed before any sign is approved as a temporary sign.

**Under-Canopy Sign** – A sign suspended beneath a canopy, ceiling, roof, or marquee.

**Use** – The purpose for which a building, lot, sign, or structure is intended, designed, occupied, or maintained.

**Wall Sign** – A sign attached parallel to and extending from the wall of a building. This definition includes painted, individual letter, and cabinet signs, and signs on a mansard.

**Window Sign** – A sign installed inside a window and intended to be viewed from the outside.

#### 4. **GENERAL PROVISIONS**

It shall hereafter be unlawful for any person to erect, place, or maintain a sign in the City of Dickson, except in accordance with the provisions of this ordinance.

##### 4.01 **Signs Prohibited**

The following types of signs are prohibited in all districts:

- (1) Abandoned signs
- (2) Signs imitating or resembling official traffic or government signs or signals
- (3) Garage sale, yard sale, basement sale, retail and/or services provided snipe signs or signs attached to trees, utility poles, street lights, posted in the right of way or placed on any public property or any other sign not specifically allowed by this ordinance.
- (4) Signs placed on vehicles or trailers which are parked or located for the primary purpose of displaying said sign are prohibited. (This does not apply to signs or lettering on buses, taxis, or vehicles operating during the normal course of business.) Vehicles that display a company name or logo, that the logo or company name is

used for identification and not primarily for advertising, should be operable with current state and or county license requirements in effect. Example: Service Vehicles, Trade of Skill Labor Vehicles, Delivery Vehicles, etc.

- (5) Signs with flashing or chasing lights, search lights or flashing or chasing lights on buildings.
- (6) Human display; retail/walking/spinner for the purpose of advertising such business on site or off site

#### **4.02 Permits Required**

Unless, otherwise, provided by this ordinance, all signs shall require permits and payment of fees. No permit is required for the maintenance of a sign or for an automatic changeable sign or a manual changeable sign.

#### **4.03 Signs Not Requiring Permits**

The following types of signs are exempted from permit requirements, but must be in conformance with all other requirements of this ordinance.

- (1) Construction signs of thirty-two (32) square feet or less.
- (2) Directional/Information signs of three (3) square feet or less.
- (3) Holiday decorations provided they do not contain a commercial message or logo.
- (4) Nameplates of two (2) square feet or less each occupancy.
- (5) Political signs not to exceed thirty-two (32) square feet.
- (6) Public signs or notices, or any sign relating to an emergency.
- (7) Auction signs not to exceed thirty-two (32) square feet per sign on private property with one (1) sign being permitted to face each road that adjoins the property.
- (8) Incidental signs.
- (9) American flag, state flag when attached to a flag pole, will be permitted and not counted as part of the sign package. Company logo signs shall not exceed thirty-two (32) square feet in size.
- (10) Temporary signs such as real estate, auction and county fairs, as defined in Section 3, of this ordinance. Signs may not exceed thirty-two (32) square feet in size.
- (11) A peddler licensed by the City of Dickson shall be allowed no more than two (2) temporary or portable signs not exceed thirty-two (32) square feet in size each. Such signs shall be located at the location of the peddler's sales area and only when such peddler is open for business.
- (12) Temporary or permanent signs located on the inside of a window of a structure not to exceed fifty (50) percent of the window or door in which they are located.

- (13) Gasoline trade signs affixed to the pump or dispensers which shows required legal information, the brand name, and the type of product being dispensed.

#### **4.04 Maintenance**

All signs shall be properly maintained. Exposed surfaces shall be clean and painted if paint is required. Defective parts shall be replaced. The Code Enforcement Officer shall have the right to order the repair or removal of any sign which is defective, damaged, or substantially deteriorated, as defined in International Building Code.

#### **4.05 Lighting**

Unless, otherwise, specified by this ordinance, all signs may be illuminated, however, no sign regulated by this ordinance may utilize:

- (1) An exposed incandescent lamp with an external reflector and without a sunscreen or comparable diffusion
- (2) Any exposed incandescent lamp in excess of fifteen (15) watts, unless a screen is attached or unless the sign is placed over fifteen (15) feet above the ground
- (3) Any revolving beacon light.

#### **4.06 Changeable Copy**

Unless, otherwise, specified by this ordinance, any sign, herein, allowed may use manual or automatic changeable copy.

#### **4.07 Sign Contractor's License**

No person may engage in the business of erecting, altering, relocating, constructing, or maintaining signs without a valid contractor's license and all required state and federal licenses.

#### **4.08 Indemnification and Insurance**

All persons involved in the maintenance, installation, alteration, or relocation of signs upon any public right-of-way or property shall agree to hold harmless and indemnify the city, its officers, agents, and employees, against any and all claims of negligence resulting from such work insofar as this ordinance has not specifically directed the placement of a sign.

All persons involved in the maintenance, installation, alteration, or relocation of signs shall maintain with the City a satisfactory certificate of insurance to indemnify the City against any form of liability to a minimum of one hundred thousand dollars (\$100,000.00).

#### **4.09 Standard Signs**

All signs shall be designed so as to meet these regulations. "Standard signs" or sign packages for chains or franchises not meeting these regulations shall not be a cause for variance to these regulations.

#### **4.10 Electronic Signs**

All electronic signs if applicable shall be reviewed by the Planning Commission. The maximum illumination for all electronic signs shall be 7,500 (nits) during the day and 750 (nits) at night. If jurisdiction falls under State of Tennessee for signage than electronic signs shall meet all the regulations set forth by State of Tennessee and/or display requirements of eight (8) seconds if applicable.

### **5. REGULATION OF ON-PREMISE SIGNS BY ZONE**

#### **5.01 Signs Permitted in All Zones**

**The following signs are allowed in all zones provided that a City issued permit and placard is placed on the bottom right hand side of the sign:**

- (1) All signs not requiring permits, except in residential zones.
- (2) One construction sign(s) for each street frontage of a construction project, not to exceed thirty-two (32) square feet in sign area in residential and commercial zones. Such signs may be erected sixty (60) days prior to beginning of construction and shall be removed thirty (30) days following completion of construction.
- (3) One (1) non-illumination real estate sign(s) per street frontage, not to exceed thirty-two (32) square feet in sign area on private property. Such signs must be removed three (3) days following sale, rental, or lease.
- (4) One (1) attached nameplate(s) per occupancy, not to exceed two (2) square feet in sign area.
- (5) Political signs may be placed only on private property and only with the permission of the property owner and not to exceed 32 square feet.
- (6) Two (2) directional/informational sign(s) per entrance, not to exceed six (6) square feet in sign area and three (3) feet in height. No setback required.
- (7) One (1) temporary special events sign(s) per year, per premises on site are allowed for special events such as grand openings or holidays for a maximum of fourteen (14) days. Signs must not exceed thirty-two (32) square feet or obstruct traffic or cause any other public safety hazard. Signs not removed by the owner in accordance with the provisions of this section shall be found in violation of the ordinance, as set out in Section 11.01.
- (8) One (1) temporary advertising sign(s) per premises on site are allowed each calendar year for a maximum of fourteen (14) days. The fourteen (14) day time period shall be consecutive and only one such time period is permitted per calendar year per premises. Such signs may display a commercial message for any event, sale, etc. but shall be no more than thirty-two (32) square feet in sign area. Signs must not obstruct traffic or cause any other public safety hazard. Signs must be on private property and not in the right of way. Signs not removed by the owner in accordance with the provisions of this section shall be found in violation of the ordinance, as set out in Section 11.01.

## **5.02 Signs Permitted in Residential Zones**

Signs are allowed as follows in residential zones (A-1, R-1, R-1A, R-2, R-3, and R-3A, RPUD):

- (1) All signs as permitted in Section 5.01.
- (2) One (1) sign per principal entrance into a plotted neighborhood, subdivision, or development, not to exceed a total of four (4) such signs per neighborhood, subdivision, or development with no sign to exceed thirty-two (32) square feet in sign area.
- (3) One (1) identification sign(s) per apartment or condominium complex, not to exceed thirty-two (32) square feet in sign area.
- (4) For allowed nonresidential uses including churches and synagogues, one (1) freestanding sign which shall not exceed sixteen (16) square feet in sign area, unless greater than thirty (30) linear feet from adjoining residential parcels in which case the sign shall not exceed (32) square feet in sign area.

Special regulations for residential zones are as follows:

- (5) All allowed freestanding signs shall have a maximum height limit of ten (10) feet and shall have a setback of ten (10) feet from any public right-of-way.

## **5.03 Signs Permitted in B-1, Office Medical Professional Zones**

Signs are allowed as follows in commercial and office zones:

- (1) All signs as permitted in Section 5.01 and Section 5.02.
- (2) One (1) freestanding sign per premises – identifying the entire premises – not to exceed a maximum area of thirty-two (32) square feet – to which may be attached individual occupancy signs not to exceed a maximum of sixteen (16) square feet. Such signs may not exceed a height of twenty (20) feet.
- (3) One (1) wall sign(s) per occupancy, not to exceed one (1) square foot in sign area for each linear foot of that occupancy's building frontage up to a maximum of twenty-four (24) square feet.
- (4) One (1) under-canopy sign(s) per occupancy, not to exceed three (3) square feet in sign area.
- (5) Incidental signs, not to exceed one (1) square foot in aggregate sign area per occupancy.
- (6) Roof top signs not allowed.

Special regulations and allowances for light commercial and office zones are as follows:

- (7) Where premises is on a corner or has more than one (1) main street frontage, (a) one (1) additional freestanding sign will be allowed on the additional frontage, not to exceed the size of other allowed freestanding sign; (b) signs placed on secondary streets must be setback past the front street building setback line.

- (8) Where premises is on a corner or has more than one (1) main front, additional wall sign(s) will be allowed on additional frontage not to exceed the size of the other allowed wall signs.
- (9) Freestanding signs shall have a setback of five (5) feet from any vehicular public right-of-way and a minimum clearance of thirteen (13) feet, six (6) inches over any vehicular use area and nine (9) feet over any pedestrian use area.
- (10) Under canopy signs shall have a set-back of three (3) feet from any vehicular public right-of-way and shall not be used over any vehicular use area and shall have a minimum clearance of nine (9) feet from ground level.

**5.04 Signs Permitted in Commercial B-2 District, Downtown Commercial**

Signs are allowed as follows in commercial:

- (1) All signs as permitted in Sections 5.01 and 5.02.
- (2) One (1) freestanding sign(s) per premises, not to exceed one and one-half (1 1/2) square feet in sign area for each linear foot of main street frontage up to a maximum of sixty (60) square feet. Such signs shall not exceed a height of twenty (20) feet.
- (3) Wall sign(s) or awning sign(s) per occupancy, not to exceed two (2) square feet in sign area for each linear foot of that occupancy's building frontage.
- (4) Roof signs not allowed in this zoning district.
- (5) One (1) under-canopy sign(s) per occupancy, not to exceed five (5) square feet in area.
- (6) Incidental signs not to exceed four (4) square feet in aggregate sign area per occupancy.
- (7) Portable or trailer signs not allowed in this zoning district.
- (8) One (1) projecting sign may be used instead of any allowed wall or freestanding sign, not to exceed a sign area of one and one-half (1 1/2) square feet for each linear foot of an occupant's building up to a maximum of thirty (30) square feet.
- (9) For planned shopping districts, shopping centers and office complexes, one (1) freestanding sign(s) per premises – identifying the entire premises – not to exceed one (1) square foot in sign area for each linear foot of road frontage not to exceed a maximum of sixty (60) square feet to which may be attached individual occupancy signs not to exceed a maximum of twenty-four (24) square feet and a maximum height of twenty (20) feet.

**5.05 Signs Permitted in B-3, Highway Commercial and B-4, Heavy Commercial and Warehousing**

Signs are allowed as follows in highway commercial zones unless otherwise specified:

- (1) All Signs permitted in Section 5.01, Section 5.02, Section 5.03, and Section 5.04. with possible exception to freestanding ground signs in B-3 Highway Commercial Zoning

Districts. All new developments located in the B-3 zoning district may permit only monument signs located in landscape areas. No monument shall exceed six (6) feet in height, except for those where the ground is artificially raised by an earth berm. Monument signs shall not be located closer than five (5) feet from the street right of way. No individual sign shall exceed a maximum of thirty two (32) square feet. Only one (1) monument sign is allowed per premises for each street frontage

- (2) One (1) freestanding sign per premises, not to exceed one and one-half (1 1/2) square feet in sign area for each linear foot of main street frontage up to a maximum of two hundred (200) square feet. Such signs shall not exceed a height of forty (40) feet.
- (3) Wall signs or awning signs not to exceed two (2) square feet in sign area for each linear foot of that occupant's building frontage.
- (4) No Roof signs allowed.
- (5) One under canopy sign per occupancy, not to exceed five (5) square feet in sign area.

Special regulations and allowances for B-3, Highway Commercial.

- (6) Portable or trailer signs will not be allowed in this zone, except for the period of time designated as grand opening not to exceed fourteen (14) continuous days in length.
- (7) Portable signs and trailer signs must be located at least ten (10) feet off public right-of-way and at least twenty-five (25) feet off any egress and ingress. They must not exceed thirty-two (32) square feet.
- (8) Where a lot has in excess of one hundred-fifty (150) feet of main street frontage, one (1) additional freestanding sign will be allowed for each additional one hundred-fifty (150) feet of main street frontage. Also, where a lot has in excess of one hundred-fifty (150) feet of main street frontage along the interstate, one (1) additional freestanding sign not to exceed fifty (50) feet in height will be allowed for each additional one hundred (150) feet of main street frontage. No freestanding signs placed on the same property shall be closer than one hundred-fifty (150) feet to any other freestanding sign on the same premises.
- (9) All freestanding, projecting, awning, marquee, and under-canopy signs shall have a minimum setback of five (5) feet from any vehicular public right-of-way, and a minimum clearance of thirteen (13) feet, six (6) inches over any vehicular use area and nine (9) feet over any pedestrian use area.
- (10) Where a lot is located within one thousand nine hundred (1,900) feet from the center line of the east and west bound lane intersecting with Highway 46, freestanding signs intended to be viewed from the interstate will be allowed a maximum height of one hundred (100) feet. Total sign area is determined by a four (4) square foot per each foot in height ratio not to exceed four hundred (400) square feet (example: 100 feet height = 400 square feet or 75 feet height = 300 square feet area.) Extensions will be limited to signs identifying premises where food, lodging, or places of business that engage in supplying goods or services essential to normal operations of motor vehicles. **(Amended by Adding New (10), Ordinance 1279, April 5, 2010)**
- (11) Where premises is on a corner or has more than one (1) main street frontage; (a) one (1) additional freestanding sign will be allowed on the additional frontage, not to

exceed the size of other allowed freestanding sign; (b) signs placed on secondary streets must be setback past frontage street building setback line. (Renumbered (10) to (11), Ordinance 1279, April 5, 2010)

- (12) For planned shopping districts, shopping centers and office complexes, one (1) freestanding sign(s) per premises – identifying the entire premises – not to exceed one and one-half (1 1/2) square feet in sign area for each linear foot of road frontage not to exceed a maximum of one hundred-forty (140) square feet to which may be attached individual occupancy signs not to exceed a maximum of thirty-two (32) square feet and a maximum height of forty (40) feet. (Renumbered (11) to (12), Ordinance 1279, April 5, 2010)
- (13) Menu boards for drive thru restaurants provided such signs are for displaying menu items and not part of general advertisement of the restaurant. (Renumbered (12) to (13), Ordinance 1279, April 5, 2010)

**5.06 Signs Permitted in M-1, Light Industry, and M-2, Heavy Industry (Deleted and Replaced by Ordinance 1279, April 5, 2010)**

Signs are allowed as follows in light industrial zones:

All signs and uses permitted in Section 5.05, of this Ordinance. However, all signs in the industrial zones are subject to review by the Planning Commission.

**5.07 Signs Permitted in B-5 Planned Commercial Centers.**

All signs permitted in Section 5.05. However, sign details must be submitted with the Preliminary Master Plan.

**6. OFF-SITE SIGNS/BILLBOARDS**

**6.01 General Regulation Applicable to all Off-Site Signs/Billboards**

Unless, otherwise, specified, the following standards shall apply to all off-site signs:

- (1) Off-site signs shall be limited to two (2) signs per sign structure provided that the signs are mounted back to back or in a “V” shaped design only.
- (2) Off-site signs shall have a display area of not more than three hundred -twenty (320) square feet per sign face inclusive of all embellishments.
- (3) Off-site signs shall be permitted only in the following districts: B-3 and M-1.
- (4) Off-site signs shall not be established at any location having principal frontage on any street within seventy-five (75) feet of any church, school, cemetery, public park, public playground, state forest, national forest, or reservation.
- (5) Illuminated signs, including neon signs, shall not produce more than one (1) foot-candle of illumination four (4) feet from the sign, when measured from the base of such sign.
- (6) No off-site sign, regardless of the size of such sign, shall not be located closer than one thousand-five hundred (1,500) feet from another off-site sign. For the purpose of determining the spacing requirement found in this subsection, distances shall be

measured from sign structure to sign structure on a direct line between the structures.

- (7) No off-site sign, regardless of the size of such sign, shall be located no closer than one hundred-fifty (150) feet from any platted residential subdivision entrance.
- (8) Two (2) Temporary Signs may be placed up to ten (14) days before the event. Only local churches, local charities, school events and 501c3 organizations will be permitted to place such signs annually. Signs may be a maximum of thirty-two (32) square feet in size. Signs must be placed on private property and not obstruct traffic or cause any other public safety hazard. All signs must have proper identification as to ownership or the Code Enforcement Officer may remove the signs immediately. All other signs not removed by the owner in accordance with the provisions of this section could be found in violation of the ordinance as set out in Section 10.01.

#### **6.02 Off-Site Standards for Signs**

Signs which measure more than seventy-five (75) square feet in display area, but not more than three hundred-twenty (320) square feet in display area shall:

- (1) Be limited to property zoned B-3 and M-1.
- (2) Not be erected closer than two hundred (200) feet from any residentially zoned district. For the purposes of determining the spacing requirement found in this subsection, distances shall be measured from the sign structure to the property line of the nearest residentially zoned property.
- (3) Not be erected closer than one thousand-five hundred (1,500) feet from another off-site sign which is seventy-five (75) square feet or greater, but not more than three hundred-twenty (320) square feet in display area. For the purpose of determining the spacing requirement found in this subsection, distance shall be measured from sign structure to sign structure.
- (4) Not exceed forty (40) feet in height. All signs exceeding two hundred (200) square feet shall have a minimum clearance of twenty (20) feet between grade and bottom of sign.
- (5) Be set back a minimum of fifteen (15) feet from the right-of-way line and thirty (30) feet from the intersection of right-of-way lines.
- (6) Meet all the requirements set forth in Section 6.01, of this section.

### **7. NON-CONFORMING SIGN: DATE OF COMPLIANCE AND OTHER PROVISIONS**

#### **7.01 Intent**

Signs which were legally in existence prior to the adoption of this ordinance which do not form to the provisions of this ordinance are declared non-conforming signs. It is the intent of this section to recognize that the eventual elimination, as expeditiously and fairly as possible, of non-conforming signs is as much a subject of health, safety, and welfare as is the prohibition of new signs that would violate the provisions of this ordinance. It is also the

intent of this section that any elimination of non-conforming signs shall be effected so as to avoid any unreasonable invasion of established property rights.

#### **7.02 Non-Conforming Sign Provisions**

Any non-conforming sign on private property may be continued in operation and maintenance after the effective date of this ordinance, provided that non-conforming signs shall not be:

- (1) Changed to or replaced with another non-conforming sign including changing the sign face (except on changeable copy signs and billboards and exact replicas of existing signs as long as the sign meets all other requirements).
- (2) Structurally altered so as to extend their useful life.
- (3) Expanded.
- (4) Relocated.
- (5) Re-established after damage or destruction of more than fifty(50) percent of the value at the time of such damage or destruction.
- (6) Modified in any way that would increase the degree of nonconformity of such sign.
- (7) Nonconforming signs constructed, installed or placed illegally or in violation of any previous sign ordinance or any other regulations of the City of Dickson.

#### **7.03 Termination of Non-Conforming Sign Structures**

- (1) **Fifty (50) Percent Damage:** Any permanent non-conforming sign or sign structure which is partially destroyed or damaged by fire, accident, or natural cause beyond fifty (50) percent of its original value shall thereafter be removed or reconstructed in conformance to the regulations of this ordinance.
- (2) **Conformance:** Any permanent non-conforming sign or sign structure which is improved and altered to comply with the provisions of this ordinance shall, thereafter, be considered as conforming.
- (3) **Abandonment:** Abandonment or obsolescence of non-conforming sign shall terminate immediately the right to maintain such a sign.
- (4) **Annexation:** Non-conforming signs located in areas annexed into the City of Dickson shall be subject to the same provisions as non-conforming signs in existence when this ordinance was initially passed.

### **8. NON-CONFORMING OUTDOOR ADVERTISING SIGNS AS A PUBLIC NUISANCE**

Subject to the provisions of this section, any outdoor advertising sign which violates the provisions of this ordinance is hereby declared to be a public nuisance, and shall be disposed of by the building inspector of this city in accordance with the following:

- (A) Any sign erected or maintained in violation of this ordinance, or erected in violation of any previously existing ordinance may be removed by the building official or his

designated agent, at the expense of the owner, agent, or lessee of the sign or the property owner upon which the sign is located; provided, however, that the building official has first given ten (10) days written notice, by certified mail or registered mail or hand delivered. The notice shall be in the following form:

**YOU ARE, HEREBY, NOTIFIED THAT THE FOLLOWING VIOLATIONS OF THE CITY OF DICKSON CODE HAVE BEEN DISCOVERED:**

**YOU HAVE TEN (10) DAYS FROM RECEIPT OF THIS NOTICE TO CORRECT ALL ABOVE NOTED VIOLATIONS. ONCE CORRECTED, YOU SHALL CALL THE DEPARTMENT OF BUILDING INSPECTION AND CODES ENFORCEMENT AND ARRANGE FOR AN INSPECTION OF THE PARCEL.**

**IF YOU BELIEVE THAT AN ERROR HAS BEEN MADE, YOU MAY FILE A NOTICE OF INTENT TO APPEAL WITH THE BOARD OF ZONING APPEALS, WITHIN FIVE (5) DAYS OF RECEIPT OF THIS NOTICE IN ACCORDANCE WITH SECTION 12, OF THIS SECTION.**

**PLEASE BE ADVISED THAT THE CITY OF DICKSON MAY REMOVE THE OFFENDING SIGN AT THE EXPIRATION OF THE TEN (10) DAY PERIOD IF THE VIOLATIONS HAVE NOT BEEN CORRECTED. ALL COST FOR SUCH REMOVAL, INCLUDING REASONABLE ADMINISTRATIVE AND NUISANCE ABATEMENT SURCHARGES IN THE AMOUNT OF ONE HUNDRED SEVENTY-FIVE DOLLARS (\$175.00), SHALL BE CHARGED TO THE OWNER, AGENT OR LESSEE OF THE SIGN OR THE OWNER OF THE PROPERTY UPON WHICH THE SIGN IS LOCATED.**

- (B) Any person with a legal interest in any sign alleged to be in violation of the provisions of this section may appeal the determination of violation to the Board of Zoning Appeals of the City of Dickson. The appeal shall be filed with the Board of Zoning Appeals shall be limited to determining whether or not the alleged factual violation exists and this determination shall be final and appealable in accordance with the provisions of law. No sign shall be removed pursuant to the authority granted in this section until such a time as all appeals, both administrative and judicial, have been exhausted.

## **9. CONSTRUCTION SPECIFICATIONS**

### **9.01 Compliance with Building and Electrical Code**

All signs shall be constructed in accordance with the requirements of the International Building Code, the National Electrical Code and the Tennessee Electrical Code.

### **9.02 Wind Loads and Design Loads**

Refer to International Building Codes.

### **9.03 Additional Construction Specifications**

- (1) No signs shall be erected, constructed or maintained so as to obstruct any fire escape, required exit, window or door opening used as a means of egress.
- (2) No signs shall be attached in any form, shape, or manner which will interfere with any opening required for ventilation, except that signs may be erected in front of and may cover transom windows when not in violation of the provisions of the International Building Code or Fire Prevention Codes.
- (3) Signs shall be located in such a way as to maintain horizontal and vertical clearance of all overhead electrical conductors in accordance with National Electrical Code and Tennessee Electrical Code specifications, depending on voltage concerned. However, in no case shall a sign be installed closer than the distance allowed under the rules, regulations and codes of the electrical utility having jurisdiction.
- (4) No signs shall be erected, constructed or maintained so as to obstruct or interfere with:
  - (a) The movement or flow of vehicular traffic or;
  - (b) Any previously established path of vehicular ingress or egress from any parcel of property.

## 10. ADMINISTRATION AND ENFORCEMENT

### 10.01 Application for Permits

Applications for a permit for the erection, alteration, or relocation of a sign shall be made to the Code Enforcement Office, upon a form provided by the Director of Planning and Zoning or his designee and shall include the following information.

- (1) The name, address, and telephone number of the owner or persons entitled to possession of the sign and the name, address, and telephone number of the sign contractor or erector.
- (2) Street address or location of the property on which the sign is to be located, along with the name and address of the property owner.
- (3) The present zoning classification of the proposed site of installation.
- (4) A drawing to scale showing the design of the sign, including dimensions, sign size, method of attachment, source of illumination and showing the relationship to any building or structure to which it is, or is proposed to be, installed or affixed or to which it relates.
- (5) A fully dimensioned plot plan, approximately to scale, indicating the location of the sign relative to property lines, rights-of-way, street, sidewalks and other buildings or structures on the premises.
- (6) Number, size and location of all existing signs on the same building, lot or premises.
- (7) Elevation drawings of the sign including the maximum and minimum heights of the sign.

- (8) Any freestanding sign larger than one hundred-twenty-five (125) square feet shall be accomplished by an engineer's drawing, certified by Tennessee Registered Engineers.
- (9) When applying for a permit for off-premises sign; the operator shall in addition to the above, furnish the following information at the time of permit application:
  - (a) The location of the proposed sign in relation to the property lines and any building, fence, or other structure on the property.
  - (b) The building setback lines and the location of any easements on the property.
  - (c) The distance to the nearest off-site sign.
  - (d) An affidavit from the property owner authorizing erection of the sign, or an executed lease agreement.

#### **10.02 Issuance and Denial**

The Code Enforcement Officer, when reasonably possible, shall issue a permit for the erection alteration or relocation of a sign within ten (10) days of receipt of a valid and complete application, provided that the sign complies with all applicable federal, state and local laws and regulations. In all applications, where a matter of interpretation arises, the more specific and restrictive or higher standard shall prevail.

The Code Enforcement Officer may, in writing, suspend or revoke a permit issued under provisions of the section whenever the permit is issued on the basis of a misstatement of fact-whether intentional or inadvertent-or fraud. When a sign permit is denied by the Code Enforcement Officer, he shall give written notice of the denial to the applicant, together with a brief written statement of the reasons for the denial by certified letter.

No permit for a sign issued, hereunder, shall be deemed to constitute permission or authorization to maintain an unlawful sign nor shall any permit issued, hereunder, constitute a defense in an action to abate an unlawful sign.

A permit issued shall be construed to be a license to proceed with the work and shall not be construed as authority to violate, cancel, alter or set aside any of the provisions of the code, nor shall such issuance of a permit prevent the building official from, thereafter, requiring a correction of errors in plans or in construction.

An application for a permit for any proposed work shall be deemed to have been abandoned six (6) months after the date of filing, unless before then a permit shall have been issued; provides that, for cause, one or more extensions of time for periods not exceeding ninety (90) days each may be allowed by the building official.

#### **10.03 Enforcing Officer**

The provisions of this ordinance shall be administered and enforced by the Director of Planning and Zoning or his designee and he shall have the power to make inspections of all signs and premises where signs are situated or to be situated, thereon, and make such other inspections that are necessary to carry out his duties in the enforcement of this ordinance and said building inspector is, hereby, given full authority to enforce any and all provisions of this ordinance.

11. **VIOLATIONS-PENALTIES**

**11.01 Violations and Penalty Defined**

Violation of any of the provisions of this ordinance or failure to comply with any of its requirements is, hereby, deemed and declared a violation of this ordinance and subject to the penalties, hereinafter, provided and each day that such violation continues, shall constitute a separate and additional violation for each such day. Signs may be posted "In violation of City Ordinance." The City reserves the right to remove all signs that are in violation. Any sign removed from public property or right-of-way shall become property of the City of Dickson. Any person who violates this ordinance or fails to comply with any of its requirements, shall upon conviction, thereof, be fined in a sum not to exceed fifty dollars (\$50.00) for each violation.

**11.02 Persons Subject to Penalty**

The owner, tenant and/or occupant of any building, structure, premises or a part, thereof, and any architect, builder, contractor, agent or other person, who commits; participates in, aids or participates in, or maintains such violation, may be found guilty of a separate offense and suffer the penalties as, herein, provided.

12. **APPEALS, POWERS, DUTIES, VARIANCE CONDITIONS**

**12.01 Appeal Procedures**

Any person aggrieved by any action of the building inspector or his designated representative in denying or issuing such permit as, hereinabove, prescribed, may, within ten (10) days after mailing to the applicant of notice of the action taken, appeal for a variance or other relief in writing to the Board of Zoning Appeals, at the next regular meeting or special meeting called for such purpose, following twenty (20) days after the filing of an appeal, thereof. Action under any permit, the issuance of which has been appealed, shall be suspended pending final decision of the said Board of Zoning Appeals on the appeal. The said Board shall set any such appeal for public hearing, giving such notice to the public or to the persons concerned as the said Board deems advisable. Following the hearing of any such appeal, the said Board may affirm, reverse or modify the action of the building inspector, and may take any action, thereon, which would have been authorized in the first instance. The action of the said Board on any such appeal shall be final and conclusive, subject to rights of any administrative appeal, as permitted by law or appeal to a court of record.