

**AN ORDINANCE ADOPTING SIGN REGULATIONS
FOR THE CITY OF MT. JULIET**

WHEREAS, Article XI of the City of Mt. Juliet Zoning Ordinance contains provisions regarding the erection and maintenance of signs within the City; and

WHEREAS, the Board of Commissioners desires to repeal Article XI of the City of Mt. Juliet Zoning Ordinance, and replace with the enclosed Ordinance to establish and enforce regulations governing signs within the City; and

WHEREAS, the specifications set forth in these sign regulations are designed to address aesthetic and traffic safety concerns for the benefit of the public health, safety and welfare, while allowing the use of signs as a medium for conveying messages; and

WHEREAS, left unregulated, the height, sign face area, number and location of signs can result in visual clutter, confusion for drivers, and interference with efforts to establish a desirable community identity; and

WHEREAS, *Context-Sensitive Signage Design*, a publication of the American Planning Association (2001), encourages the development of good sign regulations for both aesthetic and economic purposes, providing as follows:

Successful urban design involves the encouragement of projects that can enhance the physical setting. Streetscape enhancements, including landscaping, street furnishings, public art, and signage, can be powerful in establishing a sense of place. . . . Taking a holistic approach to all aspects of the built environment results in a place that many people can benefit from in tangible ways. When a place feels like it has been cared for, people enjoy spending time there, and purchasing goods and services. By the same token, businesses feel comfortable investing in such a location. In this sense, the issues of urban design in general and sign design in particular are not just aesthetic, but economic as well. (pp. 40-41.)

The enhancement of pedestrian environments, the creation of attractive gateways, and the strengthening of the overall economic vitality and image of the community are all helped by adopting a good set of sign regulations. (p. 47.)

WHEREAS, the City of Mt. Juliet has recently experienced a great deal of development and growth and seeks to manage continued development and growth in an attractive manner; and

WHEREAS, in establishing parameters for height, area, number, location and other physical attributes of signs, the City of Mt. Juliet has examined the regulations of other cities which have been looked upon as examples of aesthetic quality and has sought input and assistance from area business persons and citizens; and

WHEREAS, visual comparisons of areas where signs have been uncontrolled to those in areas where signs have been controlled show the obvious advantages and aesthetic benefits of good sign regulations; and

WHEREAS, for the reasons stated heretofore, it is desirable to revise the City's sign regulations and reduce the allowable height, size and number of signs within the City, and to allow for larger signs only in certain commercial areas, in the interest of pursuing aesthetic quality and relative uniformity of signs within the City.

NOW, THEREFORE, BE IT ORDAINED BY THE CITY OF MT. JULIET ,AS FOLLOWS:

ARTICLE XI SIGN REGULATIONS

SECTIONS

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Sec. 11-101. FINDINGS, PURPOSE AND EFFECT

11-101.1 *Findings.* The Mt. Juliet City Council hereby finds as follows:

- (a) Exterior signs have a substantial impact on the character and quality of the environment.
- (b) Signs provide an important medium through which individuals may convey a variety of messages.
- (c) Signs can create traffic hazards, aesthetic concerns and detriments to property values, thereby threatening the public health, safety and welfare. Shorter, smaller signs are less likely to create aesthetic concerns, traffic hazards, and detriments to property values.
- (d) The city's regulations regulate signs in an effort to provide adequate means of expression and to promote the economic viability of the business community, while protecting the city and its citizens from a proliferation of signs of a type, size, location and character that would adversely impact upon the aesthetics of the community and threaten the health, safety and welfare of the community. The regulation of the physical characteristics of signs

within cities have had positive impacts on traffic safety and the appearance of the communities.

11-101.2 *Purpose and intent.* It is not the purpose or intent of these provisions to regulate the message displayed on any sign; nor is it the purpose or intent of the provisions to regulate any building design or any display not defined as a sign, or any sign which cannot be viewed from outside a building. The purpose and intent of this article is to:

- (a) Regulate the number, location, size, type, illumination and other physical characteristics of signs within the city in order to promote the public health, safety and welfare.
- (b) Maintain, enhance, and improve the aesthetic environment of the city by preventing visual clutter that is a threat to traffic safety and is harmful to the appearance of the community.
- (c) Improve the visual appearance of the city while providing for effective means of communication, consistent with constitutional guarantees.
- (d) Provide for fair and consistent enforcement of the sign regulations set forth herein under the regulatory authority of the city.

11-101.3 *Effect.* A sign may be erected, mounted, displayed or maintained in the city if it is in conformance with the provisions of these regulations, applicable building and electrical codes, and other provisions of the municipal code. The effect of this article, as more specifically set forth herein, is to:

- (a) Allow a wide variety of sign types in commercial zones, and a more limited variety of signs in other zones, subject to the standards set forth in this article.
- (b) Allow certain small, unobtrusive signs incidental to the principal use of a site in all zones when in compliance with the requirements of this article.
- (c) Provide for temporary signs in limited circumstances.
- (d) Prohibit signs whose location, size, type, illumination or other physical characteristics are potentially dangerous or negatively affect the environment and where the communication can be accomplished by means having a lesser impact on the environment and the public health, safety and welfare.
- (e) Regulate signs in all zoning districts in the City.
- (f) Provide for the enforcement of the provisions of this article.

**Sec. 11-102. SIGN REGISTRATION REQUIREMENT, PERMANENT SIGNS;
LETTER OF COMPLIANCE**

All permanent signs shall be registered on a form provided by the City of Mt. Juliet Building Codes Department, within 30 days after their construction/erection or a change of ownership. The registration of permanent signs provides assistance with the City's enforcement of these provisions. In addition to providing the identity and contact information of the landowner, the landowner, designee, tenant, occupant or lessee shall register each permanent sign by identifying the height, sign face area, lot frontage of the applicable property, location of the sign, and the construction materials utilized in construction of the sign. A one time sign registration fee will be paid to the Codes Department at the time of registration of the sign.

11-102.1 There is no sign permit required prior to construction or display of signs in the City of Mt. Juliet.

11-102.2 Voluntary Letter of Compliance. Prior to erecting or displaying a sign, the landowner, designee, tenant, occupant or lessee shall register each permanent sign by identifying the height, sign face area, lot frontage of the applicable property, or the owner's agent may submit a written request to the Municipal Codes Officer for verification that the sign as proposed complies with the requirements of this article. The person requesting such verification must provide the Municipal Codes Officer with all information specified in Sec. 11-102 above and shall complete such forms or submit such additional information as may be needed by the Municipal Codes Officer to make his/her determination. Inquiries with regard to building and electrical code provisions shall be directed to the City Public Works Department. Participation in the Voluntary Letter of Compliance process will entitle the landowner to a fifty percent (50%) reduction in the sign registration fee provided for in Section 11-102 above.

Sec. 11-103. DEFINITIONS

The words, terms and phrases set out below, when used in this article, shall have the meanings ascribed to them in this section. Words not defined in this section but defined in Article 2 of this ordinance shall be given the meanings set forth in Article 2, except where the context clearly indicates a different meaning.

Abandoned sign means a sign that was lawfully erected on the property in conjunction with a particular use, that use having been subsequently discontinued for a period of 30 days or more, or a lawfully erected temporary sign for which the time period allowed for display of the sign has expired.

Animated sign means any sign that uses movement or change of lighting to depict action or create a special effect or scene, or any sign that uses fade in/fade out,

marching, rolling, flashing, scrolling, or other special effects created with lights, or other means (LED, LCD, and similar technology whether now existing or hereafter created). A sign on which any message changes more frequently than every four (4) seconds shall be considered an animated sign.

Banners, pennants, and balloons means any sign of fabric or other flexible material that is permanently mounted to a pole, enclosed in a frame, or otherwise mounted to allow movement caused by wind. Flags shall not be considered as banners under this article.

Beacon means any light with one or more beams directed into the atmosphere or directed at one or more points not on the same zoned lot as the light source; also, any light with one or more beams that rotate or move.

Building marker means any sign indicating the name of a building or date and incidental information about its construction, which sign is cut into a masonry surface or made of bronze or other permanent material.

Canopy sign means any sign that is a part of, attached to, or made up of an awning, canopy, or other protective cover over a door, entrance, window or outdoor service area. A marquee is not a canopy.

Changeable copy sign (manual) means a sign or portion thereof with characters, letters, or illustrations that can be changed or rearranged without altering the face or the surface of the sign, and without the aid of lighting or electronic means. All words, text, or other display shown on a sign at one time shall be considered to be one message.

Changeable copy sign (electronic) means a sign or portion thereof with characters, letters, or illustrations that can be changed or rearranged without altering the face or the surface of the sign, with the aid of lighting (LED or otherwise) or electronic means. All words, text, or other display shown on a sign at one time shall be considered to be one message. A sign on which any message changes more than every four (4) seconds shall be considered an animated sign and not a changeable copy sign for purposes of this ordinance. A sign on which the only copy that changes is an electronic or mechanical indication of time or temperature shall be considered a "time and temperature" portion of a sign and not an electronic changeable copy sign for purposes of this ordinance.

Commercial message means any sign wording, logo or other representation that directly or indirectly names, advertises or calls attention to a business, product, service or other commercial activity.

Community facilities are churches, schools, and parks and recreation facilities which are located in residential zoning districts.

Construction sign means a sign conveying information about a building project, such as the name and use of the building being constructed, and the names of architects, engineers, contractors, and other persons involved with the construction project.

Dilapidated sign means any sign that is structurally unsound, has defective parts, or is in need of painting or other maintenance.

Directional sign means a permanent sign erected for or by a public entity for purposes of identification, direction or public safety.

Directory sign means a sign providing orientation within an office or commercial subdivision, listing such information as on-site businesses and other tenants and their respective activities.

Flag means any fabric or bunting containing distinctive colors, patterns or symbols that is used as a symbol of a governmental, commercial, or non-commercial entity.

- (1) *Commercial flag* means any flag which displays a commercial name, message, logo or symbol.
- (2) *Decorative flag* means any flag which displays any holiday or seasonal insignia, design or the like which does not include any commercial name, message, logo or symbol.
- (3) *Non-commercial/government/civic flag* means any flag displaying a name, message, logo or symbol of any governmental, religious, civic or non-profit agency.

Freestanding sign means any sign supported by structures or supports that are anchored in the ground and that are independent of any building or other structure.

Front facade means the front elevation of a building that faces the front property line, as recorded on the plat and/or site plan. If a structure is located on a corner parcel, the side which includes the primary entrance shall be considered the front facade. If a structure located on a corner parcel contains a primary entrance on more than one side, the longer side with a primary entrance shall be considered the front facade.

Illegal sign means any sign which is a prohibited sign or does not comply with the requirements established herein, is not a lawful nonconforming sign and is not exempted by law from the requirements established herein.

Illuminated sign, (internally) means any sign that transmits light through its face or any part thereof.

Incidental sign means a sign, generally informational, that has a purpose secondary to the use of the lot on which it is located, such as "no parking", "entrance", "exit", "loading only", "no trespassing", "no hunting", "phone", "ATM", etc.

Inflatable sign means any sign that is either expanded to its full dimensions or supported by gases contained within the sign, or sign parts, at a pressure greater than atmospheric pressure. For purposes of this definition and ordinance, a simple helium balloon is not considered to be an inflatable sign.

Lot Frontage is the distance for which a lot line adjoins a public street from one lot line intersecting said street to the furthest distant lot line including the distances along not more than two streets for a corner lot or a double frontage lot.

Marquee is any permanent roof-like structure projecting beyond a building or extending along and projecting beyond the wall of the building, generally designed and constructed to provide protection from the weather.

Marquee sign means any sign attached to, or made part of, a marquee or other permanent roof-like structure that projects beyond a building face and is not supported from the ground.

Menu board means a structure primarily designed for the display of menu items and prices for the purpose of placing orders for such items in conjunction with a restaurant utilizing drive-through or curbside service.

Non-Commercial means not naming, advertising, or calling attention to a business or commercial product, service, or activity. However, where the name of a business is merely incidental to the primary purpose of a sign displayed on residential property, such as may be the case with a real estate sign or baby announcement, such sign shall be deemed non-commercial.

Nonconforming sign or sign structure means any existing permanent sign or sign structure which does not conform to the provisions of this article, but was lawfully erected and complied with the sign regulations in effect at the time it was erected.

Painted wall sign means any sign or display painted directly on any exterior surface, exclusive of window or door glass areas.

Pennant. See definition of "banners, pennants, and balloons."

Permanent sign means any sign that is intended for other than temporary use or a limited period. A permanent sign is generally affixed or attached to the exterior of a building, or to a pole or other structure, by adhesive or mechanical means, or is otherwise characterized by construction materials, a foundation or anchoring indicative of an intent to display the sign for more than a limited period.

Political preference sign means any temporary sign erected on private property for the purpose of supporting a political candidate, stating a position regarding a political or ideological issue or similar purpose.

Portable sign means any sign designed or intended to be readily relocated, and not permanently affixed to the ground or to a structure. Portable signs include such signs as a sidewalk sign; A-frame sign; or any sign attached to or painted on a vehicle or trailer parked and visible from the public right-of-way for more than two consecutive hours or more than four total hours between sunrise and sunset. For the purposes of this article, portable signs shall not be considered permanent signs. Real estate signs and other temporary signs which are otherwise provided for in this article shall not be considered portable signs for purposes of this article.

Projecting sign means any sign, other than a wall sign, whose leading edge extends beyond the building or wall to which it is affixed, forming an angle with said building or wall.

Public -right-of-way/public way means a strip of ground dedicated for public use, usually for a public street, public infrastructure and/or waterway. For the purposes of this article, such rights-of way shall be considered to extend a minimum of ten feet from the edge of pavement, or to the dedicated right-of-way boundary, whichever is further.

Real estate sign means a temporary sign erected by the owner, or his agent, advertising the real property upon which the sign is located for rent, lease or sale.

Roof line means the highest horizontal point of the wall visible to the public, excluding any architectural feature which extends above such apparent horizontal roof line if such feature is fully enclosed and considered an integral part of the occupied space, such as an atrium or high ceiling.

Roof sign means any sign erected wholly or partially above the roof line.

Scoreboard means a structure located within an athletic field, displaying changing scores and related information, provided, however, the scoreboard may also display additional content, including but not limited to the names and logos of any sponsors.

Sign means any device, fixture, placard, or structure that uses color, form, graphic, illumination, symbol, or writing to advertise, announce, or identify a person or entity, or to communicate information of any kind.

Sign administrator means the person designated by the city manager as the staff member assigned to oversee the enforcement and interpretation of this article.

Sign area means square foot area enclosed by the perimeter of the sign face. With respect to signs that are composed of individual symbols, letters, figures, illustrations, messages, forms, or panels, sign area shall be considered to include all such components together with their background, surrounding frame, and any "cutouts" or extensions. The sign area shall not include any supporting structure or bracing.

Sign face means the entire area of a sign upon, against or through which sign copy is placed.

Sign structure means any structure that supports, has supported, or is capable of supporting a sign, including any decorative cover for the sign structure. This definition shall not include a building, fence, wall, or earthen berm.

Snipe sign means any sign that is affixed by any means to trees, utility poles, fences or other objects, where the sign does not qualify as an incidental sign allowed pursuant to Section 1-103 herein.

Subdivision means the division of land into smaller tracts for any planned, self-contained residential or office development which, for the purpose of this article, shall initially consist of a minimum of 20 acres or shall create 20 or more individual lots.

Subdivision sign means any sign located at the entrance to a subdivision as defined in this article, for the purpose of identifying the subdivision.

Subdivision temporary development sign means any temporary sign for the purpose of advertising the sale of lots and the development of the subdivision. The names of participating home builders may be included on such signs. For purposes of this article, such signs shall not be classified as the same as a construction sign.

Suspended sign means a sign which is suspended from the underside of a horizontal plane surface and is supported by such surface.

Temporary sign means any sign with any message that is intended for temporary use and a limited period, as allowed by this article. Temporary signs include but are not limited to political preference signs, ideological signs, yard sale signs, special event signs, help wanted signs, and banners which are allowed pursuant to the applicable provisions of this ordinance. If sign display area or structure is permanent but the message displayed is intended to be displayed for a temporary period that sign shall not be regarded as a temporary sign.

Time and temperature portion of a sign is a sign on which the only copy that changes is an electronic or mechanical indication of time or temperature.

Two sign faces means any sign constructed on a single set of supports, with messages visible on either side, or a "V" type sign with a common support in the center of the "V".

Wall sign means any sign, other than a projecting sign, that is attached to or painted on any wall of any building, awning or canopy and projects from the plane of the wall, canopy or awning less than 6 (six) inches. This definition shall not include freestanding walls or multiple sign surfaces.

Window sign means any sign, graphic, or interior design element placed inside the window or upon the window pane, used to advertise, announce, or identify a person or entity, or to communicate information of any kind, or to draw visual attention to the business or use, and which is visible from the public right-of-way. For purposes of this article, window signs may be permanent or temporary and are subject to applicable provisions herein.

Sec.11-104. GENERAL PROVISIONS.

11-104.1 *Nonconforming signs.*

(a) The utilization of a nonconforming sign and/or sign structure, as defined herein, may continue subject to the conditions and requirements noted below. When the use of a property changes (including but not limited to the redevelopment of the site or a change in the use of the business(s), the signs on that property must be brought into compliance with the provision of this article.

(b) With the exception of repairs and maintenance and alterations allowed pursuant to state law, no alterations to a nonconforming sign/sign structure shall be allowed. Unless otherwise allowed by law, any structural or other substantial improvement to a nonconforming sign (except for printing or refinishing the surface of the existing sign face or sign structure so as to maintain the appearance) shall be deemed an abandonment of the nonconforming status and shall result in the reclassification of such sign as an illegal sign.

11-104.2 Calculations-measurement standards. The following principals shall control the computation of sign area, sign height, and number of permanent signs allowed per lot:

- (a) Computation of the area of individual signs. The sign area shall be determined by computing the area of the smallest square, rectangle, circle and/or triangle that will encompass the extreme limits of the sign face, including any open areas within the sign face (see definition, sign area).
- (b) Computation of area of two-faced signs. The sign area for a two faced sign shall be computed by adding together the area of **both** individual sign faces as defined in 11-104.2(a) above.
- (c) Computation of height. Sign height is measured from the average level of the grade below the sign to the topmost point of the sign. Average grade shall be the lower of existing grade prior to construction or newly established grade after construction. Any berming, filling, or excavating solely for the purpose of locating the sign, shall be computed as part of the sign height. For Commercial Interstate within the 1,000 ft interstate radius, the height of the sign shall be calculated from the grade of the road bed of the interstate.
- (d) Lot frontage is the distance for which a lot adjoins a public street from one lot line intersecting said street to the furthest distant lot line including the distances along not more than two streets for a corner lot or a double frontage lot.

11-104.3

Design, construction and maintenance of signs. All signs shall be designed, constructed and maintained in accordance with the following standards:

- (a) General provisions. All signs shall comply with applicable provisions of the adopted building codes and the state electrical code. Except for banners, flags, pennants, temporary signs and window signs allowed hereunder, all signs shall be constructed of permanent materials that are permanently attached to the ground or a structure. All signs shall be maintained in good structural condition, in compliance with all applicable codes.
- (b) Spacing. All permanent freestanding signs on any single lot shall be spaced at minimum 200-foot intervals along each public way that views the premises, and shall be measured from the closest parts of any two signs unless otherwise provided for by this article.
- (c) Sight distance triangle. All entrance signs and freestanding signs located near the corners of an intersection, shall be located outside of the sight distance triangle. Such triangle shall be measured at a distance of 35 feet running parallel along each leg of the road surfaces connecting them to form a triangular area. This area shall be free of any permanent or temporary signs that may inhibit a clear sight visibility for motorists
- (d) Sign illumination. Sign illumination shall only be achieved through the following standards:
 - i. A white, steady, stationary light of reasonable intensity that is directed solely at the sign. The light source shall be shielded from adjacent buildings and streets, and shall not be of sufficient brightness to cause glare or other nuisances to adjacent land uses.
 - ii. Internal illumination shall provide steady, stationary lighting of reasonable intensity through translucent materials.
 - iii. If the sign or sign structure is internally illuminated or back lit by any means, the entire lighted area shall be included within the allowable signage calculation for the site. This standard shall also apply to signs affixed to any portion of a building as an architectural feature, such as but not limited to, awnings, canopies or roof lines
 - iv. All electrical service to ground mounted signs shall be placed underground. Electrical service to other signs shall be concealed from public view.
- (e) Setback. All permanent and temporary signs shall be located at least ten (10) feet back from the street curb, edge of pavement or

stabilized shoulder, or the edge of the public right-of-way, whichever is greater, unless a greater distance is required to remove such sign from the sight distance triangle, or otherwise specified by these provisions. No permanent sign shall be located within a public utility or drainage easement, without written approval from the affected agencies. No temporary signs shall be permitted within any median which is within a public right-of-way.

- (f) Design. The following materials are considered to be appropriate (but not mandatory) for sign backgrounds, frames, supports, and ornamentation .
 - i. Brick;
 - ii. Split face block shall be used in combination with brick or stone and shall not exceed fifty percent (50%) of the sign structure.
 - ii. Natural stone, including panels. The use of natural materials is favored; however, the use of imitation stone is appropriate;
 - iv. Wood.
- (g) Unlawful Cutting of Trees and Shrubs. No person may, for the purpose of increasing or enhancing the visibility of any sign, damage, trim, destroy, or remove any trees shrubs, or other vegetation located:
 - i. Within the right-of-way of any public street or road, unless the work is done pursuant to an approved site or grading plan;
 - ii. On property that is not under the ownership or control of the person doing or responsible for such work, unless the work is done pursuant to the express written authorization of the owner of the property where the trees or shrubs are located; or
 - iii. In any area where such trees or shrubs are required to remain pursuant to an approved site plan, grading plan, or plat.
- (h) Town Center Overlay District. All signs erected in the Town Center Overlay District shall also comply with the requirements of Table 8-500B of the Zoning Ordinance.

Sec. 11-105. PROHIBITED SIGNS.

Except as may be authorized by this article, the following signs shall be prohibited, and may neither be erected nor maintained.

- (a) Banners, pennants, beacons, streamers, and balloons, except for those otherwise provided for in this article. Banners erected in or over a public right of way or streets are specifically prohibited.
- (b) Snipe signs.
- (c) Any sign erected in a public right-of-way, except for signs with non-commercial messages placed by or on behalf of a governmental entity. (Effective January 1, 2009).
- (d) Roof signs, or signs extending beyond the main roof line, provided that signs may be mounted on an architectural feature extending beyond the roof line if such feature is fully enclosed and considered an integral part of the occupied space, such as an atrium or high ceiling.
- (e) Abandoned or dilapidated signs;
- (f) Portable signs;
- (g) Animated signs;
- (h) Inflatable signs;
- (i) Projecting signs, except for those located in the Town Center Overlay District which complies with the provisions set out in Table 8-500(B);
- (j) Any internally illuminated sign, not provided for herein in Section 11-104.3(d).
- (k) Suspended signs.
- (l) Any commercial sign located in a residential district not otherwise provided for in this article.
- (m) Any sign that obstruct free ingress or egress through a required door, window, fire escape or other required exit way.
- (n) Any sign which by reason of its location, position, size, shape or color may obstruct, impair or otherwise interfere with the view of, or be confused with, any traffic control sign or signal erected by a public authority. To those ends, no sign shall use the words, "slow", "stop", "caution", "yield", "danger", "warning" or "go" in a manner that misleads, confuses or distracts a vehicle driver.

- (o) Any sign which by reason of its location, position, size, shape, materials or other physical characteristics poses a safety hazard to drivers, pedestrians or residents.
- (p) Any sign that exhibits statements, words or pictures of an obscene nature, as defined by the United States Supreme Court.
- (q) Signs that emit audible sound, odor or visible matter such as smoke or steam.
- (r) Signs that incorporate projected images, emit any sound that is intended to attract attention, or involve the use of live animals.
- (s) Signs that are painted, pasted or printed on any curbstone, flagstone, pavement, or any portion of any sidewalk or street, except house numbers and traffic-control signs.
- (t) Any other sign not specified in Section 11-106 herein and which is not a lawful nonconforming sign.

Sec. 11-106. ALLOWABLE SIGNS BY DISTRICT

All signs designated in this section shall conform to the standards established herein, in addition to those applicable standards set forth elsewhere herein.

11-106 1 Signs allowed in all zoning districts.

The signs listed below are allowed in all zoning districts, provided that such signs are on private property unless otherwise provided; that such signs are maintained in a manner that does not create a safety hazard; and that the specific restrictions set forth for each type of sign listed below shall apply wherever such a sign is erected, displayed or maintained:

- (a) An official sign or notice issued or required to be displayed on private property by any court, public agency or public office, whether permanent or temporary.
- (b) A traffic directional, warning or information sign authorized by any public agency, whether permanent or temporary.
- (c) A private street or road name sign located at an intersection that does not exceed two square feet per face and does not advertise any commercial name, message or logo.
- (d) Temporary window signs that do not exceed twenty-five percent (25 %) of the area of the window or any glass door to which they are attached. All

window signs shall be in conformance with all applicable safety and electrical codes.

- (e) Permanent window signs that do not exceed twenty-five percent (25%) of the area of the window or any glass door to which they are attached. All window graphics signs shall be in conformance with all applicable safety and electrical codes.
- (f) Signs denoting a property as historic. Such signs shall be authorized by the State of Tennessee or Mt. Juliet Historic Zoning Commission and shall not exceed 16 square feet per sign face nor exceed nine (9) feet in height.
- (g) Non-commercial flags/government flags/civic flags, limited to 60 square feet per face, displayed in a non-commercial manner. No flag pole shall exceed 40 feet in height in any zoning district.
- (h) Decorative flags (non-commercial.) One decorative flag, limited to 24 square feet, whether temporary or permanent, may be displayed on any lot provided that it does not contain any commercial message, logo or symbol. No flag pole shall exceed 40 feet in height.
- (i) Building marker. Any permanent building marker shall be limited to four square feet of sign face and composed of materials compatible to the identified building.
- (j) Holiday/seasonal. Temporary signs or displays of a seasonal or holiday occasion may be displayed on any lot for periods of up to 60 days, provided that they do not contain any commercial message or logo and do not create a sight visibility hazard.
- (k) Non-commercial art. Any outdoor artwork, mural, sculpture and the like may be displayed on a lot, provided that it does not contain any commercial message or logo and does not create a sight visibility hazard, and is not of an obscene nature as defined by the United States Supreme Court. Where such outdoor art is part of a site that is subject to the planning commission's jurisdiction, the outdoor art shall be considered part of the development that is subject to the planning commission's review and approval.
- (l) Real estate signs. Temporary, freestanding real estate signs may be erected for any property that is offered for sale, rent or lease. One such sign is allowed per lot road frontage at a maximum height of 4 feet. Each sign shall be limited to two sign faces with a maximum of 9 square feet per sign face. Property in excess of three acres may include up to two additional real estate signs, provided such signs are spaced at 500-foot minimum intervals. The signs shall not be located within a public right-of-way and shall not create any sight visibility hazard.

11-106.2 Signs permitted in all residential districts

- (a) Signs listed in Section 11-106.1 herein.
- (b) Permanent residential subdivision signs. Such signs shall be located at the primary entrance(s) to a development as identified on a preliminary plan approved by the planning department. The signs shall be located on private property and may be within any platted sign and/or landscape easement or within the common open space and approved by the planning department. Such signs shall be maintained by an established property owners' association.

Specifications: One sign per entrance, with a maximum of three entrances per subdivision. Maximum sign face area, 24 square feet per sign face, with a maximum of two sign faces. Maximum sign height - six (6) feet. Setback - ten (10) feet from edge of pavement or the edge of the public right-of-way, whichever is greater, unless more space is necessary to preserve the sight distance triangle.

- (c) Subdivision temporary development sign. One such sign may be erected on-site for the purpose of advertising the development of a subdivision and the sale of included lots.-The sign may remain until sale of all subdivision lots is completed. No other temporary development signs shall be allowed, including individual builder signs. The names of participating builders may be included on the subdivision temporary development sign.

Specifications: Maximum sign face area, 32 square feet, with one sign face per sign. Maximum sign height, eight (8) feet.

- (d) Home Occupation Wall Sign. One identification wall sign may be displayed at a permitted home occupation for the purpose of identifying the use.

Specifications: Maximum sign face area, four (4) square feet, to be contained on a maximum of one sign face per lot per street, and may extend no more than 1 foot from the building. No illumination is to be used on home occupation signs.

- (e) Residential personal identification signs. One personal identification sign per residence not to exceed two (2) square feet shall be allowed, with two sign faces per sign; except that residential tracts of ten acres or more shall be allowed two such signs not to exceed two (2) square feet per face.
- (f) Real estate signs for large tracts. For lots of ten or more acres, one real estate sign per lot per street, with a maximum sign face area of sixteen (16) square feet, with a maximum of two sign faces per sign. A maximum height of six (6) feet shall be allowed. The signs shall be spaced at 500 foot minimum intervals. Real estate signs for lots less than ten acres in

size shall be restricted to those real estate signs provided for in Section 11-106.1 herein.

- (g) Temporary signs. In addition to the other signs identified in this subsection, two temporary, free-standing, non-commercial signs may be posted on any lot in a residential district at any given time. Such signs are limited to six (6) square feet per sign face, with a maximum of two sign faces per sign, and a maximum height of four (4) feet. This category includes, but is not limited to: political preference signs; garage sale signs; non-commercial baby announcements; yard sale signs; lost pet signs; social/special event announcements; or any other non-commercial messages. Any such signs announcing a social/special event shall be removed within 48 hours after the event.
- (h) Signs for community facilities located in residential districts shall conform to the provisions applicable to the Permanent Residential Subdivision Signs, provided for in (b) above.
- (i) Temporary Signs on athletic field fences shall not exceed the height of the ball fence.
- (j) Permanent athletic scoreboard signs
- (k) Incidental signs not exceeding two square feet in area per face. Such signs proclaiming "no trespassing", "no hunting", "no parking", "entrance", "exit", "loading only", "phone", "ATM" and the like shall be considered incidental to the use of property.

11-106.3 Signs allowed in Convenience Neighborhood Service Districts (CNS)

- (a) Signs listed in Section 11-106.1 and in Section 11-106.2;
- (b) Wall signs. Wall signs shall be mounted in a flat fashion, and shall be limited to sixteen (16) square feet in area.
- (c) Gasoline pump signs. Petroleum product pumps and dispensers that are within view of a public way shall be allowed to display that information required by law on gasoline trade signs, along with the brand name and type of product being dispensed.
 - i. Gas Pump Canopy signs. When an enclosed principal structure exists, all canopy signs shall be calculated and deducted from the total allowable wall sign area. In the absence of an enclosed principal structure, for the purposes of this subsection, canopy signage shall be allowed in addition to the allowable wall sign.

Specifications: One canopy sign per street frontage; sign area - 40 square feet, maximum, divided between each canopy sign (no single sign shall exceed twenty (20) square feet).

11-106.4 Signs allowed in Commercial Districts other than CNS.

(a) Signs listed in Section 11-106.1, and in Section 11-106.2(b) thru (f), (i), and (j) herein.

(b) Freestanding signs specified in this subsection.

1. Directory signs. Such signs shall be located at driveway intersections within a development, and shall be limited to one freestanding sign per driveway entrance from a public street.

Specifications: Maximum sign face area - 32 square feet, with a maximum of two sign faces per sign; Maximum sign height -6 feet.

2. Office subdivision signs. Such signs shall be located at the primary entrance(s) to the development. The signs may be located in a joint user access easement or private platted sign easement abutting the nearest public road, if such easement is specifically approved by the planning commission prior to construction.

Specifications: Maximum sign face area, 40 square feet, with a maximum of four sign faces. Maximum sign height eight (8) feet, Minimum setback of ten (10) feet from the edge of the pavement, of the edge of the public right of way, whichever is greater.

3. Large real estate signs. In lieu of real estate signs allowed under Section 11-106.1, one temporary, freestanding real estate sign per lot per street may be maintained no longer than one year, or seven days after the sale or lease of the property, whichever period ends later.

Specifications: Maximum sign face area - 16 square feet, with a maximum of two sign faces per sign; Maximum sign height - eight (8) feet.

4. Changeable copy signs, both manual and electronic as defined in this ordinance

5. For all commercial tracts utilizing less than 8 acres of land per business/commercial use, Incidental signs not exceeding two square feet in area per face. Such signs proclaiming "no trespassing", "no hunting", "no parking", "entrance", "exit", "loading only", "phone", "ATM" and the like shall be considered incidental to the use of property. There shall be no more than one such incidental sign per 75 spaces provided for customer parking.

6. For all commercial tracts utilizing 8 acres of land or greater per business/commercial use, incidental signs not exceeding four square feet in area per face and not to exceed 6 feet in height.

Such signs proclaiming "no trespassing", "no hunting", "no parking", "entrance", "exit", "loading only", "phone", "ATM" and the like shall be considered incidental to the use of property. There shall be no more than one such incidental sign per 75 spaces provided for customer parking, and said sign shall not be visible from public roadways.

7. Other permanent freestanding signs shall be allowed in the size and number set out in Table I below.

Table 1

Zoning District	Lot Frontage in linear feet	Max. No. of Signs	* Max. Area of Any One Sign Face in Sq. Ft.	Max. Area Of Total Sign in Sq. ft.	Maximum Sign Faces per Sign	* Max. Height in linear Feet
CG	Less than 200	1 per lot per street	60	60	2	10
CG	More than 200	1 per lot per street	100	100	2	15
CMU	Less than 200	1 per lot per street	60	60	2	10
CMU	More than 200	1 per lot per street	120	120	2	15
CI	Any	1 per lot per street	80	80	2	15
CI* within interstate radius	Any	1 per lot per street	240	240	2	75
CRC	Any	1 per lot per street	100	100	2	15
CTC	Any	1 per lot per street	60	60	2	7
OPS	Any	1 per lot per street	60	60	2	7

* If signs are constructed from materials provided in Sec. 11-104.3(f) and are less than 7 ft. tall, the sign face area may be increased by twenty-five percent (25%) per sign face.

* Signs within the interstate radius must be spaced at intervals no less than 500 feet apart. The edge of the sign face shall be a minimum of 30 feet from any public right of way or street.

(c) Wall signs. Wall signs shall be mounted in a flat fashion, and shall be limited to twenty-five percent (25%) of the building elevation at which they are installed. For the purposes of this article, painted wall signs and canopy signs shall be calculated and deducted from the total allowable wall sign area. In no event shall canopy signage exceed 30 square feet.

1. Retail or service use/individual principal entrance. The primary entrance to the occupied space shall be considered the front facade.

Specifications: Sign area - One square foot of signage per linear foot of front facade space for the building, maximum, provided that no single sign shall exceed 90 square feet, with a total signage limitation of three signs and 270 square feet per business.

2. Retail or service use/common principal entrance. Each business, of a retail or service nature, sharing a common entrance shall be allowed to have at least one wall sign.

Specifications: Maximum sign face area, 20 square feet per sign face.

3. Office use.

- (i). One-story building or multistory building with single tenant. The primary entrance to the enclosed space shall be considered the front facade.

Specifications: Sign area - One square foot of signage per linear foot of front facade space used in the building, maximum, provided that no single sign shall exceed 60 square feet with a total signage limitation of three signs and 180 square feet per business.

- (ii) Multistory building with multiple tenants or service/institutional uses. Wall signage shall be used for building identification only, not to identify individual tenant businesses or institutions.

Specifications: Sign area- Total Sign area is limited to 40 square feet, using a maximum of three wall signs.

- (d) Commercial flags/non-governmental flags. Non-governmental flags are considered signs subject to the provisions of this section, as applied to freestanding signs. One commercial, non-governmental flag shall be permitted per lot.

Specifications: Sign area - No flag shall exceed 60 square feet per face; flag pole height - 40 feet, maximum. No more than two flags shall occupy the same pole concurrently.

- (e) Gasoline pump signs. Petroleum product pumps and dispensers that are within view of a public way shall be allowed to display that information required by law on gasoline trade signs, along with the brand name and type of product being dispensed.

- i. Gas Pump Canopy signs. When an enclosed principal structure exists, all canopy signs shall be calculated and deducted from the total allowable wall sign area. In the absence of an enclosed principal structure, for the purposes of this subsection, canopy signage shall be allowed in addition to the allowable freestanding sign.

Specifications: One canopy sign per street frontage; sign area - 40 square feet, maximum, divided between each canopy sign (no single sign shall exceed twenty (20) square feet).

- (f) Menu boards, as defined herein, for use in conjunction with a restaurant providing drive-through or curbside service, provided that:
- a. Such structures shall be included in the development site plan as approved by the planning department and shall be contained within the buildable area of the site.
 - b. Restaurants providing drive-through but not curbside service shall not exceed six feet in height and 30 square feet in total size.
 - c. Restaurants providing curbside service may have no more than one menu board per bay, not to exceed six feet in height and six square feet per sign face for each menu board.
- (g) Temporary signs. Temporary freestanding signs shall be limited to two per lot at any given time. Such signs include but are not limited to construction signs, political preference signs, notices such as "now hiring" or "grand opening" and social/special event announcements. One construction sign may be maintained for the duration of the construction project, from the issuance of the building permit to the issuance of a certificate of occupancy. Other temporary freestanding signs shall be limited to a period, not to exceed 60 days in any calendar year. Any signs announcing a social/special event shall be removed within 48 hours after the event.

Specifications: Maximum sign face area - 24 square feet, with a maximum of two sign faces per sign, Maximum sign height six (6) feet.

- (h) Permanent signs in commercial zoning districts may display a "time and temperature" portion within the allotted size requirements.

11-106.5 Signs allowed in Industrial Districts:

- (a) Signs listed in Section 11-106.1; and Section 11-106.4 (b) (1) thru (6), and 11-106.4 (c),(d),(f), (g), (h), herein ; and
- (b) In lieu of the freestanding permanent signs provided for in Section 11-106.4, each parcel may have one permanent sign per lot per street with a maximum sign area of 80 square feet per sign face, with a maximum of two sign faces: maximum sign height of 15 feet. If signs are constructed from materials provided in Sec. 11-104.3(f) and are less than 7 ft. tall, the sign face area may be increased by twenty-five percent (25%) per sign face.
- (c) Temporary signs on athletic field fences not to exceed the height of the ball fence.
- (d) Permanent athletic scoreboard signs

Sec. 11-107. ADMINISTRATION AND ENFORCEMENT

(a) *Regulatory enforcement.* The sign administrator and/or his / her designees are hereby authorized and directed to enforce all of the provisions of this article. This authority empowers such individuals to perform any necessary inspections, including entering upon private property, and to issue related citations for the enforcement of this article.

- (1) Violation notice. The sign administrator or his/her designee shall order the removal of any sign erected or maintained in violation of this article, providing ten (10) days' written notice to the owner of the premises upon which the offending sign is located to achieve compliance with provisions of this article. If, after ten (10) days, the property owner has failed to achieve compliance with this article, a citation to municipal court shall be issued. However, when good faith efforts to bring a sign into compliance have begun within ten days of notice of violation, the sign administrator may extend the time period for compliance with this article to a period not to exceed 30 days.
- (2) Impoundment/disposal of signs. The sign administrator, the municipal codes officer and their designees shall have the authority to remove without notice any illegal sign on public property or a public right-of-way, or any illegal sign attached to trees, fences, posts, utility poles or other

natural features. Such signs shall be considered litter and shall be subject to disposal.

(3) The sign administrator, the municipal codes officer, and their designees shall have the authority and discretion to remove, without prior notice, any sign on public or private property which, due to its physical condition and/or location, constitutes an immediate threat to the safety of citizens or other passers by. Notice shall, however, be provided to the landowner within 10 days of removal of a permanent sign on private property.

(4) Each day that a violation of this ordinance remains shall constitute a separate violation of this ordinance for purposes of the Court's assessment of fines or penalties.

(5) In addition to other remedies hereinunder, the city shall have the right to recover from the owner or person placing such a sign the full costs of removal and disposal of such sign.

SECTION 2. In case of conflict between this ordinance or any part hereof, the City, the provision that establishes the higher standard shall prevail.

SECTION 3. The provisions of this sign ordinance control signage in the City of Mt. Juliet, Tennessee. Any other provisions of the Mt. Juliet Zoning Ordinance which purport to control signage are subordinate to the provisions of this Sign Ordinance, unless specifically stated otherwise in this Sign Ordinance.

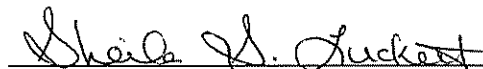
SECTION 4. If any section, subsection, clause, provision or portion of this ordinance is held to be invalid or unconstitutional by any court of competent jurisdiction, such holding shall not affect any other section, subsection, clause, provision or portion of this ordinance. It is the intent of the City that each provision in this ordinance stand or fall on its own, and not rely upon the effectiveness of other provisions in the ordinance.

SECTION 5. That this ordinance shall take effect 15 days from and after its final passage, the general welfare of the City of Mt. Juliet, requiring it.

PASSED AND ADOPTED BY THE CITY COUNCIL OF THE CITY OF MT. JULIET, TENNESSEE, this the 22 day of September, 2008.

MAYOR

ATTEST:



CITY RECORDER

LEGAL FORM APPROVED:

CITY ATTORNEY