

APPENDIX B
TITLE 14
CHAPTER 14
OFFICIAL SIGN CODE
OF
THE CITY OF MCMINNVILLE, TENNESSEE

As adopted by Ordinance No. 1108 on March 7, 1994 and as amended by Ordinance No. 1136 on March 6, 1995 and as amended by Ordinance No. 1276 on December 1, 1997.

14-1401.9

Sign, Off-Premise--A sign which advertises goods, services, facilities, events or attractions available at a location other than the premises where the sign is located.

14-1401.10

Sign, On-Premise--A sign which advertises goods, services, facilities, events or attractions available on the premises where the sign is located.

14-1401.11

Sign, Projecting--A sign that is wholly or partly dependent upon a building for support and which projects more than one (1) foot from such building.

14-1401.12

Sign, Roof--Any sign erected and constructed wholly on and over the roof of a building, supported by the roof structure, and extending vertically above the highest portion of the roof. Such signs are not allowed under the provisions of this Official Sign Code.

14-1401.13

Sign, Roof, Integral--Any sign erected or constructed as an integral or essentially integral part of a normal roof structure of any design, such that no part of the sign extends vertically above the highest portion of the roof and such that no part of the sign is separated from the rest of the roof by a space of more than six (6) inches. Also known as "Mansard Roof Sign".

14-1401.14

Sign, Temporary--Any sign which by reason of construction or purpose intended to be displayed for a short period of time.

14-1401.15

Sign, Wall--A sign fastened to or painted on the wall of a building or structure in such a manner that the wall becomes the supporting structure for, or forms the background surface of the sign and which does not project more than one (1) foot from such building or structure.

14-1401.16

Sign, Window--A sign that is applied or attached to the exterior or interior of a window in such a manner that it can be seen from the exterior of the structure through a window.

14-1401.17

An individual sign may fall under more than one of the above definitions, e.g., temporary banner sign, illuminated freestanding on-premise sign, flashing wall sign, etc.

SECTION 14-1402 COMPLIANCE WITH OFFICIAL
ZONING CODE

This Official Sign Code shall be used in conjunction with the Official Zoning Code of McMinnville, Tennessee and all signs or similar advertising structures shall be in compliance with said Official Zoning Code.

14-1403.3

Procedure for Approval
of Sign Permit

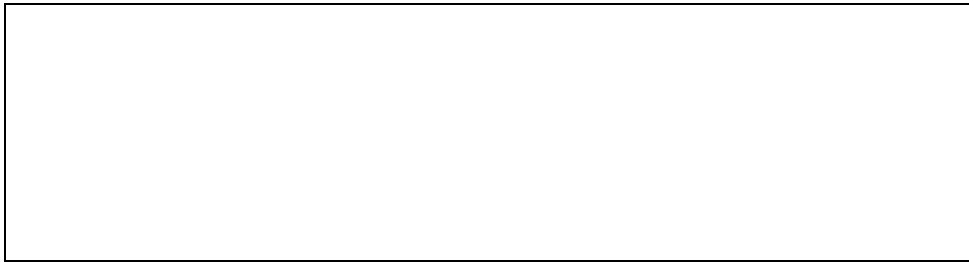
The appropriate officials of the McMinnville Office of Codes Enforcement shall examine the application for a sign permit, make on-site inspections as necessary, and if it appears the proposed sign is in compliance with all the requirements of this Official Sign Code, said sign permit shall be issued. Permits for mobile or portable signs shall be issued only for special events or emergencies and only one special permit for a mobile or portable sign shall be issued per calendar year for any one establishment or event.

14-1403.4

Expiration of Sign Permit

Sign permits shall become null and void six (6) months from the date of issuance if the work authorized under the sign permit has not been commenced by that time. Permits for mobile or portable signs shall become null and void at the conclusion of an assigned thirty (30) day consecutive period.

SECTION 14-1404 (Reserved) as amended by Ordinance No. 1136 on 3/6/95



SECTION 14-1405

GENERAL REGULATIONS

For all zoning districts as shown on the Official Zoning Map of McMinnville, Tennessee, the following regulations for signs and similar advertising structures shall apply:

14-1405.1

No sign shall be located in such a manner so as to obstruct free or clear vision, or cause hazards for vehicular or pedestrian traffic by reason of location, shape, illumination or color.

14-1405.2

No sign shall be located on, or attached to, any public property except public signs authorized by the City of McMinnville, Warren County, or the State of Tennessee.

14-1405.3

No sign shall be located on or overhanging any public rights-of-way except as provided in Section 14-1406.3, Section 14-1408.9 and Section 14-1408.11 of this Official Sign Code. (As amended by Ordinance No. 1276 on 12/1/97)

14-1405.4

No signs shall be painted or attached to any fence, trees, rocks, canopy posts, utility poles, and the like.

14-1405.5

No sign shall be erected, replaced or relocated so as to prevent free ingress or egress from a required door, window or fire escape.

14-1405.6

No source of incandescent lighting used for illuminating signs shall be directly visible from any street or highway or from any residential district.

14-1405.7

No mobile or portable sign shall be allowed unless a special permit for special events or emergencies has been obtained, and then only for a thirty (30) day consecutive period. Any one establishment or event may have only one special permit per calendar year. Mobile or portable signs requiring electrical power cannot be more than five (5) feet from permanent conduit type electrical outlet providing its power. No mobile or portable sign shall exceed thirty-two (32) square feet in sign area nor shall have red or blue lights. All mobile or portable signs shall be securely anchored at all times.

14-1405.8

No flashing light sign shall have less than ten (10) feet of clearance between the bottom of the sign and the terrain. Exposed bulbs shall not exceed sixty (60) watts per bulb.

14-1405.9

No sign permit shall be issued for any illuminated sign, flashing light sign, or any sign requiring electrical power unless an Electrical Inspection Permit from the McMinnville Electric System has first been obtained.

14-1405.10

No sign advertising a garage, yard or similar sale shall be allowed unless a permit for such sale has been issued by the Office of Codes Enforcement as required by Ordinance No. 464, as amended. All such signs shall be displayed in conformance with the provisions of this Official Sign Code. No sign advertising a garage, yard or similar sale shall be displayed for a period exceeding four (4) consecutive days and no such sign shall exceed two (2) square feet in sign area.

14-1405.11

All nonconforming signs, which existed lawfully at the time of the enactment of this Official Sign Code, shall be allowed to remain and shall be considered as "grandfathered" in place. Mobile or portable signs shall not be "grandfathered".

SECTION 14-1406**SIGNS ALLOWED IN
ALL DISTRICTS**

The following signs do not require sign permits and are allowed in all zoning districts:

14-1406.1

Signs established by, or by order of, any governmental agency.

14-1406.2

For parking areas, entrance and exit signs not exceeding two (2) square feet in area and one (1) sign not more than nine (9) square feet in area identifying or designating the conditions of the use of such parking area, however, no such signs shall have the effect of obstructing ingress or egress visibility.

14-1406.3

On-premise and off-premise real estate signs not exceeding thirty-two (32) square feet in sign face area which advertise for the sale, rental or auction of land(s) or building(s). Such signs shall not be illuminated, shall not be more than six (6) feet in height, and off-premise real estate signs shall not be located for a period exceeding thirty (30) consecutive days. Such signs may be located on public rights-of-way at street intersections provided that no more than two (2) such signs are located at any street intersection, and provided that no such sign shall be so located for a period exceeding thirty (30) consecutive days. (As amended by Ordinance No. 1276 on 12/1/97)

14-1406.4

For events of public interest, one (1) temporary sign, not over thirty-two (32) square feet in area located upon the site of the event, provided that such signs shall not be erected more than fourteen (14) consecutive days prior to the scheduled event and provided that such signs shall be removed within three (3) consecutive days following the event after which time each sign shall constitute a separate violation of this Official Sign Code for each day that the sign remains.

14-1406.5

Signs denoting the architect, engineer or contractor when placed at the construction site. Such signs shall not be illuminated and no such signs shall exceed an area of thirty-two (32) square feet, nor shall they remain standing after construction has been completed.

14-1406.6

Memorial plaques, cornerstones, historical tablets, and the like.

14-1406.7

Political signs displayed on private property with the consent of the owner.

SECTION 14-1407

SIGNS ALLOWED IN
RESIDENTIAL DISTRICTS

In the R-1, R-2, R-3, R-4 and PRD Residential Districts, as shown on the Official Zoning Map of McMinnville, Tennessee, the following regulations for signs and similar advertising structures shall apply:

14-1407.1

All signs allowed in residential districts are subject to the issuance of a sign permit as required in Section 14-1403 of this Official Sign Code, unless otherwise noted herein.

14-1407.2

Name plates indicating name, address, house number, announcement of boarders or roomers are allowed but shall not exceed two (2) square feet in sign area.

14-1407.3

For multi-family complexes, apartment buildings, and mobile home parks, identification signs not exceeding nine (9) square feet in area are allowed.

14-1407.4

Signs announcing legal customary home occupations are allowed, but shall not exceed two (2) square feet in area.

14-1407.5

Church, school, or public building bulletin boards or identification signs, not exceeding forty (40) square feet in area are allowed.

14-1407.6

No sign shall be placed closer than ten (10) feet to any property or right-of-way line.

14-1407.7

For a subdivision consisting of forty (40) or more lots or a multi-family development consisting of twelve (12) or more dwelling units, one (1) permanent sign identifying the development at each major vehicular entrance is allowed, provided that all yard setbacks are complied with, and provided that the sign does not exceed eight (8) feet in height and forty (40) square feet in area.

14-1407.8

For existing nonconforming commercial or industrial uses located in residential districts, on-premise business signs are allowed provided the provisions of Section 14-1408 of this Official Sign Code are complied with.

14-1407.9

Flashing or intermittent illumination is prohibited.

14-1407.10

Billboards and similar off-premise signs are prohibited.

SECTION 14-1408 SIGNS ALLOWED IN COMMERCIAL
AND INDUSTRIAL DISTRICTS

In the R-5 Residential Commercial, C-1, C-2, C-3 and PCD Commercial, and I-1 and I-2 Industrial Districts, as shown on the Official Zoning Map of McMinnville, Tennessee, the following regulations for signs and similar advertising structures shall apply:

14-1408.1

All signs allowed in commercial and industrial districts are subject to the issuance of a sign permit as required in Section 14-1403 of this Official Sign Code, unless otherwise noted herein.

14-1408.2

All signs allowed in the R-1, R-2, R-3, R-4 and PRD Residential Districts, subject to the same regulations, are allowed.

14-1408.3

Each commercial or industrial lot or parcel, regardless of the number of commercial or industrial establishments on such lot or parcel, shall be allowed one (1) on-premise freestanding business sign per fifty (50) feet of major public street frontage or part thereof not to exceed fifty (50) square feet in sign face area.

A. For each one-hundred (100) feet of major public street frontage, the total allowed sign face area may be combined provided, however, that no sign face area shall exceed one-hundred (100) square feet.

B. For commercial or industrial lots or parcels with a minimum of two-hundred fifty (250) feet of public street frontage and that utilize only one (1) on-premise freestanding business sign, the total allowed sign face area may be combined

provided, however, that the sign face area shall not exceed two-hundred (200) square feet.

- C. For purpose of calculation, only one (1) street frontage per commercial or industrial lot or parcel shall be designated as major public street frontage.
- D. No part of any on-premise freestanding business sign located in the R-5 or C-1 Districts shall be higher than thirty-five (35) feet from grade and no part of any on-premise freestanding business sign located in the C-2, C-3, I-1 and I-2 Districts shall be higher than fifty (50) feet from grade. (As amended by Ordinance No. 1215 on 9/16/96).
- E. No part of any on-premise freestanding sign shall be closer than five (5) feet from any street right-of-way line or property line.

14-1408.4

Each commercial or industrial establishment shall be allowed one (1) wall sign for on-premise advertising per outside wall provided that such sign shall not exceed fifty (50) percent of the area of the face of the wall upon which the sign is erected, or portion of the wall occupied by the commercial or industrial establishment, whichever is less, and further provided that if more than one (1) outside wall is utilized for a sign that no integral roof sign shall be allowed.

14-1408.5

Each commercial or industrial establishment which utilizes only one (1) wall sign shall be allowed one (1) integral or mansard roof sign for on-premise advertising provided that such integral or mansard roof sign shall not exceed twenty-five (25) percent of the area of the face of the building upon which it is erected, or portion of the face of the building occupied by the commercial or industrial establishment. (As amended by Ordinance No. 1136 on 3/6/95.)

14-1408.6

No sign shall be allowed to extend above the highest portion of the roof.

14-1408.7

Each commercial or industrial establishment shall be allowed one (1) projection sign provided that such projection sign shall not exceed twenty (20) square feet in sign face area and shall not extend above the roof line of the building occupied.

14-1408.8

Awning signs are allowed for commercial and industrial establishments.

14-1408.9

For structures in the C-1 Commercial District directly abutting the public right-of-way, awning, canopy, or marquee signs overhanging the public right-of-way are allowed provided that no such sign shall be closer than two (2) feet to any street pavement line and provided that no such sign shall obstruct free or clear vision or cause hazards for vehicles or pedestrian traffic.

14-1408.10

Window signs are allowed for commercial and industrial establishments. No sign permit is required for window signs.

14-1408.11

For events of public interest, temporary banner signs overhanging the public right-of-way are allowed in the C-1 Commercial District provided that only two (2) such signs may be displayed at any one time, provided that such signs shall not be displayed more than fourteen (14) consecutive days prior to the scheduled event and provided that such signs shall be removed within three (3) consecutive days following the event.

14-1408.12

Billboards and similar off-premise signs are not allowed in the R-5 Residential Commercial District nor in the C-1 and PCD Commercial Districts.

14-1408.13

Billboards and similar off-premise signs with a sign face area of up to seventy five (75) square feet are allowed in the C-2 and C-3 Commercial Districts and I-1 and I-2 Industrial Districts subject to the following conditions:

- A. The billboard face shall consist of a single panel and only one side or face shall be used in determining display surface area.
- B. Back-to-back panels of the same shape and dimensions are allowed when the signs are mounted parallel to one another or are placed at an angle between signs not exceeding forty five (45) degrees. No sign face area shall be allowed between the back-to-back panels. Multiple panels, such as stacked or side-by-side, are prohibited.
- C. No part of any billboard or similar off-premise sign shall be closer than ten (10) feet from any street right-of-way line or property line.
- D. No billboard or similar off-premise sign shall exceed twenty (20) feet in height as measured from the uppermost portion of the sign face area to the finished grade at the base of sign or curb level, whichever provides the greatest height.
- E. A minimum of four (4) feet between the bottom of the display and the ground shall be provided. (As amended by Ordinance No. 1136 on 3/6/95.)
- F. No billboard or similar off-premise sign shall be erected or placed closer than within one thousand (1000) feet of any other billboard or similar off-premise sign located on the same side of the road as measured along a line parallel to such road.
- G. No billboard or similar off-premise sign shall be erected or placed closer than two hundred fifty (250) feet from the nearest property line of any property that is zoned residential and has frontage on the same side of the street as said billboard or similar off-premise sign.
- H. All billboards and similar off-premise signs shall conform with all applicable state regulations including those in the Tennessee Code Annotated and those of the Tennessee Department of Transportation.

14-1408.14 (As amended by Ordinance No. 1136 on 3/6/95)

Billboards and similar off-premise signs with a display surface area of between seventy-five (75) square feet up to three hundred (300) square feet are allowed in the C-3,

Commercial District, and the I-1 and I-2, Industrial Districts, subject to the following conditions:

- A. The billboard face shall consist of a single panel and only one side or face shall be used in determining display surface area.
- B. Back-to-back panels of the same shape and dimensions are allowed when the signs are mounted parallel to one another or are placed at an angle between signs not exceeding forty-five (45) degrees. No display surface area shall be allowed between the back-to-back panels. Multiple panels, such as stacked or side-by-side, are prohibited.
- C. No part of any billboard or similar off-premise sign shall be closer than ten (10) feet from any street right-of-way line or property line.
- D. No billboard or similar off-premise sign shall exceed fifty (50) feet in height as measured from the uppermost portion of the display surface area to the finished grade at the base of sign or curb level, whichever provides the greatest height.
- E. A minimum of four (4) feet between the bottom of the display and the ground shall be provided.
- F. No billboard or similar off-premise sign shall be erected or placed closer than within fifteen hundred (1,500) feet of any other billboard or similar off-premise sign located on the same side of the road as measured along a line parallel to such road.
- G. No billboard or similar off-premise sign shall be erected or placed closer than three hundred (300) feet from the nearest property line of any property that is zoned residential and has frontage on the same side of the street as said billboard or similar off-premise sign.
- H. All billboards and similar off-premise signs shall conform with all applicable state regulations including those contained in the Tennessee Code Annotated and those promulgated by the Tennessee Department of Transportation.

SECTION 14-1409

SIGN MAINTENANCE

For all signs and similar advertising structures, the following regulations shall apply:

14-1409.1

Every sign hereafter registered shall show in a conspicuous place thereon the permit number.

14-1409.2

Any sign or similar advertising structure not meeting the following provisions shall be repaired or removed within thirty (30) days after receipt of notification from the Office of Codes Enforcement:

- A. All signs, supports, braces, guys, anchors, and electrical equipment shall be kept in safe repair.
- B. All support structures shall be kept in safe repair and shall be well maintained.
- C. The area around the sign shall be properly maintained clear of brush, trees and other obstacles so as to make signs readily visible.
- D. All burned out bulbs or damaged panels must be replaced.
- E. All sign copy shall be maintained securely to the face and all missing copy must be replaced.

SECTION 14-1410 REMOVAL OF SIGNS

All signs, including existing nonconforming signs found to be abandoned, one that neither the advertised business nor sign company nor land owner will maintain, or considered to be in such disrepair or so poorly maintained as to produce a visual blight, shall be subject to removal without liability after providing notice to the sign owner, if known, and to the land owner to so remove the sign within thirty (30) days. Any sign which is declared to be an illegal sign, one that is erected or placed on location in violation of this Official Sign Code after said Code is effective, shall be removed immediately without liability for said removal. If the Office of Codes Enforcement finds that any sign or sign support is in violation of this Official Sign Code and that by reason of its condition it presents an immediate danger to the public, he shall order either immediate repair or immediate removal. The Office of Codes Enforcement shall remove such sign if the person(s) responsible cannot be found or refuse(s) to repair or remove the sign within ten (10) days. The Office of Codes Enforcement shall determine which signs are abandoned or illegal as defined in this Code and shall remove them. Any person who owns or leases a sign shall remove the sign within sixty (60) days after it becomes an abandoned sign as defined by this Official Sign Code. If the owner or lessee cannot be located, the Office of Codes Enforcement shall remove such sign.

SECTION 14-1411 APPEALS AND VARIANCES

Appeals of the decisions of the Office of Codes Enforcement and requests for variances from the provisions of this Chapter shall be submitted in writing to and determined by the McMinnville Board of Zoning Appeals as specified in Sections 14-707 and 14-708 of the Official Zoning Code of McMinnville, Tennessee as found in Title 14, Chapter 7 of the McMinnville Municipal Code, for consideration and final determination.

SECTION 14-1412 VIOLATIONS

Any person failing to comply with the requirements of this Official Sign Code shall be guilty of a misdemeanor and each day and each occurrence shall constitute a separate violation.

SECTION 14-1413 VALIDITY

Should any section, clause, or provision of this Official Sign Code be declared by a court of competent jurisdiction to be unconstitutional or invalid, the judgement shall not affect the validity of the Official Sign Code as a whole or any other part judged invalid.

SECTION II. This Ordinance shall take effect from and after final passage and after publication of this Ordinance and/or its caption, in accordance with the Charter of the City of McMinnville, Tennessee, the public welfare demanding it.

Publication of Notice in *Southern Standard*: _____

Public Hearing Held: _____
Date

Passed 1st Reading: _____
Date

Passed 2nd Reading: _____
Date

ADOPTED BY THE MCMINNVILLE BOARD OF MAYOR AND ALDERMEN

Mayor

ATTEST

City Recorder

APPROVED AS TO FORM

James W. Dempster, City Attorney

Publication of Caption and Summary in the *Southern Standard*, Edition of _____
Date