ORDINANCE NO. 1028

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF EAST RIDGE, TENNESSEE, TO AMEND THE EAST RIDGE ZONING ORDINANCE (ORDINANCE NO. 481), WHICH AMENDS TITLE 14, CHAPTER 2, ARTICLE VI, SECTIONS 108 THROUGH 110 OF THE EAST RIDGE MUNICIPAL CODE, AS IT RELATES TO ON-PREMISE AND OFF-PREMISE SIGN AND BILLBOARD REGULATIONS

WHEREAS, the City of East Ridge having previously passed regulations concerning the use of on-premise and off-premise signs and billboards in the City of East Ridge, which sought to provide clear standards for the location, size, and setback for permitted signs in zoning districts, as well as to provide standards for non-confirming signs, as well as incidental and temporary signs; and

WHEREAS, the East Ridge Planning Commission held a public hearing on February 6, 2017 to carefully review the text of the East Ridge Zoning Ordinance relative to on-premise and off-premise sign and billboard regulations and heard and considered all statements from the public; and

WHEREAS, the East Ridge Planning Commission approved for recommendation to the East Ridge City Council proposed changes to the East Ridge Zoning Ordinance relative to on-premise and off-premise sign and billboard regulations for the purposes of clarification and interpretation of the ordinance; and

WHEREAS, the City now wishes to further amend the zoning regulations concerning signs, located in Title 14, Chapter 2, Ordinance No. 481, otherwise known as the Zoning Ordinance; and

NOW, THEREFORE, BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF EAST RIDGE, TENNESSEE, that Article VI (Supplemental Regulations and Exceptions), Section 108 (On-Premise Signs and Off-Premise Sign Standards and Requirements), Subsection A (Definitions), be and the same is hereby amended by deleting definition 6 and replacing with the following:

A. Definitions

For the purposes of these Regulations, the following definitions shall apply:

1. ATTACHED SIGN: An on-premise sign painted onto or attached to a building, canopy, awning, marquee or mechanical equipment located

outside a building, which does not project more than eighteen (18) inches from such building, canopy, awning, marquee or mechanical equipment shall be considered a "Projecting Sign." For the purposes

of this definition only, "canopy" shall mean only a canopy which is permanently attached to a building or which, if detached from a building, has more than two hundred (200) square feet of roof area.

2. BACK-TO-BACK SIGN: an off-premise sign consisting of two sign facings oriented in opposite directions with not more than two faces per sign facing.

3. CHANGEABLE MESSAGE: any combination of static images, text, pictures, and/or messages displayed on a changeable message sign face.

4. CHANGEABLE MESSAGE SIGN FACE: a sign face installed on an off-premise outdoor advertising sign that can change messages by electronic or mechanical means.

5. CHANGEABLE MESSAGE DURATION: the duration that a changeable message remains static.

6. CHANGEABLE MESSAGE TRANSITION DURATION: the time elapsed during the transition of one changeable message to the next.

7. CHANGEABLE MESSAGE TRANSITION METHOD: the means by which a changeable message transitions from one message to the next.

8. DETACHED SIGNS: Any freestanding sign.

9. DIRECTIONAL SIGN: a sign erected for the convenience of the public, such as for directing traffic movement, parking, or identifying restrooms, public telephones , walkways and other similar features or facilities, and bearing no advertising message.

10. DIRECTOR: The East Ridge Building Department Official or his designee.

11. DIRECTORY SIGNS: A sign that identifies one or more occupants in a multi-tenant complex shopping center or building.

12. DOUBLE FACED SIGN: an off-premise sign with two adjacent faces oriented in the same direction and not more than 10 feet apart at the nearest point between the two faces.

13. FACING: that portion of an off-premise sign upon which advertising is affixed or painted and visible in one direction at one time.

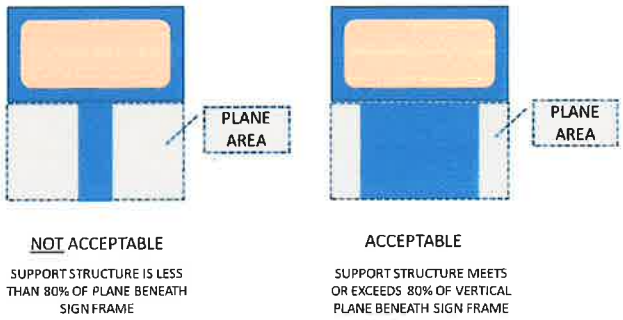
14. FADE: a changeable message transition method whereby the intensity of the preceding changeable message is steadily reduced and the intensity subsequent changeable message is steadily increased.

15. FLASHING: A changeable message transition method that utilizes a pattern of sudden and repeated light illumination that alternates between a fully illuminated changeable message and a non-illuminated message for the purpose of attracting attention. Flashing includes scintillation, light bursts, sparkling, and twinkling.

16. FOOT CANDLE: the English unit of measurement for illuminance, which is equal to one lumen, incident upon an area of one foot.

17. FREESTANDING SIGN: an off-premise sign erected on a freestanding framework supported and affixed by one or more uprights or braces in or upon the ground.

18. GROUND SIGN: A freestanding, detached sign that may include supporting structure (s) that occupy a minimum of 80% of the visual vertical plane between the sign and the ground elevation, as illustrated below. Signs supported by two masonry supports are also considered a ground sign.



19. ILLUMINANCE: the photometric quantity most closely associated with the perception of brightness. Illuminance is measured in foot candle.

20. INTERMITTENT LIGHT: a light that has repeated, equal periods of light and darkness. A changeable message sign face operating in conformance with this ordinance shall not be construed as intermittent light.

21. MONUMENT SIGN: A ground sign with no exposed supporting structure and an overall height of nine (9) feet or less.

22. OFF-PREMISE SIGN: Any sign which is not an on-premise sign.

23. OFFICIAL SIGN: a sign erected by a governmental agency or its designee, setting forth information pursuant to law.

24. ON-PREMISE SIGN: Any sign containing information referring to the location on which it is located and which lists any combination of the following: the name, location, products, persons,

accommodations, services or activities conducted on or offered at that location, or the sale, lease or construction of that property.

25. POLE SIGN: A freestanding on-premise or off-premise sign supported by a pole(s) or structure that does not meet the design specifications of a ground or monument sign (Section 109, G, 2).

26. PORTABLE SIGN: Any on-premise sign not attached to real property so that its removal would not cause a change to the building or property where placed. Examples of these include but are not limited to single or multi-faced sandwich boards, wheel-mounted mobile signs, signs painted or attached to a vehicle and used as a stationary sign, sidewalk and curb signs, ground signs and balloon signs, and pennants.

27. PROJECTING SIGNS: Any on premise sign attached to a building with its leading edge extending more than eighteen (18) inches beyond the surface of the building

28. ROOF SIGNS: Signs mounted to the roof structure as well as signs painted on the roof surface.

29. SIGN: Any structure or means used to display any message or messages. Such term may include, without limitation, any structure, display, device or inscription located upon, attached to, painted or represented on any property, building or structure, on the outside of a window, an awning, canopy, marquee, or similar appendage, which displays or contains any message or messages, numeral, letter work, model, emblem insignia, symbol, device, light, trademark, or other representation used as, or in the nature of, an announcement, advertisement, attention-arrester, warning or designation of any person, firm, group, organization, place, community, product, service, businesses, profession, enterprise or industry.

30. SIGN AREA: For all signs except on-premise attached signs, the area within the rectangle, which is defined by the larger of (i) the lines which include the outer extremities of all letters, figures, characters, messages, graphics or delineation on any sign structure; or (ii) the lines which include the outer extremities of the framework or background of the sign structure. The support for the sign background, whether it be columns, or pylon, or a building or part thereof, shall not be included in the sign area unless it forms a part of the message of the sign to which it is attached.

    On any sign structure, which as multiple sign, faces, and any sign faces which are separated by an angle of less than sixty (60) degrees as measured from the rear of each sign face, shall be counted separately in computing sign area. If the angle of separation of the backs of such sign faces exceeds sixty (60) degrees, then all such faces shall be included together in the computations of any sign area.

The sign area of a sign made of individually cutout letters is the area of the geometric shape necessary to enclose all such letters.

31. STATIC: a complete changeable message that has no motion, flashing, animation, or video, or any simulation of the foregoing.

32. TEMPORARY SIGNS: On-premise signs and portable signs of not more than fifty (50) square feet and which are constructed and designed to be placed on a site for not more than thirty (30) consecutive days. Included in this category are banners, wheel or leg-mounted portable signs, signs attached to or painted on vehicles or vehicle components, balloon signs, and other signs not permanently affixed to the ground as determined by the Chief Building Official.

33. TRI-VISION SIGNS: A sign with moveable panels and or lights.

BE IT FURTHER ORDAINED that Article VI (Supplemental Regulations and Exceptions), Section 109 (Intent), Subsections A through F, are hereby deleted and replaced with the following:

108. INTENT

It is the intent of this sign ordinance to provide a legal framework for the regulation of on- premise and off-premise signs in the City of East Ridge. This ordinance is designed to provide clear standards for the location, size and setback for permitted signs in all zoning districts as well as providing standards for legal non-conforming signs, incidental and temporary signs.

A. On-Premise Signs

Unless otherwise provided in this Ordinance, the following regulations shall govern the construction and maintenance of on-premise signs within East Ridge:

B. Sign Permits

A sign permit is required of any person or entity that desires to erect or place an on-premise sign on his/her/its property. The fee for the sign is per the current City of East Ridge permit fee schedule. Prior to installation of any on-premise sign, the Building Official or his designee must issue a sign permit.

C. Multi-Family

In any zoning district that permits multi-family, manufactured home parks and other group dwellings, informational signs, not to exceed a total of sixty (60) square feet in area are permitted. Multi-family and other group dwelling sites that have multiple signs cannot exceed (60) square feet in total sign area. Such signs shall indicate nothing other than name and/or address of the premises and other information

relevant to the operation of the premises. Such sign may have indirect illumination but not have internal illumination. Such sign shall meet the setback standards for on-premise signs.

D. On-Premise Signs for Schools, Nonprofit service and Community Organizations

On-premise signs for, schools, nonprofit service and community organizations are allowed as a permitted use in accordance with the size, height, setback and vertical clearance standards for on-premise signs as stipulated herein. For those uses located in a residential zone, the size standard shall not exceed one (1) square foot of surface area for each one (1) linear foot of building face fronting on a dedicated and accepted public road right-of-way. The sign area shall be calculated per building face; and the allowable sign area for each sign is restricted to the building façade that applies to that calculation. The sum of the calculated square footage of two or more sides cannot be applied to a single building face.

In addition to the allowable on-premise signs for, schools, nonprofit service and community organizations, a directional sign may be located off-site on private property to assist in locating these uses. This sign is limited to five (5) square feet in size, shall not exceed thirty (30) inches in height and shall not be illuminated. This sign shall not block the sight, distance or view of vehicles traversing the public right-of-way. The location of the sign structure must be approved by the Director prior to its construction.

E. Zoning Districts

On-premise signs are permitted only in the following zoning districts and other Commercial and Industrial Districts established subsequent to the effective date of these regulations.

O-1 Office District

O-2 Hospital and Institution District

C-1 Tourism Commercial District

C-2 General Commercial District

C-4 Planned Commercial District

C-5 Neighborhood Commercial District

C-6 Low Traffic Commercial District

M-2 Light Industrial District

M-3 Warehouse and Wholesale District

F. Attached On-Premise Sign Size Standards

The total surface area of all on-premise signs in the O-1 Office District and the O-2 Hospital and Institution District shall not exceed one (1) square foot of surface area for each one (1) linear foot of building face fronting on a dedicated and accepted public road right-of-way. The sign area shall be calculated per building face; and the allowable sign area for each sign is restricted to the building face that applies to that calculation. The sum of the calculated square footage of two or more sides cannot be applied to a single building face.

The total surface area of all on-premise signs for an individual business in all other commercial and industrial districts shall not exceed one and one half (1.50) square feet of surface area for each (1) lineal foot of building face fronting on a dedicated and accepted public road right-of- way. The sign area shall be calculated per building face; and the allowable sign are for each sign is restricted to the building face that applies to that calculation. The sum of the calculated square footage of two or more sides cannot be applied to a single building face.

BE IT FURTHER ORDAINED that Article VI (Supplemental Regulations and Exceptions), Section 109 (Intent), Subsection G (Detached Sign Standards), is hereby deleted and replaced with the following:

G. Detached Sign Standards

In order for East Ridge to balance the needs of local businesses to advertise their products/services while promoting a more consistent, cohesive and visually attractive environment, the following detached sign standards are established. One detached on premise sign is permitted per lot. For purposes of these regulations, a lot constitutes all contiguous land in the same ownership or in the same Hamilton County tax parcel that is not divided by any public right-of-way. Included within this definition are permanent easements that provide access for the lot to and from a public right-of-way. An on premise sign must conform to the setbacks, height and vertical clearance standards as specified herein.

1. All non-residentially zoned properties: May either erect a ground or monument sign as specified below.

   a. Maximum size for sign area – fifty (50) square feet per sign face (two faces per sign).

   b. Maximum sign height – nine (9) feet from ground elevation

c. Sign support/base materials – shall consist of brick, masonry, split face, or stone materials. The material should match or be comparable to the materials of the associated building, unless the building materials (such as metal siding) are not included in the permitted material list.

d. Sign face/lettering materials – Aluminum, plastic, fiberglass, metal or other composite materials are limited to no more than 30% of the total sign surface area. Individual sign letters do not count towards the 30% calculation

e. Sign base – the sign base supporting the sign shall occupy at least 80% of the sign width to look like a monument sign. No single pole mounted signs are permitted. Any ground or monument sign that contains a changeable message must have that changeable message sign face surrounded by at least four (4) inches of non-changeable message sign face material. Further, the changeable message may not be the primary sign message.

BE IT FURTHER ORDAINED that Article VI (Supplemental Regulations and Exceptions), Section 109 (Intent), Subsections H through U, are hereby deleted and replaced with the following:

H. Directory (Multiple Tenant) Signs

In lieu of constructing an on-premise pole sign, a monument or directory sign may be located on a lot that accommodates multiple tenants under the same real property management and that serves the entire commercial site. The on-premise directory sign may not exceed one hundred and twenty five (125) square feet in size including the supporting structure. The sign shall not advertise products or sale items and is limited to identifying the tenants or/and the name of the development. The sign structure must be approved by the Director prior to its construction, and comply with the Detached Sign standards (Section G).

I. On-Premise Traffic Directional Signs

On-premise traffic directional signs are allowed and are in addition to any allowable on-premise signs. These signs are limited to displaying directional arrows or to specific words such as: in, out, entrance, exit, entrance/in only, exit/out only. Such signs shall not block the sight- distance or view of vehicles entering or exiting the property. No traffic directional sign shall

exceed thirty (30) inches in height nor more than three (3) square feet in sign area.

J. Menu Board and Other Incidental On-Premise Signs

In addition to any detached sign permitted, any business where goods and/or services are offered on a "drive-thru" basis without the necessity of the driver exiting his or her motor vehicle, one (1) additional detached sign per "drive'-thru" lane shall be permitted, provided, that such additional detached signs(s) shall not exceed eight (8) feet in height or thirty-nine (39) square feet in sign area. The Director has the discretion to approve the placement of this sign(s). These signs are limited to the services and/or goods offered to their customers. It is not the intent of this subsection to allow any additional detached sign(s), which are primarily designed and oriented to be read by customers or perspective customers who are not on the premises. For purposed of these regulations, a premise that has multiple "drive-thru" lanes or stalls may locate a sign per lane or stall.

K. Setbacks

Setbacks are measured from the closet point of a sign to the sidewalk edge or public right-of-way, whichever is farthest from the street curb.

Detached on-premise signs shall be set back a minimum of ten (10) feet from any street right-of-way.

Detached on-premise signs with a sign area larger than forty (40) square feet shall be set back a minimum of fifteen (15) feet from any street right- of-way.

All signs shall be set back five (5) feet from all side and rear lot lines.

L. Wind Activated Signs

Except for the display of the flags of the United States, any state of the United States, the County of Hamilton and the City of East Ridge, the use of streamers, pennants, pinwheels, tinsel and any other device which hangs freely and is intended to be wind-activated or to circulate, flap, rotate, blow or otherwise be put in motion by the wind shall be prohibited without a temporary sign permit. The devices prohibited by this section of the ordinance may be maintained following the effective date of this ordinance but shall not be replaced following the effective date of this ordinance.

M. Height and Vertical Clearance for Attached and Projecting Signs

All projecting signs shall have a minimum vertical clearance, from the ground to the lowest portion of such sign, or at least eight (8) feet. No projecting signs shall extend more than ten (10) feet from the building.

N. Temporary Signs

Temporary on-premise signs are allowed upon the issuance of a Temporary Sign Permit, subject to the following requirements:

A temporary commercial sign with a sign area up to fifty (50) square feet in size shall require a temporary sign permit. A temporary sign permit must be issued by

the Director prior to said sign being placed into service by the sign owner. A sign fee of **seventy five ($75)** dollars shall be charged for each year's permit. The sign owner shall attach the temporary sign permit to the sign in a readily viewable fashion or retain it at the site of the sign.

Temporary signs shall comply with all on-premise sign regulations as to location, number of signs and height standards and shall not be larger than fifty (50) square feet total.

One temporary sign permit may be issued to the same business license holder on the same lot within a twelve month period. Such permit may be for two, thirty-day (30) advertising periods, in addition to the week of each federally observed holiday and the days which fall between the fourth week of November and the first week of January. If an applicant is unable to declare the exact time periods to display his/her temporary sign, they may select to only purchase a single 30-day permit for a proportioned fee. All permits shall state a commencement and expiration date for the permit or periods within that year. No two thirty- day (30) advertising periods shall be consecutive and must be separated by at least thirty (30) days, unless the business is only operated during a specific time period, such as tax season, which will allow consecutive thirty (30) day periods, up to ninety (90) days.

Non-commercial temporary signs such as church announcements, recreation organizations and civic club signs and banners, and real estate sales and guide signs below thirty (30) square feet do not require a permit. Commercial temporary signs advertising events on publicly owned property such as Camp Jordan Park that are below thirty (30) square feet do not require a permit. Only one temporary sign of this size or smaller is permitted per lot except with specific permission of the East Ridge City Council.

Temporary signs shall not use electrical power for illumination or to serve moving parts.

Temporary signs or banners that are specific to the opening or closing of a business are permitted on a one-time basis and are limited to a 30-day period. A seventy five ($75) dollar temporary sign fee shall be charged for this

permit. The Owner of the business must furnish to the Director a copy of the business permit specifying the address of the property and declare to the building official the specific nature of this request. The owner of the business is responsible for removing the temporary special events sign or banner at the end of the permit period.

O. Lighting

On-premise signs may be illuminated subject to the following restrictions:

1. Signs which contain, include, or are illuminated by any flashing, intermittent, or moving light or lights are prohibited. Reflective surfaces or devices on sign faces, and multiple-faced signs, with illumination, are permitted.

2. A changeable message sign face that utilizes lighting technologies (such as light emitting diodes) to create changeable messages shall be equipped with a light sensor that automatically adjusts the illuminance of the changeable message sign face as ambient lighting changes.In no event shall a changeable message sign face increase nighttime ambient illumination by more than 0.3 foot candles when measured perpendicular to the changeable message sign face at a distance based on the changeable message sign face size in accordance with the following chart:

Changeable message sign face size (in square feet)	Measurement Distance (in feet)
0-100	100
101-350	150
651-1000	250
Greater than 1000	350

P. Prohibited On-Premise Signs

The following types of signs are prohibited:

2. Signs that are violation of the building code or electrical code adopted by the city.

3. Abandoned signs.

4. Signs commonly referred to as wind signs, consisting of one or more banners, commercial flags, pennants, ribbons, spinners, streamers or captive balloons, or other objects or material fastened in such a manner as to move upon being subjected to pressure by wind, without an approved temporary sign permit.

5. Roof signs, including those mounted to the roof structure and those painted on the roof surface.

5. Signs that obstruct the vision of pedestrian, cyclists or motorists traveling on or entering public streets.

6. Signs that emit sound, vapor, smoke, odor, particles or gaseous matter or involve the use of live animals.

7. Signs that move, revolve, twirl, rotate or flash including animated signs, multi-prism signs and beacon lights, except when required by the Federal Aviation Agency or other governmental agency.

8. Blank temporary sign.

9. Signs that obstruct, conceal, hide or otherwise obscure from view any official traffic or government sign, signal or device.

10. Snipe signs.

11. Vehicle signs, when the vehicle is parked on or otherwise utilizing a public right-of-way, public property, or on private property so as to be intended to be visible from the street right-of-way for the primary purpose of providing advertisement of products or services or directing people to a business or activity and is not regularly used in the conduct of the business.

12. Nongovernmental signs that use words such as Stop, Look, Danger or a similar work, phrase or symbol or sign within ten feet of a public right-of-way or 100 feet of traffic control lights that might be confused with traffic control devices.

Q. Exempt On-Premise Signs

The following types of signs are exempt from the permitting process and other provisions of these regulations except those relating to construction, illumination, safety and nonconformity:

1. Address numbers for buildings.

2. Changeable message on permitted, conforming signs.

3. Commemorative and historic signs.

4. Temporary construction signs displayed only during the time a valid building permit is in force.

5. Government and public signs, including but not limited to community identity and entrance signs and temporary signs for special community events.

6. Government/public flags

7. Machinery signs such as signs on newspaper machines, vending machines, gasoline pumps and public telephone booths.

8. Warning signs.

9. Temporary interior window signs.

R. Maintenance Requirements and Abandoned Sign Structures

All on-premise signs shall be properly maintained and shall be structurally code complying. Abandoned on-premise signs~~,~~ shall be removed by the owner of the property or lessee of the premises within thirty (30) days of the business closure.

S. General Regulations

No on-premise sign shall contain, display or depict any obscene material as defined by T.C.A. 39-17-901 *et. seq*.

T. Non-Conforming Signs

Any sign that exists legally prior to the adoption of these regulations, but does not conform to the provisions of the Regulations is a legal non-conforming sign. These legal, non-conforming signs may remain after the effective date of these regulations.

If for any reason the legal non-conforming sign is removed, destroyed~~,~~ or damaged over 50% the replacement sign must be constructed in conformance to this ordinance with regard to size, height and setback and to all adopted local, state and national engineering standards pertaining to such a structure. Routine maintenance is permitted with proper permits.

No on-site temporary sign shall be considered a legal non-conforming sign.

U. Variances and Appeals

The East Ridge Board of Zoning Appeals may grant a variance from on-premise sign standards, however, the East Ridge Chief Building Official, or his/her designee, shall be afforded the opportunity to provide a review and written recommendation to the Board of Zoning Appeals with regard to the variance request. (Formerly 111.22; Ord. No. 875, 4/8/10)

BE IT FURTHER ORDAINED that Article VI (Supplemental Regulations and Exceptions), Section 110 (Off-Premise Signs), is hereby deleted in its entirety and replaced by the following:

110. Off-Premise Signs

All Off-Premise Signs including billboards, shall require a use on review.

Unless otherwise provided in these regulations, the following regulations shall govern the construction and maintenance of any off-premise sign within East Ridge, Tennessee:

A. Permits

A sign permit is required to erect an off-premise sign. The fee for the sign permit is directly proportional to the total cost of the proposed sign. An approved sign permit from the East Ridge Building Inspection Department shall be required prior to the installation of any off-premise sign. All signs permitted must be completed within six (6) months or the permit is revoked. No off-premise sign shall be erected on public right-of-way without approval by resolution from the East Ridge City Council.

Off-premise signs are permitted in the following zoning district:

C-1 Tourist Court and Motel Commercial District

C-2 Local Business Commercial District

C-3 General Business Commercial District

M-1 Industrial District

M-2 Wholesale and Light Industry District

M-3 Warehouse and Wholesale District

M-4 Industrial District

No sign shall be permitted unless the applicant will report the person owning or responsible for the sign.

B. Specifications

Plans and specifications setting out the construction of and methods of support shall accompany all applications for off-premise signs. In addition to any other required information, such plans and specifications shall include the following:

1. A detailed site plan of the property, drawn to scale, showing all existing and proposed free-standing signs on site, as well as any buildings, parking areas driveway entrances to the site. The site plan shall specify limits of property ownership, the location and size of all existing off- premise signs for a 1,000-fett distance on the same side of the road as the proposed sign and a 200-foot radius distance around the proposed sign.

2. The total number of square feet of the proposed sign.

3. The name and addresses of the property owner or lessee of the proposed site. The proposed configuration of the sign including type of supporting structure (e.g., unipole), top

   height from the ground, height from the bottom of the sign to the ground, dimensions of the sign, the number of sign faces and setback from any public right-of-way.

4. The current zoning on the property.

5. The location/distance of residential structures immediately adjacent to the site of the proposed off-premise sign.

C. Support Structures

Any new or remodeled sign shall conform to all adopted national, state and local engineering standards pertaining to such a structure. All documents used to support compliance with these standards shall be provided to the Director.

D. Setbacks

Off-premise signs with a sign area of less than seventy-five (75) square feet shall be located no closer than ten (10) feet to the closest edge of any public right-of- way.

Off-premise signs with a sign area exceeding seventy-five (75) square feet shall be located no closer than twenty (20) feet from the closest edge of any public right-of-way.

Off-premise signs shall not be located within three hundred (300) feet of any residence, or within seven hundred and fifty (750) feet of any park, school, church, hospital, cemetery, historic district, or governmental building.

E. Spacing of Signs

No off-premise sign shall be established within one thousand (1,000) feet of any other off-premise sign on the same side of a right-of-way.

No off-premise changeable message sign greater than 100 square feet shall be located within 2,000 feet of another changeable message off-premise sign placed on either side of the right of way.

No off-premise sign shall be within two hundred (200) feet of any other off- premise sign in a radial direction.

No off-premise sign shall be permitted within three hundred (300) feet of a residential structure in any Residential District.

The minimum distance between off-premise signs on the same side of a public right-of-way shall be measured between the two nearest points of the off-premise signs. For purposes of these regulations the minimum distance between signs shall be measured along the edge of the principle adjacent right-of-way. This measurement shall be made using a perpendicular line from the sign base to the closest point along the adjacent right-of-way and then following the edge of the right-of-way to the nearest point established by the same method for an adjacent sign.

F. Minimum Height

Signs with a sign area less than seventy-five (75) square feet shall be erected so that the lowest portion of the sign face is not less than ten (10) feet above ground level at the base of the sign structure.

Signs with a sign area of over seventy-six (76) square feet shall be erected so that the lowest portion of the sign face is not less than twenty (20) feet above ground level at the base of the sign structure.

G. State of Tennessee Billboard Standards

Where State controls applies the applicant for a building permit shall furnish the Director information sufficient for the building official to determine that the proposed sign is or will be permitted by the State of Tennessee.

Motorist Safety

No off-premise sign, due to its construction or location, shall cause glare or impair the vision of the driver of any motor vehicle or otherwise interfere with any driver's operation of a motor vehicle.

Where there are entrance and exit ramps to any controlled access road or a confluence of traffic, or where operators of vehicles might be required to make sudden decisions in order to safely operate their vehicles, no signs shall be permitted or allowed that will be visually obstructive to drivers and thereby hazardous and dangerous to the traveling public such as interfering with the sight triangle.

No sign shall have moving parts, picture tubes, lights or illumination that vary in intensity, flash or change.

No signs that resemble any regulatory or warning traffic control device or sign as found in the latest version of the Manual on Uniform Traffic Control Devices for Streets and Highways shall be permitted.

I. Changeable Message Sign Face Operating Restrictions

Changeable message sign faces are subject to the following restrictions:

1. Changeable message duration shall be eight seconds.

2. Changeable message transition method shall be instantaneous.

3. Changeable message signs shall automatically transition to a black background or shut down in the event of any mechanical issues.

J. Lighting

Off-premise signs may be illuminated subject to the following restrictions:

1. Signs which contain, include, or are illuminated by any flashing, intermittent, or moving light or lights are prohibited. Reflective surfaces or devices on sign faces, and multiple-faced signs, with illumination, are permitted.

2. A changeable message sign face that utilizes lighting technologies (such as light emitting diodes) to create changeable messages shall be equipped with a light sensor that automatically adjusts the illuminance of the changeable message sign face as ambient lighting changes. In no event shall a changeable message sign face increase nighttime ambient illumination by more than 0.3 foot candles when measured perpendicular to the changeable message sign face at a distance based on the changeable message sign face size in accordance with the following chart:

Changeable message sign face size (in square feet)	Measurement Distance (in feet)
0-100	100
101-350	150
651-1000	250
Greater than 1000	350

K. Non-Conforming Signs

Any sign that exists legally prior to the adoption of these regulations, but does not conform to the provisions of these Regulations, are declared legal, non- conforming signs.

Any legal non-conforming off-premise sign may continue use after the effective date of this regulation. If for any reason the legal non-conforming sign is removed, the replacement sign must be submitted for approval in the form of a use on review before a permit will be issued.

L. Variances

Variances from these off-premise standards can be granted by the East Ridge City Council if it finds that the exception is necessary and in keeping with the general character of signage located in the City, by reason of exceptional narrowness, shallowness or shape of a specific property or by reason of exception topographic conditions or other extraordinary and exceptional situation or condition, the strict application of these standards would result in peculiar and practical difficulties or undue hardships upon the owner. Further, that the relief of the peculiar and practical detriment to the public good; and that the peculiar and practical difficulties or undue hardship is not created as a result of any act upon the part of the applicant. (Formerly 112.12; Ord. #875, 4/8/10)

M. Abandoned Off-Premise Signs

Abandoned signs, shall be removed by the owner of the property or lessee of the premises within thirty (30) days of the business closure.

N. Maintenance

All off-premise signs shall be properly maintained and shall be structurally code complying. The term properly maintains includes but is not limited to rusted surfaces, damaged, defective or deteriorated structural components, loose, torn or broken paper or materials. Depending on the structural severity of the sign, all repairs shall be made within a minimum of thirty (30) days after notification by the Director

O. General Regulations

No off-premise sign shall contain, display or depict any obscene material as defined by T.C.A. 39-17-901 *et* seq.

P. Sign Illustrations

For illustrations purposes only, the following depict typical types or categories of signs.

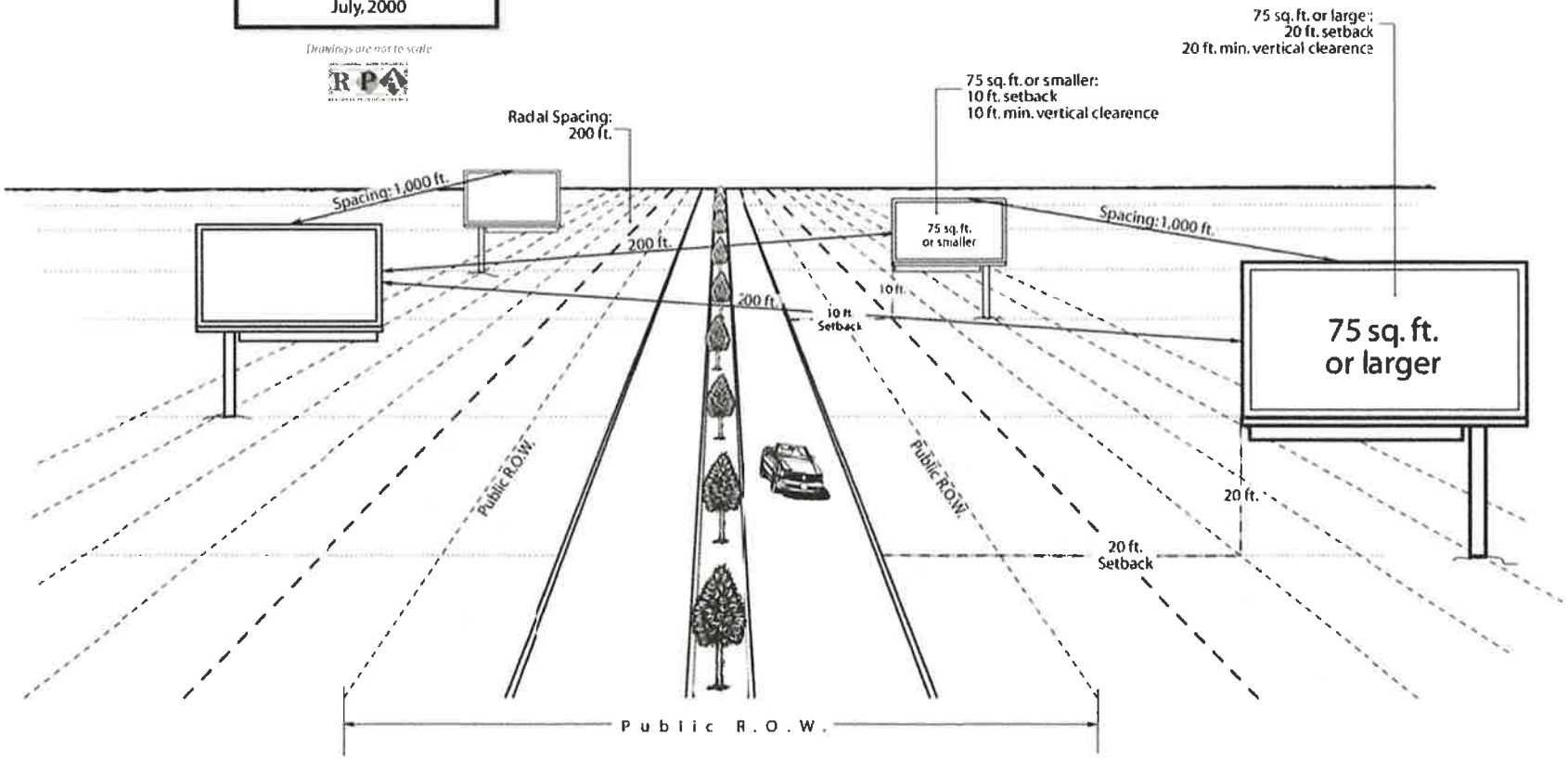
[ILLUSTRATIONS ON NEXT PAGE]

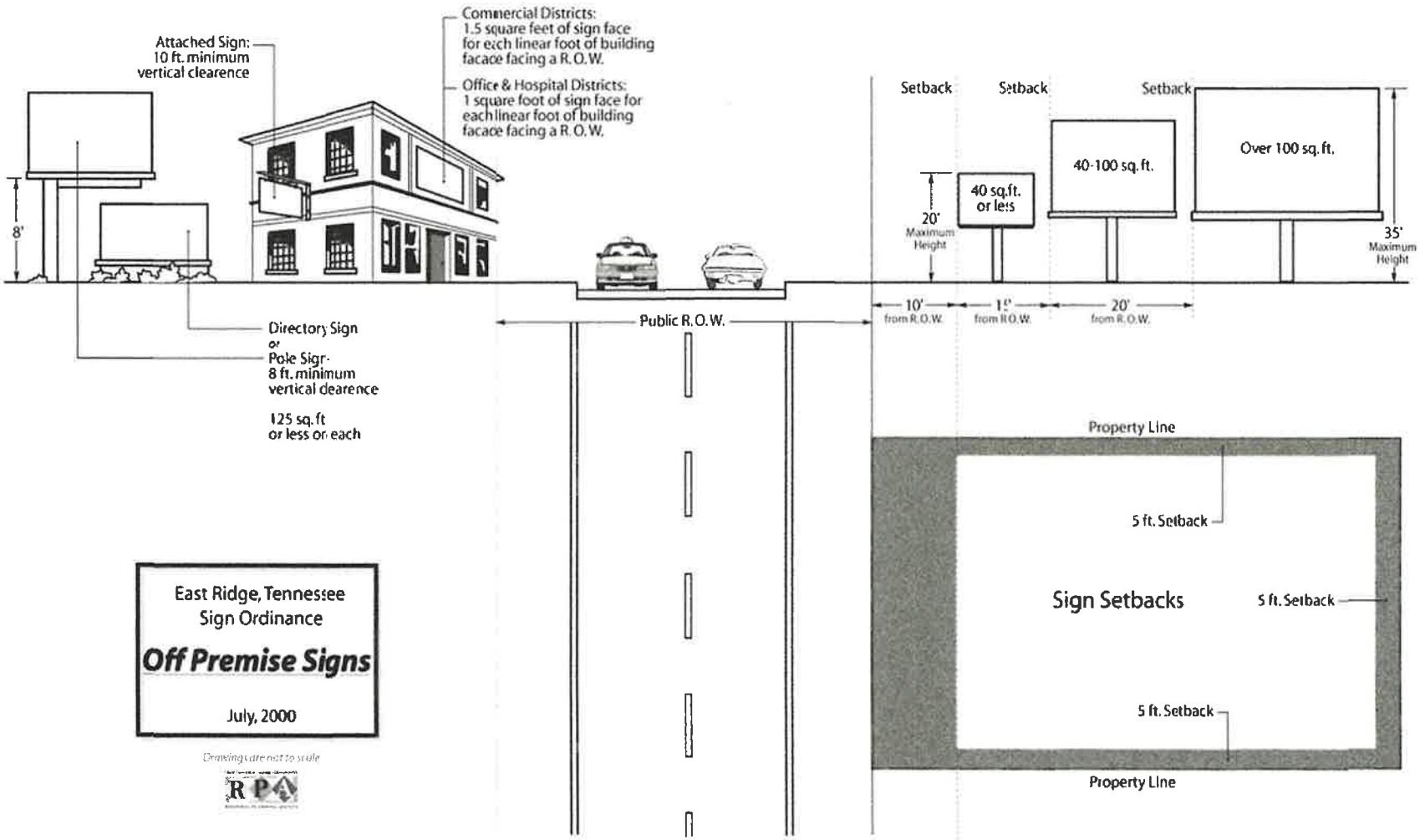
East Ridge, Tennessee
Sign Ordinance

Off Premise Signs

July, 2000

Drawings are not to scale




Attached Sign:
10 ft. minimum
vertical clearence
Commercial Districts:
1.5 square feet of sign face
for each linear foot of building
facade facing a R.O.W.
Office & Hospital Districts:
1 square foot of sign face for
each linear foot of building
facade facing a R.O.W.
8'
Directory Sign
or
Pole Sign
8 ft. minimum
vertical dearence
125 sq. ft
or less on each
Public R.O.W.
Setback
Setback
Setback
40 sq.ft.
or less
40-100 sq. ft.
Over 100 sq. ft.
20'
Maximum
Height
35'
Maximum
Height
10'
from R.O.W.
15'
from R.O.W.
20'
from R.O.W.
East Ridge, Tennessee
Sign Ordinance
Off Premise Signs
July, 2000
Drawings are not to scale
RPA
Property Line
5 ft. Setback
Sign Setbacks
5 ft. Setback
5 ft. Setback
Property Line

BE IT FURTHER AND FINALLY ORDAINED that this Ordinance take effect immediately after its passage the public welfare of the city requiring it.

Passed on first reading February 9, 2017

Passed on second reading February 23, 2017

Brent Lambert

Brent Lambert, Mayor

Attest:

Scott J. Miller, City Manager

Approved to form:

Mark W. Litchford, Interim City Attorney