

ORDINANCE NO. 2010-004

**AMENDING SECTION 153.253(D) OF THE VILLAGE OF WAYNESVILLE
CODIFIED ORDINANCES REGARDING TEMPORARY SIGNS OR
BANNERS**

WHEREAS, the Planning Commission for the Village of Waynesville has reviewed the proposed amendment and has recommended said amendment; and

WHEREAS, a public hearing has been held pursuant to the requirements of the Zoning Code.

NOW, THEREFORE, BE IT ORDAINED by the Village Council of the Village of Waynesville, with _____ members elected thereto concurring:

Section 1. That Section 153.253(D) of the Village of Waynesville Codified Ordinances is hereby amended as set forth in Exhibit "A" attached hereto and incorporated herein by reference.

Section 2. All remaining provisions of Section 153.253 of the Waynesville Codified Ordinances shall remain in full force and effect.

Section 3. That this Ordinance shall take effect and be enforced from and after the earliest period allowed by law.

Adopted this _____ day of _____, 2010.

Attest: _____
Staci Morris, Clerk of Council

Earl J. Isaacs, Mayor

EXHIBIT "A"

§ 153.253 EXEMPTIONS.

The following signs are allowed in all districts, unless otherwise stated, without a permit:

(A) *Construction signs.* Non-illuminated signs posted by persons or firms connected with work on buildings under actual construction or alteration, provided that no such sign is more than 12 square feet in area; that information thereon is limited to name, address, and telephone number of the contractor; that such signs, when not attached flat against a building, are set back at least six feet from all vehicular rights-of-way; and that such signs are maintained in good condition. When more than one contractor is participating in a construction project, one shared sign of no more than 15 square feet in area can be posted. Such signs may be posted from the time a building permit is issued through ten days after the issuance of a final occupancy permit.

(B) *Municipal signs.* Traffic or other municipal signs, legal notices, railroad crossing signs and other danger signs.

(C) *Temporary signs pertaining to charitable and nonprofit institutions.* Temporary signs pertaining to charitable or nonprofit institutions, provided that no such sign is greater than 24 inches by 30 inches in size; that such signs are erected either within a building or set back from all vehicular rights-of-way at least six feet; and that such signs are maintained in good condition.

(D) *Other temporary signs or banners.* Temporary signs or banners pertaining to charitable or nonprofit institutions and signs dealing with matters other than the advertisement of established business when such signs are limited to 32 square feet and erected in any location designated for such posting by Village Council.

(E) *Plaques.* Memorial tablets, commemorative plaques, and plaques containing the name of a building, the date of erection, or the use of such building, provided that such tablet, sign or plaque is limited to two square feet in area.

(F) *Noncommercial opinion signs.* One noncommercial opinion sign may be posted on private property at any time, and one additional noncommercial sign for each candidate and issue may be posted during election season, provided such signs are no larger than six square feet in area per side within a residential zoning district and 16 square feet in area per side in any other district and there are no more than two sides. Such signs shall be properly maintained at all times. Signs made of paper, cardboard, lightweight wood, wire frame and plastic or other nondurable material shall be removed or replaced every 30 days.

(G) *Public service signs.* When such signs contain no other sign message than a public service display, and when such signs have been approved by Council.

(H) *Real estate signs.* Non-illuminated real estate signs may be permitted provided that no such sign is more than 12 square feet in area per side with a maximum of two sides; that it advertises the sale, lease, or rental of only the building or premises whereon such sign appears;

that such sign is limited to one for each building so posted; that such signs, when not attached flat against a building, are setback at least six feet from all vehicular rights-of-way; and that such signs are maintained in good condition.

(I) *Garage sale signs.* Provided that no such sign is larger than three square feet total sign area; that only one such sign exist in locations other than the seller's property; that such sign is kept on display 72 hours or less; that no property so advertises more than twice a year; that a garage sale permit is obtained prior to the sale (see Chapter 110 of these codified ordinances).

(J) *Business informational sign.* Non-illuminated business informational signs are allowed for the purpose of displaying business hours; indicating that a business is open or closed for business; excluding food, drink, smoking and the like from the premises; and similar information; provided, that the total area of such signs shall not exceed an area of ten square feet per business.

(K) *Sign indicating business if open.* Each business may display one non-illuminated flag to indicate that a shop is open for business provided that:

- (1) Such flag is exhibited during business hours only;
- (2) Such flag shall not be larger than three feet wide by four feet long;
- (3) This regulation shall not regulate flags of any nations, government or noncommercial organization.