

URS will be presenting factual data collected from field work that is analyzed for options regarding additional signage on parcels that have more than one frontage in the C3 District. The scheduled presentation date is for the October 19th City Council Meeting to determine the option for the preparation of an Ordinance. This presentation includes a complete inventory that breaks down multiple categories for businesses located within this zoning (multi-tenants, single businesses, national chains, etc.) and provides multiple options for each type.

It is recommended the City Council first hear the factual information collected, research compiled and recommended options as requested from the City staff and Consultant team before assuming any numbers, percentages or additional square footage prior to this presentation. Several scenarios are tested and ran thru multiple options for all types of use. This was the task requested by the Mayor and Council.

Project items of interest:

- The City has not received any sign applications, have any permits on hold, nor verbal inquiries for properties with more than one parcel frontage at this time regarding additional square footage for a single business.
- The Mayor contacted five sign companies and found no complaints on the sign code and process. All sign companies that previously submitted signs were contacted via email and asked to provide comments on the regulations the beginning of this year, none were received. A public hearing was also held for additional comments.
- The break-down for the inventory within the C3 zoning with multiple lot frontages are:
 - 6 Multi-tenant properties (more than one business)
 - 12 National Chain business properties
 - 6 Single business properties
- The majority of the sign companies save application costs by doing the following:
 - Calling the City staff for a copy of the last plot plan, if it is in the file to copy then mark it up for the application or use other free programs such as google map or the Kent County online mapping (provides scaled/aerial plots).
 - Calling the Public Works Director for utility locates as he has marked them on the property, marked up plans and sent back as well as provides the information over the phone.
 - Calling the City staff for the last sign permit on file to obtain the overall property signage information. This information and images may also be available on file for the applicant to use for future submittals.
 - Communicate in advance of the submittal in a professional courteous manner to double check if they have any questions.

Kelly Blanchies

From: Kelly Blanchies
Sent: Wednesday, September 30, 2015 1:58 PM
To: Teresa Tieman
Cc: 'Debbie Pfeil'
Subject: Harrington Sign Regulations Review
Attachments: Signs ao 2015.09.30.pdf

The following was sent to the same list of sign contractors as the original Zoning Code rewrite comments request:

The City of Harrington is reviewing its current sign regulations; see the attached document. If you have any concerns regarding these regulations, please either attend the City Council Workshop on Monday, October 5, 2015 at 6:30 p.m. at Harrington City Hall, 106 Dorman Street, or submit them in writing to me by 4 p.m. on Monday, October 5, 2015, at the email address listed below.

Thank you for your consideration of this matter.

Kelly Blanchies

Clerk of Council
City of Harrington
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Harrington, DE 19952
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Article XIV. Signs

§ 440-171. Purpose.

These regulations balance the need to protect the public safety and welfare, the need for a well maintained and attractive community, and the need for adequate identification, communication, and advertising. The regulations for signs have the following specific objectives:

- A. To ensure that signs are designed, constructed, installed, and maintained according to minimum standards to safeguard life, health, property, and public welfare;
- B. To allow and promote positive conditions for sign communication;
- C. To reflect and support the desired ambience and development patterns of the various zones, overlay zones, and plan zones and promote an attractive environment;
- D. To allow for adequate and effective signs whose dimensional characteristics further the interests of public safety and the needs of the motorist, where signs are viewed from a street or roadway.
- E. To ensure that the constitutionally guaranteed right of free expression is protected.

§ 440-172. Hierarchy of regulations.

Where there is a conflict between specific sign regulations and the base or general sign regulations of this chapter, the specific sign regulations supersede the base sign regulations.

§ 440-173. Typical on-premise sign types.

FREESTANDING SIGNS

usually perpendicular to viewer's line-of-sight. May be double or multi faced and contain thematic embellishment and integral covers or cladding to conceal structural supports.



PYLON



POLE WITH CLADDING



MULTI PANEL PYLON



POLE



MONUMENT



CANOPY



MONOLITH

BUILDING SIGNS



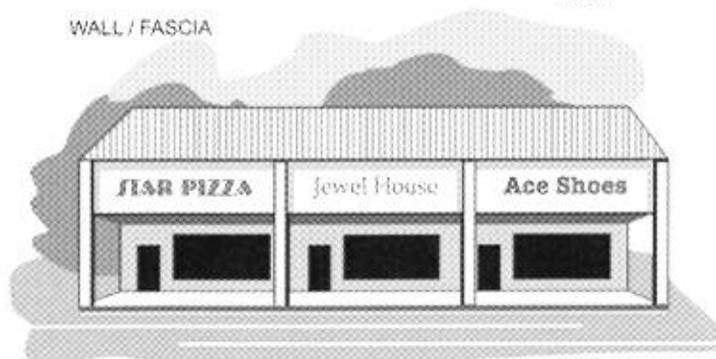
AWNING



ROOF



PROJECTING



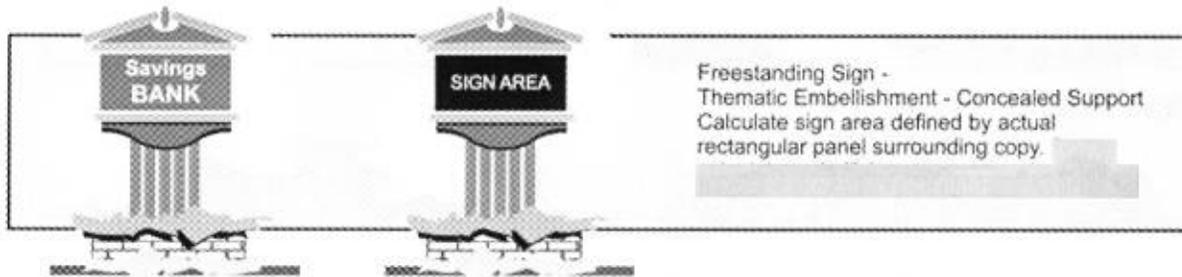
WALL / FASCIA

§ 440-174. Sign area computational methodology/ground signs.

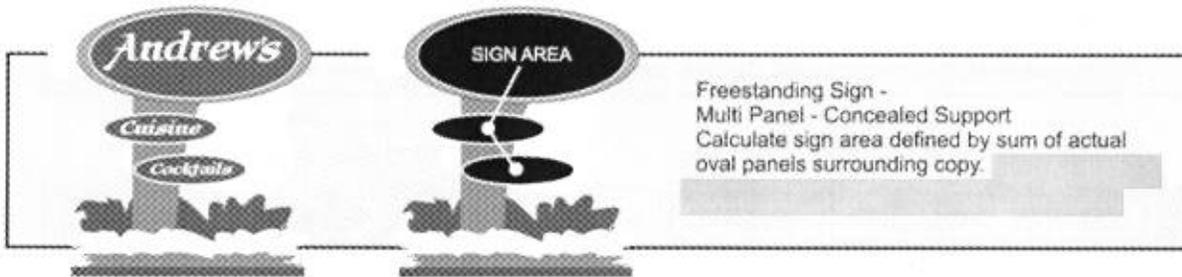
Embellishment or support cladding is not included in the sign area unless it contains copy.



Freestanding Sign - Exposed Pole Support
Calculate sign area defined by actual rectangular panel surrounding copy.



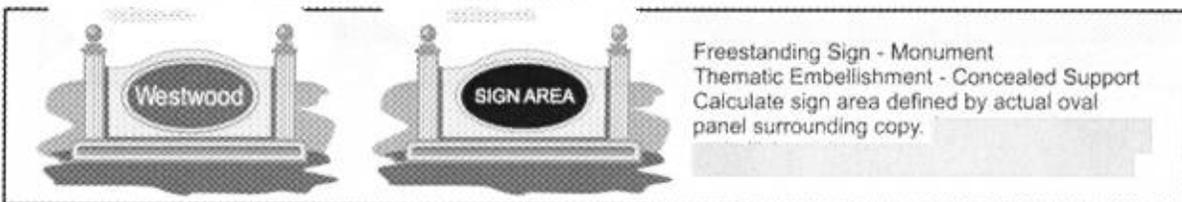
Freestanding Sign - Thematic Embellishment - Concealed Support
Calculate sign area defined by actual rectangular panel surrounding copy.



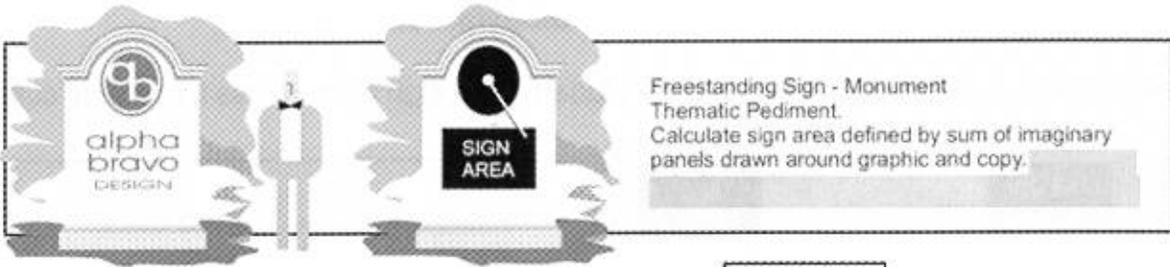
Freestanding Sign - Multi Panel - Concealed Support
Calculate sign area defined by sum of actual oval panels surrounding copy.



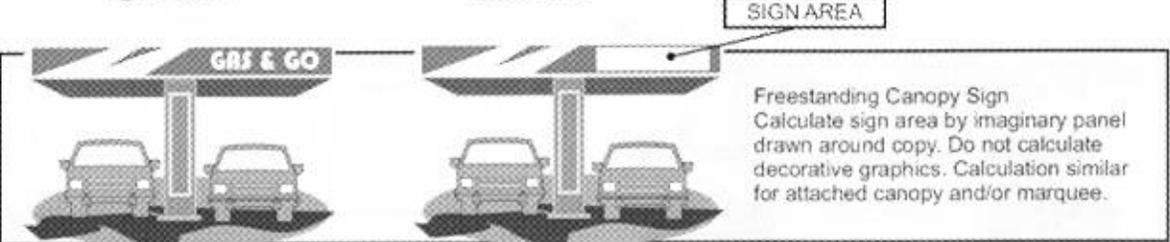
Freestanding Sign - Monument Thematic Embellishment - Concealed Support
Calculate sign area defined by imaginary panel drawn around copy.



Freestanding Sign - Monument Thematic Embellishment - Concealed Support
Calculate sign area defined by actual oval panel surrounding copy.

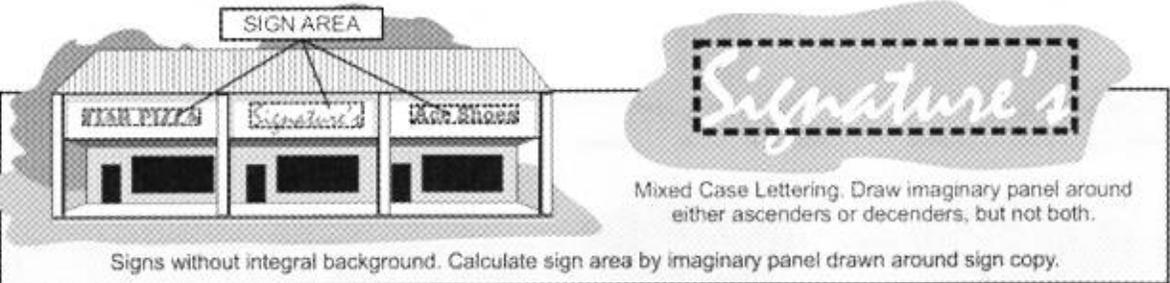


Freestanding Sign - Monument
Thematic Pediment.
Calculate sign area defined by sum of imaginary panels drawn around graphic and copy.



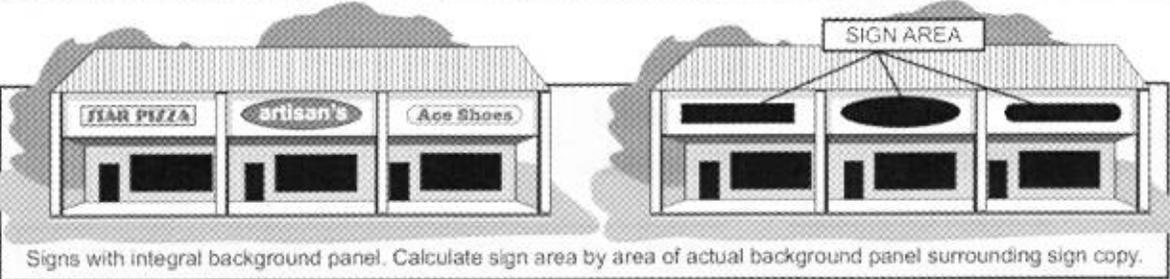
Freestanding Canopy Sign
Calculate sign area by imaginary panel drawn around copy. Do not calculate decorative graphics. Calculation similar for attached canopy and/or marquee.

Wall / Fascia Signs

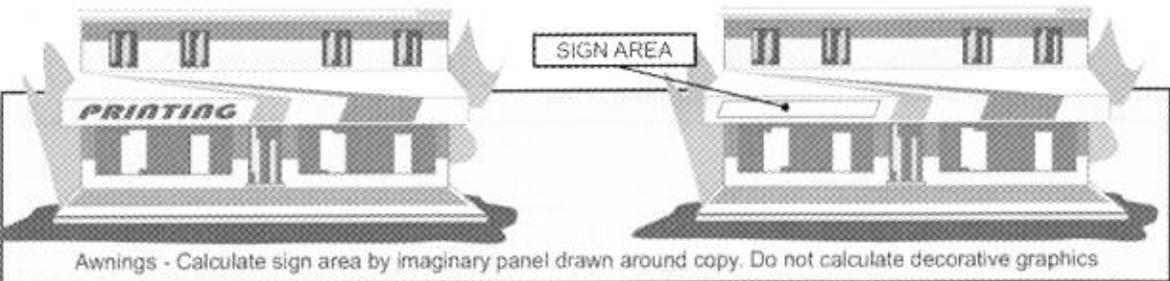


Mixed Case Lettering. Draw imaginary panel around either ascenders or decenders, but not both.

Signs without integral background. Calculate sign area by imaginary panel drawn around sign copy.



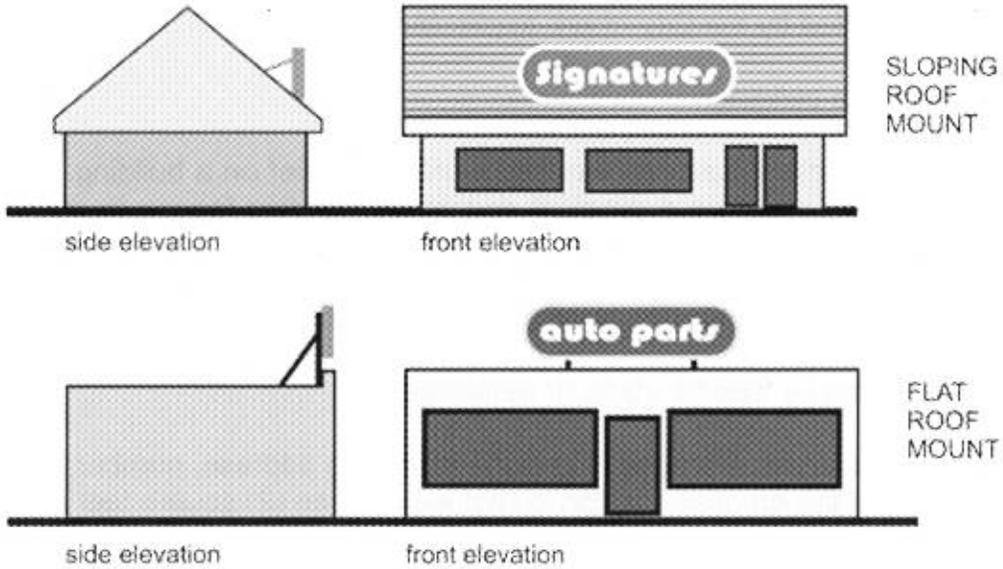
Signs with integral background panel. Calculate sign area by area of actual background panel surrounding sign copy.



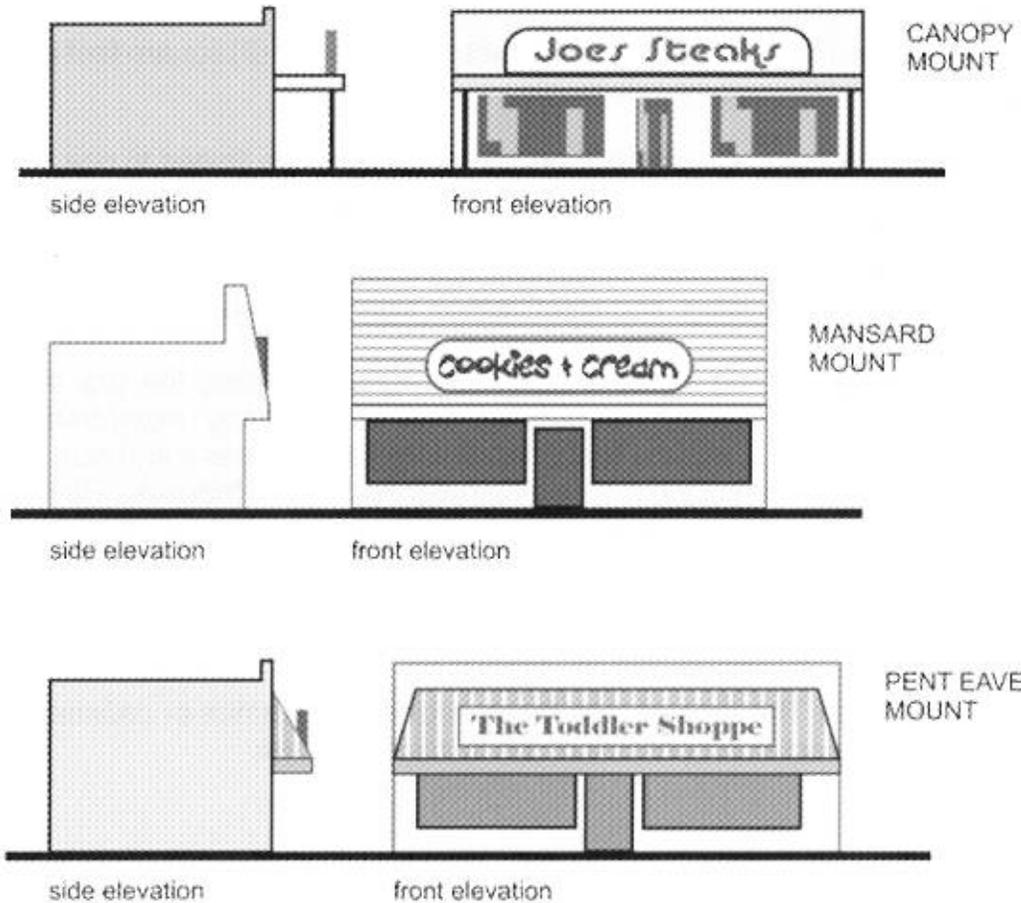
Awnings - Calculate sign area by imaginary panel drawn around copy. Do not calculate decorative graphics

§ 440-175. Comparison: roof and wall sign distinctions.

ROOF SIGNS



Fascia Signs on Roof-Like Projections
NOT ROOF SIGNS



§ 440-176. Exemptions.

The following are exempt from the regulations of this article, but may be subject to other regulations enacted by the City where applicable:

- A. Signs inside a building;
- B. Signs carved into a building or raised in integral relief on a building. Signs or letters that are raised must be a physical part of the building façade to qualify under this provision; they must be a part of the physical construction of the building materials comprising the façade; letters or signs that are merely attached to the exterior façade of the building do not qualify, even if the same finish or color;
- C. Signs required by federal, state, or municipal law;
- D. Name and address. Up to two (2) signs indicating address, number, and/or name of occupants of the premises, which do not exceed two (2) square feet in area per side, and do not include any commercial advertising or other identification;
- E. Decals. Decals and/or logos affixed to windows or door glass panels, such as those indicating membership in a business group or identifying credit cards accepted at the establishment;
- F. Handicapped parking space. Signs not exceeding two (2) square feet in area reserving parking for handicapped individuals;
- G. Private drive signs. On-premise private drive signs are limited to one (1) per driveway entrance, not exceeding two (2) square feet in area;
- H. Public signs. Signs erected by government agencies or utilities, including traffic, utility, safety, railroad crossing, and identification signs for public facilities;
- I. Security and warning signs. On-premise signs regulating the use of the premises, such as "no trespassing," "no hunting," and "no soliciting" signs that do not exceed one (1) sign two (2) square feet in area in residential areas and one (1) sign five (5) square feet in area in Commercial, Manufacturing, and Industrial Park Manufacturing Zones. These limitations shall not apply to the posting of conventional "no trespassing" signs in accordance with state law.

§ 440-177. Sign face area.

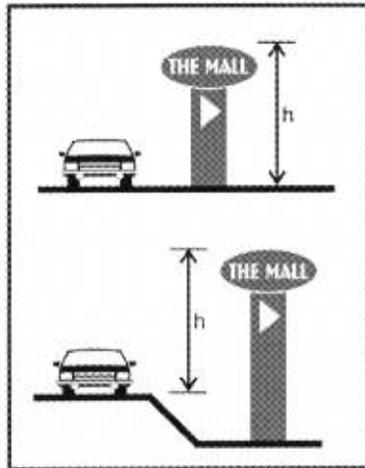
- A. Sign cabinets. The area of sign faces enclosed in frames or cabinets is determined based on the outer dimensions of the frame or cabinet.

- B. Double sided signs. Only one (1) side of a double sided sign is counted in determining the area of sign faces. Where the two (2) sides are not of equal size, the larger of the two (2) sides is used for the determination of sign area.
- C. Round, oval, & irregularly shaped signs. To be measured based on the appropriate mathematical formula to obtain the sign area for a circle, an oval, or irregularly shaped sign.
- D. Calculating sign area (See § 440-174, Sign area computational methodology/ground signs).
 - (1) Signs containing integral background areas. The area of a sign containing a clearly defined background area shall be calculated based on the area of the smallest standard geometric shape or combination of geometric shapes capable of encompassing the perimeter of the background area of the sign. In the case of signs in which multiple background areas are separated by open space, sign area shall be calculated based on the sum of the areas of all separate background areas, calculated as referenced above, but without regard for any open space between the separate background areas.
 - (2) Signs without integral background areas. In instances in which a sign consists of individual elements such as letters, symbols, or other graphic objects or representations that are painted, attached to, or otherwise affixed to a surface such as a wall, window, canopy, awning, architectural projection, or to any surface not specifically designed to serve as a sign background, the sign area shall be based on the sum of the individual areas of the smallest geometric shape or combination of geometric shapes capable of encompassing the perimeters of the individual elements comprising the sign.
- E. Awnings and canopies. When graphics or sign copy is incorporated into an awning, the sign area is determined by computing the area of a standard imaginary geometric shape or combination of shapes drawn around the sign copy area or graphics. When the ends of awnings or marquees are parallel and contain graphics or sign copy, only one side is counted in addition to the sign face area on the front.

§ 440-178. Height of signs.

- A. The overall height of a freestanding sign or sign structure is measured from the lowest point of the ground directly below the sign to the highest point of the freestanding sign or sign structure.
- B. Exception. Where a freestanding sign or sign structure is mounted along a roadway that has a higher grade level as compared to the grade level directly below the freestanding sign or sign structure, then the freestanding sign or structure's height will be measured from the roadway grade level to the highest point of the freestanding sign or sign structure. See Figure 14.1.

Figure 14.1. Sign Height for Roadways with Higher Grade



§ 440-179. Standards in Single-Family (R-1), Duplex (R-2), Townhouse (R-3), and Multi-Family (R-4) residential zones.

A. General standards. Standards for permanent on-premise signs in the following residential zones are described below:

- R-1 Single-Family Residential
- R-2 Duplex Residential
- R-3 Townhouse Residential
- R-4 Multi-Family Residential

B. Subdivisions, apartment, duplex, and townhouse complexes are permitted a freestanding sign not to exceed sixty-four (64) square feet, and further provided that one (1) such sign shall be permitted for each separate street and/or separate building frontage occupied by the subdivision, apartment, or condominium complex and/or for each means of entrance to or exit from the subdivision, apartment, duplex or townhouse complex.

C. For properties located in a residential zone as described in subsection B above, other directional, incidental, and/or accessory signs are also permitted, to be located within the subdivision, duplex, or townhouse complex development. Such directional, incidental, and/or accessory signs shall not exceed six (6) square feet in sign area and four (4) feet in height (if freestanding).

D. Other non-residential uses in a residential zone are permitted a freestanding sign not to exceed forty-eight (48) square feet, and further provided that one (1) such sign shall be permitted for each separate street and/or separate building frontage occupied by the permitted use, and for each means of entrance to or exit from the permitted use.

- E. Electronic message centers (EMC). EMC's are allowed, by conditional use only, on properties with permitted non-residential uses in a residential zone. They are prohibited on residential properties and on subdivision, apartment, multi-family dwellings, and condominium properties. See § 440-183, Electronic message centers.
- F. See § 440-189, Permitted and prohibited signs in all zones.

§ 440-180. Standards in Neighborhood Commercial (C-1) and Central Commercial (C-2) Zones.

- A. Any signs permitted in a residential zone that relate to a use permitted in the Neighborhood and Central Commercial Zones are permitted.
- B. Signs for a multi-tenant office development or professional building, including a directory of tenants engaged in professional and/or commercial activity on the premises. Not more than two (2) such signs shall be permitted on each separate street frontage on premises held in single and separate ownership; the aggregate area of all such sign(s) shall not exceed one hundred (100) square feet for all frontages combined. In addition, it shall be further provided that one (1) sign, the area of which shall not exceed one hundred (100) square feet, shall be permitted for each means of entrance to the premises.
- C. Signs for permitted uses within the Neighborhood and Central Commercial Zones other than a multi-tenant office development or professional building provided that the aggregate area of any such sign(s) shall not exceed seventy-five (75) square feet and further provided that not more than two (2) such signs shall be permitted.
- D. Freestanding signs shall be limited to a height of twelve (12) feet above the grade level.
- E. Electronic message centers prohibited in Neighborhood and Central Commercial Zones.

§ 440-181. Standards in Service Commercial (C-3), Manufacturing (M), and Industrial Park Manufacturing (IMP) Zones.

General standards and sign features. The standards for permanent signs in Service Commercial, Manufacturing, and Industrial Park Manufacturing Zones are as follows. All such signs must conform to the regulations of this section.

- A. Any signs permitted in a Residential Zone or Neighborhood/Central Commercial Zones are permitted in Service Commercial, Manufacturing, and Industrial Park Manufacturing Zones.
- B. Signs for permitted uses within the Neighborhood and Central Commercial Zones other than a multi-tenant office development or professional building provided that the

area of any such sign shall not exceed one hundred fifty-three (153) square feet and further provided that not more than three (3) such signs shall be permitted.

- C. Freestanding signs shall be limited to a height of thirty-five (35) feet above the grade level.

§ 440-182. Additional standards in all zones.

- A. Where these regulations apply. These regulations apply to all signs regulated by this article.

- B. Sign placement. All signs and sign structures must be erected and attached totally on or within the site or property to which they refer, behind any applicable legal right of way.

- C. Signs extending into the right-of-way. Exceptions:

- (1) Projecting signs, awnings, and marquees in a Neighborhood or Central Business Zone, projecting over a public sidewalk.

- (2) Projecting signs extending over a public sidewalk shall be limited to a projection distance not to exceed two-thirds (2/3) of the width of the sidewalk.

- (3) A-frame signs. A-frame signs may be used in a Neighborhood or Central Business Zone if they meet the following standards:

- (a) The sign is entirely outside the street or roadway;

- (b) The sign is no larger than four (4) square feet;

- (c) The sign does not obstruct a continuous through pedestrian zone of at least five (5) feet in width.

- (d) The sign does not obstruct pedestrian and wheelchair access from the sidewalk to any of the following:

- [1] Transit stop areas;

- [2] Designated disabled parking spaces;

- [3] Disabled access ramps; or

- [4] Building exits including fire escapes.

- D. Removal of signs. The City Manager may require signs extending into the right-of-way to be modified or moved if streets are widened, or other improvements made in the

right-of-way, which result in the creation of unsafe conditions. The modification or moving will be at the owner's expense. If a nonconforming sign is moved under this requirement, it may be re-erected on the site without being brought into conformance.

E. Freestanding signs may not extend into the right-of-way.

F. Fascia or wall signs.

(1) Vertical extensions. Fascia or wall signs may not extend above the top of the building wall upon which they are mounted.

(2) Horizontal extensions. Fascia or wall signs may not extend more than eighteen (18) inches out from the wall or structure to which they are attached.

G. Projecting signs placement. Projecting signs are not allowed on rooftops or on pitched roofs. Projecting signs may not extend over a right-of-way unless they are located in a Neighborhood or Central Commercial Zone. There must be eight (8) feet from grade to the bottom of the projecting sign.

H. Directional signs.

(1) General standards. Directional signs that meet the standards of this subsection are allowed in all zones and are not counted in the total square footage of permanent signage allowed on any property or site.

(2) Size. Freestanding directional signs may be up to six (6) square feet in area and forty-eight (48) inches above grade. Fascia directional signs may be up to sixteen (16) square feet in area.

(3) Directional signs in any zone may have internal or external illumination.

I. Temporary signs. Temporary signs for special events, including inflatable signs with a surface area of less than one hundred (100) square feet and not more than twenty (20) feet tall, may be erected on the premises of any establishment conducting a special event, provided that such signs do not exceed a total of two (2) signs with a total of one hundred (100) square feet in sign area. For the purposes of this section, a temporary sign is a sign intended to display either commercial or noncommercial messages of a transitory or temporary nature. Any signs not permanently embedded in the ground, or not permanently affixed to a building or sign structure that is permanently embedded in the ground, are considered temporary signs. A temporary sign shall be displayed no more than ninety (90) days per calendar year and no more than thirty (30) consecutive days. For grand openings, the maximum number, sign type, and allowable area may be waived by the City Manager. Permits for such signs are required and shall be accompanied by a fee as provided for in Chapter 180, Municipal Fees. Inflatable signs can be used with the following provisions:

- (1) The inflatable sign shall be set back from the edge of the right-of-way a minimum of twenty-five (25) feet;
- (2) The inflatable sign shall be securely anchored to the building or ground;
- (3) The inflatable sign shall not interfere with utility lines and traffic.

§ 440-183. Electronic message centers.

- A. In the Service Commercial, Manufacturing, and Industrial Park Manufacturing Zones, electronic message centers (EMCs) are permitted in accordance with the sign areas noted in this article.
- B. Additional general EMC regulations.
 - (1) An EMC sign may be a portion of a building sign or freestanding sign, or may comprise the entire sign area.
 - (2) All EMC signs shall have automatic dimming controls, either by photocell (hardwired) or via software settings, in order to bring the EMC lighting level at night into compliance with § 440-184, Sign Illumination Standards.
- C. EMC regulations by zone.
 - (1) In residential zones, EMC signs are permitted only in certain circumstances by conditional use in accordance with § 440-179 E of this article. They are otherwise prohibited in residential zones.
 - (2) In residential zones, where permitted, EMC signs shall have a minimum display time of twelve (12) seconds. The transition time between messages and/or message frames is limited to one (1) second.
 - (3) In residential zones, where permitted, the following EMC display features and functions are prohibited: scrolling, traveling, flashing, spinning, rotating, fade, dissolve, any other moving effects, and all dynamic frame effects or patterns of illusionary movement or simulated movement.
 - (4) In the Service Commercial, Manufacturing, and Industrial Park Manufacturing Zones, EMC signs shall have a minimum display time of eight (8) seconds. The transition time between messages and/or message frames is limited to three (3) seconds and these transitions may employ fade, dissolve, and or other transition effects.
 - (5) In Service Commercial, Manufacturing, and Industrial Park Manufacturing Zones, the following EMC display features and functions are prohibited: continuous scrolling and/or traveling, flashing, spinning, rotating, and similar moving effects,

and all dynamic frame effects or patterns of illusionary movement or simulating movement, and full motion video or film display via an electronic file imported into the EMC software or streamed in real time into the EMC.

§ 440-184. Sign illumination standards.

Signs may be illuminated consistent with the following standards:

- A. A sign in any zone may be illuminated at night. Signs that are illuminated at night may not exceed a maximum luminance level of seven hundred fifty (750) cd/m² or Nits, regardless of the method of illumination.
- B. Signs that have external illumination, whether the lighting is mounted above or below the sign face or panel, shall have lighting fixtures or luminaires that are fully shielded.
- C. All illuminated signs must comply with the maximum luminance level of seven hundred fifty (750) cd/m² or Nits at least one half (½) hour before apparent sunset, as determined by the National Oceanic and Atmospheric Administration (NOAA), US Department of Commerce, for the specific geographic location and date. All illuminated signs must comply with this maximum luminance level throughout the night, if the sign is energized, until apparent sunrise, as determined by the NOAA, at which time the sign may resume luminance levels appropriate for daylight conditions, when required or appropriate.
- D. On-premise signs do not constitute a form of outdoor lighting at night, and are exempt from any other outdoor lighting regulations that the City has adopted, or will adopt in the future.

§ 440-185. Nonconforming signs.

- A. Permanent signs and sign structures that are moved, removed, replaced, or structurally altered must be brought into conformance with the sign regulations. However, nonconforming signs required to be moved because of public right-of-way improvements may be re-established. Removable faces or sign panel inserts in a cabinet style sign may also be changed by right, and such change does not constitute a structural alteration nor trigger loss of nonconforming status.
- B. Ownership. The status of a nonconforming sign is not affected by changes in ownership.
- C. Once a sign is altered to conform or is replaced with a conforming sign, the nonconforming rights for that sign are lost and a nonconforming sign may not be re-established.
- D. Loss of nonconforming sign status.

- (1) Discontinuance. A sign, including, but not limited to, structures, supports, poles, braces, and anchors, that for one hundred eighty (180) days or more no longer identifies or advertises an ongoing business, product, location, service, idea, or activity conducted on the premises on which the sign is located or a sign that for seven (7) days or more no longer identifies or advertises an event or election.
- (2) Destruction. When a sign or sign structure is removed or intentionally destroyed, replacement signs and sign structures must comply with the current standards. However:
 - (a) Repair and maintenance. A nonconforming sign or sign structure may be removed temporarily to perform sign maintenance or sign repair.
 - (b) Unintentional destruction. When a sign or sign structure that has nonconforming elements is partially or totally damaged by fire or other causes beyond the control of the owner, the sign and sign structure may be rebuilt to the same size and height using the same materials.

§ 440-186. Construction and structural requirements.

A. Structural standards.

- (1) Signs, sign structures, sign foundations, and methods to attach and anchor signs must be designed and constructed in accordance with applicable provisions of Chapter 102, Building Standards. All signs and their foundations and attachments must be designed for the appropriate dead, wind, and snow loads for the geographic area in question.
- (2) The supports and foundations used in construction for all signs and sign structures must be located outside of any rights-of-way.
- (3) Welds of sign structures & sections of sign structures must be welded in accordance with Chapter 102, Building Standards.

B. Engineering standards.

- (1) Signs, sign structures, sign foundations and anchorages to a building must be individually designed in accordance with Chapter 102, Building Standards, and the provisions of this article.
- (2) When Chapter 102, Building Standards, calls for sealed sign design construction plans to be submitted as a part of any sign permit application, this requirement is not compulsory as it relates to on premise signs regulated under this chapter if the application contains sufficient information to satisfy the Building Code Official.

C. Clearances.

- (1) Vision clearance areas. Vision clearance areas are triangular shaped areas located at the intersection of any combination of right-of-way, alleys, or driveways. The sides of the triangle extend thirty (30) feet from the intersection of the right-of-way, alley, or driveway in either/each direction. No sign may be installed within this clear sight triangle.
- (2) Vehicle area clearances. In areas outside of rights-of-way, when a sign or awning extends over an area in which vehicles travel or are parked, the bottom of the structure must be at least fourteen (14) feet above the ground. Vehicle areas include driveways, alleys, parking areas, and loading and maneuvering areas.
- (3) Pedestrian area clearances. When a sign or awning extends more than twelve (12) inches over a sidewalk, walkway, or other space used by pedestrians, the bottom of the structure must be at least eight (8) feet above the ground.
- (4) Clearances from fire escapes, means of egress, or standpipes. Signs, sign structures, and awnings are prohibited from being erected in any manner that interferes in any way with the free use of any fire escape, means of egress, or standpipe. Attaching signs, sign structures, or awnings to a fire escape is prohibited.
- (5) Obstruction of windows and ventilation. Signs, sign structures, and awnings are prohibited from being installed in any way that obstructs any building openings to such an extent that light, ventilation, or exhaust are reduced to a level below that required by either Chapter 102, Building Standards, or Chapter 305, Property Maintenance.

D. Signs, sign structures, supports, foundations, panels, and methods to attach the sign to the structure shall be removed when the principal structure on the lot is demolished.

§ 440-187. Maintenance requirements.

A. Signs, sign structures, and awnings, together with their supports, braces, guys, anchors and electrical components must be maintained in a proper state of repair. The City Manager may order the removal of any sign, sign structure or awning that is not maintained in accordance to this chapter.

B. Dangerous structures and equipment.

(1) Signs, sign structures, or awnings that are dangerous must be taken down and removed or made safe as the City Manager deems necessary. Signs may be deemed dangerous for one (1) or more of the following reasons:

(a) Whenever a sign structure or its foundation, a sign's attachments to a building, or a building to which a sign is attached is damaged by fire, earthquake, wind,

flood, or by any other cause, to such an extent that the structural strength or stability is materially less than it was before the catastrophe and is less than the minimum requirements of Chapter 102, Building Standards;

- (b) Whenever any portion or member of a sign, sign structure, or awning is likely to fail, or become detached or dislodged, or to collapse and thereby injure persons or property;
 - (c) Whenever any portion or member of a sign, sign structure or awning is likely to partially or completely collapse as a result of any cause, including, dilapidation, deterioration, or decay; faulty construction or wiring; or removal, movement or instability of any portion of the ground or building necessary for supporting such structure;
 - (d) Whenever a sign, sign structure, or awning is structurally or electrically unsafe or otherwise hazardous to human life or safety by reason of inadequate maintenance, dilapidation, obsolescence, fire hazard, disaster, damage, or abandonment.
- (2) All signs, sign structures, and awnings determined after inspection by the City Manager to be dangerous must be abated by repair, rehabilitation, demolition, or removal.

§ 440-188. Permit.

No sign, advertising display, or structure, poster, or device shall be erected, moved, enlarged, replaced, refaced, or reconstructed except by permit from the City Manager and in accordance with this chapter. See Chapter 292, Permits and Approvals, Article II, Building Permits and Certificates of Occupancy.

§ 440-189. Permitted and prohibited signs in all zones.

A. Signs permitted in all zones.

- (1) Signs advertising the sale, lease, or rental of the premises upon which the sign is located, which shall not exceed six (6) square feet in residential zones and thirty-two (32) square feet in all other zones, and shall be located behind the property line. One (1) such sign shall be permitted for each two hundred (200) linear feet of street frontage for the parcel.
- (2) Signs designating the name and address of the occupants, hours of operation, security notices, and business policy statements, and may not exceed four (4) square feet.
- (3) Signs denoting the architect, engineer, developer, or contractor placed on premises where construction, repair, or renovation is in progress, which signs

shall not exceed thirty-two (32) square feet in area. No more than two (2) signs of any type are permitted for any one (1) property or building project. Signs shall be fifty (50) feet from other signs on the site, except where it is not physically possible, then the signs shall be as far away from the other sign as possible.

- (4) Public signs. "Public sign" is defined as a sign erected by or on behalf of a governmental body to post a legal notice, identify public property, or public buildings, convey public information, and direct or regulate pedestrian or vehicular traffic.
- (5) Any sign located in an internal location on a site, campus, or complex and that cannot be seen from any public right-of-way or adjacent property.
- (6) Historical and memorial signs or tablets, name plates, and/or address identification signs, provided that no more than two (2) are erected per premises, with each sign area being no more than two (2) square feet.
- (7) People wearing costumes of the logo or character associated with the company, as long as they are located on the business premises.
- (8) Political signs shall not be over six (6) square feet in sign area in all residential zones and shall not be over thirty-two (32) square feet in all other zones. All election signs shall be removed no later than seven (7) days after the election.
- (9) Signs noting a tenant, store, building, etc., is "coming soon," which sign shall not exceed thirty-two (32) square feet, and only one (1) sign is permitted on the site. The sign shall be fifty (50) feet from other signs. The sign shall not be placed on the site for more than six (6) months. After six (6) months, the sign shall be removed even if the tenant, store, building etc., has not opened or been constructed.
- (10) Portable signs designed to be transported, including, but not limited to, A-frames, T-frames, and sandwich boards used for advertising. These types of signs shall not obstruct pedestrian or vehicular access or traffic, are limited to one (1) sign per business, and shall not be over four (4) feet above grade.
- (11) Signs required by federal or state law or by a municipal authority.
- (12) Decorative flags or flags indicating the establishment is open for business on flag poles and individual pennants not on a string with the following provisions:
 - (a) When installed over a public sidewalk, the bottom of the flag shall be no less than six (6) feet above the established sidewalk;
 - (b) The flag shall not impede pedestrian traffic along public sidewalks;

(c) The size of the flag shall be no larger than three (3) feet by five (5) feet;

(d) Flags displayed shall be limited to the hours which the business is open or dawn to dusk.

(13) Open-for-business signs, not to exceed two (2) square feet per business.

(14) Civic, non-profit event signs used to advertise, promote public entertainment uses, including carnivals, circuses, street fairs, concerts, cultural events, home and garden shows, parades, community events, and civic fund-raising events such as carwashes and yard sales. The following provisions apply:

(a) For the purposes of this subsection, civic event signs shall include sign banners, balloons, flags, streamers, and pennants. Vehicle-mounted signs and portable signs are prohibited, except as may otherwise be provided in § 440-189 A (10).

(b) No strobe lights, flashing lights, or search lights are permitted.

(c) All banner signs shall include wind cuts as necessary to reduce sign billowing or sailing and shall be securely fastened to a building, private light standard, or other permanent structure. Such banners shall not be mounted to trees or other landscaping elements. Such banners may be mounted to poles or stakes that must be removed when the banner is removed.

(d) Size and quantity of signs are not regulated; however, signs shall not be displayed for more than fourteen (14) days prior to the event and shall be removed within forty-eight (48) hours after the event.

(15) Pennants on a string in motor vehicle sales lots, provided that they are securely fastened to permanent structures and set back from all streets and driveways. Pennants that are determined by the City Manager to be torn, faded, or soiled are prohibited.

(16) Umbrellas used for advertising. These types of signs shall not obstruct pedestrian or vehicular access or traffic.

B. The following signs are prohibited in all zones:

(1) Signs adversely affecting safety. Signs which prevent free ingress or egress from any door, window, fire escape, or that prevent free access from one part of a roof to any other part; no sign other than a safety sign shall be attached to a stand-pipe or fire escape.

- (2) Simulated traffic signs and obstructions. Any sign which may be confused with, or obstruct the view of, any authorized traffic sign or signal, obstruct the sight-distance triangle at any road intersection, or extend into the public right-of-way.
- (3) Signs with intermittent lights resembling or seeming to resemble the flashing lights customarily associated with danger or such as are customarily used by police, fire, ambulance vehicles, fire police, or for navigation purposes. Signs located and so illuminated as to provide a background of colored lights blending with traffic signal lights to the extent of confusing a motorist when viewed from the normal approaching position of a vehicle at a distance of twenty-five (25) feet to three hundred (300) feet, or which competes for attention with, or may be mistaken for, traffic signals, as determined by the City Manager. Also, any sign that is determined by the City Manager, to constitute a traffic hazard by reason of size, location, content, color, or type of illumination.
- (4) Signs which emit smoke, gaseous matter, visible vapors, particles, sound, or odor shall be permitted; open flames used to attract public attention to a place of business or to an advertising sign shall not be permitted.
- (5) Mechanically moving signs. An environmentally activated sign or other display with actual mechanical motion powered by natural, manual, mechanical, electrical, or other means, including but not limited to pennant strings, streamers, spinners, propellers, and search lights. See also § 440-183, Electronic message centers.
- (6) Animated signs. See § 440-9, Word usage; definitions.
- (7) Signs that are flashing, rotating, or fluttering material or that give the appearance of movement, or are illuminated by flashing or intermittent lights, or lights of changing degrees or intensity, or signs containing strobe lights.
- (8) Off-premises signs of any type (billboards, temporary signs, directional signs for developments, etc.), except for freestanding signs shared with an immediately adjacent property.
- (9) Vehicle and utility trailer signs. A motor vehicle or utility trailer may not park on City streets or in a place visible from a public roadway as a sign or as the base for a sign where the primary purpose of the motor vehicle or utility trailer is general advertising or advertising for hire. The following criteria may be used in determining whether the primary purpose of the motor vehicle or utility trailer is a sign. It is not necessary that any one or all of the listed criteria are present in order to determine that a sign is a prohibited vehicle sign or utility trailer sign:
 - (a) Whether the sign is painted upon or applied in a permanent manner directly to an integral part of the vehicle or trailer or merely temporarily attached to the vehicle or trailer;

- (b) Whether the vehicle or trailer is in operating condition, currently registered and licensed to operate on public streets, when applicable;
 - (c) During the business' hours of operation, the vehicle or trailer is not moved and the vehicle or trailer is so parked or placed that the signs thereon are displayed to the public;
 - (d) Whether the vehicle or trailer is regularly parked in a location and in a manner so as to be observed by passersby;
 - (e) Whether the vehicle or trailer is actively used in the daily function of the business to which such signs relate; and
 - (f) Whether the sign includes directional copy that would only be applicable if parked in the vicinity of the use.
- (10) Roof signs, except where it has been determined that the building's mountable wall area would permit less than one half ($\frac{1}{2}$) of the permitted maximum wall signage, in which case a roof sign is permitted under the following conditions:
- (a) The sign must be mounted within three (3) feet of the eave;
 - (b) The sign cannot exceed half of the maximum permitted wall sign area;
 - (c) The sign may not be higher than it is wide;
 - (d) The sign may not be higher than the roof ridge;
 - (e) The sign must meet the same design standards as wall signs.
- (11) Signs painted on or attached to trees, fences, natural features, or telephone or utility poles.
- (12) People wearing sandwich boards or holding other types of signs, except as used for community events or by nonprofit organizations for fund-raising purposes as approved by the City Manager.
- (13) Temporary signs made of cardboard, paper, canvas, or similar impermanent material, except as permissible in § 440-182 I.
- (14) Inflatable signs, balloons, streamers, flags, etc., except as provided for in this section or on a temporary basis as approved by the City Manager for grand opening events and community festivals.

- (15) Portable signs designed to be transported, including, but not limited to, signs designed to be transported by means of wheels, signs converted to A-frames or T-frames, sandwich boards, and umbrellas used for advertising, except those permitted in § 440-189 A (10) and (16).
- (16) Window signs covering more than fifty (50) percent of a window or a door or mounted above the first floor.
- (17) Illuminated window signs in or adjacent to residential properties or zones.
- (18) Mirrors. No mirror device shall be used as part of a sign.
- (19) Torn, faded, or soiled signs.
- (20) Abandoned sign structures, as defined by this chapter.

§ 440-190. Jurisdiction.

In areas under the joint overlapping jurisdiction of the Department of Transportation and the City of Harrington with reference to setback requirements of signs from the front lot line of a property, the more restrictive regulation shall apply.

Portion of § 440-299. Application for zoning compliance certificate.

C. Required documents for signage. Plans for zoning compliance review shall comply with all existing laws, regulations, and ordinances governing approval and provide sufficiently accurate dimensions and construction specifications to provide the data necessary for the issuance of construction permits. Plans must be legible.

- (1) All signs are required to provide a detailed sign plan to include the following:
 - (a) Sign image/picture with dimensions (proposed and all existing);
 - (b) Provided in square feet;
 - (c) Existing individual signage;
 - (d) Existing total aggregate square feet of all signage;
 - (e) Proposed individual signage square feet;
 - (f) Proposed total aggregate square feet of all signage;
 - (g) Type of signage (proposed/all existing); see Article XIV, Signs;
 - (h) Specify single or double sided (proposed and all existing).
- (2) All freestanding signs shall be required to submit a plot plan along with a detailed sign plan. The plot plan shall meet the requirements as to content and organization as may be established by the City Manager. The plot plan shall show the North point, the date, and the following:
 - (a) All existing property lines with dimensions;
 - (b) All setbacks lines;
 - (c) All existing structures (dimensions, total square footage, distance from all property lines);
 - (d) All existing and proposed driveway/parking spaces/interior roadway areas, if applicable;
 - (e) Adjacent street names and alleys;
 - (f) Plot plan note specifying dates for submittals and revisions;
 - (g) Other information as may be required by the City Manager or City Engineer to adequately review the plan;
 - (h) Sanitary sewer, public water, and storm drain locations, including the location of all lines and tie-ins;
 - (i) All existing and proposed easements and rights-of-way, if applicable.

Fall clean up and No Shave November fundraiser will be discussed at the workshop. No information included in packets.

Term Limit Survey Results

Question presented (as voted on at the August 17, 2015 City Council Meeting):

Do you think the Mayor and Council Members of Harrington should have term limits?

- No
- Yes, 2 terms (8 years) for the Mayor and 3 terms (9 years) for Council Members

Responses:

No	8
Yes	59

Comments written on the survey:

- 2 terms for Council Members
- 2 terms for Council Members, rotate so there is always an experienced person on council