

City of Tullahoma

Sign Ordinance

Ordinance # 1384



Planning & Codes Department
321 N. Collins Street
Tullahoma, TN 37388
931-455-2282

Approved by the Board of Mayor & Aldermen March 30, 2009

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A. SIGNS, BILLBOARDS, AND OTHER ADVERTISING STRUCTURES

Purpose. Regulation of the location, size, placement and certain features of signs is necessary to enable the public to locate goods, services and facilities in the city without difficulty and confusion, to encourage the general attractiveness of the community, maintain safety for our citizens, and protect property values therein. It is not the intent of this article to regulate the content of speech through signage controls. To the extent any court of competent jurisdiction interprets any provision of this article to restrict the content of speech; it is the intent of the city council that all allowable signs may display a noncommercial message in addition to, or in lieu of, any other message; provided that any expression defined as obscene is prohibited.

Accordingly, this section is enacted to establish regulations governing the display of signs which will:

1. Enhance local business and industry of the city by promoting the reasonable, orderly, and effective display of signs, and thereby encourage increased communication with the public.
2. Promote and protect the public health, safety, comfort, morals and convenience;
3. Promote aesthetics in the city;
4. Protect the environment;
5. Restrict signs and lights which overload the public's capacity to receive information or which increase the probability of traffic congestion and accidents by distracting attention or obstructing vision;
6. Reduce visual conflict among advertising devices, regulating signage, control devices and emergency vehicles; and
7. Promote signs which are compatible with their surroundings, are appropriate to the type of activity to which they pertain, and are expressive to the identity of proprietors and other persons displaying signs.

B. SIGN DEFINITIONS

The following definitions shall be applicable for all types of signage located within the city:

ABANDONED SIGN, ABANDONMENT. A sign that is erected off-site or on-site in conjunction with a particular use that has been subsequently disconnected regardless of any intent to resume or not to abandon and shall not be reestablished, unless the new sign meet all current standards. For this purpose of this chapter, regardless of size, copy on the sign indicating the sign is for lease or rent shall not be construed as a sign.

ANIMATED SIGN. A sign employing actual motion or the illusion of motion. Animated signs, which are differentiated from changeable signs as defined and regulated by this code, include the following types:

Electrically activated. Animated signs producing the illusion of movement by means of electronic, electrical or electro-mechanical input and/or illumination capable of simulating movement through employment of the characteristics of one or both of the classifications noted below:

1. Flashing. Animated signs or animated portions of signs whose illumination is characterized by a repetitive cycle in which the period of illumination is either the same as or less than the period of non-illumination. For the purposes of this ordinance, flashing will not be defined as occurring if the cyclical period between on-off phases of illumination exceeds 4 seconds.

2. Patterned illusionary movement. Animated signs or animated portions of signs whose illumination is characterized by simulated movement through alternate or sequential activation of various illuminated elements for the purpose of producing repetitive light patterns designed to appear in some form of constant motion.

Environmentally activated. Animated signs or devices motivated by wind, thermal changes or other natural environmental input. Includes spinners, pinwheels, pennant strings, and/or other devices or displays that respond to naturally occurring external motivation.

Mechanically activated. Animated signs characterized by repetitive motion and/or rotation activated by a mechanical system powered by electric motors or other mechanically induced means.

AUCTION SIGN. A type of incidental sign that provides information about the sale of property or other items from a premises.

AWNING. An architectural projection or shelter projecting from and supported by the exterior wall of a building and composed of a covering of rigid or nonrigid materials and/or fabric on a supporting framework that may be either permanent or retractable, including such structures that are internally illuminated by fluorescent or other light sources.

AWNING SIGN. A sign displayed on or attached flat against the surface or surfaces of an awning. See also "Wall or fascia sign."

BACKLIT AWNING. An awning with a translucent covering material and a source of illumination contained within its framework.

BANNER. A flexible substrate on which copy or graphics may be displayed.

BANNER SIGN. A sign utilizing a banner as its display surface.

BILLBOARD. See "Off-premise sign" and "Outdoor advertising sign."

BUILDING ELEVATION. The entire side of a building, from ground level to the roofline, as viewed perpendicular to the walls on that side of the building.

CANOPY (Attached). A multisided overhead structure or architectural projection supported by attachments to a building on one or more sides and either cantilevered from such building or also supported by columns at additional points. The surface(s) and/or soffit of an attached canopy may be illuminated by means of internal or external sources of light. See also “Marquee.”

CANOPY (Free-standing). A multisided overhead structure supported by columns, but not enclosed by walls. The surface(s) and or soffit of a free-standing canopy may be illuminated by means of internal or external sources of light.

CANOPY SIGN. A sign affixed to the visible surface(s) of an attached or free-standing canopy.

CHANGEABLE SIGN. A sign with the capability of content change by means of manual or remote input, including signs which are:

Electrically activated. Changeable sign whose message copy or content can be changed by means of remote electrically energized on-off switching combinations of alphabetic or pictographic components arranged on a display surface. Illumination may be integral to the components, such as characterized by lamps or other light-emitting devices; or it may be from an external light source designed to reflect off the changeable component display. See also “Electronic message sign or center.”

Manually activated. Changeable sign whose message copy or content can be changed manually.

COMBINATION SIGN. A sign that is supported partly by a pole and partly by a building structure.

COPY. Those letters, numerals, figures, symbols, logos and graphic elements comprising the content or message of a sign, excluding numerals identifying a street address only.

DILAPIDATION. When a sign is allowed to fall into a state of disrepair, decay or ruin and the cost to repair exceeds fifty percent of the fair market cost, including labor and materials, for the erection of similar sign not needing repairs.

DIRECTIONAL SIGN. Any sign that is designed and erected for the purpose of providing direction and/or orientation for pedestrian or vehicular traffic.

DISPLAY SURFACE AREA. The display surface area shall mean and include the entire area of a single continuous perimeter enclosing figure of similar character, together with any material or color forming an integral part of the display or used to differentiate such sign from the background against which it is placed. In any event, the supports, uprights or decorative base shall not be included in determining the display surface area of a sign.

DOUBLE-FACED SIGN. A sign with two faces, back to back.

ELECTRIC SIGN. Any sign activated or illuminated by means of electrical energy.

ELECTRONIC MESSAGE SIGN OR CENTER. Any sign that displays still images, scrolling images or moving images, including video and animation, utilizing a series or grid of lights that may be changed through electronic means, including cathode ray, light emitting diode (LED) display, plasma screen, liquid crystal display (LCD), fiber optic or other electronic media or technology.

EXTERIOR SIGN. Any sign placed outside a building.

FASCIA SIGN. See “Wall or fascia sign.”

FLAG SIGNS. A ground sign made of flexible material of distinctive color and designed to attract attention, used as a symbol, standard, emblem or advertising message, permanent in nature, which is hoisted on a flag pole, excluding American, state, city or county flags.

FLASHING SIGN. A sign, the illumination of which is intermittently on and off, so as to flash, blink, chase or to reflect light, such as metallic or Mylar-type fluttering materials.

FREE-STANDING SIGN. A sign principally supported by a structure affixed to the ground, and not supported by a building, including signs supported by one or more columns, poles or braces placed in or upon the ground.(Not to include Portable Signs)

FRONTAGE (Building). The length of an exterior building wall or structure of a single premise orientated to the public way that it faces.

FRONTAGE (Property). The length of the property line(s) of any single premise along either a public way or other properties on which it borders.

GOVERNMENTAL SIGN. A sign erected and maintained by the federal, state, or local government or agency thereof for a governmental purpose. For the purpose of this chapter a "traffic control sign" is a sign for the purpose of regulating, warning, or guiding traffic. No governmental sign or traffic control sign shall bear any advertising or commercial message.

GROUND LEVEL. The first floor above ground. The ground level floor in a building that has two (2) or more floors, excluding the basement, extends to the floor of the next or second floor above ground level. The ground level floor in building with only one (1) story, excluding the basement, extends to the lowest point of the roof on the side to which the sign is attached. When a building is located on a sloping lot and ground level street frontage on two or more streets, then the building may have two (2) level floors, but the ground level floor shall be determined for each side of the building based upon the foregoing definition of ground level.

ILLUMINATED SIGN. A sign characterized by the use of artificial light, either projecting through its surface(s) (internally illuminated); or reflecting off its surface(s) (externally illuminated).

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

INTERIOR SIGN. Any sign placed within a building, but not including "window signs" as defined by this ordinance. Interior signs, with the exception of window signs as defined, are not regulated by this chapter.

INDIRECT ILLUMINATION. A source of light which is not seen directly.

MANSARD. An inclined decorative roof-like projection that is attached to an exterior building facade.

MAINTENANCE. To keep in existing state of repair; preserve from decline; the upkeep of property.

MARQUEE. See "Canopy (attached)."

MARQUEE SIGN. See "Canopy sign."

MENU BOARD. A free-standing sign orientated to the drive-through lane for a restaurant that advertises the menu items available from the drive-through window, and which has no more than 20 percent of the total area for such a sign utilized for business identification.

MONUMENT SIGN. Any ground sign supported totally with a solid base of masonry, brick, or other material, which is of a finished or decorative-type construction.

MOVING SIGN. Signs which swing, undulate, or otherwise attract attention through the movement of parts or through the impression of movement.

NON-CONFORMING SIGN. Any sign legally constructed or erected prior to the effective date of any ordinances or amendment containing provisions with which such sign does not comply. (A sign constructed illegally in violation of any prior law, ordinance or code is not made legal by this chapter unless it conforms to all the requirements of this chapter.)

OFF-PREMISE SIGN. An off-premise sign is a sign or a portion thereof which directs attention to a business, profession, commodity, service, or entertainment which is not primarily conducted, sold, or offered upon the same lot of record. (Off-premise signs include but not limited to, billboards, and portable sign structures.)

ON-PRIMISE SIGN. An on-premise sign or portion thereof is a sign which directs attention to a business, profession, commodity, service, or entertainment which is primarily conducted, sold, or offered upon the same lot of record.

PARAPET. A vertical false front or wall extension above the roofline.

PERSONAL EXPRESSIVE SIGN. Signs placed upon private property that expresses a personal message. (i.e., Support Our Troops, Ten Commandments, Athletic Support, Academic Support, etc.) Also to include Alarm Notification Signs.

POLE SIGN. A limited use on-site sign which is used for promotional-type advertising temporarily attached to perimeter poles, private light poles, canopy poles or other similar poles, but not including flag poles.

POLITICAL SIGN. A temporary sign intended to advance a political statement, cause or candidate for office. A legally permitted outdoor advertising sign shall not be considered to be a political sign.

PORTABLE SIGN. A portable sign shall include any advertising sign or device, counterbalance sign, trailer sign, or any variation thereof, located on the ground, easily moveable, not permanently attached thereto and which is usually a two sided sign and including any single or double surface painted or poster panel type sign or any variation thereof which is temporary in nature. (Portable signs cannot be made a temporary or permanent sign simply by affixing it to the ground or other surface.)

PROJECTING SIGN. A sign other than a wall sign that is attached to or projects more than 18 inches from a building face or wall or from a structure whose primary purpose is other than the support of a sign.

REAL ESTATE SIGN. A temporary sign advertising the sale, lease or rental of the property or premises upon which it is located.

REVOLVING SIGN. A sign that revolves 360 degrees about an axis. See also "Animated sign, mechanically activated."

RIGHT-OF-WAY. A strip of land occupied or intended to be occupied by a street, crosswalk, railroad, road, electric transmission lines, oil or gas pipeline, water main, sanitary or storm sewer line, or for another special use. The usage of the term "right-of-way," for land platting purposes, shall mean that every right of way hereafter established and shown on a final plat is to be separate and distinct from the lots or parcels adjoining such right-of-way and not included within the dimensions or areas of such lots or parcels.

ROOF LINE. The top edge of a peaked roof or, in the case of an extended facade or parapet, the uppermost point of said facade or parapet.

ROOF SIGN. A sign mounted on, and supported by, the main roof portion of a building, or above the uppermost edge of a parapet wall of a building and which is wholly or partially supported by such a building. Signs mounted on mansard facades, pent eaves and architectural projections such as canopies or marquees shall not be considered to be roof signs.

SETBACK. A line located parallel to and a specified distance from the right-of-way line such distance being as specified in the applicable section of this chapter, and behind which line a sign allowed under this chapter may be constructed, erected, or otherwise maintained.

SIGN. Street graphics, including frame, letter, figure, character, make, plain, point, marquee, design, picture, illuminating device, or any device used for the illumination of such which is used or intended to be used to attract attention or convey information when the same is placed outdoors in the view of the general public or for the purpose of attracting the general public to any place, or any business, or any person, firm or corporation, or to any public performance, or to any article, machine, or merchandise of any nature whatsoever and which is displayed in any manner whatsoever.

SIGN AREA. The area of the smallest geometric figure, or the sum of the combination of regular geometric figures, which comprise the sign face. The area of any double-sided or “V” shaped sign shall be the area of the largest single face only. The area of a sphere shall be computed as the area of a circle. The area of all other multiple-sided signs shall be computed as 50 percent of the sum of the area of all faces of the sign.

SIGN COPY. Those letters, numerals, figures, symbols, logos and graphic elements comprising the content or message of a sign, exclusive of numerals identifying a street address only.

SIGN FACE. The surface upon, against or through which the sign copy is displayed or illustrated, not including structural supports, architectural features of a building or sign structure, nonstructural or decorative trim, or any areas that are separated from the background surface upon which the sign copy is displayed by a distinct delineation, such as a reveal or border.

1. In the case of panel or cabinet type signs, the sign face shall include the entire area of the sign panel, cabinet or face substrate upon which the sign copy is displayed or illustrated, but not open space between separate panels or cabinets.
2. In the case of sign structures with routed areas of sign copy, the sign face shall include the entire area of the surface that is routed, except where interrupted by a reveal, border, or a contrasting surface or color.
3. In the case of signs painted on a building, or individual letters or graphic elements affixed to a building or structure, the sign face shall comprise the sum of the geometric figures or combination of regular geometric figures drawn closest to the edge of the letters or separate graphic elements comprising the sign copy, but not the open space between separate groupings of sign copy on the same building or structure.

4. In the case of sign copy enclosed within a painted or illuminated border, or displayed on a background contrasting in color with the color of the building or structure, the sign face shall comprise the area within the contrasting background, or within the painted or illuminated border.

SIGN STRUCTURE. Any structure supporting a sign.

SNIFE SIGNS. Any sign that is affixed by any means to trees, utility poles, fences or other objects, where the sign does not qualify as an incidental sign allowed pursuant herein. (All snipe signs shall be considered illegal and immediately removed.)

TEMPORARY SIGN. A sign intended to display either commercial or noncommercial messages of a transitory or temporary nature. Portable signs or any other sign 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. (Portable signs cannot be made a temporary or permanent sign simply by affixing it to the ground or other surface.)

UNDER CANOPY SIGN OR UNDER MARQUEE SIGN. A sign attached to the underside of a canopy or marquee.

V SIGN. Signs containing two faces of approximately equal size, erected upon common or separate structures, positioned in a “V” shape with an interior angle between faces of not more than 90 degrees with the distance between the sign faces not exceeding 5 feet at their closest point.

WALL OR FASCIA SIGN. A sign that is in any manner affixed to any exterior wall of a building or structure and that projects not more than 18 inches from the building or structure wall, including signs affixed to architectural projections from a building provided the copy area of such signs remains on a parallel plane to the face of the building facade or to the face or faces of the architectural projection to which it is affixed.

WINDOW SIGN. A sign affixed to the surface of a window with its message intended to be visible to and readable from the public way or from adjacent property.

"Size." Refers to display surface area.

C. ADMINISTRATION AND ENFORCEMENT

1. Authority of Building Official. The Building Official is hereby designated as the enforcement officer for this section.
2. Authority for Building Official to remove signs from public property. Signs that are placed in the public right-of-way shall be immediately removed by the Building Official. The owner will be notified by the Building Official of the removal of the sign(s) from the right-of-way. If the sign is not claimed within ten (10) days, the city may consider it abandoned and discard same.

D. SIGN PERMITS AND FEES

1. Permit and fee required. It shall be unlawful for any person, corporation or association to erect, repair, alter, relocate, or keep within the city any sign or other advertising structure, as defined in this chapter, on a lot of record without first obtaining a sign permit from the Building Official and paying the permit fee required by this section.

2. Signs exempt from sign permit or permit fees requirements:

- a. National, state, city, county flags;
- b. Address signs (street number);
- c. Portable real estate not to exceed 6 sq. ft. and auction signage not to exceed 16 sq. ft.
- d. Government regulatory and directional signage;
- e. Holiday decorations installed by the City of Tullahoma or T.U.B.
- f. Name and/or address plaques;
- g. Scoreboard and ball field fence signs located inside athletic fields owned by government entity;
- h. Signs using glazing (glass) surfaces of buildings except means of egress (i.e. exit doors and openings) that will not be obstructed with advertising;
- i. Vehicle signs, except as prohibited in this code;
- j. Election campaign signs placed upon private property;
- k. Historical markers.
- l. Personal expressive signs located on private property, not to exceed 4 square feet.

3. Application for sign permit. An application for a sign permit shall be made upon forms provided by the Building Official and shall include the following information:

- a. Site plan indicating the location of building(s), site improvements including parking and landscaping areas, utility service lines, and signage.
- b. For signs attached to a building or structure a dimensional sketch showing the position of the sign in relation to the building or structure to which it will be attached. The linear footage of the building frontage and signs in existence at the time of application shall be included. Mansard roof signs shall submit plans to show compliance with the applicable provisions of the adopted *International Building Code*, as amended.
- c. For permanent ground signs the owner or contractor will provide a two dimensional plan showing the height, shape, display surface area, foundation and structural plans, and a detailed site plan containing the features itemized above in 3.a.
- d. If the sign is served with electrical power, the owner or contractor shall obtain an electrical inspection permit(s) for inspections and provide detailed plans to determine compliance with applicable electric codes.

4. Permit fees:

(1) The fee for all signs not exempt from the fee shall be twenty dollars (\$20.00) plus one dollar (\$1.00) per square foot of surface area display; except for portable temporary signs, the fee shall be a flat rate of thirty dollars (\$30.00).

(2) For the relocation or moving of any sign or sign structure, the fee shall be thirty dollars (\$30.00), except that no fee shall be required if such move is being made in order to comply with this chapter where prior to such move the sign was legally nonconforming. To relocate on a different lot of record the other provisions of this section shall apply.

(3) For the demolition of any permanent sign or sign structure, the fee shall be thirty dollars (\$30.00), except that no fee shall be required if such demolition is being made in order to remove a legal nonconforming permanent sign.

5. Location to be marked. Before any sign permit can be issued, the proposed location shall be marked by the owner or contractor. The location should be marked using stakes readily detectable for visual inspection by Building Official or his designee.

6. Installation. All signs must be installed in compliance with the applicable provisions of the *International Building Code*, and other applicable construction standards.

7. Inspections -- Permanent signs.

a. Upon issuance of the sign permit, the Building Official will require a footing inspection. It is the responsibility of the contractor to call the Building Official and request a footing inspection. Construction shall not proceed until the inspection is made and approved by the Building Official.

b. A final inspection shall be required by the Building Official upon installation of the proposed sign. It is the responsibility of the contractor to call the Building Official and request a final inspection for the sign and electrical inspection.

c. It is the responsibility of the owner or contractor to notify the Building Official when a required inspection is needed. Construction shall not proceed until the Building Official authorizes construction to proceed.

8. Inspections--non-permanent (temporary/portable) signs requiring electrical connection.

a. Upon issuance of electrical permit by the City of Tullahoma, an electrical inspection will be scheduled with the State of Tennessee electrical inspection. An inspection of the electrical connection will be performed to insure the electrical connection complies with applicable provisions of the National Electrical Code, latest edition.

b. The property owner shall take appropriate action to insure all wiring and electrical connections are maintained in compliance with applicable provisions.

9. Computation of sign area, height and power line setbacks.

a. Sign area. Sign area shall be calculated by the total sign display area.

b. Height measurement. Sign height shall be measured from the ground at the center of the sign or the adjacent street elevation (whichever is greater) to the highest point of the highest element of the sign, excluding any incidental structural element.

c. Clearance from electrical power lines. The closest part of a sign shall not be any closer than eight (8) feet horizontally from a vertical line above and below the nearest primary conductor(s). The closest part of a sign shall not be any closer than eight (8) feet horizontally from a conductor not attached to the sign.

10. Failure to obtain permit.

Failure to obtain a permit prior to beginning construction shall automatically result in a penalty of double the permit fee. Failure to obtain an inspection shall automatically result in a penalty of double the permit fee. No additional permits will be issued to an applicant who has any outstanding penalties.

E. PROHIBITED SIGNS

1. Prohibitions and restrictions pertaining to signs, fixtures and supporting features. It shall be unlawful for any person to erect or maintain a sign which is prohibited as follows:

a. A sign which copies or imitates or in any way approximates an official highway sign or carries the words "STOP" or "DANGER"; or any sign which obscures a sign displayed by public authority for the purpose of giving traffic instruction or direction or other public information. Signs which imitate traffic-control devices. Signs which imitate, interfere with, obstruct the view of, or can be confused with any authorized traffic-control sign, signal or other similar device.

b. A sign or illumination that causes any direct glare into a building or other structure than the building to which the sign may be accessory.

c. Flashing and lighted signs, except as used as holiday decorations in a residential zone. Flashing and lighted signs which are visible at any public street or sidewalk in all commercial and historic zoning districts are permitted as follows:

1) Any sign powered with electricity shall have all wiring and electrical connections comply with applicable provisions of Article 600 of the National Electric Code.

2) All bulbs must be present and lit.

3) Bulbs and side panels must be properly safeguarded to prevent the inadvertent electrocution of anyone such as a small child, who could place a finger in the socket in the event of a missing bulb.

4) Bulbs will be white to prevent possible confusion with emergency vehicle lights.

5) Electrical cords crossing pavement or driveway must be protected from damage. Methods include a Cable/Hose Protection System as attached example, or underground cable, etc. Electronic message center signs are permitted.

d. Signs attached to a roof structure that extends above the highest point of the roof, except inflatable signs.

e. Signs which are attached or otherwise affixed to trees or other living vegetation.

f. Signage attached to utility poles, structures or other public places.

g. A sign placed in a right-of-way, except as required by appropriate federal, state, city, or county governmental authorities.

Exception: A temporary sign placed by an on-site resident in a residentially zoned area, may be placed in the right-of-way that they maintain. However, said sign shall not obstruct drainage or impair the use of the right-of-way for public purposes.

- h. Signs incorporating any noise making device.
- i. Temporary signs which violate the temporary sign section.
- j. No sign shall be erected, constructed or maintained so as to interfere with any existing warning or instructional sign.
- k. No electrical light or fixture shall be attached in any manner to any sign unless it is installed in accordance with Article 600 of the National Electrical Code, as amended.
- l. No sign of any type or any foundation or vertical support thereof shall be placed in or over any dedicated street, highway, sidewalk, or in any utility drainage easement except as excluded.
- m. No advertising signs shall be allowed on trash receptacles.
- n. No attached sign shall extend more than eighteen (18) inches beyond the surface to which it is attached, except approved marquee signage.
- o. The placing of banners across the street is prohibited, except those locations authorized by the City of Tullahoma in cooperation with Tullahoma Utility Board.
- p. Signs which are not expressly permitted by this chapter.

2. Obstructions. No signs, nor any means of supporting or staying such signs, shall be placed or constructed so as to obstruct or interfere with any door, window, fire escape or other means of egress, light or ventilation. No sign shall be located in such a position that the same obscures the view of pedestrian or vehicular traffic in such a manner as to endanger the safe movement thereof.

3. Terminated activity. Signs which advertise a terminated activity, business, products or service no longer produced or conducted on the premises upon which the sign is located are prohibited; provided, however, that where premises are temporarily vacant, such sign face may remain in place for not more than sixty (60) days from the date the vacancy began, or properly maintained.

4. Unlawful cutting of trees and shrubs. No person may, for the purpose of increasing or enhancing the visibility of any sign, damage, trim, destroy or remove any trees, shrubs or other vegetation located within the right-of-way of any public street or road, unless the work is done pursuant to the express written authorization of the city or state, whichever is appropriate.

F. NON-PERMANENT (Temporary/Portable) SIGNS

Temporary signs shall be in accordance with the following sections;

1. Real estate signs.

Real estate signs shall be permitted in all zoning districts, subject to the following limitations:

- a. Real estate signs located on a single residential lot shall be limited to one sign, not greater than 4 feet in height and 6 square feet in area.

- b. Real estate signs advertising the sale of lots located within a subdivision shall be limited to one sign per entrance to the subdivision, and each sign shall be no greater than 32 square feet in area nor 8 feet in height. All signs permitted under this section shall be removed within 10 days after sale of the last original lot.
- c. Real estate signs advertising the sale or lease of space within commercial or industrial buildings shall be no greater than 32 square feet in area nor 8 feet in height, and shall be limited to one sign per street front.
- d. Real estate signs advertising the sale or lease of vacant commercial or industrial land shall be limited to one sign per street front, and each sign shall be no greater than 8 feet in height, and 32 square feet for property of 10 acres or less, or 100 square feet for property exceeding 10 acres.
- e. Real estate signs shall be removed not later than 10 days after execution of a lease agreement in the event of a lease, or the closing of the sale in the event of a purchase.
- f. To be placed only on the property for sale or lease. No signs allowed in right-of-ways or off-site signs.

Exception: Open Houses Only: A maximum of four (4) directional signs not more than four (4) square feet in area are allowed between the hours of 8:00am Friday until 8:00pm Sunday.

2. Auction signs.

Auction signs shall be permitted in all zoning districts, subject to the following limitations:

- a. Auction signs located on a single lot shall be limited to one sign, not greater than 16 square feet in area.
- b. A maximum of 4 directional signs not to exceed 16 sq. ft. each advertising the auction may be placed on Private Property with permission of the property owner, or in the Public Right-of-Way with approval of the Planning Department of the City of Tullahoma
- c. No sign shall be placed advertising the sale of any real, or personal property not located within the Planning Area of the City of Tullahoma.

Exception: Signs may be placed advertising sales outside the City of Tullahoma's Planning Area by Real Estate and Auction Companies that have a physical, licensed, active office located within the city limits of Tullahoma.

- d. No sign shall be placed advertising an auction more than (fourteen) 14 days prior to the auction and must be removed no more than three (3) days after the conclusion of the auction.
- e. No riders, banners, lights, flags or other items may be added to any sign other than a SOLD banner may be placed on the sign after the sale. (*Maximum of three (3) days.*)
- f. All Off-Premises Auction Signs must be logged as installed by the Planning Department of the City of Tullahoma, or they will be immediately removed by the Enforcing Officer.

3. Development and construction signs.

Signs temporarily erected during construction to inform the public of the developer, contractors, architects, engineers, the nature of the project or anticipated completion dates, shall be permitted in all zoning districts, subject to the following limitations:

- a. Such signs on a single residential lot shall be limited to one sign, not greater than 4 feet in height and 6 square feet in area.
- b. Such signs for a residential subdivision or multiple residential lots shall be limited to one sign, at each entrance to the subdivision or on one of the lots to be built upon, and shall be no greater than 8 feet in height and 32 square feet in area.
- c. Such signs for nonresidential uses in residential districts shall be limited to one sign, and shall be no greater than 8 feet in height and 32 square feet in area.
- d. Such signs for commercial or industrial projects shall be limited to one sign per street front, not to exceed 8 feet in height and 16 square feet for projects on parcels 5 acres or less in size, and not to exceed 8 feet in height and 32 square feet for projects on parcels larger than 5 acres.
- e. Development and construction signs may not be displayed until after the issuance of construction permits by the Building Official, and must be removed not later than 24 hours following issuance of an occupancy permit for any of all portions or the project.

4. Special promotion, event and grand opening signs.

Signs temporarily displayed to advertise special promotions, events and grand openings shall be permitted for nonresidential uses in a residential district, and for all commercial and industrial districts subject to the following limitations:

- a. Such signs shall be limited to one sign per street front.
- b. Such signs may be displayed for not more than 30 consecutive days in any 3-month period, and not more than 60 days in any calendar year. The signs shall be erected no more than 10 days prior to the event or grand opening, and shall be removed not more than 3 days after the event or grand opening.
- c. The total area of all such signs shall not exceed 50 square feet in any single-family residential district, 50 square feet in any multiple-family residential district and 100 square feet in any commercial or industrial district.

5. Special event signs in public ways.

Signs advertising a special community event shall not be prohibited in or over public rights-of-way, subject to approval by the Board of Mayor and Aldermen as to the size, location and method of erection. The Board of Mayor and Aldermen may not approve any special event signage that would impair the safety and convenience of use of public rights-of-way, or obstruct traffic visibility.

6. Portable signs.

Portable signs shall be permitted only in the Commercial and Industrial Districts, as designated in the zoning ordinance, subject to the following limitations:

- a. No more than one such sign may be displayed on any property, and shall not exceed a height of 8 feet nor an area of 100 square feet.

- b. Such signs shall be displayed not more than 30 days in any calendar year.
- c. Any electrical portable signs shall comply with the NEC Electrical Code, as adopted in this jurisdiction.
- d. No portable sign shall be displayed prior to obtaining a sign permit.

7. Political signs.

Political signs shall be permitted in all zoning districts, subject to the following limitations:

- a. Such signs shall not exceed a height of 6 feet nor an area of 32 square feet.
- b. Such signs for election candidates or ballot propositions shall be displayed only for a period of 60 days preceding the first day voting is allowed and shall be removed within 10 days after the election, provided that signs promoting successful candidates or ballot propositions in a primary election may remain displayed until not more than 10 days after the general election.
- c. Such signs shall not be placed in any public right-of-way or obstruct traffic visibility.

Exception: A temporary sign placed by an on-site resident in a residentially zoned area, may be placed in the right-of-way that they maintain. However, said sign shall not obstruct drainage or impair the use of the right-of-way for public purposes.

- d. Political Signs during the period listed in Section “b” above are exempt from fines during this period.

8. Yard Sale Signs.

Yard sale signs shall be permitted in all zoning districts, subject to the following limitations:

- a. Such signs shall not exceed a height of 4 feet or an area of 4 square feet.
- b. A maximum of two (2) directional signs, not exceed a height of 4 feet or an area of 4 square feet, are allowed to be placed in the right-of-way, with the permission of the property owner who occupies the property behind the ROW, between the hours of 7:00am Friday and must be removed no later than 8:00 pm on Sunday of the same week.

G. ON-PREMISE PERMANENT SIGN REQUIREMENTS

1. Number and signable area of signs. Except as authorized by this section, it shall be unlawful to have more than one (1) monumental sign on a lot of record. If the lot of record is bordered by two (2) public streets that do not intersect at the boundaries of the lot (in other words, the lot has multiple frontage), then the person shall have no more than one

(1) Monument sign on each side of the development bordered by such streets. When the number of signs listed is greater than one, the size set forth shall be for each sign unless otherwise indicated.

2. Spacing. There shall be fifty (50) feet minimum spacing between signs on adjacent lots of record for ground signs.

3. All permanent signs shall be set back at least five feet from the street right-of-way, unless otherwise specified by this article. No permanent sign shall be located within a public utility or drainage easement, without written approval from the affected agencies. Temporary signs shall be located at least ten feet from the back of the street curb, edge of pavement or stabilized shoulder, unless a greater distance is required to remove such sign from the street right-of-way or sight distance triangle. No temporary signs shall be permitted within any median which is within a public right-of-way.

4. Permitted signs. On-premise signs shall be permitted in Commercial and Industrial districts as to size, at 3 square feet per 1 foot of building frontage or as approved upon an approved Site Plan by the Planning Commission. All signs posted in all other districts must be approved by the Planning Commission, this ordinance or on appeal of this ordinance by the Board of Zoning Appeals.

H. OFF-PREMISE PERMANENT SIGN REQUIREMENTS

No Permanent Off-Premise signs are allowed in any zoning district of the City of Tullahoma except as follows:

1. Billboards will be permitted only on numbered State Highways in C-2, General Commercial and I-1, Restricted Manufacturing and Warehousing Districts.
2. Billboards will be spaced at a distance of 2000 feet from any existing billboard structure.

I. SIGN MAINTENANCE

1. Scope - All portions of new and existing signs shall be maintained in such manner that structural strength, stability, sanitation, and safety to life and property from fire and other hazards are provided for public safety, health and general welfare.
2. Structure - The sign structural system shall be maintained structurally sound with no evidence of deterioration, and capable of supporting the wind load which is assigned by the building code.
3. Premises - All area around signage must be maintained in accordance with city standards.

J. NON-CONFORMING SIGNS AND OTHER PROVISIONS

Any sign lawfully existing at the time of the enactment of this ordinance but which is not permitted either by type of sign, location, or district or which fails to meet the standards on regulations shall be classified as either nonconforming or non-complying as per definitions. Nonconforming signs shall be classified as "grand-fathered" signs, and shall be removed only when the Enforcing Officer utilizing certain appropriate sections of the International Building Code, the City Code of Tullahoma, and/or various provisions of this ordinance deem such signs as being dilapidated and constituting a definite health hazard to the public, however, that any advertising sign located within 660 feet of a federal highway as defined by the Federal Highway Beautification Act and oriented to that highway shall not be removed until compensation can be made to the extent required by law.

K. REMOVAL OF NON-CONFORMING SIGNS SIGNAGE BY BUILDING OFFICIAL

Nonconforming, snipe, hand tacked signs, and signs in a public right-of-way shall be removed immediately. Nonconforming flashing or animated signs shall be caused to stop flashing or animation immediately.

L. PENALTIES FOR VIOLATIONS OF THE PROVISIONS OF THIS ORDINANCE

The failure to do anything required by this ordinance and the doing of anything prohibited by this ordinance are hereby declared to be unlawful and subject to the general penalties provisions found in the Code of Ordinances for the City of Tullahoma, and the State Of Tennessee.

M. APPEALS

A person shall have the right to appeal a decision of the code official to the board of appeals. An application for appeal shall be based on a claim that the true intent of this code or the rules legally adopted thereunder, have been incorrectly interpreted, the provisions of this code do not fully apply, or an equally good or better form of construction is proposed. The application shall be filed on a form obtained from the code official within 20 days after the notice was served.