

# Sign Ordinance



of the City of Calera, Alabama

Adopted by the City Council  
of the City of Calera, Alabama on

November 1, 2010  
Updated August 2016



## Article 1 IN GENERAL

### §1.1. Intent and Purpose

It is the purpose of this chapter to promote the public health, safety and welfare of the residents of the City of Calera ("City") and to avoid congestion on public streets so that signs do not become a hazard or a nuisance, and, therefore, to establish regulations for the control of all signs designed or intended to be seen by, or attract the attention of, the public.

Further, it is the intent of this chapter:

- 1.1.1. To allow expression of commercial and non-commercial speech in a reasonable manner consistent with the rights of others;
- 1.1.2. To provide a pleasing overall environmental setting and good community appearance deemed vital to the continued economic attractiveness of the City;
- 1.1.3. To enhance a productive, enterprising, responsible community atmosphere through the use of effective visual communication; and
- 1.1.4. To protect and enhance the value of properties, and, therefore, to have signs appropriate to the planned character and development of each area of the City.
- 1.1.5. To allow substitution of non-commercial messages for commercial messages on any lawful sign.

### §1.2. Compliance with Chapter Provisions

No sign shall be erected, displayed, maintained, or altered in the City unless it is in compliance with this chapter.

- 1.2.1. Permit required. It shall be unlawful for any person to erect, display, materially alter, or relocate any sign unless such sign is in compliance with this chapter, and a permit for such sign, unless specifically exempted, has been issued by the Building Inspector, and the permit fee required by this chapter has been paid.
- 1.2.2. Signs displaying commercial messages. Signs requiring a sign permit and displaying commercial messages shall be permitted only as accessory to buildings actively engaged in permitted business or institutional activities, or in permitted activities as evidenced by a valid business license issued by the City.
- 1.2.3. Permit review required. It shall be unlawful for the Building Inspector to issue a sign permit until satisfactory completion of the permit review process as required under this chapter.
- 1.2.4. Maintenance. The owner of any sign shall maintain same, together with all sign supports, braces,

anchors, and messages, in good repair, in a safe manner, and in a permitted location, all in accordance with this chapter.

- 1.2.5. Required signs. The street address of each premises shall be displayed in a legible manner in a location visible from the public right-of-way.

### §1.3. Definitions

- 1.3.1. Interpretations. With respect to words used in this chapter, words used or defined in one tense shall include other tenses and derivative forms. Words used in the singular number shall include the plural, and words used in the plural number shall include the singular.
- 1.3.2. Definitions. The following definitions shall apply to the regulation and control of signs within this chapter:
  1. *Attached sign*. An awning, door, façade, projecting, roof, suspended or window sign.
  2. *Awning sign*. Sign that is painted on, applied to, or otherwise is a part of a fabric or other non-structural awning.
  3. *Authorized agent*. An individual duly authorized by the owner of a premises or development site to apply for a sign permit, approval of a master sign plan or other form of official action by the City with regard to any sign on the property. An authorized agent, if not an attorney, shall have written authorization from all owners of the premises. Only an individual may be an authorized agent.
  4. *Banner*. A temporary sign made of cloth, canvas, plastic sheeting or any other flexible material. Banners may include pennants and inflatable displays but do not include flags.
  5. *Banner, special event*. A banner primarily and principally announcing or promoting special, civic, public or community events.
  6. *Building*. A structure having a roof supported by columns or walls.
  7. *Bulletin board*. Sign consisting of manually changeable copy boards or panels for the posting of notices.
  8. *Changeable electronic message sign*. A sign that is activated electronically or by other means, whose message, content, or display may be changed by means of electronic, computerized programming.
  9. *City Code*. The Code of the City of Calera, Alabama.

10. *Commercial message.* Any wording, logo, or other representation that, directly or indirectly, names, advertises, or calls attention to an institution, business, product, or service.
11. *Daytime.* The day light hours between thirty (30) minutes after sunrise and thirty (30) minutes after sunset.
12. *Development site.* One (1) or more parcels of land unified under a single development plan, which constitutes the entire development shown on a site plan or subdivision plat, including all land needed for landscaping, drainage facilities, parking, internal access roads, driveways, or other physical design features needed to serve the proposed development.
13. *Directional sign.* Sign, other than an official sign, not displaying any commercial message, designed and erected solely for the purpose of traffic or pedestrian direction.
14. *Display area, aggregate.* The total display area of all residential signs or general business signs permitted on a lot, premises, or development site.
15. *Display area, awning.* The display area of the sign projected horizontally to a vertical plane.
16. *Display area, generally.* The area that can be enclosed or measured by the smallest rectangle that will encompass the entire sign face; excluding frame, posts, uprights, braces or other structural members that support it, which contain no message(s).
17. *Display area, multiple-face sign.* Where a sign has multiple faces and only one face may be viewed from a single location on a public right-of-way, the largest of these faces shall be considered its display area. Where a sign has two (2) or more faces that may be viewed from a single location, the sum of all such faces shall be considered its display area.
18. *Door sign.* Sign attached to, painted on, or etched into a door. A sign in a window that is part of a door is a door sign rather than a window sign.
19. *Facade.* The front, side or rear wall of a building below the eaves or top of parapet wall.
20. *Façade, primary.* That façade, which faces a street, or which contains the primary public entrance to the building.
21. *Facade sign.* Sign attached to, or painted directly upon, a facade.
22. *Flag.* Any fabric or bunting containing distinctive colors, patterns or symbols that is used as a symbol of a governmental, commercial or non-commercial entity and intended for permanent display.
23. *General business sign.* Sign containing a commercial message related directly to the premises and its owner, occupant, manager, business, institution, or building; the address; the type of business, profession, services, or activity conducted on the premises; and descriptive information about the products and services offered thereon.
24. *Ground sign.* Sign supported by uprights, posts, or bases affixed in or upon the ground and not attached to any part of a building.
25. *Hazard sign.* Sign warning of construction, excavation, or similar hazards, and of such size and placement that is in accord with the provisions of the Manual on Uniform Traffic Control Devices for Streets and Highways, 1988 edition; published by the U.S. Department of Transportation, Federal Highway Administration.
26. *Identification marker.* Sign marking an entrance to, and including the name and/or address of, a residential subdivision, integrated business center or institutional use, and containing no other content.
27. *Incidental sign.* Sign, other than an official sign, providing information or direction for the convenience and necessity of the public.
28. *Integrated business center.* A group of commercial establishments on one (1) or more contiguous parcels of land having shared access and/or off-street customer parking.
29. *Internal sign.* Sign not intended to be viewed from, and placed so as not to be visible from, a public right-of-way.
30. *Nameplate.* A non-illuminated sign identifying only the name, occupation, or profession of the occupant of the premises upon which the sign is located.
31. *Nighttime.* The evening hours between 30 minutes after sunset and 30 minutes after sunrise.
32. *Nit.* A unit of visible-light intensity, commonly used to specify the brightness of an electronic sign display. One nit is equivalent to one candela per square meter.
33. *Non-commercial message.* Any wording or other display, including the offer for sale or rent of the premises upon which the message is displayed, other than a commercial message.

34. *Official sign.* Any official federal, state, or local government traffic, directional, or informational sign placed by a duly authorized public official, or notice issued by any court, person, or officer in performance of a public duty; an official historical marker; any sign erected by a federal, state, or local government agency for identification purposes at any office, institutional, recreational, or other publicly owned or leased site.
35. *Off-premises sign.* A ground sign used to advertise goods, services, or business activities not on the premises on which the sign is located.
36. *Permit Review Committee or Committee.* The sign permit review committee established under this chapter.
37. *Premises.* Land and building or part of a building having a separate street address.
38. *Product sign.* Sign that is an integral part of a licensed or otherwise authorized vending machine, gasoline pump, or similar apparatus that directs attention only to products or services dispensed therefrom.
39. *Projecting sign.* Sign placed above the ground, permanently affixed at more or less a right angle to the exterior facade of the building to which it is attached.
40. *Residential sign.* Sign of, for or pertaining to a residence, containing no commercial message(s).
41. *Roof sign.* Sign mounted on a roof, above the eaves or above the top of a parapet wall of a building, but not extending above the highest point of its supporting roof or of another architectural element that serves to block a rear view of the sign.
42. *Sandwich board.* Sign, having two (2) faces angled toward one another vertically and attached to one another at the top to form a structural "A" frame, placed upon the ground and not otherwise supported by uprights, posts, or bases.
43. *Sign.* A lettered, numbered, symbolic, pictorial, or illuminated visual display that is designed to identify, announce, direct, or inform.
44. *Sign face.* The area of the smallest rectangle within which all letters, logos, symbols, or other elements displayed on the sign can be enclosed.
45. *Sign height.* The vertical distance of a ground sign measured from the lowest finished grade elevation directly beneath the center of the sign to the highest elevation of the sign.

46. *Structure.* Anything built or constructed that requires a permanent location.
47. *Suspended sign.* Sign attached to, and supported by, the underside of a structure.
48. *Temporary sign.* Commercial message sign, other than a sandwich board, not permanently and rigidly affixed to the ground or to a building.
49. *Utility sign.* Sign showing the location of a public telephone, or sign placed by a regulated public utility to indicate location of its facilities, and including no commercial message.
50. *Window sign.* Sign painted onto the inside or outside of a window, or sign attached to the outside of, or displayed in front of, a window.

#### **§1.4. Conflict**

Whenever this chapter may require or impose more restrictive standards than are required in or under any statute or other ordinance, the provisions of this chapter shall govern. Whenever the provisions of any statute or other ordinance require more restrictive standards than are required by this chapter, provisions of such statute or ordinance shall govern. This chapter shall not lower the restrictions imposed by plats, deeds, or private contracts, if they are more restrictive than the provisions of this chapter.

#### **§1.5. General Regulations**

- 1.5.1. **Building code.** All signs must comply with the City's building code, and all other applicable codes and ordinances of the City, as such codes and ordinances are in effect from time to time.
- 1.5.2. **Electrical code.** Any sign that may require electrical wiring or connections shall comply with the City's electrical code, and shall be submitted to the electrical inspector for an appropriate permit. The electrical inspector shall examine the plans and specification respecting all wiring and connections to determine if such wiring, etc. complies with the electrical code, and shall issue such permit only if the plans and specifications for such sign comply with such codes. All electrical devices used in signs must be inspected by Underwriters Laboratories (i.e., "UL Listed").
- 1.5.3. **Height.** No sign shall exceed the height limit for buildings established in the City Zoning Ordinance for the applicable district.
- 1.5.4. **Obstruction to passage.**
  1. No sign shall be erected, displayed, or maintained so as to obstruct or interfere with any fire escape, any required exit way, window, door opening or

any other means of egress, or of any opening required for ventilation required by the Building Code and all other provisions of the City Code.

2. A minimum clear height of eight (8) ft shall be maintained between the surface of any sidewalk or similar pedestrian passage and any portion of a sign, other than a façade sign, that projects into or above the pedestrian passage.
  3. A minimum clearance, both horizontal and vertical, of ten (10) ft shall be maintained between any driving surface or parking space and any portion of a sign that projects into or above such space.
- 1.5.5. Signs in public rights-of-way.
1. No sign, other than an official sign, shall be placed in a public right-of-way, or shall project into a public right-of-way, or shall be attached to private property placed in a public right-of-way, except as expressly provided in Paragraph 2 below. Any sign so placed or located except in conformance with this chapter shall be forfeited to the public and subject to confiscation and disposal. In addition to other remedies, the City shall have the right to recover from the owner of such sign or the person placing such sign the full costs of removal and disposal of such sign.
  2. Façade signs, suspended signs, awning signs and projecting signs may extend into a public right-of-way only upon special approval by the Building Inspector and only when the building, with which the sign is associated, has been or may be built up to the front lot line pursuant to the City Zoning Ordinance. However, no sign shall extend closer than two (2) ft horizontal from the curb line of any public street.
- 1.5.6. Illumination, lighting, and glare. Signs may be illuminated, unless expressly prohibited in the district in which the sign is located, through the use of direct or indirect illumination, backlighting, internal illumination, or tube illumination. Any device that illuminates a sign shall be placed and shielded so that the direct light therefrom, or from the sign itself, shall not cause direct glare into the windows of any adjacent property or be cast into the eyes of any passing motorist.
- 1.5.7. Motion. Any sign or device designed to attract attention of the public through physical motion of any kind, including those which may be set in motion by wind, shall only be permitted upon a finding of the Building Inspector that the sign will not create a hazard by virtue of motorist distraction or its

manner of construction or attachment to the premises.

#### **§1.6. Prohibited and Illegal Signs**

In addition to any sign not specifically permitted by these regulations, the following are specifically prohibited in the City:

- 1.6.1. Any sign visible from a public right-of-way that simulates or imitates in color, lettering, content, or design any traffic sign or signal, or that makes use of words, symbols, or characters in a manner which is likely to interfere with, mislead, or confuse pedestrians or motorists, or otherwise presents or implies the need or requirement of stopping, caution, the existence of danger, or which for any reason could be confused with any sign displayed or authorized by public authority.
- 1.6.2. Any sign, other than changeable electronic message signs, containing or consisting of any animated, blinking, flashing, intermittent, or fluctuating lights, liquid crystal display (LCD), plasma, video, or similar displays, or other illuminating devices that have a changing light intensity, brightness, or color.
- 1.6.3. Any sign at any street intersection that would obstruct free and clear vision of motorists, or that would obstruct or interfere with a motorist's view of any authorized traffic signal or sign.
- 1.6.4. Any sign painted on, or attached to, a utility pole or similar structure, or painted on or attached to a tree, rock or other natural feature.
- 1.6.5. Any sign erected, painted, enlarged, or structurally altered in violation of any provision of this chapter.
- 1.6.6. Any sign determined by the Building Inspector to be dangerous because it is not securely affixed to the ground, or otherwise affixed in a safe, secure, and permanent manner to a building or other approved, permanent supporting structure.
- 1.6.7. Any sign or sign support system that has deteriorated or been damaged to such extent that the cost of reconstruction or restoration is deemed by the Building Inspector to be in excess of fifty (50) percent of its depreciated value, exclusive of foundations.
- 1.6.8. Any sign identifying a business or other use no longer occupying the premises upon which it is displayed.
- 1.6.9. Any sign whose content is determined to be obscene, incites violence or is otherwise without protection of the First Amendment of the United States Constitution.

### §1.7. Regulations for Temporary Signs

1.7.1. It shall be unlawful to erect, display or permit the display of, or maintain any temporary sign unless such sign is expressly permitted by this chapter, subject to all of the limitations and provisions stated herein. Should a temporary sign exceed the permitted display area, it shall be considered a general business sign and shall be subject to every requirement of this chapter governing such signs. Permitted temporary signs are limited to the following types and conditions:

1. Hazard sign. Shall be removed immediately when the hazard no longer exists.
2. Temporary window sign. Only as applied to the inside of the window for sales or other special events.
3. Banners. Banners shall be securely attached to a structure or the ground. The maximum display area shall be no greater than that permitted on the premises for facade signs, if attached to the building, or for ground signs, in all other cases. Banners shall not be internally illuminated or backlit. For safety reasons, banners shall not be located in the public right-of-way, nor may they be allowed to cause unreasonable annoyance or inconvenience to users of neighboring premises.
  - a. Banners for new businesses. Each new business may display one (1) temporary banner per street frontage for a period of not more than sixty (60) days.
  - b. Special Event Banner. Established businesses and institutions may be permitted to display special event banners for no more than twenty-one (21) days per calendar year; time extensions may be approved by the City Council ("Council"). Banner days may be permitted consecutively or intermittently throughout the year.

A special event banner permit must be obtained from the City prior to installation. Such permits shall be free of charge. The Building Inspector shall administer banner permit application, review, and approval.
  - c. Information required for consideration of banner permit:
    - (1) Name, address, phone number of the responsible party applying for the permit
    - (2) Name of establishment or institution, and address of premises where banner is to be displayed
    - (3) Description of location where banner will be displayed

- (4) Banner dimensions and all information to be displayed on banner
- (5) Dates banner will be erected and removed

### §1.8. Regulations for Incidental Signs

It shall be unlawful to erect, display or permit the display of, or maintain any incidental sign unless such sign is expressly permitted by this chapter, subject to all of the limitations and provisions stated herein. Should an incidental sign exceed the permitted display area, it shall be considered a general business sign and shall be subject to every requirement of this chapter governing such signs. Permitted incidental signs are limited to the following types and conditions:

- 1.8.1. Directional sign. Display area not to exceed two (2) sf each, aggregate display area per development site not to exceed forty (40) sf.
- 1.8.2. Internal sign.
- 1.8.3. Nameplate. Display area not to exceed two (2) sf per premises.
- 1.8.4. Product sign.
- 1.8.5. Identification marker. A single ground sign, display area not to exceed forty-eight (48) sf and subject to all other applicable requirements of this chapter regarding ground signs, may be permitted at each entrance from a public street to an integrated business center, or to a residential subdivision of at least ten (10) lots, only as indicated on the approved subdivision plat or site plan.
- 1.8.6. Utility sign.
- 1.8.7. Sandwich board. Each business, located within the B-3 District, having a direct storefront entrance on the ground floor, and that: (1) faces and is adjacent to the back of a public sidewalk, or (2) faces and is separated from the primary parking area of an integrated business center by an adjacent sidewalk; may display, only during the opening hours of the business to which it is accessory, a maximum of one (1) sandwich board, which shall be of sturdy, A-frame construction and of a size no greater than two (2) ft in width or three (3) ft in height, placed on the sidewalk within the frontage of the business in such a manner that it shall not: (1) reduce any sidewalk width, as measured perpendicular to the curb, to less than five (5) ft to allow for continuous unobstructed pedestrian traffic; nor (2) obstruct the view of a motorist or a pedestrian leaving or passing the premises.

### §1.9. Regulations for Residential Signs

Residential Signs. It shall be unlawful to erect, display or permit the display of, or maintain any residential sign larger than six (6) sf in area, unless such sign is expressly permitted by this ordinance, pertains directly to the premises upon which it is displayed or conveys non-commercial message of the owner or occupant, subject to all of the limitations and provisions stated herein, and of aggregate display area not to exceed eighteen (18) sf per premises.

### §1.10. Regulations for General Business Signs

It shall be unlawful to erect, display or permit the display of, or maintain any general business sign unless such sign is expressly permitted by this chapter, subject to all of the limitations and provisions stated herein.

- 1.10.1. Aggregate display area. Permitted aggregate display area varies by use, building and street frontage, and zoning, but shall not be less than twenty-four (24) sf per premises other than residential premises.

Table 1: Max. Aggregate Display Area for General Business Signs	
B-1, B-2, O&I, M-1, M-2 and M-3 Districts	
Premises on and visible from US Hwy. 31 or I-65	2.5 sf per lf of primary façade up to 240 sf
Premises on and visible from State Route 25 or State Route 70	2 sf per lf of primary façade up to 160 sf
Premises on and visible from all other streets	1.5 sf per lf of primary façade up to 120 sf
B-3 District	
Attached buildings	1 sf per lf of primary façade up to 80 sf
Freestanding buildings	1 sf per lf of primary façade up to 120 sf

- 1.10.2. Conditions. The permitted aggregate display area may, subject to conformance with the master sign plan if applicable, include commercial and non-commercial speech and may be distributed among one or more of the permitted sign types in accordance with [Table 2](#). All general business signs, existing and/or proposed, shall count toward the permitted aggregate display area.

- 1.10.3. Special Approval required for Ground, Roof and Changeable Electronic Message Signs

1. Ground signs, including flags, shall be subject to approval of the Building Inspector after making at least one of the following findings:

- a. a ground sign is the most reasonable means of identification for occupants
- b. the building or building group is set back from the street to such extent that a facade sign would not be sufficient
- c. the architectural style of the building would not be appropriate for other sign types

In no case shall the sign obstruct vision of motorists or pedestrians leaving or passing the premises.

2. Roof Signs shall be subject to special approval by the Permit Review Committee after making at least one of the following findings:

- a. a roof sign is the most reasonable means of identification
- b. the building is set back from the street such that a facade sign would not be sufficient
- c. the architectural style of the building would not be appropriate for other sign types

The maximum number and display area for roof signs shall be that permitted for façade signs on the premises.

3. Changeable Electronic Message Sign shall only be permitted in B-2, B-3, M-1, M-2, and M-3 Districts, subject to approval by the Committee and the provisions of [§1.11 Regulations for Changeable Electronic Message Signs](#).

4. Flags. A flag may be substituted for a conventional ground sign, in accordance with the applicable size and height limitations in [Table 2](#), but may not be used in addition to the number of ground signs allowable on the premise.

#### 1.10.4 Changing Messages on General Business Signs

The message on a conforming, general business sign other than a Changeable Electronic Message Sign may be changed without a Sign Permit, but shall require approval of the Building Inspector in accordance with the following:

1. The existing general business sign shall not be structurally or electronically altered, enlarged or expanded.
2. The new message shall be properly secured, attached, affixed, painted or otherwise applied to and shall not exceed the existing display area.
3. The new message shall be of a design and material(s) customarily used in business signage as determined by the Building Inspector.

Table 2: Permitted General Business Sign Types and Conditions	
Awning Sign	Shall be flat against the surface of the awning Shall not be backlit
Bulletin Board	Max. no: 1 per premises Max. display area: 24 sf Max. height: 6 ft
Directory Sign	Max. no: 1 per building Shall be a ground, suspended, facade, or window sign subject to all conditions for such sign types and of Master Sign Plan, if applicable
Door Sign	Max. display area: 20% of the door area
Façade Signs	
General conditions  in B-3 District	Max. no: 1 per façade per premises; for identification of ground floor uses, tenants and activities only Shall not extend more than 12 inches beyond façade surface Max. display area on side façade: 10% of façade area Max. display area on rear façade: 20 sf Shall not extend higher than 2/3 of the distance between the top of the ground floor window and the bottom of the sill of the second floor window, if applicable. On any 1-story commercial building fronting directly on the street and attached to other buildings of similar height, proportions, and display window-area, a facade sign shall be placed only within the traditional signage area above the door and windows Max. height of letters, logos, symbols, and other elements: 16 inches
Ground Signs, See also <a href="#">§1.10.3.1</a>	
General conditions in B-3 District  fronting on and visible from US Hwy. 31 or I-65  fronting on and visible from State Route 25 or State Route 70  for business uses on other streets and all institutional uses	Max. no: 1 per building Max. display area: 15 sf Max. height: 6 ft Min. setback: 3 ft from all property lines, curb face or public sidewalk, whichever is more restrictive Shall not be internally illuminated Max. display area: 150 sf Max. height: 35 ft Min. setback: 15 ft from all property lines Max. display area: 100 sf Max. height: 20 ft Min. setback: 10 ft from all property lines Max. display area: 64 sf Max. height: 10 ft Min. setback: 10 ft from all property lines
Projecting Sign (Permitted only in integrated business centers and in B-3 District)	Max. no: 1 per establishment Shall be appropriately fit to and compatible with the architecture of the building Shall not extend more than 3 ft beyond façade surface Shall not extend vertically beyond the bottom of a window sill of the second story of a multi-story building, nor more than 3 ft above the facade of a 1-story building
Roof Sign	See <a href="#">§1.10.3.2</a>
Suspended Sign	Permitted only in integrated business centers and in B-3 District Max. no: 1 per establishment
Window Sign	Max. display area: 20% of the window area (not counted toward maximum aggregate display area)

### §1.11. Regulations for Changeable Electronic Message Signs

1.11.1. Applicability. Subject to the additional conditions and limitations of this chapter, changeable electronic message signs shall be permitted only upon review by the Committee and only when meeting the following conditions and limitations:

1. Shall only be permitted on properties zoned B-2, B-3, O&I, M-1, M-2, or M-3.
2. Shall only be permitted on premises with frontage along and a principal building whose main entrance faces a collector street, arterial or a frontage road associated with and paralleling the arterial.
3. Shall not be permitted within 150 ft of any residential district, as measured from the nearest property line within the adjacent residential district to the base of the proposed sign.
4. If located within 250 ft of a residential district, shall be oriented so that no portion of the sign face containing a changeable electronic message is visible from an existing or permitted principal structure on the nearest residentially zoned property.
5. Only one changeable electronic message sign shall be permitted per property, regardless of the number of buildings, frontages or establishments on the property.
6. Shall be setback at least 100 ft from any other changeable electronic message sign and at least 50 ft from any other permanent sign type, excluding attached signs and internal signs on the same premises.
7. Shall not be placed on a legal non-conforming ground sign unless and until the entire sign structure is brought into compliance with the applicable standards for ground signs in [§1.10](#).

1.11.2. Brightness, Display and Size. All changeable electronic message signs are subject to the following conditions:

1. Shall have a maximum brightness of 4,690 nits during daytime and 1,675 at nighttime.
2. Shall be equipped with a dimmer control and photocell, and shall automatically adjust the display intensity according to natural ambient light conditions.
3. Shall not display light of such intensity or brilliance to cause glare, impair the vision of an ordinary driver or constitute a nuisance or cause a driver to mistake the sign for a warning or danger signal.

4. Shall not include animation nor shall any portion of the message flash, twirl, change color, fade in or out or in any manner imitate movement, other than scrolling.

5. There shall be no more than one message displayed at any time.

6. A single message or segment of a message shall have a display time of at least two seconds including the time needed to move the message onto the sign board, with all segments of the total message to be displayed within ten (10) seconds. A message consisting of one segment only may remain on the sign board any amount of time in excess of two seconds.

7. Shall contain a default mechanism that will freeze the display in a static message if a malfunction occurs.

8. Shall not exceed forty (40) percent of the allowable display area for ground signs on the premises or fifty (50) sf, whichever is less. The display area of changeable electronic message signs counts against the aggregate display area for general business signs as provided in [Table 1](#).

9. Commercial messages shall be limited to information related directly to the premises and its owner, occupant, manager, business, institution, or building; the address; the type of business activity conducted on the premises; and descriptive information about the products and services offered thereon.

1.11.3. Amber Alerts and Similar Messages. The City may require Amber Alerts, information regarding natural disasters or emergency information messages to be displayed on a changeable electronic message sign. Upon notification, the operator of the sign shall display emergency information messages in appropriate sign rotation, and maintain such messages in rotation according to the designated issuing agency protocols.

1.11.4. Permit Application Requirements.

1. In addition to the application requirements of [§2.5.3](#), each application must include written certification from the sign manufacturer that the light intensity has been factory programmed not to exceed 4,690 nits. The application must also include a written certification from the sign manufacturer certifying that the sign does not exceed any maximum standards established by this Chapter or the Manufacturer's Technical Manual.

2. The sign owner and operator shall state in the application that they agree to accept, construct, maintain, and operate the sign within the established standards as a condition of maintaining the Sign Permit. This standard shall be a condition of the Sign Permit, which, if not met, will result in revocation of the Sign Permit.

### **§1.12. Regulations for Off-premises Signs**

1.12.1. Applicability. Subject to the additional conditions and limitations of this chapter, off-premises signs shall only be permitted upon review by the Committee subject to the following conditions:

1. Shall only be permitted on properties zoned B-2, M-1, M-2, or M-3.
2. Shall only be permitted on premises with frontage along US Highway 31 or Interstate 65 or a frontage road associated with and paralleling the arterial.
3. Shall not be permitted on any lot which has two (2) or more on-premises signs.
4. Shall not be permitted within 250 ft of any residential district, as measured from the nearest property line within the adjacent residential district to the base of the proposed sign.
5. Shall be limited to indirect illumination only. The beam of light shall be directed toward the sign face and away from adjacent areas and thoroughfares.
6. No flashing, traveling, animated or intermittent illumination shall be permitted.
7. Shall not be permitted closer to the nearest, existing off-premises sign, as measured between sign bases, than:
  - a. along US Highway 31 - 1,000 ft if located on the same frontage, otherwise 750 ft
  - b. along Interstate 65 - 1,500 ft if located on the same frontage, otherwise 1,000 ft
8. Shall be set back from the nearest existing ground sign, regardless of whether it is on the same premises or not, a minimum distance of two and one-half (2.5) times the width of the proposed, off-premises sign
9. Shall require a business license for the establishment and continued use of the sign regardless of the issuance of any other business licenses associated with the property.

1.12.2. Height, Display Area and Setback. All off-premises signs are subject to the following display area, height and placement limitations:

1. Display area:

a. along US Highway 31, shall not exceed 672 sf per face; however, if located within 500 ft of any residential district, as measured from the nearest property line within the adjacent residential district to the base of the proposed sign, display area per face shall not exceed 200 sf.

b. along Interstate 65, shall not exceed 800 sf

The display area of off-premises signs shall not count against the aggregate display area for general business signs defined in [§1.10](#).

2. Height:

a. along US Highway 31, shall not exceed thirty-five (35) ft above the nearest street grade.

b. along Interstate 65, shall not exceed forty (40) ft above the nearest street grade.

c. the Committee may approve by variance a modification of these height requirements, when the site is substantially above the level of the driving surface of the highway or interstate so that such conditions would not reduce the allowable height of the display area to less than fifteen (15) ft.

3. Setback. Shall be set back no less than twenty (20) ft from the street right-of-way or front lot line, and fifteen (15) ft from any other lot line.

### **§1.13. Regulations for Non-commercial Messages on Non-residential Premises**

As provided in §1.1.5, any existing, lawful general business sign may be replaced in full or in part or modified to exhibit a non-commercial message subject to the limitations for the general business signs in §1.10 Regulations for General Business Signs. Similarly, any allowable but otherwise unused general business sign area may be used to exhibit a non-commercial message. For the purposes of this ordinance, non-commercial messages include constitutionally protected speech and offers for the sale or rent of the premises on which the message is posted.

## Article 2 ADMINISTRATION

### §2.1. Generally

The provisions of this Ordinance shall be administered and enforced by the Building Inspector, who may be provided with the assistance of such other person(s) as the Council may direct.

- 2.1.1. Inspection. The Building Inspector shall be responsible for inspection of all signs to determine compliance with the provisions of this chapter.
- 2.1.2. Enforcement. If a violation of any provision of this chapter specified in a written notice from the Building Inspector to the owner of the property upon which the sign is located is not remedied by the time specified in the notice, the Building Inspector shall use all available means to remedy the situation and may direct the City Attorney to bring a civil action to remedy the violation. Any reasonable expenses incident to such removal shall be paid by the owner of the property to which such sign is located.

### §2.2. Permit Review Committee

- 2.2.1. Creation, membership, and powers. A Permit Review Committee ("Committee") is hereby established to execute duties as enumerated in this chapter. The committee shall consist of five members and two supernumerary members. The supernumerary members shall attend meetings, at the call of the chairman, only in the absence of other members. Members, who shall serve ex-officio, shall include: The mayor, the City Clerk, two members of the planning commission, and one member of the board of adjustment. Members from the planning commission and board of adjustment shall be appointed by the Council, upon recommendation of the mayor, for terms of three years, except that, of the initial members of the committee, one shall be appointed to a term of three years, one shall be appointed to a term of two years and one shall be appointed to a term of one year. If any member for any reason is unable to complete his term of office, the Council, upon recommendation of the mayor, shall appoint a person to complete his unexpired term. Members shall serve without compensation. The committee may seek technical advice from outside its own membership on any matter related to its powers and duties, but may not obligate the City for the expenditure of funds without the prior approval of the Council.
- 2.2.2. Meetings, procedures, and records. Meetings of the committee shall be held at the call of the chairman of the committee at such times as the chairman may determine. All meetings of the committee shall be

open to the public, and notice of each meeting shall be given by posting notice within the City seven days in advance of the meeting at the same places where ordinances adopted by the Council are posted. The committee shall keep minutes of its meetings and the committee's rules of procedure shall be Robert's Rules of Order.

- 2.2.3. Conflicts of interest. At any time the committee schedules the review of a proposed sign for a property owned or managed by a member of the committee, or any person related to a member of the committee by blood or affinity, or in which a member of the committee or such related person has other interest, that member shall advise the chairman of such interest, and the chairman shall appoint a supernumerary member of the committee to sit on the committee with respect to such matter. The replaced member may not discuss or vote on the matter.

### §2.3. Variances and Appeals

- 2.3.1. Variances. The Committee may authorize, on application in specific cases, a variance from the provisions of this chapter such as will not be contrary to the public interest, where owing to special conditions applying to the premises in question and not applicable generally to other signs, a literal enforcement of such provisions will result in unnecessary hardship, but where the spirit of the ordinance shall be observed and substantial justice done. Such special conditions shall be limited to those which the Committee finds that the granting of the application for a variance is necessary, that it does not merely serve as a convenience to the applicant, and that the condition from which relief is sought would 1) result in peculiar, extraordinary and practical difficulties to the property upon which the sign would be erected or displayed; or 2) as applied to a sign existing as of the effective date of this Ordinance, serve to decrease the aesthetic value or condition of the premises or adjacent properties.
- 2.3.2. Appeals. Any decision of the Building Inspector, Committee or other official authorized by this chapter may be appealed to the Council. Appeals shall be filed in writing with the Building Inspector within fifteen (15) business days of the decision. Appeals shall be considered at the next Council meeting, provided the applicant has furnished the Council with all information and materials needed by the Council to consider the appeal at least seven (7) days in advance of such meeting.

## §2.4. Removal of Unsafe and Prohibited Signs

- 2.4.1. Removal of unsafe signs. The Building Inspector shall require any sign that is an immediate danger to persons or property to be removed by the owner of the property upon which the sign is located within forty-eight (48) hours of written notice to such owner. The Building Inspector shall require any sign that is not in immediate danger to persons or property, but otherwise impinges upon the public health, safety, or general welfare, or is, in the opinion of the Building Inspector, structurally unsound or unsafe in any way, to be removed, repaired, replaced, or secured, in compliance with the provisions of this chapter, by the owner of the property upon which the sign is located, within thirty (30) days of written notice to such owner.
- 2.4.2. Removal of prohibited signs. The Building Inspector shall require any sign for which no permit has been issued, or that is specifically prohibited by this chapter, to be removed by the owner of the property upon which the sign is located, within thirty (30) days of written notice to such owner. If the sign is not removed within said thirty-day period, the City may, but shall not be required to, have such sign removed and such owner must reimburse the City for the cost of such removal within ten (10) days of the removal of such sign.

## §2.5. Sign Permit

- 2.5.1. Responsibility. The Building Inspector shall be responsible for receiving applications and fees for sign permits, for overseeing administrative and Committee review of such applications for completeness and conformance with the provisions of this chapter, and for issuing sign permits when all required procedures are satisfactorily completed and fees paid.
- 2.5.2. Signs exempt from sign permit. Required signs, official signs, residential signs, permitted temporary signs, and permitted incidental signs shall not require sign permits or the payment of sign permit fees but shall meet all other provisions of this chapter, and all other provisions of the City Code.
- 2.5.3. Application procedure. Application for a sign permit shall be made upon the form provided by the Building Inspector and shall contain, or have attached thereto, the following information:
  1. Name, address, and telephone number of applicant.
  2. Name, address, telephone number and proof of a City of Calera business license of person or company who shall erect the sign.

3. Address of building, or property upon which sign is proposed to be erected.
4. Written consent, of the owner of the property on which the sign is to be located, for erection or placement of sign.
5. Copy of the approved master sign plan, if applicable.
6. Photographs of adjacent buildings and/or sites clearly showing the character of the surrounding area and of nearby signs.
7. Photographs of the premises upon which the sign is to be displayed.
8. Scaled, dimensioned drawing of the proposed sign.
9. Scaled drawing of building facade, showing the actual size and location of the proposed sign in proportion to and in relation to the existing building or the building to be constructed.
10. Information regarding method of construction and placement of sign.
11. Description or samples of sign materials and colors.
12. Other information that may be required for the Committee to determine full compliance with all applicable provisions of the City Code.

### 2.5.4. Permit application review.

1. The Committee shall review all applications for roof signs, changeable electronic message signs, off-premises signs, and master sign plans. All other sign permits may be reviewed and approved administratively.
2. Because signs are so nearly a part of the premises to which they are attached or pertain, the reviewing authority shall assure, through the review process, that signs are appropriately fit to and compatible with their host premises.
3. Only upon finding of the reviewing authority that all proposed signs are in conformance with the provisions of this chapter shall the Building Inspector cause to be issued a sign permit upon payment of the appropriate fee.

### 2.5.5. Fees. Each sign permit application shall be accompanied by a check made payable to the City of Calera, Alabama, or cash in an appropriate amount, as established by resolution of the Council. This fee shall defray the cost of processing sign permit applications, and shall be charged in addition to any building permit fee, electrical permit fee, or any other fee associated with the approval of a

proposed or existing development. Incidental and temporary signs shall not require a sign permit or payment of a sign permit fee.

- 2.5.6. Time limitation, sign permit. If the work authorized under a sign permit has not been completed within six (6) months following the date of issuance, such permit shall become null and void and any partial construction removed by the permittee.
- 2.5.7. Revocation. The Building Inspector is authorized and empowered to revoke any sign permit upon failure of the permit holder to comply with any provision of this chapter.

## **§2.6. Master Sign Plan**

- 2.6.1. Required. A development site containing an existing or proposed integrated business center or other arrangement of multiple nonresidential users shall have a master sign plan, subject to approval by the Committee upon review, to assure conformance with the provisions of this chapter, prior to application for any sign within its boundaries. All sign permit applications pertaining to such development sites shall be reviewed in light of such approved plans, which may allocate the total permitted aggregate display area of all buildings to include one or more signs pertaining to the development site as a whole. Sign permit applications reviewed under authority of a master sign plan shall be subject to the following:
1. All general business signs existing prior to submission of the master sign plan, whether or not such signs conform to the provisions of this chapter, shall be counted toward the permitted aggregate display area of general business signs.
  2. The master sign plan shall apply to all premises within a related project, even if the properties have been subdivided.
- 2.6.2. Application. Application for approval of a master sign plan shall be made only by the owner of the development site or an authorized agent. The Committee shall receive proposals for master sign plans, conduct reviews of such plans, and approve such plans only upon finding conformance with all provisions of this chapter.
- 2.6.3. Content. A master sign plan shall consist of a site plan and building elevations, at a scale of no less than one-eighth (1/8) inch equals one (1) ft zero (0) inches, showing:
1. The location of buildings, parking lots, driveways, and streets, and building elevations.

2. Sign bands and other sign locations on buildings, as applicable.
3. Dimensioned locations and sizes of all general business signs and incidental signs, existing and proposed, by type of sign.

- 2.6.4. Amendment. Application for amendment to a master sign plan shall be made only by the owner of the development site or an authorized agent, and shall include written evidence of approval of the amendment from all affected tenants. Signs subsequently made nonconforming because of an amendment to a master sign plan shall be brought into compliance with the amended plan within 180 days following approval of the amended plan.

## **§2.7. Nonconforming Conditions**

- 2.7.1. Conditions. Any sign that is not specifically permitted, or that does not comply with all provisions of this chapter, yet which lawfully existed and was maintained as such as of the effective date of this chapter shall be considered a nonconforming sign.
- 2.7.2. Alteration. A nonconforming sign shall not, after the effective date of this chapter, be enlarged, structurally altered, or extended unless such sign shall be made to comply with all the provisions of this chapter. A nonconforming sign may not be replaced by another nonconforming sign. Minor repairs and maintenance of nonconforming signs, such as repainting and electrical repairs, shall be permitted. However, any change in the location, size, or shape of any nonconforming sign shall be subject to a sign permit to assure compliance with all provisions of this chapter.

## **§2.8. Penalties**

Each and every violation of the provisions of this chapter shall be punishable by a fine not exceeding \$500.00, at the discretion of the court trying the case. Each and every day the violation continues shall be construed as a separate offense.

## **§2.9. Savings Clause**

If any section, provision or clause of this Ordinance shall be held to be invalid or unconstitutional by any court of competent jurisdiction, such holding shall not affect any other section, provision, or clause, which is not in and of itself invalid or unconstitutional.