

ORDINANCE 7: ORDINANCE REGULATING OUTDOOR ADVERTISING**A. GENERAL REQUIREMENTS**

No sign or advertising structure shall be erected at the intersection of any street in such a manner as to obstruct free and clear vision of operators of motor vehicles, or at any location where, by reason of the position, shape or color, it may interfere with, obstruct the view of, or be confused with any authorized traffic sign, signal or device; or which makes use of the words "Stop," "Danger" or any other word or phrase, symbol, or character in such a manner as to interfere with, mislead, or confuse traffic. Signs shall comply with all structural and electrical codes. No sign or advertising structure over four square feet in area shall be erected in Newton County prior to the issuance of a sign permit by the Building Commissioner.

The fees prescribed in this Division must be paid to the Auditor of Newton County for each sign installation for which a Building Permit is required by this Division and must be paid before any such permit is issued as herein provided.

- For each sign erected, installed, affixed, structurally altered, relocated, or created by painting, the Building Permit and Initial Use Permit fee shall be \$20. The Initial Use Permit shall be valid for a period of two years from the date of issuance.
- For each sign erected, installed, affixed, structurally altered, relocated or created by painting, without first obtaining a Building Permit, the fee shall be twice the amount specified above.
- A biennial inspection will be made by the Building Official. The fee for this inspection shall be \$10.
- All signs, together with all of their supports, braces, guys, connections and anchors, shall be kept in repair and in proper state of preservation. The display surfaces of all signs shall be kept neatly painted or posted at all times. Every sign and the immediate surrounding premises shall be maintained by the owner or person in charge thereof in a safe, clean, sanitary, and inoffensive condition, and shall be kept free and clear of all obnoxious substances, rubbish, and weeds. Any crazing, fading, chipping, peeling, flaking of paint or plastic, and any mechanical or structural defect, shall be corrected before a sign use permit is issued.
- Any sign or structure, not complying with the conditions of the Newton County Sign Ordinance, or any sign or structure not in use or abandoned, will be removed after notification of the owner of the sign or structure. The owner will have 30 days to remove the sign after notification. The owner of the property will be held responsible for the cost of the removal of the sign or structure.

B. OFFSITE SIGNS

Off site signs or structures shall comply with Public Law #30, an Act to amend IC 8-12. Also Section 131 of title 23, United States Code, as amended, commonly referred to as Title 1 of the Highway Beautification Act of 1965, as amended.

C. ON SITE SIGNS

Single-Family Residential, R-2, and RMH Districts:

Signs and other commercial advertising shall be permitted in this District only as herein provided.

Name plates shall be permitted, subject to the following conditions:

- Name plates shall not exceed two square feet in area
- Name plates shall display only the name of the premises upon which they are displayed, the name of the owner or lessee of said premises, and the address of said premises, and the nature of the home occupation engaged in on said premises.

For rent and for sale signs shall be permitted:

- Not more than two such signs, not exceeding four square feet in area, shall be permitted on any lot or parcel.

Subdivision signs – on site.

Temporary real estate signs and advertising real property which has been subdivided for purposes of sale or lease shall be permitted, subject to the following conditions:

- The construction of any sign shall be in strict compliance with the provisions of this Ordinance and all other laws of the County. The sign shall remain only as long as some portion of the property advertised for sale remains unsold, or for a period of two years, whichever period is shorter. Subject to review and approval by the Commission, said time may be extended for one year. Not more than two such extensions may be granted.
- The signs shall be located on the premises which they advertise.
- No sign shall exceed four hundred eight square feet in area.
- Not more than two such signs shall be permitted in any subdivision under twenty acres in size. In subdivisions involving more than twenty acres, an additional sign shall be permitted for each additional ten acres.
- Identification signs containing the tract name are permitted provided there shall be not more than one sign for each three lots. Said signs shall not exceed four square feet in area.
- Said signs shall be removed after the developer concludes the initial sale of the lots or homes to their initial owners.

D. SUBDIVISION SIGNS – OFF-SITE TEMPORARY REAL ESTATE DIRECTIONAL SIGNS:

Temporary real estate directional signs, directing prospective purchasers to a subdivision having lots or houses for sale, may be erected and maintained provided said signs do not create hazardous traffic conditions. Such signs shall be subject to the following standards:

- The sign shall not exceed one hundred sixty square feet in area.
- The sign shall be set back not less than eight feet from the front property line.

- The sign shall be not less than six and not more than eighteen feet above the crown of the nearest adjacent road or the higher of the two crowns of two adjacent roads.
- Temporary open house signs shall be permitted for a period of forty-eight hours, provided that the sign shall be limited to a double faced sign not more than two by two feet in size.

E. SIGNS FOR INSTITUTIONAL USES, INCLUDING CHURCHES, HOSPITALS, REST HOMES, AND PRIVATE CLUBS AND SIMILAR USES SHALL BE PERMITTED, SUBJECT TO THE FOLLOWING REGULATIONS:

One free standing sign for each main use per frontage:

- The sign shall contain only the name and the address of the building, its occupants, and the service rendered.
- The sign shall not exceed thirty-two square feet in area, exclusive of architectural features. The sign's structure shall not exceed twelve feet in height.
- Signs shall be set back fifteen feet from public right-of-ways; however, this setback may be reduced to ten feet subject to approval of the Board. In no case shall signs be located within required rear and interior side yards.

One sign attached to the face of the main building shall comply with the following regulations:

- The sign shall contain only the name of the building and its occupants.
- Letter or numeral heights shall not exceed one foot.
- The sign shall not exceed ten square feet in area.

F. BUSINESS AND MANUFACTURING DISTRICTS: ON SITE SIGNS

The following signs shall be permitted:

- Signs indicating the name and nature of the occupancy or the name and address of the building or the name and address of the owner. These signs shall be attached to the building in which the occupancy is located.
- For rent and for sale signs posted on the subject lot or building by the owner or his authorized agent, said signs not to exceed six square feet in area and there shall not be more than two such signs for any one lot, building, or occupancy.
- Directional signs related to the location of buildings or activities on the property on which the signs are located. Each directional sign shall not exceed six square feet in area.
- One free standing sign, provided the sign shall contain thereon only the name of the buildings, occupants, or groups thereof and the sign shall not exceed one hundred square feet in area. Mobile signs shall be permitted for 30 days. An appeal may be made for a period longer than one year. A review may be asked for at the end of one year. The Board may approve for an additional year.

The following regulations shall apply to signs for each occupancy:

- A sign may not exceed one square foot in area for each front foot of the structure or portion of the structure wherein the pertaining use is conducted, or one half square foot of sign for each front foot of the lot upon which the structure is located. The total sign area per commercial use may not exceed one hundred square feet for each building frontage.
- The minimum area for occupancy need not be less than forty square feet.
- The building frontage to be used in calculating the permitted sign area shall include frontage whereon a public entrance to the occupancy is located. Separate calculations may be made for front, side, and rear entrances and separate signs may be erected on each of these building frontages.
- In cases where the building has a rear parking lot, signs may be located on the side or rear of the building and shall be developed to the same standards as are required in the front of said store, provided, however, said stores shall not be lighted in such manner as to be disturbing to the abutting residential district.
- Lights used to illuminate signs shall be so installed as to concentrate the illumination on the sign and so as to minimize glare upon a public street or adjacent property.
- Signs may be placed on the roof of buildings, but may not exceed the permitted building height in the District.
- For signs within fifty feet of a property line which is the boundary between this District and a residential District, all the provisions of the residential Districts shall apply.

G. SPECIAL EXCEPTIONS

Within the various Districts established by this Ordinance, certain signs may be permitted, but only after the Board of Appeals, as hereinafter created by this Ordinance, shall determine, through public hearing after proper public notice, that such uses will substantially serve the public convenience and welfare and will not be injurious to the appropriate use of neighboring property. In permitting such special Exception uses, the Board may establish appropriate conditions and safeguards as part of such permission.