

**ORDINANCE 2026-002  
TOWN OF ROSSVILLE, TN**

**ORDINANCE AMENDING THE MUNICIPAL CODE OF THE TOWN OF ROSSVILLE TO AMEND THE CERTAIN PROVISIONS OF ARTICLE VIII – SECTION 3 RELATED TO SIGN REGULATIONS.**

**WHEREAS**, Tennessee Code Annotated Sections 13-7-201 through 13-7-210 empowered the Town of Rossville (the "Town" to enact the zoning ordinance of the Town to provide for its administration and enforcement; and

**WHEREAS**, The Board of Mayor and Aldermen deem it necessary, for the purpose of promoting health, safety, morals and general welfare of the Town, to amend said Zoning Ordinance to amend Article IV and Article VIII as follows:

Article VIII, Section 8 – Transitional Provisions for Shopping Centers. Added section for signage for a single building or group of buildings that contains two or more distinct occupants internally separated by firewalls or demising walls.

Article VIII, Section 9(a)(4)(e) – Prohibited forms of illuminated signage.

(e) Added: External or internal illumination of a sign with a light color temperature that exceeds 5,000 K or the equivalent.

Article VIII, Section 9(b)(5)(c) – Wall signs.

(c) Within the Historic District, wall signs shall not be painted directly on the surface of masonry walls, if the wall has not been previously painted, unless a Certificate of Appropriateness for a new building has been approved by the PZC.

Article VIII, Section 10(b)(3)(d) – Non-residential uses permitted in the MU (Mixed Use) district shall follow sign regulations for non-residential districts.

Article VIII, Section 11(j)(10) and (11) – Project Signs. Modify to reflect the internal illumination of a project sign to be limited to the following:

- (a) Existing, legally non-conforming signs;
- (b) Individual channel letters and logs per §151.178(3)(a);
- (c) Individual reverse-channel aluminum letters per §151.178(3)(b);
- (d) Routed face letters per §151.178(3)(c); and
- (e) Routed with push-through letters per §151.178(3)(d).

(11) Tenant panels shall be limited to one method of lighting on a multiple tenant project sign.

Article VIII, Section 11(q) – Political Signs. Replace the entire section related to Political Signs with the attached verbiage.

Article VIII, Section 11(r) – Special Event Signs - Replace the entire section related to Special Events Signs with the attached verbiage.

**WHEREAS**, the Rossville Planning Commission reviewed the proposed amendment on April 6, 2026 and recommends such amendment to the Board of Mayor and Aldermen, and

**WHEREAS**, the Board of Mayor and Aldermen caused notice of a public hearing on the proposed amendment to be published in a newspaper of general circulation within the community on April 14, 2026 and said public hearing was held on May 12, 2026;

**NOW, THEREFORE, BE IT ORDAINED** by the Board of Mayor and Aldermen Town of Rossville, Tennessee, that the Town of Rossville's Zoning Ordinance be amended as described above.

1<sup>ST</sup> Reading: April 14, 2026  
Public Hearing: May 12, 2026  
2<sup>nd</sup> Reading: May 12, 2026

  
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Judy B. Watters, Mayor

  
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ATTESTED: Karen Pennington, Town Recorder

### Section 3. Sign Regulations

#### 1. Purpose and Intent

It is the purpose of this subchapter entitled “Sign Regulations” to promote the public health, safety, and general welfare through reasonable, consistent, and nondiscriminatory sign standards. This subchapter is not intended to censor speech or to regulate viewpoints, but instead is intended to regulate, in a content-neutral manner, any secondary effects of speech that may adversely affect aesthetics and traffic and pedestrian safety. The purpose of this subchapter is to:

- (a) Encourage the effective use of signs as a means of communication in the Town;
- (b) Maintain and enhance the aesthetic environment and the Town’s ability to attract sources of economic development and growth;
- (c) Improve pedestrian and traffic safety;
- (d) Minimize the possible adverse effect of signs on nearby public and private property;
- (e) Foster the integration of signage with architectural and landscape designs;
- (f) Allow signs that are compatible with their surroundings and that aid orientation, while precluding the placement of signs that contribute to sign clutter or that conceal or obstruct adjacent land uses or signs;
- (g) Regulate signs in a manner so as to prevent the interference with, the obstruction of the vision of, and/or the distraction of motorists, bicyclists, and/or pedestrians;
- (h) Allow for traffic control devices to promote highway safety and efficiency by providing for the orderly movement of road users on streets and highways, and to notify road users of regulations and provide warning and guidance needed for the safe, uniform, and efficient operation of all elements of the traffic stream;
- (i) Protect property values by precluding sign types that create a nuisance to the occupancy or use of other properties as a result of their size, height, illumination, brightness, or movement;
- (j) Protect property values by ensuring that the types and numbers of signs are in harmony with buildings, neighborhoods, and conforming signs in the area;
- (k) Preserve and enhance the historic character of the Town; and
- (l) Enable the fair and consistent enforcement of these sign regulations.

(Am. Ord. 04-2016, passed 4-29-16; Am. Ord. 01-2018, passed 10-02-18;

Am. Ord passed 06-08-2021)

2. Definitions

The words, terms and phrases set out below, when used in this subchapter, shall have the meaning ascribed to them in this subchapter, except where the context clearly indicates a different meaning.

Artwork: A two- or three-dimensional representation that is expressed in a form and manner as to provide aesthetic enjoyment for the viewer rather than to specifically convey the name of the business or a commercial message about the products or services offered on the property upon which the artwork is displayed. The exterior alteration of commercial buildings in the Historic District for purposes of restoring historic painted murals is not within the scope of this subchapter but is instead regulated under the subchapter pertaining to the Historic District.

Balloon-Type Devices: A stationary or mobile inflated device used to attract attention.

Banner: See Sign, Banner.

Billboard: See signs, Off-site.

BMA: The Town of Rossville Board of Mayor and Aldermen.

Building Façade: See façade.

Building Wall: The entire surface area, including windows and floors, of an exterior wall of a building.

Business Historic District: The planning area within the boundaries of Rossville Business Historic district. Referred to throughout this document as (B-H) as described in Rossville's Zoning Ordinance Article V, Section 4.

BZA: The Town of Rossville Board of Zoning Appeals.

Codes Division: The Town of Rossville Codes Enforcement Division of the Development Department.

Commercial: Any nonresidential use of land involving commerce or commercial activity such as wholesale or retail trade, or the provision of services.

Copy: Words, letters, numbers, figures, characters, symbols, logos, or insignia that are used on a sign face.

Copy Area: The smallest geometric shape that encloses all graphics, letters, and logos of the sign face.

Design Compatibility: A condition occurring between two of the same or two different sign types where the individual tenant spaces in a shopping center harmonize together through the use of signs with a common scale, heights from the finished grade, illumination, materials, type and color of returns, and sign color scheme and type (channel letter, halo-lit, and the like), placement on sign bands built into the building facade, or other signage features.

Downtown Area: The planning area within the boundaries of the Downtown Rossville Small Area Plan.

DRC: The Town of Rossville Design Review Commission.

Electronic Message Board: 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 electrostatic means, including cathode ray, light emitting diode (LED) display, plasma screen, liquid crystal display (LCD), fiber optic or other electronic media or technology.

Elevation: The front, side, or rear of a structure.

Façade: The exterior wall on the front, side, or rear elevation of the building regardless of whether the building side faces a street.

Fence: A structure used to delineate a boundary or act as a barrier or means of protection, confinement, or screening.

Flag: Bunting or fabric of distinctive color and design that is used as an emblem, standard, decoration, or symbol and that is hoisted on a permanent flagpole or otherwise displayed from a building.

Formed Plastic Letters: Letters or graphics that are formed from a sheet of plastic that is warmed and shaped in a mold.

Glazing: The portion of an exterior building surface occupied by glass or windows.

HDC: The Town of Rossville Historic District Commission.

Illumination: The calling of attention to a sign or device by means of brightening or shining with light or a luminous substance.

Logo: A symbol or other small design adopted by an organization to identify its products, services, and the like.

Marquee: Any permanent roof-like structure projecting beyond a building or extending along and projecting beyond the wall of that building, including any object or decoration attached to or part of said marquee, with the purpose of providing protection from sun and rain or embellishment of the facade.

MBOA: The Town of Rossville Mayor and Board of Aldermen. Referred to throughout this document as (MBOA).

Menu Board: A structure primarily designed for the display of menu items and prices for the purpose of placing orders for such items in conjunction with a restaurant utilizing drive-through or curbside service.

Multi-phase Development: A development consisting of two or more distinct phases intended to occur in a sequential order.

Multiple Franchise Business: A business that, pursuant to franchise agreements, markets the goods or services of more than one company or manufacturer.

Multiple Tenant Building: A single building that contains two or more distinct occupants internally separated by firewalls or demising walls.

Neon: Lights, tubes, or other devices used to emit neon light.

Nonconforming Sign: See Sign, Nonconforming.

Plastic: The general and commonly used term for a wide range of synthetic or semi-synthetic organic amorphous solid materials including, but not limited to, acrylic, Sintra® and Lexan®.

Premises: A house or building, together with its land and outbuildings, occupied by a business or considered in an official context.

PZC: The Town of Rossville Planning and Zoning Commission. Referred to throughout this document as (PZC).

Public Right-of-Way: Property dedicated for public use, usually for a public street, public infrastructure and/or waterway. For the purposes of this subchapter, such public rights-of-way shall be considered to extend a minimum of ten (10) feet from the edge of the pavement, or to the dedicated right-of-way boundary, whichever is farther.

Roof Line: The apex, or highest point of the roof. In a series of roofs, the apex of the lowest roof will be considered.

Scoreboard: A structure that is located within an athletic field and that displays changing scores, related information, and additional content that may include, without limitation, the names and logos of sponsors.

Sign: Any device, fixture, placard, or structure that uses color, form, graphics, illumination, text, symbol, and/or writing to advertise, attract attention to, announce, identify, or identify the purpose of a person or entity, or to communicate information of any kind. The following shall not be considered signs subject to sign regulation: artwork; holiday lighting and decorations, including strips or strings of lights outlining property lines,

sales areas, roof lines, doors, windows, wall edges, or other architectural features of a building, displayed between Thanksgiving Day and New Year's Day of each calendar year and fifteen (15) days prior to and after this time period; and memorial plaques, cornerstones, historical tables, and the like (see also Article VIII, Section 3(6)).

Sign, Abandoned: A sign that was lawfully erected on the property in conjunction with a particular use, that use having been subsequently discontinued for a period of sixty (60) days or more; a sign that has been blank for sixty (60) days or more; or a lawfully erected temporary sign for which the time period allowed for display of the sign has expired.

Sign, A-Frame: (see also Sign, Sandwich Board): A freestanding, upright sign on a rigid supporting frame in the form of a triangle or an inverted "V".

Sign, Animated: Any sign that moves or that appears to move by any means, including fluttering or rotating. Such signs shall also include, but not be limited to, pennants, ribbons, streamers or propellers.

Sign Area (see also Sign Face): See sign face calculation in Article VIII, Section 3.9(b)(6).

Sign, Attached: A sign that is permanently affixed to or painted on a building, canopy, or wall and that has a permanent or changeable copy face.

Sign, Awning: A sign that is part of or attached to the face or valance of an awning and that is constructed in the same fabric or material as the awning.

Sign, Banner: A sign made of flexible material that advertises a business, an event, or a product for sale.

Sign, Bench: A sign affixed to or painted on a bench.

Sign, Cabinet: An internally illuminated sign structure consisting of a cabinet that holds a display. Cabinet signs also include, but are not limited to, backlit displays and light boxes.

Sign, Canopy: See Sign, Awning.

Sign, Changeable Copy (automatic): A sign that is electronically controlled.

Sign, Changeable Copy (manual): A sign on which copy is changed manually.

Sign, Convenience: A sign displayed only for the direction, safety, and convenience of the public. Convenience Signs may include, without limitation, address signs, address and name plaques, signs identifying rest rooms, parking area entrances and exits, gas station self-service or fullservice pump islands, freight entrances and exits, and other facilities that may require directional signage.

Sign, Depth: On an attached sign, the distance from the face of the letters to the surface to which they are attached.

Sign, Development: A sign located at the entrance to a residential development and constructed of masonry or natural materials, except for attached letters or logos.

Sign, Development-in-Progress: A temporary sign that may include, without limitation, the name of the project, the architect, the contractor, the developer, the engineer, the financing institution, or the materials supplier for the premises, whose construction is active, or announcing the future development.

Sign, Digital Picture Frame. A desktop picture frame that displays digital images through a digital screen.

Sign Face: (See Article VIII, Section 3.9(b)(6), Sign face area.)

Sign, Freestanding (see also Ground-mounted):

- (a) A sandwich board sign; or
- (b) A sign supported by a sign structure that is secured in the ground and that is wholly independent of any building or object, other than the sign structure, for support.

Sign, Government Imitation: A sign that copies, imitates, or in any way approximates an official highway sign or carries the words “Stop” or “Danger.” Also, a sign that obscures a sign displayed by public authority for the purpose of giving traffic instruction or direction, or other public information, including any authorized traffic control sign, signal, or similar device.

Sign, Ground-mounted: see Sign, Free-standing.

Sign, Hand-held: A sign that is held by or otherwise mounted on a person.

Sign, Hanging: A sign installed under an awning, canopy, porch overhang, or marquee that hangs either parallel or perpendicular to a building.

Sign, Home Occupation: A sign erected for the purpose of identifying an allowed home occupation.

Sign, Integral: A sign or plaque carved into stone, concrete, or similar material, or made of bronze, aluminum or other permanent type metal materials, and made an integral part of the structure.

Sign, Marquee: A sign that is attached to a marquee other than a theater marquee.

Sign, Menu Board: A structure primarily designed for the display of menu items and prices for the purpose of placing orders for such items in conjunction with a restaurant utilizing drive-through or curbside service.

Sign, Moving: A sign or device that swings, undulates, or otherwise attracts attention through the movement of parts, or through the impression of movement, and includes flashing, fluttering, moving, pennant, revolving, rotating, streamer, windblown, or similar signs or devices.

Sign, Nonconforming: A sign lawfully constructed or erected prior to the effective date of any ordinance or amendment containing provisions with which the sign does not comply, or any sign that was lawfully erected in compliance with the sign regulations in effect at the time it was erected, but that is no longer in compliance.

Sign, Obsolete. See Sign, Abandoned.

Sign, Off-site: Signs that are not located on the lot to which the use pertains or signs advertising products or services for sale which are not located on the same site where the sign is located (billboards).

Sign, On-premises, or On-site: Signs advertising products or services for sale on the same site where the sign is located.

Sign, Parked Vehicle: Signs placed on or affixed to vehicles or trailers that are parked on a right-of-way or on public or private property so as to be visible from a public right-of-way and that are visible for more than two (2) consecutive hours or more than four (4) total hours between sunrise and sunset. This term does not include signs that advertise the sale of the vehicles on which they are placed or that are placed on or affixed to vehicles but that are incidental to the primary use of the vehicle or trailer. See Sign, Political for special provisions for political signs, Article VIII, Section 3.11(q).

Sign, Permanent: A sign that is intended for other than temporary use or a limited period. A permanent sign is usually affixed or attached to the exterior of a building or to a pole or other structure by adhesive or mechanical means or is otherwise characterized by anchoring, construction materials, or a foundation indicative of an intent to display the sign for more than a limited period.

Sign Policy, Comprehensive: A plan establishing parameters for the size, location and design of signs in a planned development.

Sign, Political: A temporary sign erected on private property for the purpose of supporting a political candidate or stating a position regarding a political issue or similar purpose. Political signs are exempt from permit

requirements of this ordinance, subject to all applicable restrictions under Article VIII, Section 3.11(q).

Sign, Portable: A temporary sign or device that is located on the ground, is easily movable, and is not permanently attached to the ground. Portable signs include, but are not limited to, counterbalance signs, trailer signs, and any variations thereof. See Sign, Political for special provisions for political signs.

Sign, Project: A sign that displays solely numbers and/or letters and that is erected to display the identity of five (5) or more occupants in a single building, business or office complex with a total of at least ten thousand (10,000) square feet in the project; with or without individual street frontage; and with a common parking lot or private drive.

Sign, Projecting: A sign mounted on beams, brackets, or poles projecting from a building.

Sign, Public: A sign that is in the public interest and that is erected by, or on the order of, a governmental entity or agency. This term includes, without limitation, safety signs, danger signs, trespassing signs, traffic signs, signs of historical interest, wayfinding signs, signs pertaining to events sponsored or co-sponsored by the Town, and other similar signs.

Sign, Real Estate: A temporary sign pertaining to the sale, lease, or rental of property. This term includes, but is not limited to, real estate directional, open house, and open house directional signs.

Sign, Reserved Parking: Signage indicating parking spaces are designated for special user groups. Examples include signage for accessible parking, customer parking for tenants, employee parking, or curbside pickup.

Sign, Roof: An attached sign wholly or partially dependent upon the roof of any building for support. A roof does not include a mansard mounted on a parapet wall.

Sign, Routed Face: A sign face, the background of which is an opaque material that has been routed to create the letters and/or graphics, and backed with plastic.

Sign, Routed Push-through: A sign face, the background of which is routed and the letters and/or graphics are inserted into the routed background.

Sign, Sandwich Board: see Sign, A-Frame.

Sign, Service Station Canopy: A sign attached to a roof-like structure supported by poles or columns for the purpose of providing shelter for gas pumps and surrounding fuel area.

Sign, Single Tenant: A sign that displays or advertises an individual (single) business that is located on one lot.

Sign, Snipe: Any sign other than a convenience sign that is affixed by any means to trees, utility poles, fences or other objects.

Sign, Special Event: A sign associated with a special event or outdoor event.

Sign, Surface Area: See Sign Area, Sign Face Area.

Sign, Temporary: A sign that is intended for temporary use and a limited period, as allowed by this subchapter. Temporary signs may include, but are not limited to: auction signs, banners, builder signs, development in progress signs, garage sale signs, grand opening signs, political signs, real estate signs, and special event signs.

Sign, Temporary Construction Zone: A sign that is intended for temporary use and a limited period, as allowed by this chapter, for premises that are, in the opinion of the Development Department, significantly disturbed by state or local road widening projects or utility line or sidewalk repairs/installations/relocations. Temporary signs may include, but are not limited to: banners, window signs, and special event signs.

Sign, Theater Marquee: Any sign painted, mounted, constructed or attached in any manner to a theater marquee.

Sign, Trailer: A sign attached to or painted on a trailer and visible from the public right-of-way for more than two consecutive hours or more than four total hours between sunrise and sunset. See Article VIII, Section 3.11(q) for special provisions for political signs.

Sign, Trash Receptacle: A sign affixed to, or painted on, a trash receptacle and containing only the company name or logo of the trash-collecting firm.

Sign, Wall: A sign designating the name of the business, institution, or organization which is attached to, in a rigid manner, and parallel to a building wall or painted on the wall of a building or structure in such a manner that the wall becomes the supporting structure for or forms the background surface of the sign and which does not extend more than twelve (12) inches from such building or structure.

Sign, Window: A sign placed within, affixed to, in contact with, or located within three (3) feet of a window and intended to be seen from the exterior.

Street Frontage: The distance that a lot line adjoins a public or private street from one lot line intersecting the street to the furthest lot line intersecting the same street.

String Lighting: Lighting used to outline a structure and to attract attention for commercial purposes.

Traditional Area: Portions of the town, including the Historic District, that are appropriate for, or characterized by, development that typically includes mixed-uses, or residential and nonresidential uses in proximity to one another, buildings typically more than one story tall and built close to the street, a high level of architectural detailing on the primary building façades, the use of a modified street grid system, pedestrian-oriented site design rather than exclusively or predominantly for the automobile, and off-street parking located to the side or rear of buildings as described in the Rossville Design Guidelines.

Transitional Shopping Center: A single building or group of buildings containing two (2) or more distinct occupants internally separated by firewalls or demising walls, originally developed as retail and/or service establishments under previous regulations that is under renovation or redevelopment.

3. Applicability.

This subchapter shall apply within all zoning districts. However, if the Historic District Commission has formulated and the Board of Mayor and Aldermen has approved written sign guidelines for the Historic District that conflict with provisions in this subchapter, then those guidelines shall take precedence within the Historic District. In addition, if the Board of Mayor and Aldermen has approved a comprehensive sign policy as part of a planned development outline plan, then that sign policy shall take precedence within that approved planned development.

4. General Visual Quality.

These regulations establish the physical characteristics of signage and prescribe a level of visual quality in sign design, especially where new signage is in substantial conformance with its surroundings. Anyone planning a sign shall consider the following:

- (a) The character of the proposed sign, not only in and of itself, but also in terms of the effects a sign will have upon the character of the surrounding area;
- (b) The way in which the sign will be read and whether its size, location, configuration, and character are appropriate to its intended audience or whether a more appropriate sign could better serve its intended purpose and, at the same time, be less visually disruptive;
- (c) The character of the sign structure (the physical means of supporting the sign), and whether that structure could be made an integral part

of the sign rather than a separate and frequently distracting element;  
and

- (d) Design compatibility among the individual tenant spaces in a shopping center constructed prior to August 2010 through the use of signs with a common scale, heights from the finished grade, illumination, color, materials, type and color of returns, and sign type (channel letter, halo-lit, and the like), placement on sign bands built into the building facade, or other signage features.

5. Signs Prohibited in All Zoning Districts.

The following signs shall be prohibited and may neither be erected nor maintained.

- (a) Signs erected in a public right-of-way or on public property;
- (b) Bench signs;
- (c) Canopies or awnings with backlighting;
- (d) Electronic message boards;
- (e) Government-imitation signs;
- (f) Inflatable animated characters, lighter than air devices, or similar balloon-type devices;
- (g) LED electronic message center window signs;
- (h) Moving signs;
- (i) Flashing signs;
- (j) Signs that are not securely affixed to the ground, or that are not otherwise affixed in a permanent manner to an approved supporting structure, including but not limited to, temporary reserved parking signs and portable signs; provided however, that temporary signs specifically allowed under this subchapter shall be exempt from this prohibition;
- (k) Noisy mechanical devices;
- (l) Plastic-faced cabinet signs, with the exception of menu boards that are screened or not visible from the public right-of-way;
- (m) Parked-vehicle signs (see Article VIII, Section 3.11(q) for special provisions for political signs);

- (n) Roof signs, including signs painted on roofs or that extend above the highest point of a roof;
- (o) Changeable copy signs (manual and automatic);
- (p) Signs that contain reflective materials, except that the Development Director shall have the ability to approve decorative metals (e.g., brass, copper) on a case-by-case basis;
- (q) Searchlights;
- (r) Strobe lights;
- (s) Signs interfering with, or blocking the visibility of, directional, instructional, or warning signs;
- (t) Signs on natural features such as trees, other living vegetation, and rocks;
- (u) Trailer signs (see Article VIII, Section 3.11(q) for special provisions for political signs);
- (v) Home occupation signs, with an exception for those required by state law;
- (w) Snipe signs;
- (x) Trash receptacle signs;
- (y) Signs that contain words suggestive of, or pictures depicting those acts or displays described in Article VIII, Section 6, Sexually Oriented Businesses;
- (z) Animated signs;
- (aa) Hand-held signs displayed within the public right-of-way;
- (bb) Obsolete or abandoned signs that are not lawful nonconforming signs;
- (cc) Digital display signs larger than forty-eight (48) square inches incorporated into a gas pump;
- (dd) Internally illuminated window signs within ten (10) feet of the interior of a window;
- (ee) Off-premises commercial advertising signs; and
- (ff) Wall mounted metal cabinet signs outside of the Historic District or an approved Planned Development.

6. Exemptions.

These sign regulations do not pertain to the following:

- (a) Public signs within public rights-of-way or easements;
  - (b) Signs not visible from the public right-of-way, including drive-in restaurant menu boards;
  - (c) Signs internal to a building set back more than ten (10) feet from a window;
  - (d) Flags attached to residential structures in residential zones;
  - (e) Official national, state or municipal flags, properly displayed.
  - (f) Freestanding flag poles in residential zones;
  - (g) Scoreboards;
  - (h) Decals, numbers, names, addresses, hours, credit information and the like attached to doors or windows and all of which occupy a total area of one (1) square foot or less;
  - (i) Temporary outdoor lighting used as holiday decorations;
  - (j) Artwork; (k) Memorial plaques; (l) Historical tables.
- (m) For service stations solely engaged in the retail distribution of petroleum and petroleum products the following signs are exempt:
- (1) One (1) non-illuminated permanent price sign per street frontage, the sign not to exceed two (2) square feet in face area, and located upon the pump island nearest to the street or upon the face of the station building;
  - (2) Two (2) non-illuminated self-service or full-service signs per pump island, the signs not to exceed two (2) square feet in sign area nor to be located at a height more than eight (8) feet from the surrounding grade;
  - (3) Signs displaying the federal and state stamps, octane ratings, pump use direction, no smoking signs and other signs as required by federal, state and local authorities, provided that the accumulated square footage of same shall not exceed two (2) square feet per pump island;
  - (4) Other signs and stamps required by state and federal law, provided same are of a size no greater than the minimum requirements of the law and for design, size and lighting is approved by the-Development Director; and

- (5) Digital display signs with a combined area of no more than forty-eight (48) square inches per pump.

7. Sign Permit Application and Issuance.

(a) Applicability.

- (1) If any temporary or permanent sign is not otherwise exempted in Section 3.7(b), it shall be unlawful to construct, alter, or relocate such temporary or permanent sign without a valid sign permit approved by the Development Department and issued by its Construction Codes Division.
- (2) A property owner, business occupant, or organization allowed more than one (1) sign shall obtain a separate permit for each sign.
- (3) In instances where a sign is proposed for construction, alteration, relocation, or demolition within the Historic District, no sign permit shall be issued by the Construction Codes Division until the project has been submitted to, and received a written Certificate of Appropriateness from, the Historic District Commission.
- (4) For any sign with lighting, including ground lighting, the Town requires an electrical permit and inspections pursuant to the provisions of the Electrical Code, as adopted by the Town of Rossville. In cases where an electrical permit is required, it shall be obtained at the same time as the sign permit.
- (5) From and after the effective date of this Ordinance, it shall be unlawful for any person to erect, construct, enlarge or convert any sign without first obtaining a sign permit as required by the Ordinance.

(b) Exemptions from sign permits.

- (1) The following signs may be constructed, altered, relocated, or demolished without a sign permit, but shall be subject to all applicable requirements in Article VIII, Section 3: a. Real estate signs;
  - b. Political signs;
  - c. Convenience signs;
  - d. Integral signs;

- e. Attached ballfield fence signs;
  - f. Temporary signs in residential areas and for institutional uses that are six (6) square feet or smaller permitted by this subchapter;
  - g. Horizontal directional signs on and flush with paved areas;
  - h. Signs posted in conjunction with door bells or mailboxes, not exceeding thirty-six (36) square inches in surface area;
  - i. Address signs, not more than one (1) for each street frontage of each principal use on a lot and none exceeding seventy-two (72) square inches in area, showing only the numerical address designations of the premises upon which they are situated. All address signs shall be prominently displayed and written in contrasting colors to the color of the structure or background against which the signs are placed in order to facilitate emergency identification for public service employees;
  - j. In buildings located in non-residential zones, signs that are placed greater than three (3) feet behind the interior surface of glass and that are legible from the public right-of-way; and
  - k. Flags in nonresidential zoning districts.
- (2) The following activities may be conducted without obtaining a sign permit.
- a. Cleaning and other normal maintenance and repair of a sign or sign structure, or other customary maintenance performed periodically to a properly permitted sign unless a structural change is made.
  - b. Painting or repainting of a sign or sign structure located outside the Historic District.
- (c) Procedure. All applications for signage shall be reviewed by the PZC or his or her designee prior to the issuance of a sign permit.
- (1) Initiation. An application for a sign permit shall be initiated by the property owner or other person having authority to file an application.

(2) Application for a Sign Permit. An application for a sign permit shall be made in accordance with application requirements established by the PZC. For signs within the Historic District that must meet the appropriateness requirements as outlined in Article IV, Section 5, Residential Historic District, and Article V, Section 4, Business Historic District. Approval by the PZC is required prior to issuance of the sign permit. All applications are required to include the following information to ensure compliance with all appropriate laws and regulations of the Town of Rossville that will include the following:

- a. Name and address of the owner of the sign.
- b. Name and address of owner and the person or persons in possession of the premises where the sign is located or to be located.
- c. A drawing, clear and legible, drawn to a scale 1"=10'0" with a description definitely showing location of the sign which is the subject of the permit and all other existing signs whose construction required permits, when such signs are on the same premises.
- d. Signature of applicant.
- e. Signature of property owner shall be followed by statement read as follows:

"I am aware and in agreement with the application for the above requested sign. I am aware that the responsibility for conformance with the provisions of the Rossville Zoning Ordinance shall revert to me if the applicant should no longer be located at the above address. This responsibility may include removal of the sign as required by the Ordinance."

(3) Development Department decision on sign permit. Within thirty (30) days of receiving a complete sign permit application, the Development Department shall review the application and shall approve it, approve it with stated conditions, or reject it.

(d) Approval criteria. The Development Department shall review an application for a sign permit based on the standards set forth in Article VIII.3.

- (e) Approval for sign construction, alteration, relocation, or demolition. Construction, alteration, relocation, or demolition of a sign or sign structure authorized by a sign permit shall be completed within a period of one hundred eighty (180) days of the date of the sign permit approval. Upon written request, one (1) extension of one hundred eighty (180) days may be granted by the Development Department if the applicant can show good cause.
- (f) Nullification. A sign permit shall become null and void if the sign varies in any respect from the approved design or location, or if the work is not commenced within one hundred twenty (120) calendar days from the date of issuance of such permit.
- (g) Fees. The permit fee for each sign allowed under the requirements of this chapter shall be fixed from time to time by the MBOA.
- (h) Review of permitting decisions. Permit applicants may appeal unfavorable decisions or interpretations rendered pursuant to this subchapter to the BZA, as set forth in Article X, Section 5.1.

8. Provisions for Transitional Shopping Centers.

Signage for a single building that contains two (2) or more distinct occupants internally separated by firewalls or demising walls or a group of buildings, developed after August 2010, shall conform to the provisions of Article VIII, Section 3. Multiple tenant buildings developed prior to August 2010 were developed under different signage regulations, processes, and guidelines. Article VIII, Section 3 requires existing signage for multiple tenant buildings developed prior to August 2010 to be brought into compliance with current regulations when the property is redeveloped or renovated. Property owners have the option to utilize the design allowed under the August 2010 revisions if the property is designed as a Transitional Shopping Center pursuant to the following:

- (a) The property is subject to a Comprehensive Sign Policy that demonstrates how the shopping center will incrementally transition the center into meeting the current signage regulations. This may include, but not be limited to, an amortization schedule for nonconforming sign removal and design guidelines to be established to identify a master-planned theme for sign color, use of logos, scale, height from the finished grade, illumination, materials, type and color of returns, and signage types, placement on sign bands built into the building facade, or other signage or architectural features.
- (b) Any Comprehensive Sign Policy for a Transitional Shopping Center shall be established through a Planned Development and shall be

adopted by resolution according to Article VIII, Section 3 of the Zoning Ordinance.

9. Requirements Applicable to All Zoning Districts.

(a) Illumination.

Sign illumination shall only be achieved through the following standards. The Board of Zoning Appeals shall hear and decide any appeals of staff decisions related to the interpretation of this section.

(1) General.

Maximum Sign Area in sq. ft. per side, total)	Maximum Height in feet)	Minimum Setback in feet)	Conditions	Included in Maximum Aggregate Sign Area	Internal Illumination Permitted
ATTACHED					
See conditions	Top of fence to which it's attached	NA	See Article VIII.3.7b and 11.a	No No	
See conditions	Shall not project above or below awning or roofline; max sixteen feet for residential district	Shall not extend beyond ten (10) feet from building	See Article VIII.3.11.b	Yes See Article VIII.3.9.b	No
Four and one-half (4.5)	Six (6)	Outside right-of-way or ten (10) feet from back of curb or edge of pavement, whichever is farther		NA No Yes	
See conditions VIII.3.11.d.2	Twenty (20) foot pole height for roof mounted	NA	See Article VIII.3.11.u	No No	
Parallel 10 s.f. Perpendicular 4 s.f.	Minimum 7' above sidewalk	NA	See Article VIII.3.11.d	Yes See Article VIII.3.9.b	No
See conditions	Maximum thirty (30) feet; shall not project below fascia, or above parapet or roofline; max. sixteen (16) foot height when located within residential district	NA	See Article VIII.3.11.c	Yes See Article VIII.3.9.b	No

**Table VIII.3-1. Allowed Sign Standards**

	<b>Sign or Device Zoning District Maximum Number</b>	
<b>Ballfield Fence</b>	All NA NA	
*Awning Permit (Required)	All Non-residential	One (1) per building side facing a street and/or at a main pedestrian entrance(s) to the building
Convenience	All Non-residential	NA
Flags (Permit Required)	All Non-residential	One (1) per building See chart VIII.3.11.u
Hanging Permit (Required)	All Non-residential	One (1) per building side facing a street and/or at a main pedestrian entrance(s) to the building
Marquee Permit (Required)	All Non-residential	One (1) per building side facing a street and/or at a main pedestrian entrance(s) to the building

Maximum Height in feet)	Minimum Setback in feet)	Conditions	Included in Maximum Aggregate Sign Area	Internal Illumination Permitted
		See Article VIII.3.11.f	Yes See also Article VIII.3.11.o	Yes
	Maximum 4 feet from building	See Article VIII.3.11.t	Yes No	
Maximum thirty (30) feet; shall not project above or below canopy	NA	See Article VIII.3.11.s	Yes See Article VIII.3.9.b	No
Shall not project above or below awning or roofline; maximum sixteen (16) feet when located within two hundred (200) feet of a residential district		See Article VIII.3.11.g	Yes See Article VIII.3.9.b	Yes
Six (6)	See conditions	See Article VIII.3.11.e	No No	
<b>FREESTANDING/GROUND</b>				
Six (6)	Outside right-of-way or ten (10) feet from back of curb or edge of pavement, whichever is farther	See Article VIII.3.11.h	Yes No	
Forty (40) foot pole height for ground set	Outside right-of-way or equal to the height of the pole, whichever is farther	See Article VIII.3.11.u	Yes, after the first flag See Article VIII.3.9.b	No

	Maximum Sign Area in sq. ft. per side, total)
	All Non- See conditions See conditions NA NA
One (1) per building side facing a street	Six (6), twelve (12) See conditions
One (1) per canopy side facing a street	% of Canopy Space
One (1) per building side facing a street and/or at a main pedestrian entrance(s) to the building	See VIII. 3 11. f. 3 & 4
See conditions	% of aggregate window area
15	
Residential Two (2) per entrance	Thirty-two (32), sixty-four (64)
Three (3) per lot	See Chart VIII 3.11.u.2

	Sign or Device Zoning District Maximum Number
Multiple Franchise Businesses Permit ( Required)	
Projecting Permit ( Required)	All Non-residential
Service Station Canopy Permit ( Required)	SCC, GC, CB, NC, MU
Wall and attached if not otherwise regulated Permit ( Required)	All Non-residential
Window Permit ( Required)	All Non-residential
Development Residential Permit ( Required)	
Flags Permit ( Required)	All Non-residential

Maximum Sign Area in sq. ft. per side, total)	Maximum Height in feet)	Minimum Setback in feet)	Conditions	Included in Maximum Aggregate Sign Area	Internal Illumination Permitted
Four and one-half (4.5)	Six (6)	Outside right-of-way or ten (10) feet from back of curb or edge of pavement, whichever is farther		NA No No	
Thirty (30) for restaurants with drive-through but no curbside service; six per bay for restaurants with curbside service	Six (6)	Shall be contained within the buildable area of the premises	See Article VIII.3.11.i	No Yes	
	See conditions See Article VIII.3.11.j	Twenty (20) feet from right-of-way	See Article VIII.3.11.j	No	Yes, but for existing, legally non-conforming signs only
		Twenty (20) feet from right-of-way	See Article VIII.3.11.f	Yes See Article VIII.3.11.f	Yes, but for existing, legally non-conforming signs only
Ten (10), twenty (20)	Four (4)	Outside of required pedestrian sidewalk clearance	See Article VIII.3.11.k	No No	

	Sign or Device Zoning District Maximum Number	
Convenience	All Non-residential	One (1) per entrance/exit
Menu Board Permit ( Required)	SCC, GC, MPO	One (1) per drive-through lane for restaurants with drive-through but no curbside service/ one (1) per bay for restaurants with curbside service
Project Sign Multiple Tenant) Permit ( Required)	All Non-residential	One (1) per lot per street for lots w/ one thousand (1,000) feet of frontage or less. For lots with > one thousand (1,000) feet of frontage, one sign per one thousand (1,000) feet or a portion thereof.
Multiple Franchise Businesses Permit ( Required)		All Non- One (1) See conditions Ten (10)
Sandwich Board Permit ( Required)	SCC, GC, MPO, CB, NC	One (1) per business, tenant or occupant



Maximum Sign Area in sq. ft. per side, total)	Maximum Height in feet)	Minimum Setback in feet)	Conditions	Included in Maximum Aggregate Sign Area	Internal Illumination Permitted
s.f. Six (6)		Ten (10) behind right-of-way or property line		Yes Yes	
Thirty-two (32), sixty-four (64) for sign face area	Six (6)	Outside right-of-way or ten (10) feet from back of curb or edge of pavement, whichever is farther	See Article VIII.3.11.v	Yes No	
Thirty-two (32), sixty-four (64) for sign face area	Six (6)	Outside right-of-way or ten (10) feet from back of curb or edge of pavement, whichever is farther	See Article VIII.3.9.b	Yes See Article VIII.3.9.b	Yes
<b>TEMPORARY</b>					
Thirty-two (32), sixty-four (64) for sign face area	Six (6)	Not applicable	See Article VIII.3.9.m	Yes No	
See conditions	Six (6)	See conditions	See Article VIII.3.9.e	No No	
(6) For all parcels; six however, for parcels two (2) acres or greater, one (1) sign may be six (6) feet in height, twelve (12), twenty-four (24)	Five (5); however, for parcels two (2) acres or greater, one (1) sign may be six (6) feet in height	Outside right-of-way or ten (10) feet from back of curb or edge of pavement, whichever is farther	See Article VIII.3.9.n	No No	

Sign or Device Zoning District		Maximum Number
Single Tenant Sign	All Non-residential	One (1) per lot per street frontage
Ornamental Ground Sign Permit ( Required)	All Non-residential	One (1) per lot per street for lots w/ one thousand (1,000) feet of frontage or less. For lots with > one thousand (1,000) feet of frontage, one sign per one thousand (1,000) feet or a portion thereof.
Ground signs not otherwise regulated Permit ( Required)	All Non-residential	One (1) per lot per street for lots w/ one thousand (1,000) feet of frontage or less. For lots with > one thousand (1,000) feet of frontage, one sign per one thousand (1,000) feet or a portion thereof.
Development-in-progress (Permit Required)	All	One (1) per entrance and one per phase of section of development
Window All		% of aggregate window area
Temporary, with the exception of political and special event, in all residential zoning districts if not otherwise regulated	All Residential Two (2)	

Maximum Height in feet)	Minimum Setback in feet)	Conditions	Included in Maximum Aggregate Sign Area	Internal Illumination Permitted
Six (6), unless attached to a building or in a window	Outside right-of- way or ten (10) feet from back of curb or edge of pavement, whichever is farther	See Article VIII.3.9.o	No No	
Five (5) See conditions	Outside right-of- way or any pedestrian easement	See Article VIII.3.9.q	No No	
		See Article VIII.3.9.p	No No	
		See Article VIII.3.9.r	No No	

	Maximum Number	Maximum Sign Area in sq. ft. per side, total)
All Non-residential	One (1) per business or tenant	Thirty-two (32), sixty-four (64) for sign face area
	One (1) per campaign or candidate per frontage	See conditions
		All See conditions See conditions See conditions
		All See conditions See conditions See conditions

<p><b>Sign or Device Zoning District</b></p>	<p>Temporary, with the exception of political and special event, in all non-residential zoning districts if not otherwise regulated (Permit Required)</p>
<p>Political signs All</p>	<p>Temporary in a construction zone</p>
<p>Special Event Signs (Permit Required)</p>	

- a. All illuminated signage shall be externally lit with the exception of signs containing or consisting of channel letters as allowed in Article VIII, Section 3.9(a)(3) below.
- b. Internal illumination and external illumination shall not be allowed for the same sign.

(2) External illumination.

- a. Signs that are externally illuminated shall have the light source shielded from adjacent buildings and streets, and no sign or device shall produce glare or illumination so as to create a nuisance or a safety hazard to adjacent property owners or to the traveling public. Illumination shall be achieved via a steady, stationary white light of reasonable intensity that is directed solely at the sign. No sign shall have blinking, flashing or fluttering lights or other illuminating device which has a changing light intensity, brightness or color.
- b. Ground signs that are externally illuminated with ground mounted lighting shall have the fixtures fully screened with evergreen landscaping, in addition to mechanical light source shielding.
- c. Electrical lights and fixtures shall not be attached to a sign unless they are installed in accordance with the current adopted National Electrical Code.

(3) Internal illumination.

Only those signs as set forth in Article VIII, Section 3.10 may be illuminated internally by up to two (2) of the following methods. No other form of internal illumination is permitted.

- a. Individual channel letters and logos shall be permitted but only with the following physical characteristics:
  - 1. White, translucent plastic (e.g., acrylic, Lexan®, Sintra®) faces, aluminum returns, and a white internal light;
  - 2. Black or silver dual color film on white plastic faces, aluminum returns, and a white internal light; and

3. Logos shall not exceed twenty-five percent 25% of the sign area.
  - b. Individual reverse-channel (also known as "halo-lit" or "reverse lit") aluminum letters with opaque faces and returns of any color and white internal light.
  - c. Routed face signs shall be permitted but only with the following physical characteristics (see Article VIII, Section 3.11 for limitations on use of this sign design):
    1. Metal face of any color and white internal light; and
    2. Backed with white, translucent plastic (e.g., acrylic, Lexan®, Sintra®) or black, silver or dark gray dual color film on white plastic.
  - d. Routed signs with push-through letters shall be permitted but only with the following characteristics (see Article VIII, Section 3.11 for limitations on use of this sign design):
    1. Metal sign face of any color and white internal light; and
    2. Pushed through clear plastic (e.g., acrylic, Lexan®, Sintra®) letters with opaque vinyl faces of any color with a maximum return depth of one-half (1/2) inch.
- (4) Prohibited forms of illuminated signage.
- a. Exposed neon, or technologies such as LED that simulate neon, are prohibited for signs and shall not be incorporated into the design of a principal or accessory structure.
  - b. Plastic-faced cabinet signs, whether internally or externally illuminated, with the exception of menu boards not visible from the public right-of-way, and theater marquee logos.
  - c. The internal illumination of any sign not expressly allowed pursuant to the provisions of Article VIII, Section 3.9.
  - d. Any form or color of individual channel letters or reverse channel letters, routed face signs, or routed

signs with push-through letters not expressly permitted by Article VIII, Section 3.9(a)(3).

- e. External or internal illumination of a sign with a light color temperature that exceeds 5,000 K or the equivalent.

(b) Sign design; calculation of sign area and height.

- (1) Attached letters and graphics. When separate letters or graphics are attached to, or painted on, a wall, then the sign area shall be determined by the smallest geometric shape that encloses all borders, graphics, and letters as a complete sign.
- (2) Clearance from electrical lines. Signs shall maintain a minimum horizontal clearance of eight (8) feet in addition to the fall radius and a vertical clearance of at least eight (8) feet from electrical lines and in accordance with the provisions of the current adopted National Electrical Code, as revised.
- (3) Double-faced signs. When two (2) signs of the same shape and dimensions are mounted or displayed in a “V” shape, then all sign faces shall be included in calculating the aggregate sign area.
- (4) Freestanding/ground signs. The height of a sign shall be computed as the distance from the base of the sign at normal grade to the top of the sign face area. Normal grade shall be construed to be the lower of 1) existing grade prior to construction or 2) the newly established grade after construction, exclusive of any filling, berming, mounding, or excavating solely for the purpose of locating the sign. In cases where the normal grade cannot be reasonably determined, sign height shall be computed on the assumption that the elevation of the normal grade at the base of the sign is equal to the elevation of the nearest point of the crown of a public street.

a. Sign base.

- 1. All ground signs, with the exception of ornamental ground signs, shall have a minimum base of two (2) to three (3) feet below the sign.
- 2. The sign base, with the exception of ornamental ground signs, must be solid in appearance with no exposed poles.

3. The design and materials of the sign base shall coordinate with the architecture of the building with which it is associated.
4. Landscaping of the solid sign base with planters and/or shrubbery in all directions is required to soften the appearance of the sign and provide a transition to the ground.

b. Sign location. Ground signs shall be separated from adjacent ground signs by one hundred (100) feet, with the exception of project signs, when allowed, that shall be separated by one thousand (1,000) feet.

(5) Wall signs.

- a. Wall signs shall not obstruct or crowd architectural elements and details that define the design of the building.
- b. The sign placement and architectural features of adjacent buildings shall be respected.
- c. Within the Historic District, wall signs shall not be painted directly on the surface of masonry walls if the wall has not been previously painted, unless a Certificate of Appropriateness for a new building has been approved by the PZC.

(6) Sign face area. The entire area of a sign face shall be measured by a single, uninterrupted polygon (a square, rectangle, semicircle, or parallelogram) comprising the entire sign inclusive of any border or trim and all of the elements of the matter displayed, but excluding architectural embellishment, the base, supports, and other structural members. In the case of three-dimensional letters, or painted letters directly on the wall surface (with a Certificate of Appropriateness in the Historic District), the surface area shall be that area encompassing the individual letters themselves, including any trim or border and excluding the background that supports the three-dimensional letters.



Figure VIII.3-1: Example of how a sign area is determined by drawing a polygon (indicated by the dashed line) around all type and markings associated with the sign.

- (7) Design of sign face. The following provisions shall regulate sign compatibility and physical characteristics:
  - a. Ground signs shall not be in the shape of a sponsor name or motif (e.g., soda bottles, hamburgers, boot, and so forth).
  - b. Individual, plastic-faced channel letters shall have only white, silver or black faces with aluminum returns of bronze, black, white or silver. Otherwise, color is not regulated if the sign is designed per Article VIII, Section 3.9(a), Illumination.
- (c) Building standards for permanent signs.
  - (1) Compatibility, quality, and impact.
    - a. Building materials for signs shall be durable, have low maintenance, be of the same or higher quality as the principal structure(s), and shall not adversely impact adjacent uses.
    - b. Ground sign materials shall match the materials of the associated building.
    - c. Signs proposed for a building, or group of buildings, that contains two or more distinct occupants internally separated by firewalls or demising walls, shall be compatible with the signs of adjacent existing businesses. Compatibility of sign design shall be accomplished by individual tenant spaces in a shopping center harmonizing together through the use of signs with a common scale, heights from the finished grade, illumination, materials, type and color of sign faces and returns, and sign type (channel letter, halo-lit, and the like), placement on sign bands built into the building façade, or other signage features.
  - (2) Appropriate materials for permanent, attached signs. The following materials are considered to be appropriate for sign backgrounds, frames, supports, and ornamentation for permanent attached signs:
    - a. Wood;
    - b. Metal;
    - c. Plastic only when used as part of the following.

1. Channel letter faces and logos;
  2. Backing for routed face signs;
  3. Routed push-through letters and logos; or
  4. Cut out or laser cut letters.
- (3) Appropriate materials for permanent, freestanding/ground signs. The following materials are considered to be appropriate for sign backgrounds, frames, supports, and ornamentation for permanent freestanding/ground signs:
- a. Brick;
  - b. Natural stone, including panels, or imitation stone;
  - c. Stained, split-face block;
  - d. Wood;
  - e. Exterior insulation and finish systems (EIFS) or similar material in combination with brick, split-face block, or stone;
  - f. Metal panels, when used in combination with brick, split-face block, or stone; and
  - g. Plastic or other synthetic materials when used in combination with brick, split-face block, or stone. The PZC may specify an acceptable alternative to brick, split-face block, or stone that is composed of quality synthetic materials approximating the look and dimensions of authentic brick, split-face block, or stone.
- (4) Prohibited materials. The following materials are prohibited for sign backgrounds, frames, supports, and ornamentation:
- a. Exposed metal poles, when not enclosed by a masonry veneer;
  - b. Smooth-face concrete blocks, whether painted or unpainted;
  - c. Metal panels, when used without brick, split-face block, or stone;
  - d. Plastic, or other synthetic materials, when used without brick, split face block, or stone, or an

acceptable alternative thereto as specified by the PZC; e Reflective materials; and

f. Formed plastic letters.

(5) Structural requirements. All signs constructed or placed within the Town shall comply with all current Building Codes adopted by the Town. An electrical permit must be obtained for installation of any sign requiring electrical service or connection.

(d) Premises and sign maintenance.

(1) Premises maintenance. Signs and the premises surrounding them shall be maintained in a clean, sanitary, and inoffensive condition, free and clear of obnoxious substances, rubbish, and weeds.

(2) Structure maintenance. Signs, together with their supports, braces, guys, and anchors, shall be kept in good, safe repair and shall be maintained in good and safe condition, including the periodic application of paint or other weatherproofing materials to prevent rust or other decay.

(3) Sign area or other maintenance. The sign shall not be allowed to deteriorate to a broken, torn, peeling, flaking, out of plumb or level, illegible, or otherwise decayed condition.

(4) Maintenance of banners and flags. Banners and flags shall not be allowed to deteriorate to a tattered, torn, or faded condition and shall be attached and secured properly at all times.

(5) Removal of attached signs. Upon removal of an attached sign, the wall or face of the building on which the sign was attached shall be repaired or resurfaced to restore the wall or face to its original condition prior to installation of the sign.

(e) Visibility.

(1) No obstruction. Signs, including any means of supporting or staying the signs, shall not be placed or constructed so as to obstruct or interfere with any door, window, fire escape or other means of egress, light, or ventilation. Signs shall not be located so that they obscure the view of pedestrian or vehicular traffic in a manner so as to endanger safe movement, particularly at entrances, exits and intersections.

(2) Protection of vegetation and trees. No person may, for the purpose of increasing or enhancing the visibility of signs,

damage, trim, destroy or remove any trees, shrubs, or other vegetation located as follows:

- a. Within public right-of-way, unless the work is done pursuant to the express written authorization of the Town or state, whichever is appropriate; or
- b. On property that is not under the ownership or control of the person conducting or responsible for the work, unless the work is done pursuant to the express authorization of the person owning the property on which the trees or shrubs are located; or
- c. In any area where trees or shrubs are required to remain under an approved development contract.

10. Sign Standards by Sign Type and Zoning District

- (a) Allowed sign standards table. The Table of Allowed Sign Standards sets out the minimum requirements for the physical characteristics of signs in the Town. Additional conditions for some sign types are found in Article VIII, Section 3.11.
- (b) Aggregate sign area.
  - (1) Except for multiple franchises or multiple tenant buildings, each nonresidential building is entitled to a maximum aggregate square footage of signage for each visible building side to be calculated as follows:
    - a. For the first one hundred (100) linear feet of visible frontage, one and one-half (1.50) square feet of signage for each linear foot; plus
    - b. forty-five hundredths (0.45) square feet of signage for each additional linear foot of building frontage in excess of one hundred (100) linear feet.
  - (2) Notwithstanding the foregoing, the maximum aggregate square footage of signage per building, regardless of the number of visible building sides, shall be three hundred (300) square feet.
  - (3) Visible building side shall mean:
    - a. The horizontal length measured from the side of a building on a public or private street frontage of the heated and enclosed structure upon a premises, not including out-buildings or appurtenant structures; or

- b. The horizontal length of a building on the side with a principal pedestrian entrance.
- c. Civic/institutional uses permitted in residential districts or planned developments that cite uses in non-residential districts shall follow the sign regulations for non-residential districts.
- d. Non-residential uses permitted in a Planned Development shall follow sign regulations for non-residential districts or as established by the Planned Development, whichever is more stringent.

11. Sign-specific Conditions.

The following conditions supplement the standards set forth in Table VIII.3-2.

(a) Attached ballfield fence signs. The following additional provisions shall apply to all signs attached to ballfield fences:

- (1) Signs shall face into the ballfield; and
- (2) All backs of ballfield fence signs in a given ballfield shall be the same color.

(b) Attached awning signs. The following additional provisions shall apply to all attached awning signs:

- (1) Awnings with backlighting are prohibited;
- (2) Awning signs shall be placed on the valance area only; and
- (3) The minimum space between the edge of the letter and the top and bottom of the valance shall be one and one-half (1.5) inches.

(c) Marquee signs (if not otherwise regulated). The following additional provisions shall apply to all attached marquee signs other than theater marquee signs:

- (1) No illumination shall be allowed for attached marquee signs;
- (2) Maximum letter height shall be thirty (30) inches;
- (3) Maximum width shall be twenty-five percent (25%) of marquee face;
- (4) Marquee signs shall be placed on the fascia area only; and

- (5) The minimum space between the edge of the letter and the top and bottom of the fascia shall be one and one-half (1.5) inches.

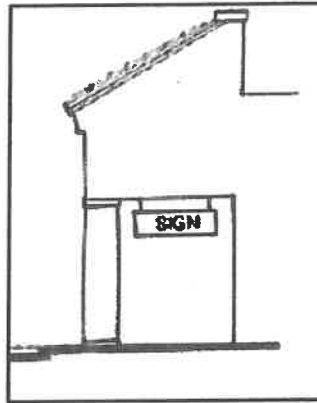
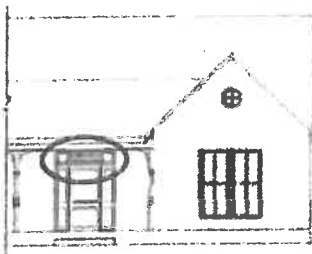


Figure VIII.3-2: Example of hanging sign.

- (d) Hanging signs. Hanging signs may hang either parallel or perpendicular to a building and shall adhere to the following provisions:
- (1) Parallel hanging signs shall be no more than ten (10) square feet in area.
  - (2) Perpendicular hanging signs shall be:
    - a. No more than four (4) square feet per side; and
    - b. No less than seven (7) feet above the sidewalk.



A parallel hanging sign

A perpendicular hanging sign

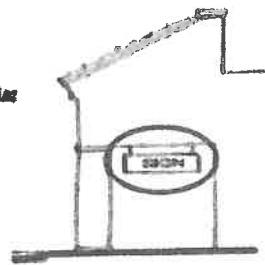


Figure VIII.3-3 Examples of parallel and perpendicular hanging signs.

- (e) Window signs. All window signage, whether temporary or permanent, shall comply with the following requirements:
- (1) Temporary signs shall be located fully within the interior of the building;

- (2) Temporary or permanent signs may be attached directly to or mounted within three (3) feet of the inside of commercialtype businesses;
  - (3) Except as provided in this section, window signage may be constructed of vinyl, paper, cloth, or other like material;
  - (4) Signs, whether temporary or permanent, shall not exceed fifteen percent (15%) of the aggregate window and door area. A group of windows on a particular building elevation separated by a distinct architectural feature, other than the window frame, shall be considered a separate contiguous window area and the sign area within each contiguous window area shall not exceed fifteen percent (15%). Each building elevation shall be considered separately; and
  - (5) LED, or similar technology, electronic message center window signs are prohibited.
  - (6) The maximum height of a window sign shall be six (6) feet from the sidewalk or door stoop.
- (f) Multiple franchise businesses. The following additional provisions shall apply to all multiple franchise business signs, if not otherwise regulated:
- (1) Businesses shall provide documentation demonstrating that they offer multiple franchises (e.g., “makes” of automobiles) and that there are signage requirements associated with specific franchise agreements;
  - (2) The PZC may approve signs for other types of businesses that contain multiple franchises under these provisions if the franchisee(s) demonstrate that:
    - a. Its franchise agreement contains specific signage requirements; and
    - b. Such requirements cannot otherwise be met unless these provisions are utilized.
  - (3) One (1) wall sign shall be allowed for the business name with a total of one square foot per linear foot of building (sales/showroom/office building only) per street frontage façade;
  - (4) One (1) wall sign shall be allowed for each franchise with a maximum aggregate sign area not to exceed two hundred (200) square feet per building (sales/showroom/office

- building only) street frontage façade and/or at a main pedestrian entrance to the building;
- (5) The aggregate sign area calculated for each building street frontage may be shared among the dealership, or other multiple franchise business, and each of its franchises on the building elevation facing the same street frontage;
  - (6) One (1) freestanding/ground sign shall be shared by the dealership, or other multiple franchise business, regardless of the number of public streets the property fronts, with a total sign area of one (1) square foot per ten (10) linear feet of street frontage along the property line including multiple street frontages. Maximum allowable sign area for this freestanding/ground sign shall not exceed seventy-five (75) square feet;
  - (7) A freestanding ground sign outside of traditional areas shall have a two (2) foot masonry base;
  - (8) The face of the freestanding/ground sign shall be rectangular in shape; and
  - (9) The base of the freestanding/ground sign shall be fully landscaped with planters and/or shrubbery in all directions not less than the dimensional width of the sign.
- (g) Wall signs and attached signs, if not otherwise regulated. The following additional provisions shall apply to all attached signs, if not otherwise regulated:
- (1) Signs shall not be located closer than two (2) feet from any other business located on the ground floor of the same building; and
  - (2) Signs shall not be located closer than four (4) feet in any direction from any other business sign.
- (h) Freestanding residential development signs. The following additional provisions shall apply to all freestanding residential development signage:
- (1) Freestanding residential development signs shall be located within a common open space lot or a private lot with an easement dedicated to a property owners' association.
  - (2) One (1) residential development sign shall be allowed if located within a central median at an entrance if within a common open space and not within the public right-of-way.

- (3) Only one (1) residential development sign shall be allowed on each side of an entrance.
- (4) Residential development signs shall be constructed only of masonry or natural materials, except for attached letters or logo, and may include signs constructed within entrance walls.
- (5) With the exception of the Historic District where signs with pole bases are in keeping with historic signs, an encompassing finished masonry frame shall be required:
  - a. The base shall not exceed twenty-five percent (25%) of the sign face area; and
  - b. In no case shall this percentage change the permitted sign face area.
- (i) Menu boards.
  - (1) For menu boards used in conjunction with a restaurant providing drive-through or curbside services, the structure shall be included on a site plan.
  - (2) Internally illuminated, plastic faced cabinet sign menu boards are allowed provided they are screened from the public right-of-way or are not visible from the public right-of-way.
- (j) Project signs. The following additional provisions shall apply to all multi-tenant project signs, if not otherwise regulated:
  - (1) When five (5) or more businesses, tenants or occupants are contained with or without individual street frontage with a common parking lot or private drive and a total of at least ten thousand (10,000) square feet in the project, a project sign shall be installed rather than a ground sign. One (1) parcel with less than five (5) tenants that does not qualify for a project sign shall share a single ground sign per Article VIII, Section 3.10(1);
  - (2) For developments that qualify for more than one (1) project sign, there shall be a minimum of one thousand (1,000) feet between project signs;
  - (3) The height of the project sign shall be determined as follows:

<b>Table VIII-3.2 Maximum Dimensions of Project Signs</b>		
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<b>Building Square Footage</b>	<b>Maximum Project Sign Height (in feet)</b>	<b>Maximum Project Sign Width (in feet)</b>
15,000 or less	10	10
15,001 or greater	15	10

- (4) Project signs shall be located a minimum of twenty (20) feet from the right-of-way;
  - (5) The base of the sign shall be fully landscaped with planters and/or shrubbery in all directions not less than the dimensional width of the sign;
  - (6) The face of the project sign shall be rectangular in shape;
  - (7) Project signs shall be designed to match the architecture of the building or development;
  - (8) The base of all project signs shall be two (2) feet in height and of masonry or stone construction;
  - (9) The project sign shall be on the same parcel as the multiple tenant project;
  - (10) The internal illumination of a project sign shall be limited to the following:
    - a. Existing, legally non-conforming signs;
    - b. Individual channel letters and logos per Article VIII, Section 3.9(a)(3)a;
    - c. Individual reverse-channel aluminum letters per Article VIII, Section 3.9(a)(3)b;
    - d. Routed face letters per Article VIII, Section 3.9(a)(3)c; and
    - e. Routed with push-through letters per Article VIII, Section 3.9(a)(3)d.
  - (11) Tenant panels shall be limited to one method of lighting on a multiple tenant project sign.
- (k) Sandwich board-type signs. The following additional provision shall apply to all sandwich board-type signs:
- (1) Sandwich board-type signs shall be constructed of metal or wood;
  - (2) Wood signs shall be constructed of medium density overlay

- (MDO) or a similar quality material, not grained plywood;
- (3) Edges shall be covered with molding; and
  - (4) Erasable slate chalk boards are allowed.
- (l) Freestanding/ground signs, if not otherwise regulated. The following additional provisions shall apply to all freestanding/ground signs, if not otherwise regulated, including a multiple tenant project sign for one (1) parcel with less than five (5) tenants that does not qualify for a project sign.
- (1) Freestanding/ground signs shall have a minimum of one hundred (100) feet between signs on adjacent lots;
  - (2) Freestanding/ground signs shall be constructed only of masonry or natural materials, except for attached letters or logo, and may include signs constructed within entrance walls;
  - (3) The maximum overall area of a freestanding/ground sign, including the finished masonry frame, shall be one hundred (100) square feet;
  - (4) Freestanding/ground signs, other than ornamental ground signs, shall have a two (2) foot masonry base; and
  - (5) The base of any freestanding/ground sign shall be fully landscaped with planters and/or shrubbery in all directions to soften the appearance of the sign and to provide a transition to the ground.
- (m) Development-in-progress signs. The following additional provisions shall apply to all temporary development-in-progress signs:
- (1) Signs in nonresidential projects shall be permitted only for sites with either a Town-approved site plan or only during the period for which there is an active building permit, or development agreement; and
  - (2) Signs in residential projects shall only be permitted with a Town approved site plan (for multifamily) or recorded subdivision with incomplete infrastructure and/or unbuilt lots remaining.
  - (3) A setback of less than ten (10) feet may be approved by the Development Director under circumstances where there are physical site constraints that would prevent compliance with this section.

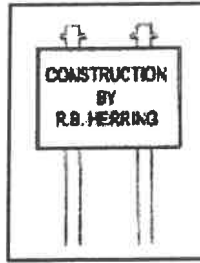


Figure VIII.3-4: Example of a development-in-progress sign

- (n) Temporary, with the exception of political, in all residential zoning districts if not otherwise regulated.
  - (1) Real estate signs shall be removed within seven (7) days of the closing of the sale, rental or leasing of the premises, or as determined by the PZC in the case of multiple lease or rental spaces in a single project;
  - (2) The display of any single temporary sign, other than a real estate sign or a political sign, shall be limited to sixty (60) days per calendar year.
- (o) Temporary, with the exception of political, in all non-residential zoning districts if not otherwise regulated. The following additional provisions shall apply to all temporary signs outside of a building in non-residential zoning districts, if not otherwise regulated:
  - (1) A premises shall display temporary signage outside of a building, other than a real estate sign or a political sign, no more than sixty (60) days per calendar year and no more than one sign at a time (Examples: one sign = sixty [60] days; two [2] signs = thirty [30] days each; three [3] signs = twenty [20] days each, and the like) and shall require a permit; and
  - (2) For multiple tenant developments, temporary signs for tenants shall be mounted on the tenant's leased space either in the window as a temporary window sign or on the tenant's building frontage.
  - (3) For multiple tenant developments, temporary signs for the development and requested by the property owner may be placed within the common area.
  - (4) New ownership of an existing business using temporary material(s) to cover/mask former business signage has sixty (60) days to be replaced with approved permanent signage providing existing sign area conforms to this ordinance.

(p) Temporary construction zone signs. The following regulations shall apply to sites that are, in the opinion of the PZC, significantly disturbed for long durations (over sixty [60] days) by state or local road widening projects or utility line or sidewalk repairs/installations/relocations. Tenants located on properties that meet these criteria will be allowed to use one of the two methods of temporary construction signage noted below.

(1) Window signs. Temporary window signs shall not exceed fifty percent (50%) of the aggregate window and door area allowable until the roadway section is completed, at which time the Town will provide a thirty-day (30-day) notice that these temporary signs shall be removed. A group of windows on a particular building elevation separated by a distinct architectural feature, other than the window frame, shall be considered a separate contiguous window area and the sign area within each contiguous area shall not exceed fifty percent (50%) of the contiguous area. Each building elevation shall be considered separately.

(2) Other (freestanding/ground signs, attached to building). The continuous display of any single temporary sign, other than a real estate sign or a political sign, shall be permitted until the roadway section is completed at which time the Town will provide a thirty-day (30-day) notice that these temporary signs shall be removed. Except for limitations on the duration, requirements for temporary signs for nonresidential developments per Article VIII.3.9(a) and paragraphs (n) and (o) of this section shall be applicable. Where a multifamily property with four (4) or more dwelling units is affected by roadway construction, the continuous display of any single temporary sign, other than a real estate sign or a political sign, shall be as allowed for nonresidential developments and are allowable until that roadway section is completed, at which time the Town will provide a thirtyday (30-day) notice that these temporary signs shall be removed.

(q) Political signs. The following shall apply to political signs as regulated by T.C.A 2-7-111(b).

- (1) Ground-mounted Commercial Property political signs shall:
- a. Have a maximum sign area of six (6) square feet per side with a total of sixteen (16) square feet per side with a total of thirty-two (32) square feet without

regard to shape on property located more than one hundred (100) feet from a polling place.

- b. Have a maximum height of five (5) feet; and
  - c. Shall be limited to only one (1) sign per candidate/campaign, for each street frontage of a premises or for each street frontage of an undeveloped lot, parcel, or tract of land with a maximum of five (5) signs per yard.
- (2) Ground-mounted Residential Property political signs shall:
- a. Have a maximum sign area of sixteen (16) square feet in size.
  - b. Have a maximum height of five (5) feet.
  - c. Shall be limited to only one (1) sign per candidate/campaign, for each street frontage of a premises or for each street frontage of an undeveloped lot, parcel, or tract of land with a maximum of five (5) signs per yard.
  - d. A homeowners' association shall not, by covenant, condition, restriction, or rule, prohibit the display of political or campaign posters or signs placed on private property by the owner of the property or any lawful resident of a residence on the property. A homeowners' association may adopt reasonable covenants, conditions, restrictions, or rules with respect to the placement and removal of political or campaign posters or signs placed on homeowner association common space and private property maintained by the owner or resident, including limiting the size of campaign posters or signs in those common and private property areas to four (4) square feet.
  - e. Political signs regulated on private property. Signs may be placed on privately owned property with the consent of the property owner.
    - i. No person shall paste, paint, rope, bill, nail, pin any sign or any advertisement or notice of any kind whatsoever or cause the same to be done, on any curbstone, or in any portion or part of any sidewalk or street, tree, lamppost, telephone or telegraph pole, awning, porch or

balcony or upon any other structure in the limits of any street or public right-of-way in the city including but not limited to any divided roadway, median, traffic island and/or circle/roundabout, except such as may be required by this code or other city ordinance.

ii. No political sign may be placed upon or attached in any way to any tree, utility pole or rock, provided that no such sign shall be placed on any fence or fence post which presents any safety or line of sight issues for drivers as determined by the chief building official of the Town.

iii. No such sign may be placed upon a public sidewalk.

- (3) Political signs mounted on a parked vehicle or a trailer shall:
- a. Have a maximum sign area of thirty-two (32) square feet per side with a total of sixty-four (64) square feet;
  - b. Have a maximum height of four (4) feet, exclusive of the vehicle or trailer; and
  - c. Be exempt from any maximum time durations/limitations if parked in a residential driveway.
- (4) Candidates winning a primary election may keep their signs up through the general election.
- (5) The office of the building inspector may order the removal or relocation of any such sign, which may constitute a hazard to the public traveling on public streets.
- (6) Political signs regulated on Town property. No political sign shall be placed on Town property, subject to the following exceptions and restrictions:
- a. Political signs may be placed on Town property designated as official poll locations for a primary, general, or special election, but not more than twenty-four (24) hours in advance of the election date.

- b. Campaign material may not be displayed nearer than one hundred (100) feet to any polling place, except on private property. The display of campaign posters, signs or other campaign materials, distribution of campaign materials, and solicitation of votes for or against any person or political party or position on a question are prohibited. No campaign posters, signs or other campaign literature may be displayed on or in any building on the grounds of any building in which a polling is taking place. Additionally, all restrictions of T.C.A. 2-7-111(b) shall be observed.
  - c. Political signs must be removed promptly following a primary, general or special election, but in no instance may Political Signs remain at a designated poll location more than twenty-four (24) hours following the election date.
  - d. Only one (1) tent space will be allocated per candidate (not to exceed a 12'x12' space) in the areas of Town Hall and EMS facility. Candidate shall be allowed to set up no more than twenty-four (24) hours prior to the opening of the polls on Election Day; and further, the tents must be removed within twenty-four (24) hours following the election date.
  - e. Anyone violating the rules of this Ordinance is subject to the removal of the tent structure from Town Property by the Chief of Police.
- (7) No political sign shall be posted more than sixty (60) days in advance of the date voting begins in the election to which it refers.
- (r) Special event signs. The following additional provisions shall apply to all temporary special event signs:
- (1) Temporary signs, on or off-premises, associated with a special event are prohibited unless the event is formally registered with the Town in one of the following ways:
    - a. A Board of Mayor and Alderman-approved Conditional Use Permit for a Class 2 Special Event Permit.
  - (2) Special event signs shall be erected no more than ten business days (10) prior to the registered special event and removed within forty-eight (48) hours after the event.

- (3) A permit is required for a special event sign (see Article VIII, Section 3.7(b)(1)f for exemptions).
- (4) Off-premises special event signs shall comply with the following requirements:
  - a. The maximum number of off-premises special event signs per lot shall be one (1);
  - b. The maximum sign area of off-premises special event signs shall be six (6) square feet; and
  - c. The maximum height of off-premises special events signs shall be five (5) feet.
- (5) On-premises special event signs visible off the lot shall comply with the following requirements:
  - a. The maximum number of on-premises special event signs per lot shall be one (1) per street frontage;
  - b. The maximum sign area of an on-premises special event sign shall be thirty-two (32) square feet;
  - c. The maximum height of an on-premises special events sign shall be six (6) feet; and
  - d. Special event signs not visible off the lot are exempt from these requirements.
- (s) Attached service station canopy signs. The following additional provisions shall apply to all attached service station canopy signs:
  - (1) No illumination shall be allowed for attached service station canopy signs;
  - (2) Maximum letter height shall be thirty (30) inches;
  - (3) Maximum width shall be twenty-five percent (25%) of canopy face;
  - (4) Service station canopy signs shall be placed on the fascia area only; and
  - (5) The minimum space between the edge of the letter and the top and bottom of the fascia shall be one and one-half (1.5) inches.
- (t) Projecting signs. The following additional provisions shall apply to projecting signs:

- (1) Projecting signs shall be at least ten (10) feet above the sidewalk; and
  - (2) Projecting signs shall not be placed above the cornice line of the first floor level unless they have a clearance of less than ten (10) feet.
- (u) Flags. Flag sizes shall be in proportion to the pole height and shall comply with the following:
- (1) All flag poles and poles shall comply with the National Association of Architectural Metal Manufacturers' Guide Specifications for Design of Metal Flagpoles Manual.
  - (2) Pole and flag size shall comply with the following:

Table VIII.3-3

<b>Ground-Set Poles</b>	
<b>Exposed Pole Height (feet)</b>	<b>Flag Size (feet)</b>
15-20	3 x 5
20 - 30	4 x 6
30 - 35	5 x 8
35 - 40	6 x 10

<b>Roof and Wall Mounted Poles</b>	
<b>Exposed Pole Height (feet)</b>	<b>Flag Size (feet)</b>
Up to 14	3 x 5
15 - 20	4 x 6

- (v) Ornamental ground signs. The following additional provisions shall apply to ornamental ground signs.
- (1) All ornamental ground signs shall have a minimum distance of 18 inches between the bottom of the sign and the surrounding grade.
  - (2) The design and materials of an ornamental ground sign shall coordinate with the building with which it is associated.
  - (3) The sign base of an ornamental ground sign may be landscaped when appropriate.

- (4) Only ground mounted external illumination shall be allowed for ornamental ground signs.

12. Non-conforming Signs.

(a) The utilization of a nonconforming sign and/or sign structure, as defined herein, may continue subject to the conditions and requirements noted below. When the use of a property changes (including but not limited to the redevelopment of the site, a change in the use of the business(es), or a tenancy change requiring the demolition or reconstruction of the sign), the signs on that property must be brought into compliance with the provisions of this subchapter, with the following exceptions:

- (1) The replacement of portions of the removable plastic face on a project sign shall be allowed for signs lawfully constructed prior to March, 2026 provided that such new portion utilizes the same size, shape, color and material of the replaced portion.
- (2) A nonconforming freestanding/ground sign that does not meet masonry base requirements (size, materials), shall be allowed to replace portions of the sign face provided that the new sign face meets the illumination provisions of Article VIII, Section 3.9(a) and the sign base is solid in appearance with no exposed poles.

(b) With the exception of minor repairs and maintenance and alterations allowed pursuant to state law, no alterations to a nonconforming sign/sign structure shall be allowed. Unless otherwise allowed by law, any structural or other substantial improvement to a nonconforming sign (except for those activities as specified in Article VIII, Section 3.9(b)(2) or in Article VIII, Section 3.12(a) shall be deemed an abandonment of the nonconforming status and shall result in the reclassification of such sign as a prohibited sign as set forth in Article VIII, Section 3.5.

13. Administration and Penalties.

(a) Enforcement. The Town Planning Director, or other departments or officers of the Town designated from time to time by the MBOA, is authorized and directed to enforce all of the provisions of this chapter. Upon presentation of proper credentials, the Building Inspector or his or her duly authorized representative may enter at reasonable times any building, structure or premises in the Town of Rossville to perform any duty imposed upon him or her by this

subchapter. The Building Inspector shall be authorized to pursue all such remedies as are available under the law and shall not be limited to those remedies listed below.

- (1) Notice of Violation; Repair or Removal. The Building Inspector, or his or her duly authorized representative, shall send a letter by certified mail to the owner, agent, and/or person having the beneficial interest in the building or the premises on which the subject sign is located, ordering that such sign be brought into conformance or removed within Building Inspector may determine to be appropriate under the circumstances. If the sign is not brought into conformity or removed by the end of the thirty-day (30-day) period, the Building Inspector may cause the same to be removed or repaired, as the case may be, at the expense of the owner of the sign and the owner of the premises on which the sign is located, each of whom shall be jointly and severally liable for such expense.
  - (2) Signs in public right-of-way. Signs illegally placed in any public right-of-way shall be forfeited to the public and shall be immediately confiscated by the Building Inspector.
  - (3) Unsafe signs. The Building Inspector, or his or her duly authorized representative, may cause any sign or sign structure to be removed immediately upon written notice at the expense of the owner of the sign and the owner of the premises on which the sign is located if the sign is an immediate hazard to persons or property by virtue of its construction.
- (b) Appeals to BZA. As set forth in Article X, the BZA shall hear and decide appeals from any order, requirement, decision or determination made by the Development Director or any other official charged with the responsibility of enforcing the provisions of this chapter.
- (c) Penalties. Any person, firm or corporation violating any of the provisions of this subchapter shall be deemed guilty of a misdemeanor and, upon conviction thereof, shall be fined not more than the maximum prescribed by Tennessee law. Each day's continuance of a violation shall be considered a separate offense. The owner of any sign, building or premises, or part thereof, where any matter in violation of this subchapter shall be placed or shall exist, and any person who may have knowingly assisted in the commission of any such violation shall be guilty of a separate offense.

14. Severability.

- (a) Generally; severability where less speech results. If any part, section, subsection, paragraph, subparagraph, sentence, phrase, clause, term, or word of this subchapter is declared or held to be invalid or unconstitutional by any court of competent jurisdiction, such declaration or holding shall not affect any other part, table, section, subsection, paragraph, subparagraph, sentence, phrase, clause, term, or word of this subchapter, even if such severability would result in less speech, whether by subjecting previously exempt signs to this subchapter's permitting requirements, or otherwise.
- (b) Severability of provisions pertaining to prohibited signs and sign types. Without diminishing or limiting in any way the declaration of severability set forth above or elsewhere in this subchapter, this ordinance or in any adopting ordinance, if any part, table, section, subsection, paragraph, subparagraph, sentence, phrase, clause, term, or word of this subchapter or any other law is declared or held to be unconstitutional or invalid by any court of competent jurisdiction, such declaration or holding shall not affect any other part, table, section, subsection, paragraph, subparagraph, sentence, phrase, clause, term, or word of this subchapter that pertains to prohibited signs.
- (c) If any court of competent jurisdiction invalidates the application of any provision of this subchapter to a particular property, structure, or situation, then such judgment shall not affect the application of that provision to any other building, structure, or situation not specifically included in that judgment.
- (d) If any court of competent jurisdiction judges invalid any condition attached to the approval of a development review application, then such judgment shall not affect any other conditions or requirements attached to the same approval that are not specifically included in that judgment.
- (e) Whenever a condition or limitation is included in an administrative action authorizing regulatory activity, then it shall be conclusively presumed that the authorizing officer, commission, or board considered such condition or limitation necessary to carry out the spirit and intent of this subchapter, and that the officer, commission, or board would not have granted the authorization to which the condition or limitation pertained except in belief that the condition or limitation was lawful.