

Sign Regulations | **Index**

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Chapter 156.050 | Signs

(A) GENERAL

- (1) **Intent.** It is the intent of this section to regulate signs. A permit for the installation of any sign is required unless otherwise provided for in this section. Permits must be obtained from the Zoning Official before installation of any type of sign. Failure to obtain a permit can result in the Zoning Official having the sign removed at the owner's expense. If the owner fails to pay for such removal, the city may attach a lien to the lot on which the sign is located.
- (2) **Purpose.** Signs perform an important function in identifying and promoting properties, businesses, services, residences, events, and other matters of interest to the public. This section regulates all signs within the city to ensure that they are appropriate for their respective uses, in keeping with the appearance of the affected property and surrounding environment, and protective of the public health, safety, and general welfare. The sign regulations of this section are intended to balance the following differing, and at times, competing goals:
 - (a) To support the desired character of the city, as expressed in adopted plans, policies, and regulations;
 - (b) To promote an attractive visual environment;
 - (c) To encourage the effective use of signs as a means of communication for businesses, organizations, and individuals;
 - (d) To provide a means of way-finding for visitors and residents;
 - (e) To provide for reasonable business identification, advertising, and communication;
 - (f) To prohibit signs of such excessive size and number that they obscure one another to the detriment of the economic and social well-being of the city and its residents, property owners, and visitors;
 - (g) To protect the safety and welfare of the public by minimizing hazards for motorized and non-motorized traffic;
 - (h) To minimize the possible adverse effects of signs on nearby public and private property;
 - (i) To provide broadly for the expression of individual opinions through the use of signs on private property; and
 - (j) To ensure that the constitutionally guaranteed right of free expression is protected.
- (3) **Scope and applicability.** All signs within the city are subject to the regulations of this section and all other applicable provisions of this chapter.
- (4) **Content neutrality.** Any sign permitted under this code shall allow the communication of information for commercial and non-commercial purposes without regulating the content, as long as the sign complies with all size, height, and location, as well as other applicable requirements of this code, and does not bear or contain statements, words, or pictures of obscene or pornographic subjects.
- (5) **General rules for reading and applying the language of this section.** Regulations are no more strict than stated. It will be up to the Zoning Official and/or designee to comprehend the code and apply it. The action of the Code Enforcement Officer is final unless appealed as provided in subsection (L) (2).

- (6) **Hierarchy of regulations.** Where there is a conflict between a land use regulation and a structural regulation, or other conflicts not otherwise addressed by this chapter, the most restrictive applies.
- (7) **Severability.** If any word, sentence, section, chapter, or any other provision or portion of this code or rules adopted hereunder is invalidated by any court of competent jurisdiction, the remaining words, sentences, sections, chapters, provisions, or portions will not be affected and will continue in full force and effect.

(B) PERMIT REQUIREMENTS, PROCEDURES, AND FEES

- (1) **Permit required.** Unless a particular sign is exempt from the permit requirement under an explicit provision of this section or other applicable law, then a permit for such sign is required.
- (2) **Replacements.** If any sign is removed and any new sign is erected in its place, a permit shall be obtained the same as if a new sign were erected at a new location, subject to all requirements enumerated herein.
- (3) **Maintenance.** If any sign is removed for maintenance and replaced on the same supports, a new permit will not be deemed necessary if the size or type of sign is not changed.
- (4) **Relocation of signs.** If any sign is removed from one location and erected at a new location, a new permit shall be obtained.
- (5) **Alteration.** Alteration or enlargement of any sign shall require a permit the same as for a new sign.
- (6) **Application.** No permit shall be granted until and after an application has been filed with the designated Zoning Official, showing the plans and specifications, including dimensions, materials, and details of construction of the proposed structure and meeting all provisions of this section.
- (7) **Application form.** The Zoning Official shall prepare and provide a form to be used as an application for a sign permit. The same form may constitute a permit, when duly approved. Multiple signs may be listed on a single permit only when they are all on the same lot or parcel.
- (8) **Information on application.** The sign application form may call for disclosure of any of the following information, but not limited to:
 - (a) Name and contact information for the applicant, and if separate, the name, address, and consent of the property owner;
 - (b) Street address;
 - (c) A site plan and/or building elevations showing the location of the proposed sign(s) on the lot and/or building, including setbacks; and
 - (d) Detailed sign information including type of construction, method of illumination, dimensions, copy, method of mounting and/or erecting, and other similar information. The content of the message or speech displayed on the sign shall not be considered when approving or denying a sign permit; however, the content must be submitted to evaluate the sign copy area. See subsection (A) (4) for more information.
- (9) **Incompleteness.** Initial review of an application will be for the purpose of determining if the application is complete. If the application is found incomplete, written notice thereof will be given within seven (7) business days of submission, detailing the points of incompleteness, provided contact information has been provided. Notice is deemed effective when mailed, emailed, or personally delivered. After notice of incompleteness, the applicant shall have ten

(10) business days in which to resubmit the application, with all noticed items of incompleteness corrected. Upon timely re-submission, a new application fee is not required.

- (10) **Time for decision.** The Zoning Official shall render a decision on each complete sign permit application within ten (10) business days of when the application was complete.
- (11) **Noncompliance with permit.** All signs must conform to the requirements of that permit and all other applicable laws. Any sign not erected or constructed as represented on the application upon which the permit was issued shall not be construed as a hardship case, but shall be construed as a misrepresentation of facts on the application and a violation of this section. The owner or agent shall be given a two (2) week notice to remove the sign or correct the error. Any noncomplying sign which is not removed or corrected within the required time shall be deemed a public nuisance and a violation of the zoning regulations, and may be abated in the same manner as any public nuisance or zoning regulation violation.
- (12) **Fees.** Upon enactment of this section, future changes of fee schedules will be reviewed and set by the City Financial Committee and City Council. The current fee schedule is as follows:
- (a) Freestanding or monument style sign: \$50;
 - (b) Wall signage: \$50;
 - (c) Temporary signage as described in subsection (D) (6): \$10; and
 - (d) Changeable copy sign in addition and incorporated into a freestanding or monument style sign: \$50.

(C) **SIGN REGULATIONS IN RESIDENTIAL DISTRICTS**

(1) **Applicability.**

The regulations of this section apply to signs in residential districts.

(2) **Signs allowed.**

The following signs are allowed in residential districts in addition to any signs allowed pursuant to subsection (H) (1). On-premise roof signs, on-premise projecting signs, and all off-premises outdoor advertising signs are prohibited in residential districts.

- (a) **Apartments/condo buildings and neighborhood and subdivision identification signs.**
- 1. Lots occupied by one (1) or more apartment/condo buildings with at least five (5) units are allowed a maximum of one (1) freestanding sign per street frontage and a maximum of one (1) wall sign per building. Wall signs may not exceed thirty-two (32) square feet.
 - 2. Residential neighborhoods and residential subdivisions are allowed up to two (2) freestanding signs at each street entrance to the neighborhood or subdivision. Manufactured housing parks are allowed a single freestanding sign at each street entrance to the neighborhood or subdivision; and
 - 3. The freestanding signs allowed by this section may not exceed thirty-two (32) square feet in area. Maximum height may not exceed eight (8) feet.
- (b) **Non-residential uses.** The following regulations apply to all principal non-residential uses in residential districts.
- 1. **Wall signs.** Non-residential uses in residential districts are allowed a maximum of one wall sign per public building entrance. No individual wall sign may exceed thirty-two (32) square feet in area. Home occupations are only allowed one (1) non-illuminated wall sign, not to exceed four (4) square feet in area.

2. **Freestanding signs.** Non- residential uses in residential districts are allowed a maximum of one (1) freestanding sign per street frontage. Allowed freestanding signs are subject to a maximum height limit of eight (8) feet and may not exceed 32 square feet in area. Home occupations are prohibited from having a freestanding or monument sign.
3. **Changeable copy signs.** All electronic, digital, or dynamic display unit message boards are prohibited in residential districts. However, electronic reader boards may be allowed on a lot occupied by a permitted religious place of worship with approval of a conditional use permit by the Board of Zoning Adjustments, in residential districts. Electronic reader boards are subject to the following criteria:
 - A. All electronic, digital, or dynamic display unit message boards shall only be allowed as an incorporated part of a freestanding or monument type sign. Size will be calculated as part of the total square footage of the sign as a whole. It shall not exceed 30% of sign area. The overall sign face including the electronic reader board shall not exceed thirty-two (32) square feet in size;
 - B. Such technology shall be programmed so that the single message or image on the sign changes no more often than every two (2) seconds, with all messages or segments to be displayed within a total of thirty-two (32) seconds;
 - C. There shall be no effects of blinking, flashing, scintillation, or similar effects in the individual images;
 - D. Light monitors shall be installed, and shall at all times allow such monitors to automatically adjust the brightness level of the message board based on ambient light conditions; and
 - E. The maximum brightness level of all electronic, digital, or dynamic display unit message boards may not exceed 7,000 nits (candelas per square meter) during daylight hours or 1,000 nits between dusk and dawn (the time between sunset and sunrise); and shall only be operated between the hours of 7:00 a.m. and 7:30 p.m. unless otherwise expressly approved through the conditional use permit.

(D) SIGN REGULATIONS IN BUSINESS DISTRICTS

(1) Freestanding Signs

Only one (1) freestanding business sign shall be permitted with the size to be determined as follows:

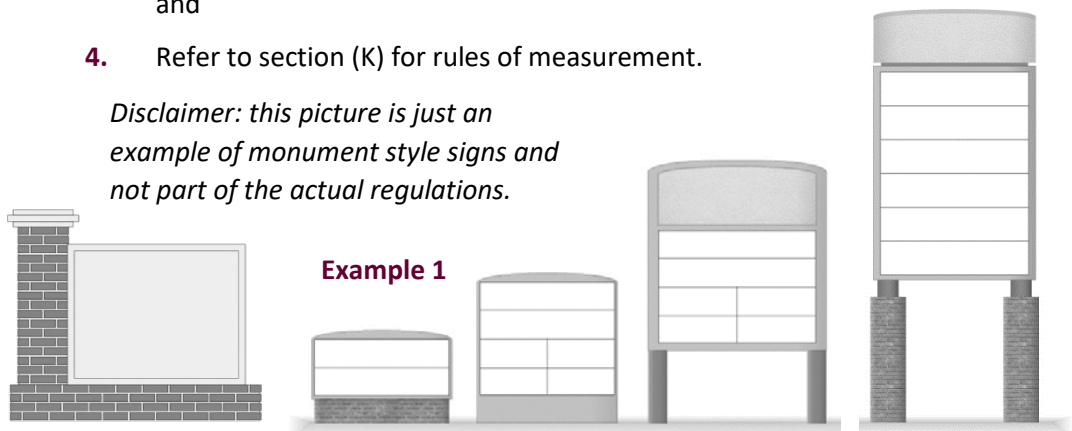
Table 1

Total Street Frontage in Linear Feet	Square Footage of Sign Allowed
Up to 60 lf	Up to 30 sf
61 lf to 80 lf	Up to 40 sf
81 lf to 100 lf	Up to 50 sf
101 lf to 120 lf	Up to 60 sf
121 lf to 140 lf	Up to 70 sf
141 lf to 160 lf	Up to 80 sf
Maximum size specifications are not to exceed 80 square feet or 24 feet in height from the average grade level of the lot frontage. Refer to section (K) for rules of measurement.	

(2) **Monument Sign Corridor**

- (a) **Compliance requirement.** Monument type signs shall be required on the monument sign corridor in place of freestanding signs along 12th Street from the southern city limits to the northern city limits and along Highway 121 Bypass North at the intersection of 12th Street, known as US Highway 641, to the western city limits. Freestanding signs existing on August 24, 2006 will be allowed to remain under the terms of section (I).
- (b) **12th Street and 121 North Bypass.** Only one (1) monument type sign shall be permitted with the size to be determined as follows:
1. Not to exceed eighty (80) square feet in area, excluding base;
 2. Overall height shall not exceed fourteen (14) feet;
 3. All monument type signs in grassy areas shall be placed in a landscaped area;
 4. Columns shall not exceed thirty (30) inches in width or depth. The base and columns shall be excluded when determining size; and
 5. Refer to section (K) for rules of measurement.
- (c) **Frontage road.** Only one (1) monument type sign shall be permitted with the size to be determined as follows:
1. Not to exceed 120 square feet in area, excluding base;
 2. Overall height shall not exceed twenty (20) feet;
 3. All monument type signs in grassy areas shall be placed in a landscaped area;
 4. Columns shall not exceed thirty (30) inches in width or depth. The base and columns shall be excluded when determining size; and
 5. Refer to section (K) for rules of measurement.
- (d) **Shopping centers.** One (1) shopping center sign per street frontage with a minimum of three (3) acres and a minimum of five (5) tenant spaces located in a unified building or a group of buildings on a single lot of record. Monument type signs shall be permitted with the size to be determined as follows:
1. Not to exceed 300 square feet in area, excluding base;
 2. Overall height shall not exceed (35) feet;
 3. All monument type signs in grassy areas shall be placed in a landscaped area; and
 4. Refer to section (K) for rules of measurement.

Disclaimer: this picture is just an example of monument style signs and not part of the actual regulations.



(3) Wall Signs

- (a) One (1) wall sign shall be permitted for each tenant or lessee space, on the facade of the building with the size to be determined as follows:

Table 2

Square Footage of Facade	Square Footage of Sign Allowed
Up to 500 sf	Up to 38 sf
501 sf to 600 sf	Up to 45 sf
601 sf to 700 sf	Up to 55 sf
701 sf to 800 sf	Up to 65 sf
801 sf to 1000 sf	Up to 80 sf
Over 1,000 sf will be calculated as follows: up to 8 % of the square footage of the façade of the building.	

- (b) Single tenant buildings or tenants with double frontage lots, corner lots, or outer walls will be allowed one (1) additional wall sign for each side and rear facade with size to be calculated as stated above.
- (c) Wall signs that are placed on the rear and/or side facade and share a property line with an existing residential use or residentially zoned vacant lot or lots shall not be externally or internally illuminated.
- (d) The total area of a canopy sign will be determined in conjunction with the allowable wall signage for each.

(4) Central Business District

Only one (1) wall sign or projecting sign is allowed where the right-of-way does not permit a freestanding sign.

- (a) A wall sign shall not exceed sixty (60) square feet;
- (b) A projecting sign shall be permitted, provided it does not exceed a surface area of twelve (12) square feet;
- (c) A projecting sign shall be at least nine (9) feet above ground level, but shall not project above the roof or parapet line;
- (d) The front edge of a projecting sign must not project closer than two (2) feet inside the street curb; and
- (e) Wall signs must be flush-mounted on flat surfaces in such a way that they do not destroy or conceal architectural features or details.

(5) Changeable Copy Sign Regulations

Automatic changeable copy signs shall be allowed in all business districts where freestanding or monument signs are permitted, except where frontage lots are adjacent to residential and/or agricultural districts. Automatic changeable copy signs are not permitted in rear lots unless approved by the Board of Zoning Adjustments.

- (a) All electronic, digital, or dynamic display unit message boards shall only be allowed as an incorporated part of a freestanding or monument type sign. Size will be calculated as part of the total square footage of the sign as a whole. It shall not exceed 30% of sign area;

- (b) Such technology shall be programmed so that the message or image on the sign changes no more often than every two (2) seconds, with all messages or segments to be displayed within a total of thirty-two (32) seconds;
- (c) There shall be no effects of blinking, flashing, scintillation, or similar effects in the individual images;
- (d) Light monitors shall be installed and shall at all times allow such monitors to automatically adjust the brightness level of the message board based on ambient light conditions;
- (e) The maximum brightness level of a dynamic display may not exceed 7,000 nits (candelas per square meter) during daylight hours, or 1,000 nits between dusk and dawn (the time of day between sunset and sunrise);
- (f) All existing and proposed changeable copy, electronic, digital, or dynamic display unit message boards shall come into compliance with the regulations of this section within twenty-eight (28) business days of adoption of this section, except where exempt for size that was previously granted by the Board of Zoning Adjustments; and
- (g) Shopping centers with a minimum of five (5) tenants are allowed a maximum of sixty (60) square feet for a changeable copy, electronic, digital, or dynamic display unit message board to be calculated as part of the total square footage and shall only be allowed as an incorporated part of the shopping center's freestanding or monument type sign.

(6) Temporary Signs

The following non-illuminated temporary signs are permitted in all business districts with approval of a sign permit.

- (a) One (1) a- frame sign or t-frame sign may be allowed for each business to be located no further than ten (10) feet away from the business door entrance, limited to three (3) feet in height by two (2) feet in width, each permit allowed for no longer than one (1) year. The sign may not block sidewalk traffic or traffic visibility, and may only be put out during business hours. An annual temporary permit fee is required.
- (b) One (1) banner per parcel, not to exceed thirty-two (32) square feet or six (6) feet in height may be allowed for fourteen (14) days, per sign permit. Temporary sign fees apply.
- (c) Pole banners may be allowed in private parking lots on existing light poles that are privately owned by the property owner, with prior approval from the property owner. Pole banners are not to exceed six (6) square feet in area. An annual temporary permit fee is required.

(E) SIGN REGULATIONS IN PROFESSIONAL OFFICE DISTRICTS

The following regulations for non-illuminated, indirectly illuminated, or directly illuminated signs shall apply:

- (1) Wall signs shall not exceed thirty-six (36) square feet in area. One (1) wall sign per façade;
- (2) One (1) freestanding or monument style sign shall not exceed thirty-six (36) square feet in area;
- (3) A freestanding or monument style sign shall not exceed ten (10) feet in height; and
- (4) Refer to section (K) for rules of measurement.

(F) SIGN REGULATIONS IN INDUSTRIAL DISTRICTS

The following regulations for non-illuminated, indirectly illuminated, or directly illuminated signs shall apply:

- (1)** Wall signs shall not exceed eighty (80) square feet in area. One (1) wall sign per façade;
- (2)** One (1) freestanding or monument style sign shall not exceed eighty (80) square feet in area;
- (3)** A freestanding or monument style sign shall not exceed twenty-four (24) feet in height; and
- (4)** Refer to section (K) for rules of measurement.

(G) SIGN REGULATIONS IN AGRICULTURAL DISTRICTS

The following regulations for non-illuminated, indirectly illuminated, or directly illuminated signs shall apply:

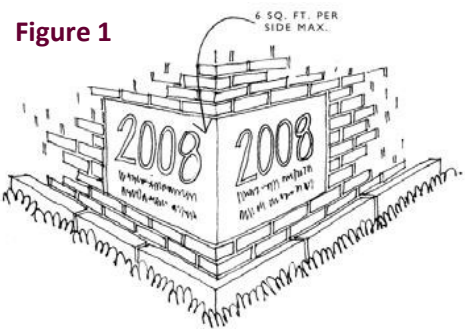
- (1)** Wall signs shall not exceed twelve (12) square feet in area. One (1) wall sign per façade;
- (2)** One freestanding sign shall not exceed thirty-two (32) square feet in area;
- (3)** A freestanding sign shall not exceed six (6) feet in height; and
- (4)** Refer to section (K) for rules of measurement.

(H) EXEMPT AND PROHIBITED SIGNS

(1) Exempt signs.

(a) The following signs or sign-like devices are allowed in all zoning districts without a permit, except where stated otherwise. Signs subject to this section shall conform to the requirements specified below:

- 1.** Address numbers used for the purpose of identifying the address of any building shall not be counted toward allowed sign area;
- 2.** Detached signs smaller than four (4) square feet in area and less than three (3) feet in height, and containing no commercial message or logo (for example, “enter” or “exit” signs);
- 3.** Cornerstones, foundation stones, and memorial signs or tablets displaying the names of buildings and date of erection, when cut into any masonry surface or inlaid so as to be part of the building, or when constructed of bronze or other incombustible material, provided that no such sign shall exceed six (6) square feet in area nor shall any such sign be separately illuminated;
- 4.** Commercial business window signage shall not exceed 25% of the window area to which they are affixed. Refer to section (K) for rules of measurement;
- 5.** Any official sign, informational, directional sign, or historic marker erected by a public agency;
- 6.** Signs on vehicles which are regularly used in the operation of a business;
- 7.** Signs required by local ordinance, state, or federal statute;
- 8.** Signs required by an order of a court of competent jurisdiction;



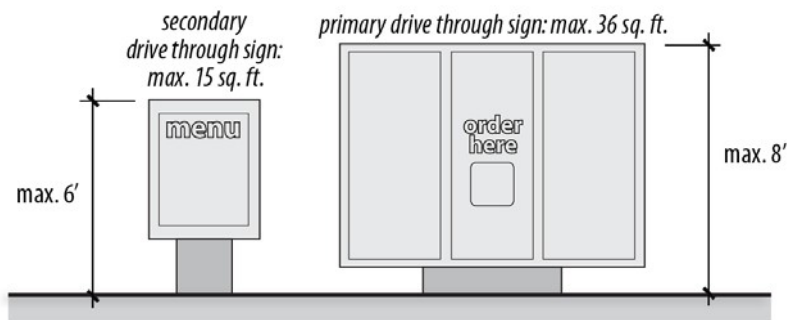
- 9. The flag or insignia of any nation, state, or city. Height restrictions are subject to each zoning district regulation for each individual lot;
 - 10. Any sign installed in a building or enclosed space and not legible from the public right-of-way or from a private or public property other than the property on which it is located; and
 - 11. Murals and artistic renderings may be permitted in all non-residential zones, with prior approval from the Board of Zoning Adjustments.
- (b) The following non-illuminated temporary signs are permitted in all zoning districts without a sign permit, except where stated otherwise. Signs subject to this subsection shall conform to the requirements specified below:

Table 3

ZONING DISTRICTS	Residential	Non-Residential
Maximum Number of Signs Per Parcel	6	3
Maximum Sign Area Per Sign	8 sq. ft.	12 sq. ft.
Maximum Sign Height	4 ft.	6 ft.
Minimum Setback/ Distance from Right of Way	10 ft.	10 ft.

- 1. Any temporary sign per parcel shall be located at least five (5) feet away from another temporary sign.
 - 2. Materials of temporary signs shall be consistent with sign industry standards and in compliance with section (J).
 - 3. All temporary signs shall comply with the requirements of subsection (H) (2).
- (c) In districts where drive-through and drive-up facilities are allowed, menu boards or other instructional or informational devices related to the drive-through or drive-up facilities shall be allowed without a sign permit, provided that such a device is less than thirty-six (36) square feet in area and less than eight (8) feet in height for the primary sign. Secondary signs shall not exceed fifteen (15) square feet in area or six (6) feet in height. Menu boards existing prior to October 1, 2018 will be allowed to remain under the terms of section (I).

Figure 2



(2) Prohibited.

Unless specifically authorized by another subsection of this Zoning Code, or by other law, the following sign types are prohibited at all times in all zones:

- (a)** Billboards;
- (b)** Portable signs, including folding portable signs and flashing portable signs;
- (c)** Mobile signs or trailer signs;
- (d)** Pennants, streamers, or signs that move, rotate, or flap, or inflatable signs, and similar devices. This includes feather, teardrop, angled, or rectangle flags;
- (e)** Flashing or blinking signs;
- (f)** Signs attached to any tree, fence, or utility pole;
- (g)** Illuminated signs within fifty (50) feet of any residential zoning district;
- (h)** Signs attached to or painted on licensed motor vehicles or trailers which are parked for long periods of time, which are not operational, and/or which are not regularly used in the operation of a business at the same location where the vehicle is most frequently parked. For purpose of this subsection, a “long period of time” shall be a continuous period of thirty (30) days or separate periods that total forty (40) days or more out of any 60-day period;
- (i)** Signs painted directly on the wall of a building, except those stated in subsection (H) (1);
- (j)** Offsite signs. Signs displaying off-site commercial messages, except those stated in subsection (H) (1);
- (k)** Obstructing signs. Signs that obstruct, impair, obscure, interfere with the view of, or that may be confused with, any authorized traffic control sign, signal, or device;
- (l)** Roof signs. Signs for which a separate structure is mounted on a roof or parapet; this provision does not prevent signs which are integral to the building;
- (m)** Clearance. Signs located nearer than eight (8) feet vertically, or four (4) feet horizontally from overhead electric wires or conductors, and/or refer to local governing body for electrical to meet precise requirements of the National Electric Code;
- (n)** Blocking. Signs that obstruct any fire escape, required exit, window, or door opening used as a means of egress;
- (o)** Annoyances. Signs which are or which have become nuisances by virtue of light reflection or diffraction, glare, focus, noise, smoke, fumes, animation, flashing, or intensity of illumination, when any such feature, without regard to the message displayed on the sign, is unduly disturbing to surrounding properties or to the public generally;
- (p)** Encroachments. Signs which are mounted or displayed on public property or the public right-of-way, or which project over, into, or above the public right-of-way; and
- (q)** Setback. Signs mounted so that any portion of the physical structure encroaches the required setback.

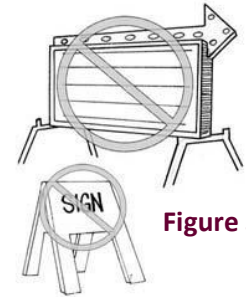


Figure 3



Figure 4

(I) NON-CONFORMING SIGNS

Non-conforming signs in place prior to October 1, 2018 may remain subject to the following provisions:

- (1)** Non-conforming signs must be maintained in good repair and safe condition, in accordance with section (K). No permits may be issued for upgrades or modifications to non-conforming signs;
- (2)** If a sign is non-conforming by reason of restrictions on its brightness or illumination, or its use of strobe or beacon lights, the sign must be immediately removed or made to conform within twenty- eight (28) business days;
- (3)** If a non- conforming sign is damaged or partially destroyed to the extent of more than 50% of its replacement cost at the time of damage, the sign must be removed or made to conform to all applicable regulations within ninety (90) days of the date of the damage or destruction. The building inspector may make a determination on what exceeds 50% of replacement cost;
- (4)** If a business is discontinued, any non-conforming sign that exists must be removed within twenty-eight (28) business days. Any new business occupying the same location must conform to the regulations of this section.

(J) DESIGN, CONSTRUCTION, AND MAINTENANCE

(1) Design and construction.

- (a)** All signs and sign structures shall be constructed of materials of sufficient strength and quality to withstand weathering or deterioration by wind, moisture, and other natural elements, and shall be maintained in a state of good repair with all braces, bolts, supporting framework, fastenings, letterings, and design work free from deterioration.
- (b)** Signs shall not be lettered in an unprofessional fashion.
- (c)** All signs shall comply with applicable provisions of the most current Kentucky Building Code.
- (d)** All signs shall be constructed in such a manner and fastened in such a way to prevent movement by wind pressure.
- (e)** All permanent signs must be located at least ten (10) feet away from all property lines and/or public rights-of-way. No temporary sign may be located within the public right-of-way.
- (f)** Freestanding or monument signs in grassy areas shall be constructed with landscaped areas around the entire sign.
- (g)** A sign containing wood in its structure, face, frame, or any part thereof, shall be painted or stained.
- (h)** Any business no longer occupying the premises where a business sign is located shall have the sign removed. The property owner of said location shall have twenty-eight (28) business days to comply with this section of the Zoning Code.
- (i)** Any pole on a property that was previously used for a freestanding sign must be removed within two (2) years of abandonment.

(2) Maintenance.

- (a)** All signs shall be maintained in good structural condition, in compliance with all building and electrical codes, and in conformance with these regulations at all times.
- (b)** All signs must be maintained in good condition at all times and the Zoning Official or designee, and/or Code Enforcement Official shall have the authority to order the

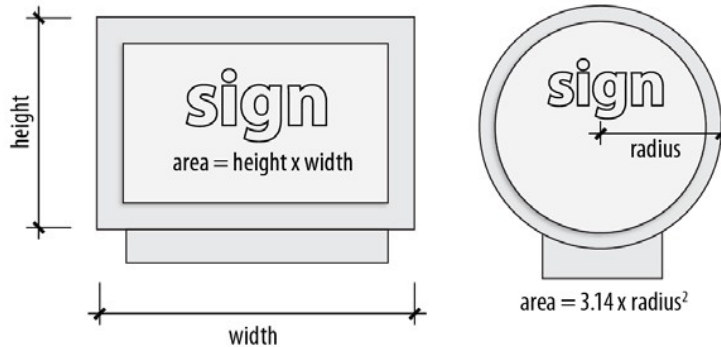
repair, repainting, alteration, or removal of any sign which is a nuisance to the community by reason of dilapidation, obsolescence, or inadequate maintenance.

(K) RULES OF MEASUREMENT

(1) Sign area.

The area of a sign enclosed in a frame or cabinet whether freestanding, monument or wall sign is determined based on the outer dimensions of the continuous perimeter surrounding the sign face. Area = H x W or Area = 3.14 x radius².

Figure 5



(2) Channel (individual) letter signs.

The area of a sign comprised of individual letters or elements attached to a building wall or window is determined by calculating the area of the smallest geometric figure that can be drawn around the letters and/or elements. Signs consisting of individual letters and/or elements will be measured as one sign. Below is an example of such measuring rules.

Figure 6



(3) Multi-sided signs.

When the sign faces of a multi-sided sign are parallel or within ten (10) degrees or twenty-four (24) inches of parallel, only one (1) side is counted for total sign area. If the sign faces are not parallel or within ten (10) degrees or 24 inches of parallel, all sign faces are counted for total sign area.

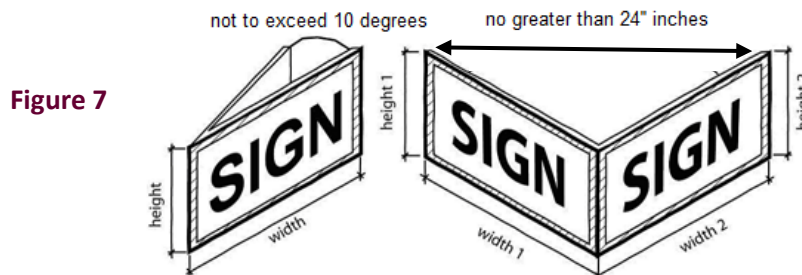
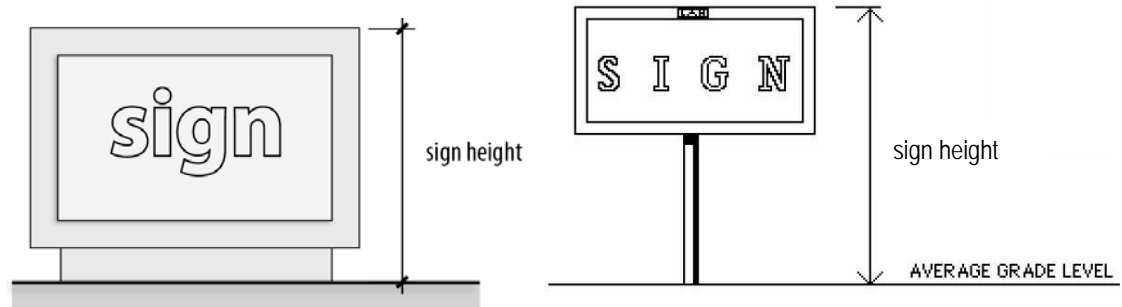


Figure 7

(4) Sign height.

The height of a sign shall be computed as the distance from bottom of the base of the sign at normal grade to the top of the highest attached component of the sign. Normal grade shall be construed to be the average grade level of lot frontage after construction.

Figure 8

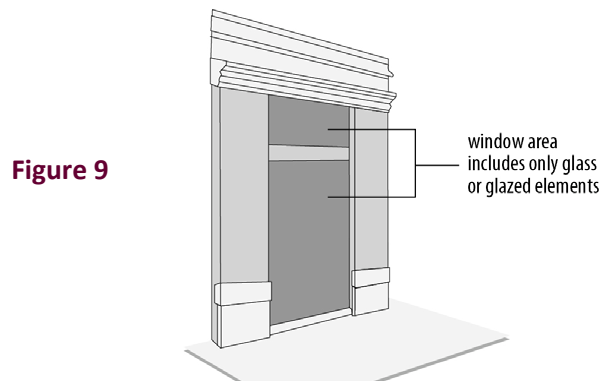


(5) Illumination and luminance.

Sign illumination in foot-candles is measured two (2) feet from the sign face. For the purpose of verifying compliance with maximum brightness level limits expressed in nits, brightness levels must be measured with the dynamic display set to run full white copy with a luminance meter positioned at a location perpendicular to the sign face center. When taking the luminance reading, the sign face must be the only subject visible in the viewfinder.

(6) Window area.

The area of a window includes only the glass or glazed elements of the window. Frames, mullions, and similar features are not counted as part of the window area.



(L) VIOLATIONS AND APPEALS

(1) Violations.

- (a)** This section shall be enforced under the provisions of Chapter 40. Any person who so violates this section or fails to comply with any of its requirements including the compliance with any official notice of violation, shall be subject to a fine as detailed in § 40.39.
- (b)** The following are examples of violations, however this list is not all- inclusive:
 - 1.** To install, create, or erect any sign requiring a sign permit without such permit;
 - 2.** To install, create, or erect any sign in a way that is inconsistent with any plan or permit governing such sign or the zoned lot on which the sign is located;

3. To fail to remove any sign that is installed, created, or erected in violation of this section, or for which the sign permit for such sign has lapsed; and/or
4. To continue any such violation. Each day of a continued violation shall be considered a separate violation when applying the penalty portions of this Zoning Code. A separate civil fine shall be assessed for each day a violation continues.

(2) Appeals.

(a) Appealing a Zoning Official's action or decision.

Appeals to the Board of Zoning Adjustments may be made by any person or entity claiming to be injuriously affected or aggrieved by an official action or decision of the Zoning Official. Such appeal shall be made within 30 days after the appellant or his agent receives notice of the action appealed from, by filing with said officer and with the Board a notice of appeal specifying the grounds thereof, and giving notice of such appeal to any and all parties of record. Said officer shall forthwith transmit to the Board all papers constituting the record upon which the action appealed from was made and shall be treated as and be the respondent in such further proceedings. At any hearing by the Board any interested person may appear and enter his appearance and all shall be given the opportunity to be heard. The Board shall fix a reasonable time for hearing the appeal and give public notice in accordance with KRS Chapter 424, as well as written notice to the appellant and the Zoning Official at least one week prior to the hearing, and shall decide it within 60 days. The affected party may appear at the hearing in person or be represented by an attorney.

(b) Notice of violation appeals. Refer to § 40.35 for further information.