
10-6-12 Signs.

- A. *Purpose:* The intent of this section shall be to define the types of signs that will be permitted in the various zone districts and those that will be prohibited and the manner in which sign areas and dimensions will be measured, and to except certain types of signs from this section. It is further the intent of this section to encourage the erection of signs that are attractive and generally compatible with the adjacent property; that will preserve and enhance property values within the community; that will provide for the public convenience, health and welfare; and that will protect the public safety.
- B. *General provisions:*
1. This section does not apply to the following:
 - a. Signs of a duly constituted governmental body, required to be maintained by law or governmental order, rule or regulation, including without limitation traffic or similar regulatory devices, address numerals, legal notices, warnings at railroad crossings, and other instructional or regulatory signs concerning public health, safety and welfare provided, that the copy and size of the sign do not exceed the requirements of such law, order, rule or regulation; or
 - b. Holiday decorations associated with any national, local, or religious holiday; provided, that such signs shall be displayed for not more than 60 days in any given year.
 2. Unless otherwise provided for in this title, signs may only be erected, altered, and maintained on the same lot as the permitted use(s) which the sign is appurtenant to.
 3. All signs shall be maintained and kept in good repair, including without limitation, the repair of glass, plastic or other sign face material that is missing, broken, damaged, or deteriorated; and the repair of any pole, frame support, or similar structure that is broken, damaged, or deteriorated.
 4. Any sign located or projecting into a private easement shall require authorization of the easement holder.
- C. *Prohibited signs:* The following signs are prohibited in the Town of Erie unless otherwise allowed in this section:
1. Signs attached to a tree or utility pole whether on public or private property.
 2. Signs located within a public right-of-way.
 3. Signs located in the vision clearance triangle or at any location where it may obstruct, impair, obscure, interfere with the view of, or be confused with, any traffic control sign, signal or device, or where it may interfere with, mislead or confuse traffic.
 4. Signs mounted on a pitched roof or the deck of flat roof.
 5. Flashing signs, signs emitting sound, rotating or moving signs, animated signs, signs with moving lights or signs that create the illusion of movement, except a sign whereon the current time or temperature is shown by intermittent lighting shall not be deemed to be a flashing sign. A sign that changes copy or color no more than once every four hours shall not be considered a flashing or moving sign.
 6. Signs painted, attached to, or placed on a vehicle or the bed of a trailer, when the vehicle or trailer is parked on a public right-of-way or public property, or on private property so as to be visible from a public right-of-way, for the basic purpose of providing the advertisement of products or directing people to a business or activity on the same or nearby premises. This provision applies only where the primary purpose of a vehicle is for advertising purposes and is not intended to prohibit any form of vehicular signs, such as a sign attached to a truck or motor vehicle, which vehicle is primarily used for business purposes other than advertising.

7. Riders or attachments to signs.

8. Ground signs

D. *Permit requirements:*

1. *Permit requirements.* No sign shall be painted, constructed, erected, remodeled, relocated, expanded or have the copy of the sign changed or altered (unless the sign was approved to allow such modifications) until a sign permit for such sign has been obtained from the town; and a building permit is acquired if required by building code.
2. *Compliance with provisions.* No permit shall be issued unless there is full compliance with the provisions of this section, and all signs must conform to the regulations and design standards of the adopted building and electrical codes.
3. *Maintenance and upkeep.* The maintenance, renovation, or repair of a sign without structural alteration and without change of sign copy shall not require a new sign permit, but may require a building permit under the Town's adopted building code.
4. *Sign permit fees.* A fee for a sign permit and if applicable for a building permit shall be required by municipal Code title 2.
5. *Exceptions from sign permit.* The following signs shall be excepted from the requirement of obtaining a sign permit but shall comply with all other regulations imposed by this section:
 - a. Small signs not exceeding four square feet in area displayed on private property;
 - b. Scoreboards in athletic stadiums.

E. *Size and dimension standards:*

1. *Permitted total sign area:*
 - a. The permitted total sign area for all signs on a property in each zone district shall be as follows:
 - i. AG/OS, AGH, RP1, RP2, RP3, RR, ER, SR, LR, OTR, MR, HR Districts, and PD - Agricultural, open space and Residential land uses: The maximum allowable gross area is 32 square feet.
 - ii. DT and NMU (inside of Old Town) districts: One square foot for each lineal foot of tenant frontage. The maximum allowable gross surface area for per individual sign shall be 32 square feet per face. Tenants with less than 32 linear feet of tenant frontage are permitted to have a maximum of 32 square feet of sign area. Vacant parcels shall be permitted a total sign area of 32 square feet.
 - iii. NMU (outside of Old Town), CMU, PLI, LI, AP, CC, RC, B Districts, and PD - nonresidential land uses: One square foot for each lineal foot of tenant frontage. The maximum allowable gross surface area for a principal sign shall be 100 square feet. Secondary signs shall be limited to 32 square feet per face. Tenants with less than 32 linear feet of tenant frontage are permitted to have a maximum of 32 square feet of sign area. Vacant parcels shall be permitted a total sign area of 32 square feet.
2. *Measurement of gross surface area:*
 - a. The area of any sign having parts with or without backing shall be measured by determining the total area of all squares, rectangles, triangles, portions of a circle or any combination thereof constituting the smallest single continuous perimeter enclosing the extreme limits of any of the following combinations:

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- i. The display surface or face of the sign including all frames, backing, faceplates, nonstructural trim or other component parts not otherwise used for support for parts of the sign; or
 - ii. Each word, written representation (including any series of letters), emblems or figures of a similar character, and including all frames, faceplates, nonstructural trim or other component parts not otherwise used for support for parts of the sign.
 - iii. All window signs shall be included in the total allowable sign area for the premises.
 - iv. Any end panel of a wall or projecting sign shall be counted as a face of the sign and shall be included in the area of that sign if said end panel is more than one foot in width.
 3. Each building frontage that abuts a street, highway, private drive, or alley shall be considered a separate building frontage.
 - a. *Sign height.* Sign height shall be measured from average ground level at the base of or below the sign to the highest element of the sign. The maximum height of a sign in each zone district shall be as follows:
 - i. AG/OS, AGH, RP-1, RP-2, RP-3 PD - Agriculture, open space and residential land uses, RR, ER, SR, LR, OTR, MR, HR: six feet.
 - ii. DT and NMU Old Town districts: Monument signs shall not exceed six feet in height.
 - iii. NMU (outside of Old Town), CMU, PLI, RC, CC, B, LI, PD - nonresidential land uses and AP districts: Monument signs shall not exceed ten feet in height, except that monument signs adjacent to Erie Parkway shall have a maximum height of six feet.

F. *Number of signs permitted:*

1. The number of signs permitted per property in each zone district shall be as follows:
 - a. AG/OS, AGH, RP-1, RP-2, RP-3, PD - agricultural, open space and residential land uses, RR, ER, SR, LR, OTR, MR, HR: two signs per street frontage.
 - b. DT and NMU (inside of Old Town): three signs per tenant for each tenant building frontage, or two signs per street frontage for vacant parcels.
 - c. NMU (outside of Old Town), CMU, CC, RC, B, LI, PLI, PD - nonresidential land uses and AP districts: five signs per tenant with a maximum of one principle sign and four secondary signs for each tenant building frontage, or two signs per street frontage for vacant parcels.

G. *Requirements for specific types of signs:*

1. *Illuminated signs.* Illuminated signs shall be internally illuminated or externally illuminated by a cutoff fixture. Illuminated signs shall not cast bright light upon property in any residential district or upon any public street, park, public facility, or hospital facility.
2. *Temporary signs.* Temporary signs in any zone district shall be displayed only in accordance with the following conditions:
 - a. Temporary signs shall not exceed 32 square feet in total surface area per use, and shall comply with the applicable height and setback regulations for the district in which they are located.
 - b. Temporary signs shall not remain in place for more than 30 days; except, that the building official may, for good cause, extend the time up to 30 days upon written application. Only one temporary sign per applicant shall be permitted to exceed the 30-day limit in any calendar year.

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3. *Projecting signs.* A projecting sign or wall sign may project over public property a maximum of two feet beyond the property line when a minimum clearance of at least eight feet is provided between the sign and the ground. Projecting signs shall not exceed the height of the wall or façade to which the sign is attached.
 4. *Monument signs.* Monument signs shall be constructed from similar materials as the principal building. No more than one monument sign may be permitted on a lot.
 5. *Wall signs.* Wall signs shall not exceed the height of the wall or facade to which the sign is attached.
- H. *Special provisions for signs at specific locations:*
1. *Signs at residential subdivision entry.* At each primary entrance to a residential subdivision, a maximum of two freestanding signs are permitted each with a maximum height of six feet and a maximum gross surface area 100 square feet. These signs shall be in addition to the signs permitted on the property under section 10-6-12 G.
 2. *Signs on development sites.* Signs located on sites where subdivision, development, redevelopment, initial construction or other major improvement of the property is under way shall be permitted additional signage to what is allowed in that zone district under section 10-6-12 G. of this Code, and shall comply with the following:
 - a. Such signs shall be monument, ground, wall, or window signs, shall not exceed 64 square feet in total area with a maximum of 32 square feet per face, and maximum of eight feet in height. Signs shall be removed within 30 days from the time that 95 percent of the lots or dwelling units in the platted subdivision, or filing thereof, have been sold, or the construction project is completed, whichever occurs earlier.
 - b. One such sign shall be permitted per street upon which the property either has frontage or has an entrance from a major thoroughfare; provided, that the minimum distance between signs on any single development shall be 1,000 feet.
 3. *Monument signs on Erie Parkway.* Monument signs located along Erie Parkway shall not be located in an easement or a landscaped tract.
- I. *Legal nonconforming signs:*
1. *Termination.* A legal nonconforming sign shall immediately lose its legal nonconforming status, and therefore shall be brought into conformance with this chapter or removed, when any of the following occur:
 - a. The size or shape of the sign is changed;
 - b. The sign structure is altered, other than by repairs or maintenance;
 - c. The primary structure on the property to which the sign is located is the subject of an application for a building permit for reconstruction, remodeling, expansion, or other improvements to the primary structure on such property, and the value of the proposed improvements total more than 25 percent of its replacement cost of such primary structure.
 2. *Maintenance.* Legal nonconforming signs shall continue to be maintained in safe condition pursuant to the building regulations of the town.
 3. *Replacement.* A legal nonconforming sign shall not be replaced unless the replacement sign is in full compliance with the provisions of this chapter.
 4. *Reconstruction.* If a sign or its support structure is damaged to the extent that the repair costs exceed 50 percent of the replacement cost of the sign, the sign shall be removed or brought into compliance with this chapter.

(Ord. 03-2022, § 1(Attch.), 1-11-2022)

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