

TOWN OF MONTREAT

ZONING ORDINANCE

ARTICLE X - SIGN REGULATIONS

(Revised 6/10/2004)

(Revised 8/14/2008)

(Revised 7/13/06)

- 1000 Purpose. The purposes of this Article are: (i) to permit such signs in the Town of Montreat that will not, by their reason, size, location, construction, or manner of display, confuse or mislead the public, obstruct the vision necessary for traffic safety, or otherwise endanger public health and safety; and (ii) to permit and regulate signs in such a way as to support and complement land-use objectives set forth in the Zoning Ordinance for the Town of Montreat.
- 1001 General Regulations. The following regulations shall apply to all signs in all Zoning Districts:
- 1001.1 Compliance. No sign of any type shall be constructed, erected, painted, posted, placed, replaced, or hung in any District except in compliance with this Ordinance.
- 1001.2 Maintenance. All signs, together with braces, guys and supports shall at all times be kept in good repair. If at any time a sign should become unsafe or poorly maintained, the Building Inspector shall send written notice to the owner or lessee of the sign that the sign must be repaired and maintained or removed. Upon failure of the owner or lessee to correct such condition within thirty (30) days, the Building Inspector shall order the removal of such sign. The expense of the removal of the sign shall be billed to the owner or lessee of said sign in accordance with Section 1001.10.
- 1001.3 Removal of Obsolete Signs. Signs identifying establishments no longer in existence, products no longer being sold, and service no longer being rendered shall be removed from the premises within ten (10) days from the date of termination of such activities. Upon failure of the owner or lessee of these signs to remove such signs within the prescribed time period, the Building Inspector shall order their removal subject to the terms of Section 1001.10. Temporary signs and political signs shall be removed within two (2) days after termination of the event or election advertised. Upon failure of the owner or lessee of these signs to remove such signs within the prescribed time period, the Building Inspector shall order their removal and any expense of removal shall be billed to the owner or lessee of said sign(s) in accordance with Section 1001.10.
- 1001.4 Measurement of Area; Height. Sign area shall be computed by means of the smallest square, circle, rectangle, triangle, or combination

thereof which will encompass the entire advertising copy or art designed to attract attention including borders and other architectural embellishments.

Sign height shall be measured from the street grade of the closest point in the street along which the sign is located or the grade at the base of the sign, whichever is higher, to the highest point of the sign Structure.

1001.5 Building Code Compliance. All signs shall fully comply with the requirements of the State of North Carolina Building and Electrical Codes.

1001.6 Sign Setback Requirements. No portion of any free-standing sign may be located closer than four feet (4') to any vehicular or pedestrian traveled way. For the purposes of this Ordinance, house numbers and nameplates shall be exempt from this setback requirement.

1001.7 Illumination of Signs. Unless otherwise expressly prohibited, signs may be illuminated provided that lighting directed toward a sign shall be shielded in such a manner as to illuminate only the face of the sign, and shall not project into any portion of the traveled roadway.

1001.8 Sign Permit Required. A sign permit, issued by the Town Administrator shall be required for all signs except those specified in Section 1003 and 1004. No permit shall be issued until the Zoning Official inspects plans for such signs and determines that they are in accordance with the requirements contained in this Article. The fee schedule for sign permits shall be set forth in the Town of Montreat Fee Schedule.

1001.9 Enforcement of Regulations. Any non-conforming sign constructed after the date of enactment of this Article or any sign maintained in a non-conforming manner shall be subject to the following actions.

1001.91 Notice. The Building Inspector shall notify in writing the following persons of the non-conforming Structure:

- 1) The owner or lessee of the sign;
- 2) The owner of the property on which the sign is located; and;
- 3) The occupant of the property on which the sign is located.

Notice shall be given to the above persons that the non-conforming condition shall be corrected within fifteen (15) days from the date of notification.

1001.92 Penalties. The owner or lessee of a non-conforming sign shall be fined fifty dollars (\$50.00) for each non-conforming sign if not

corrected within the fifteen (15) days following notification. In case of a continuing violation, each 24-hour period during which the violation continues to exist shall constitute a separate violation.

1001.93 Appeals. Any person having an interest in a sign found to be non-conforming or the property on which it is located may appeal a determination by the Building Inspector ordering removal or compliance as provided in Article XII of this Ordinance.

1001.94 Removal. If the non-conforming sign has not been brought into compliance with the provisions of this Ordinance or removed within the allotted fifteen (15) days as specified above, then said sign shall be removed by the Town and the cost of removal shall be billed to the owner or lessee of the sign.

1001.95 Failure to Pay Removal Costs. Pursuant to N.C.G.S. § 160A-193, if the Zoning Official determines that a sign removed by the Town was dangerous or prejudicial to the public health or safety and the owner of the sign has not paid the costs of removal, then a lien shall be placed on the real property where the removed sign was located in the amount of the costs of the removal and shall be collected as unpaid taxes.

1001.96 Failure to Pay Removal Costs of Other Signs. If the owner or lessee of a non-conforming sign that has been removed by the Town fails to pay for the costs of removal within thirty (30) days of the billing date, then the costs for removal shall be collected by the Town in a civil action in the nature of a debt.

1002 Prohibited Signs. The following signs are prohibited:

1002.1 Signs Constituting Traffic Hazards. Any sign located in a manner or place so as to constitute a hazard to vehicular or pedestrian traffic as determined by the Building Inspector.

1002.2 Signs in Street Right-of-Way. Any free-standing sign located in a street right-of way, or projecting over into a street right-of-way. One house number and/or name plate shall be permissible.

1002.3 Signs Obstructing Passages. Any sign that obstructs or substantially interferes with any window, door, fire escape, stairway, ladder or opening intended to provide light, air, ingress or egress for any Building.

1002.4 Off-Premises Advertising Signs. Billboards and other types of off-premises advertising signs.

- 1002.5 Flashing Devices. Any flashing device or sign displaying flashing or intermittent lights or lights of changing degrees of intensity, except a sign indicating time and/or temperature, with changes alternating on at least a five (5) second interval.
- 1002.6 Moving Devices. Any commercial use of moving signs or device to attract attention, all or any part of which moves by any means, including motion by the movement of the atmosphere or by electrical or other means, including but not limited to, pennants, flags, propellers, or discs, whether or not any said device has a written message.
- 1002.7 Posted Signs. Any sign posted to utility poles, trees, fences, rocks or other signs.
- 1002.8 Copies of Official Signs. Any sign which is a copy or an imitation of an official sign, or which purports to have official status but does not have an official purpose.
- 1002.9 Portable Signs. A sign that is not permanent, affixed to a Building, Structure or the ground.
- 1002.10 Roof Signs. Roof signs are prohibited in all districts.
- 1002.11 Signs Not Permitted. Any sign not expressly permitted elsewhere in this Ordinance.
- 1003 Exempt Signs. The following signs are exempt from the provisions of this Ordinance:
- 1003.1 Governmental Agency Signs. Signs erected or maintained by a governmental agency to regulate, control or direct traffic including signs indicating bus stops, taxi stands, and similar transportation facilities, or signs employed to serve as a directory for services that may be found within the Town. Such signs may be illuminated, flashing, or moving as required for public safety. Furthermore, signs erected by a governmental agency which convey information regarding a public service or the location of a public facility may also be illuminated as necessary.
- 1003.2 Signs Required by Law. Signs erected pursuant to federal, state, or local laws or ordinances.
- 1003.3 Warning Signs. Signs which warn of hazards to life, limb, and property such as high voltage electrical equipment, explosives and the like.
- 1004 Signs Permitted or Required Without a Permit. The following types of signs shall be permitted in any Zoning District without the issuance of a sign permit provided they meet the stated requirements:

- 1004.1 Temporary Real Estate Signs. Temporary real estate signs advertising a specific piece of property for sale, lease, rent, or development, located on said property, provided such signs shall not exceed six (6) square feet in surface area per side of sign up to a maximum of twelve (12) square feet of aggregate surface area. Signs shall not be illuminated and shall not exceed one (1) per parcel of land unless such land is located at an intersection of two streets; in such a case, two signs shall be allowed, one facing each street.
- 1004.2 Signs Incidental to an Educational Facility. One (1) free-standing sign on the property on which an Educational Facility is located is permitted except where an Educational Facility is located on a corner lot, then said Educational Facility is allowed two (2) free-standing signs, one (1) facing each street that borders the lot. Maximum size of such free-standing signs shall not exceed sixteen (16) square feet in surface area per side of sign up to a maximum of thirty two (32) square feet of aggregate surface area. In addition, each Educational Facility shall be allowed one (1) bulletin board not to exceed twelve (12) square feet of surface area (which may be a wall sign or a free-standing sign). Free-standing signs shall not exceed eight (8) feet in height.
- Each Educational Facility located more than one hundred fifty feet (150') from a major thoroughfare or collector street shall be allowed one (1) directional sign.
- These signs may be located on private property, with the written permission of the owner, at the nearest intersection of the major thoroughfare or collector street to the site of the Educational Facility.
- 1004.3 Signs on Window Glass. Signs on window glass, regardless of size.
- 1004.4 Private Traffic Signs. Private, unofficial traffic signs not exceeding two (2) square feet in surface area per side of sign up to a maximum of four (4) square feet of aggregate surface area per sign, which indicate directions, entrances, and exits. Such signs shall be located entirely on the property to which they pertain and shall not contain any advertising message.
- 1004.5 Construction Signs. One (1) construction sign per construction project not exceeding sixteen (16) square feet of sign area in residential Zoning Districts or thirty two (32) square feet in the Institutional or Institutional/Residential Zoning Districts, provided that such signs shall be erected no more than five (5) days prior to the beginning of construction for which a valid Building Permit has been issued, shall be confined to the site of construction, and shall be removed five (5) days after completion of construction and prior to occupancy.

- 1004.6 Public Notice. Official notices posted by public officers or employees in the performance of their duties.
- 1004.7 House Numbers and Nameplate Signs. Street address numbers must be clearly displayed so that the location can be identified easily from the road. Every property owner of improved property shall purchase and display in a conspicuous place on said property the number assigned.
- 1004.71 The official address number must be displayed on the front of a Building or at the entrance to a Building which is most clearly visible from the street or road during both day and night.
- 1004.72 If a Building is more than seventy-five feet (75') from any road or if two or more homes use the same entrance, the address number(s) shall be displayed at the end of the driveway or easement nearest the road which provides access to the Building(s).
- 1004.73 Numerals indicating the address number shall be at least three (3) inches in height and shall be posted and maintained so as to be legible from the road.
- 1004.74 Numerals must be of contrasting color to the background. Reflective numbering or placing reflective dots at the sign to direct attention to it is encouraged.
- 1004.75 The Zoning Official will have the right to authorize and approve alternate methods of displaying house numbers which meet the intent of this Ordinance when strict adherence to these standards cannot reasonably be met.
- 1004.8 Nameplate Signs. Nameplate Signs are permitted and may include House Numbers.
- 1004.9 Political Signs. Political signs shall, with the permission of the property owner, be allowed on private property more than five (5) feet from the traveled portion of the roadway, sixty (60) days before and on the date of the election or referendum. Political signs are defined as signs for candidates for election or for issues on the ballot, and such signs shall not exceed eight (8) square feet in area per display side, shall not have more than two (2) display sides per sign, and shall be removed within seven (7) days after the election or referendum. Political signs may not be illuminated.

1005 Signs Allowed with Permits. The following types of signs shall be allowed within the Town of Montreat upon the issuance of a sign permit for each proposed sign and subject to the regulations set forth below:

1005.1 Signs Allowed in Residential Zoning Districts (R-1, R-2, and R-3). The following types of signs shall be allowed in all of the residential Zoning Districts subject to the accompanying restrictions and the issuance of a sign permit:

1005.11 Home Occupation Signs. Each home occupation shall be allowed one (1) sign for purposes of identification. Said sign shall not exceed four (4) square feet of surface area and shall be attached to the residence. Signs shall not be illuminated.

1005.12 Subdivision Signs. One (1) ground sign per entrance to a subdivision. Said sign(s) shall be no larger than sixteen (16) square feet of surface area per side of sign up to a maximum of thirty two (32) square feet of aggregate surface area per sign. Signs shall not exceed six feet (6') in height and may not be illuminated.

1005.13 Non-Residential Uses. Non-residential uses permitted as a conditional use in residential Districts shall be allowed one (1) free-standing or wall identification sign per street fronted on by the permitted use. Said sign shall be no larger than eight (8) square feet of surface area per side of sign up to a maximum of sixteen (16) square feet of aggregate surface area for said sign. Signs shall not exceed eight feet (8') in height and shall not be illuminated.

1005.2 Signs Allowed in the Institutional/Residential and Institutional Zoning Districts. The following types of signs shall be allowed in the above Zoning Districts for uses permitted by the conditional use permitting process or for a use-by-right for that Zoning District subject to the accompanying restrictions and the issuance of a sign permit:

1005.21 Ground Signs. One (1) ground sign not to exceed the following surface area limitations: Sixteen (16) square feet in surface area per side of sign, up to a maximum of thirty two (32) square feet of aggregate surface area for the entire sign.

1005.22 Wall Signs. Each establishment located in the Zoning Districts set forth in Section 1005.2 shall be allowed wall signs in accordance with the following provisions: One (1) wall sign located on the street frontage side of the Building not to exceed sixteen (16) square feet.

- 1005.3 Temporary Signs Allowed in All Zoning Districts. Temporary signs, flags, or banners advertising the initial openings of businesses, establishments, special events or special sales may be permitted provided the location of such signs is approved by the Town Administrator or the Zoning Official. Such signs may be free-standing or attached to any part of the Building wall and said sign shall not exceed thirty (30) square feet in aggregate surface area and shall meet all other requirements.
- 1006 Non-Conforming Signs. No person shall erect any sign which does not conform to the requirements of this Article.
- 1006.1 Requirements for Bringing Non-Conforming Signs into Compliance. All non-conforming signs shall be removed or conformed to this Article within one year of the effective date of this Article.
- 1006.2 Maintenance of Non-Conforming Signs. All non-conforming signs shall be maintained in accordance with the requirements of this Article, provided, however, that no repainting of the sign shall alter the design of the sign in any fashion. If the design of a non-conforming sign is altered, the non-conforming sign must be removed or conformed to this Article at the time of the redesign.
- 1006.3 Replacement of Non-Conforming Signs. If a non-conforming sign is destroyed by vandals or adverse weather conditions, such sign may be replaced. If it is replaced, it shall conform to the requirements in this Article. Normal weathering does not constitute destruction by adverse weather conditions which would permit replacement of a non-conforming sign. If a sign is allowed to deteriorate, it shall not be replaced under this Section.
- 1006.4 Relocation of Non-Conforming Signs. A non-conforming sign may be relocated on the same premises on which it is located and the relocation brings the sign into conformity.
- 1006.5 Removal of Non-Conforming Signs. Any non-conforming sign existing on the effective date of this Article shall be removed within the time limits established by this Article. Any non-conforming sign erected after the effective date of this Article shall be removed immediately. Upon the failure of the owner or lessee of the non-conforming sign to remove it, the Building Inspector shall order its removal and any expense of removal shall be billed to the owner or lessee of the non-conforming sign in accordance with Section 1001.9.