

ORDINANCE 4-C-10

SYNOPSIS: The proposed Ordinance would amend Chapter 158, titled “Zoning Code,” of the City of Huntington Code of Ordinances to ensure signs are: compatible to their surrounding land uses while meeting the objectives of proper zoning amenities; located, constructed, installed and maintained in such a manner that they do not endanger public safety or traffic safety; are established in such a way as to allow and promote the optimum conditions for meeting the sign user’s needs for identification while at the same time promoting the amenable environment required to serve the public welfare; respect the reasonable rights of advertisers whose messages are displayed.

AN ORDINANCE AMENDING CHAPTER 158 OF THE CITY OF HUNTINGTON CODE OF ORDINANCES

WHEREAS, the City of Huntington, Indiana, has found that the public health, safety, welfare and property values of the public in general are directly impacted by the number, location, type and size of signs within the City of Huntington; and

WHEREAS, the City has found that, if left unregulated, signs can become a threat to public safety as a traffic hazard and detriment to property values and the City’s overall public welfare as an aesthetic nuisance; and

WHEREAS, the City of Huntington Plan Commission has drafted, reviewed, held public hearings and issued a favorable recommendation for this amendment with a 5 - 1 vote in favor of City of Huntington Common Council adoption; and

WHEREAS, the Common Council of the City of Huntington wishes to create a comprehensive and balanced framework to regulate signs, which can be viewed from the exterior of structures; and

WHEREAS, the Common Council of the City of Huntington wishes to preserve freedom of speech, provide a means for business identification and promote an attractive appearance throughout the community, as signs provide an important medium through which individuals may convey a variety of noncommercial and commercial messages.

BE IT ORDAINED, by the Common Council of the City of Huntington, Indiana that sections 158.30.00 through 158.30.13 of the City of Huntington Code of Ordinances be repealed in its entirety and replaced with the following:

“USAGE REGULATIONS

SECTION 158.030: SIGNS

SECTION 158.030.01: GENERAL PROVISIONS

A. GENERAL INFORMATION

1. The following subchapter outlines the signage regulations for the City of Huntington. Should you wish to erect signage that is in conflict with the provisions outlined, you may apply for a Variance from Development Standards in accordance with Section 158.076.
2. For the purpose of this chapter, one (1) sign, as defined elsewhere, shall constitute single or double sided facing provided the angle of separation between the two sign faces is no more than sixty (60) degrees unless otherwise noted. When sign area and proximity allows, a permitted single sign may be comprised of several small signs, provided the total area of the signs do not exceed the provided size limitations.
3. When measuring the distance between signs, unless otherwise noted, linear dimensions shall be made between the nearest sign base or mounting location of the signs.
4. Sign setbacks shall apply to the entire sign or sign structure, not from the mounting or support structure location.

B. PURPOSE AND INTENT

1. The purpose of this section is to create a comprehensive and balanced framework to regulate signs, which can be viewed from the exterior of structures to protect the health, safety and visual aesthetics, and to promote the overall public welfare. Including, but not limited to encouraging the effective usage of signs as a means of communication within the community, in a manner that is fitting.
2. The intent of this section is to acknowledge the need for adequate business identification and advertisement to conduct business, while promoting an attractive appearance throughout the community, through the use of permitting, reasonable standards, and regulations formulated to ensure compliance by all existing and future signs regulated within this Ordinance. This Ordinance is designed to authorize signs, which are:
 - a. Compatible to their surrounding land uses while meeting the objectives of proper zoning amenities;
 - b. Located, constructed, installed and maintained in such a manner that they do not endanger public safety or traffic safety;

- c. Established in such a way as to allow and promote the optimum conditions for meeting the sign user's needs for identification while at the same time promoting the amenable environment required to serve the public welfare;
- d. Respectful of the reasonable rights of advertisers whose messages are displayed.

C. FIRST AMENDMENT PROTECTION

- 1. No section of this ordinance shall be interpreted to hinder or prohibit freedom of speech as provided for under the First Amendment. No regulations within are placed on personal opinion messages, political speech, political election or political issue signs. All provisions outlined in this Ordinance are content neutral and only seek to regulate the quantity, size, height, location, spacing and other quantifiable elements of commercial signage and advertisement in order to protect the public interest through traffic safety, aesthetics and other similar interests.

D. MULTIPLE TENANTS

- 1. On parcels where more than one tenants occupy a single parcel, the provisions contained within this subsection shall apply to each tenant individually, except where noted.

E. DEFINITIONS

- 1. For the purpose of this section, the following definitions shall apply unless the context clearly indicates or requires a different meaning. In any situation where a given definition presents some level of ambiguity, the interpretation by the Director shall prevail, subject to any challenge to be decided by the Board of Zoning Appeals as provided.

Area (of a Sign): The area in square feet of a sign, when a complex sign shape exists, the director may determine the area of a sign by calculating the smallest, simplest, single geometric figure, which encloses the outside shape of the entire sign face.

Bottom Roofline: The principle bottom edge of the roof of a structure, which may be the lowest point of shingles or other roofing material where fascia is located and rain gutters are typically attached.

Changeable Copy: A part of a sign, which, through design may feature removable or changeable faces, plates or lettering.

Copy: The wording and advertising area on a sign surface in either permanent or changeable copy form.

Corner Vision Clearance: The triangular area formed by the intersection of any road right of way lines by a straight line drawn between the rights-of-way lines at a distance along each line of 25 feet from their point of intersection. Consideration should also be given

to private drive entrances, if the Director determines this constitutes a traffic safety concern, limitations may be placed upon the sign.

Director: The Executive Director of the Huntington Countywide Department of Community Development or their duly appointed representative.

Electronic Messaging: See Dynamic Sign.

Façade: Any face of a building, that's nearest property line directly abuts a street, private roadway, or other improved right-of-way.

Foot-Candle: A standard unit of illumination produced on a surface, all points of which are one (1) foot from a uniform point source of one (1) candle.

Height (of a Sign): The distance between the lowest grade level within two feet of either side of a sign and the highest part of the sign or its supporting structure.

Minimum Clearance (of a Sign): The smallest vertical distance between the grade of the adjacent street, curb, or sidewalk and the lowest point of any sign, including framework and embellishments, extending over that grade.

Nameplate: A non-electric, on-premise identification sign giving only the name, address and/or occupant or a group of occupants.

Road Frontage: The individual number of improved streets, roads or vehicular rights-of-way that directly abut a property. For the purpose of this chapter, roads shall be limited to public roadways intended for motor vehicle travel. When determining Road Frontage, private drives, private roads, and public alleyways shall not constitute as a road frontage.

Roofline: The top or bottom most, as specified, part of a roof of a structure for which a sign is affixed to.

Service Stations: A retail establishment such as a gas station, convenience store or motor vehicle garage that holds a valid Indiana Registered Retail Merchants certificate.

Sign: Any identification, description, symbol, illustration or device, which is in view of the general public or intended to be viewed from public rights-of-way, that are affixed to, painted or represented directly or indirectly and which identifies or directs attention to a person, place, product, service, activity, institution or business. Signs also include "lighter than air" advertising devices when they contain sign elements.

Sign, Auction: A temporary sign, which announces the date, time and other information relative to the auction of real estate or personal property at that premise.

Sign, Awning: A sign that is painted, stamped, perforated, stitched or otherwise applied on the surface of an awning. For regulation purposes, an Awning Sign shall be considered a Projecting Sign.

Sign, Banner: Any hanging sign possessing characters, letters, illustrations or ornamentations applied to paper, plastic, fabric, or any kind of material. This classification shall not include plastic or fabric signs, which are permanently attached within or over a rigid frame, which are intended to be used as a semi-permanent sign. National flags, flags of political subdivisions and symbolic flags of any institution or business shall not be considered banners for the purpose of this chapter.

Sign, Billboard: Any structure affixed to the surface of land or to any building, tower, pole(s), or other structures designed, arranged, used or intended to be used for outdoor advertising or where display space is purchased or rented for general advertising purposes.

Sign, Community Service: A sign, which promotes, declares or identifies a community service organization. Such organizations are typically not for profit and their signs are temporary. The placement, duration and quantity of these signs are determined by the Director.

Sign, Construction: Any sign announcing the names of architects, engineers, contractors or other individuals or firms involved with the construction, alteration or repair of a building project or announcing the character of the building enterprise or the purpose for which the project is intended.

Sign, Directional: Any sign, which serves solely to designate the location or direction of an area or place, which may include terms such as “enter”, “exit”, distance to and the name of the location or area in a legible font.

Sign, Directory: A sign, which provides a listing of uses or tenants within a particular building or complex of buildings, which are located on the same parcel. Depending on the characteristics, these signs can be wall or ground signs.

Sign, Dynamic: A sign, which features animation through programmable ink, intermittent or non-intermittent electronic messaging, LED video or any other method, which is designed to change the display message, image or other digital copy in an electronic format. This does not include electronic pricing signs, tri-vision signs, electronic time & temperature signs, neon signs, signs that are accentuated by light bulbs or signs which are backlit by a light source.

Sign, Flashing: See Dynamic Sign.

Sign, Freestanding: See Pole Sign or Ground Sign depending on characteristics.

Sign, Ground: A low profile sign completely or principally self-supported by posts or other sign apparatus independent of any building or other structure.

Sign, Incidental: A sign which is not explicitly defined by the provisions set forth in this ordinance; or a sign, which due to its size, location or other characteristics is an anomaly or unique in its nature or intention.

Sign, Marquee: See Projecting Sign.

Sign, Mobile: A sign, which is designed to be moved from one location to another, and is not permanently affixed to the ground or to a structure that is permanently affixed to the ground. Signs such as flashing arrow signs and portable reader board signs are classified as mobile signs. For regulation purposes, a Mobile Sign shall be considered a Ground Sign and temporary in its permitting.

Sign, Mobile Billboard: A sign affixed to a motor vehicle, an object that is towed by a motor vehicle or an object that has wheels and is designed to be moved from one location to another or to remain in constant travel. It is designed, arranged, used or intended to be used for outdoor advertising or where display space is purchased or rented for general advertising purposes.

Sign, Monument: See Ground Sign.

Sign, Off-premise: Any sign, which identifies or directs attention to a commercial product, service, activity or business not conducted on the parcel on which the sign is located.

Sign, On-premise: Any sign, which identifies or directs attention to a commercial product, service, activity or business conducted on the parcel on which the sign is located.

Sign, Open House: A sign, which announces an active open house or date and time of a future open house on the premise, which it is located.

Sign, Pedestal: See Ground Sign.

Sign, Pole: A medium-high profile sign, which is supported by one or more uprights or braces in the ground.

Sign, Political Campaign: A temporary sign on behalf of candidates for public office or measures on election ballots or of public concern.

Sign, Projecting: A sign other than a wall sign, which is attached to or projects from a structure or building face and does not project above the top roofline or the cornice wall.

This sign includes those designed and/or constructed as an integral part of a marquee or giving the appearance of being an integral part of a marquee. Awning Signs shall constitute as a Projecting Sign. Signs may project from a building a maximum of six (6) feet and may project into any required building setbacks. Signs may project over a sidewalk, but may not extend into any public or private roadway.

Sign, Pylon: See Pole Sign.

Sign, Real Estate: A temporary sign which advertises the sale, lease or rental of the property of which it is on.

Sign, Roof: a sign affixed directly to the roof a structure or a sign which extends above the top roofline of said structure.

Sign, Sandwich Board: A sign, typically of an A-frame design, located directly in front of the commercial establishment for which it advertises. These signs may be placed on a sidewalk, provided they do not impede the flow of pedestrian travel, handicap ramps or similar elements and are only on display during the normal operating hours of the business. These signs may not be placed in roadways or parking spaces. These signs are exempt from permit requirements. The Director shall determine if a sign shall be appropriate to substitute in place of a typical "Sandwich Board" type sign.

Sign, Static: A permanent or changeable copy sign, which does not feature characteristics of a dynamic sign.

Sign, Subdivision: A sign, which identifies a platted subdivision or other group of residential structures.

Sign, Temporary: A sign intended to be displayed for a designated amount of time. Included in this category are banner signs, construction signs, auction signs, real estate signs, political campaign signs and other signs as determined by the Director.

Sign, Walking: A sign attached to, held by or otherwise attended by a human being for the purpose of advertising or solicitation of commercial nature.

Sign, Wall: A sign affixed directly to, painted on or otherwise inscribed on an exterior wall, facade or other integral structural member and confined within the lot lines of any parcel and which projects from the surface less than 12 inches at all points. Wall Signs are not permitted to extend above any top roofline.

Sign, Window: A sign that is applied or attached to the exterior or interior of a window or located in such a manner within a building that it can be seen from the exterior of the structure through a window. One window shall constitute a single pane of glass.

Sign, Vehicle: A sign affixed to a motor vehicle.

Tenant: An owner, leaseholder, renter or other occupant of a property or structure who is independent from any other tenant at the same premises.

Tenant Structure: A single structure, which may be independent or part of a set of a group of structures that houses one or more individual tenants.

Top Roofline: The principle top edge of the roof of a structure, also known as the peak.

F. EXEMPTIONS

1. The following types of signs are exempt from all requirements of this section unless otherwise noted, but shall be established and maintained in a manner that does not cause safety hazards. No permits are required for the following signs:
 - a. Public traffic control signs
 - b. Private traffic control and warning signs
 - c. Government informational signs and legal notifications
 - d. Public directional or public or private warning signs
 - e. Memorial plaques, cornerstones and historical markers
 - f. Flags of any country, state, unit of government or non-profit organization
 - g. Residential nameplates and address numbers
 - h. Public information signs identifying telephones, restrooms, and similar facilities
 - i. Holiday decorations and special event signs which are directly related to an individual achievement, specifically noncommercial in nature, such as birthday, anniversary, birth announcement, holidays or sporting teams and events
 - j. Electronic time and temperature signs provided they are not more than 25% of a larger permitted sign and only display the current time and temperature as experienced on premise
 - k. Window signs
 - l. Any sign specifically authorized by a legislative body for a public purpose

- m. Signs on display for the purposes of a public parade event. Such parades shall have permission to close streets and police escorts if required and authorized by the City
- n. Signs on display for the purpose of public events, festivals and celebrations recognized by the City of Huntington and authorized by the Board of Public Works and Safety
- o. Vending machines and similar self service machines provided they advertise the products contained within them or premise upon the which they are located
- p. Drive thru order menus, “open”, “closed”, and hours of operation signs

G. DIRECTIONAL SIGNS

- 1. Private directional signs are permitted to aid in the safe movement of vehicular traffic. A valid sign permit is required prior to erecting a directional sign.
- 2. Typical wording includes the name of the establishment and “enter”, “exit”, distance to and other similar wording.
- 3. The Director may limit the location of such signs should a traffic safety concern arise from their placement near public rights-of-way and private drives.
- 4. For new construction or uses, the lighting, size and quantity of these signs shall be determined through the Development Plan Review process when required.
- 5. For new directional signs at existing locations, the lighting, size and quantity of these signs shall be determined by the Director on a case-by-case basis.

SECTION 158.030.02: GENERAL REQUIREMENTS AND RESTRICTIONS

A. COMPLIANCE WITH REGULATIONS

- 1. All signs shall comply with the general rules, regulations and requirements governing their placement, location, type, number and size as outlined and contained within the provisions of this Ordinance.

B. OBSTRUCTION OF TRAFFIC SIGNS, MISLEADING OR CONFUSING SIGNS

- 1. No sign or sign structure shall be erected at any location where it may interfere with, obstruct the view of or be confused with any authorized traffic sign, signal or device. No rotating beam, beacon or flashing illumination resembling any emergency lights shall be used in conjunction with any sign display, nor shall any sign make use of the words “stop”, “look”, “danger”, “caution” or any other word, phrase, symbol or character in such a manner as to interfere with, mislead or confuse traffic. No sign shall emit any form of sound or sounds.

C. OBSTRUCTION OF VISIBILITY

1. No sign or sign structure shall be located or constructed in such a manner as to materially impede the view of any street or highway intersection, or in such a manner as to materially impede the view of the intersection of a street or highway that contains a railroad crossing. No sign shall be designed or placed as to confuse traffic information for pedestrians or drivers of motor vehicles. The determination of the reasonableness of the location of a sign or sign structure, with respect to that above, shall be made by the Director, whose decision shall be subject to appeal.

D. ILLUMINATION

1. The light from an illuminated sign, whether an electronic sign, a sign illuminated from within the sign structure or through the use of directional or spot lighting, shall be so shaded, shielded or directed that the light intensity or brightness will not be reasonably objectionable as determined by the Director considering those affected thereby.
2. The light from an illuminated sign, whether an electronic sign, a sign illuminated from within the sign structure or through the use of directional or spot lighting shall not exceed seventy five (75) foot-candles on the sign surface. Illumination shall not be more than one foot-candle in intensity when measured from lot lines.

E. MAINTENANCE AND REMOVAL

1. All signs and sign structures, including but not limited to those signs for which permits are required, shall be kept and maintained in a good state of repair and safe condition. Including the replacement of defective parts, painting, cleaning and other acts required for maintenance.
2. When any sign fails to comply with division 1 above, the owner of the sign or owner of the property upon which said sign is located shall remove or repair said sign.
3. After giving the sign or property owner any required written notice that said sign is in disrepair, the Department or its authorized representative can cause the sign to be removed, repaired, or altered at the expense of the property owner in accordance with the provisions of the Huntington City Zoning Ordinance.

F. PROHIBITED SIGNS

1. The following types of signs are not permitted in any location under any circumstances unless otherwise specified in this Ordinance. These signs may be subject to fines and penalties as provided for in this Ordinance.
 - a. Dynamic Signs, including those of any size located in a window or intended to be viewed from the outside of a structure, as defined in this Ordinance unless explicitly permitted

- b. Any sign which swings or otherwise noticeably moves as a result of wind pressure because of the manner in which they are suspended or attached and whose movement can be construed as dangerous by the Director
2. The following types of signs are not permitted in any location under any circumstances unless otherwise specified in this Ordinance. These signs may be removed and or destroyed by the Director without any notification and as a result be subject to fines and penalties as provided for in this Ordinance once photographic documentation is taken for violation record purposes once they are found to be in violation.
- a. Any deteriorated, leaning, derelict or structurally unsafe signs, which constitute a public safety hazard as determined by the Director
 - b. Any signs placed on trees, public/municipal utility telephone or light poles, fences, on the surface of city streets or rights-of-way, railroad rights-of-way, alleys, sidewalks or projected electronically there on. Rights-of-way shall mean any local, state, federal, public, or private rights-of-way, platted as such and intended for the purpose of the construction, reservation, maintenance, or expansion of services or infrastructure intended to benefit the public
 - c. Any sign obstructing ingress or egress points of access from a building door, window, fire escape or exit
 - d. Any sign which is located upon, over or in any street or highway rights-of-way, except for official traffic signs and signals unless otherwise specified
 - e. Any sign that is unlawful

SECTION 158.030.03: PERMITS, APPLICATION AND FEES

A. SIGN PERMIT

1. Except as otherwise provided in this Ordinance, it shall be unlawful for any person to establish or cause any sign to be erected, structurally altered or relocated except as otherwise exempted in this Ordinance without first obtaining a sign permit for each sign from the Department as required by this Ordinance. This requirement shall not be construed to require any permit for a change of copy or displayed message, repainting, cleaning or other normal maintenance or repair of a sign or sign structure for which a permit has previously been issued, so long as the sign or sign structure is not modified in any way which violates the standards or provisions of this Ordinance. No permit shall be required for signs, which are exempt from permits elsewhere in this Ordinance. No new permit shall be required for signs which have been lawfully permitted and that conform with the requirements set forth in this Ordinance unless the sign is altered or relocated in a manner, which violates this Ordinance.

2. Sign permits issued by the department shall be deemed null and void if the sign is not established within one (1) year after the issuance of said permit. Permits for signs, which have been granted a variance, shall be deemed null and void after one (1) year from the date such approval for variance is granted from the Board of Zoning Appeals.
3. No person shall establish any sign upon any property or structure without the consent of the owner or person entitled to possession of said property or building, if any, or their authorized representative.

B. SIGN PERMIT APPLICATION

1. To obtain a permit for the purpose of erecting, constructing, altering or relocating a sign, a permit application on file with the Department must be filled out by the applicant. Such application shall be accompanied by any information deemed necessary by the Department to assure compliance with appropriate regulations of this Ordinance including, but not limited to:
 - a. Clear and legible drawings of the sign, sign structure and site that illustrates the location of the sign which is subject to the permit and all other existing signs on the same premises or on other premises which may be relative to the regulations for said sign
 - b. All property lines, easements, Rights-of-way, adjacent roads, structures and other improvements
 - c. Drawings should show the dimensions, construction supports, sizes, and method of attachment of the sign
 - d. Supplemental information should also be submitted for any lighting or illumination of a sign or sign structure
 - e. Any applicable electrical permits shall be obtained in conjunction with a sign permit
2. The Director shall issue a permit for the sign if:
 - a. It complies with all applicable regulations and restrictions contained in this Ordinance
 - b. It has been authorized as a variance by the Board of Zoning Appeals
 - c. The premises on which the sign will be located, is in good standing and not deemed to be in violation of any ordinances by the Department
3. The following signs are exempt from the permit requirements contained herein:
 - a. A sign specifically exempt from the provisions of this Ordinance as specifically stated in this Ordinance

- b. A sign that is deemed by the Director to be a permanent or integral architectural feature of the structure that contains it
- 4. The Director may, in writing, suspend or revoke a permit issued under provisions of this Ordinance whenever a permit is issued on the basis of a misstatement of fact or fraud after due notice by the Director. When a sign permit is denied or revoked by the Director, notice of the denial of the application together with a brief statement of the reason for the denial shall be given when requested.
- 5. No sign permit issued hereunder shall be deemed to constitute permission or authorization to establish, erect or maintain an unlawful sign nor shall any permit issued hereunder constitute a defense in an action to abate an unlawful sign.
- 6. An appeal may be presented to the Board of Zoning Appeals from either the Directors denial or the revocation of a permit or from the failure of the Director to formally grant or deny a permit within thirty (30) days from the date of application for a sign permit or the denial there of.

C. SIGN PERMIT FEES

- 1. Fees for sign permits shall be fixed by Ordinance and contained on the Fee Schedule maintained by the Department, approved by the Plan Commission and adopted by the Common Council. Fees can be amended from time to time as deemed necessary and adopted by the Council.

SECTION 158.030.04: RESIDENTIAL DISTRICTS

A. A, R-1A, R-1, R-2, R-3 AND C-1 DISTRICTS

- 1. One (1) on-premise sign per parcel for an approved home occupation from the following list.
 - a. Sign Classification: Wall Sign
 - i. Animation: Static
 - ii. Maximum Sign Area: Four (4) square feet
 - iii. Maximum Sign Height: Eight (8) feet
 - iv. Illumination: None
 - v. Other Restrictions: See Wall Sign definition

SECTION 158.030.05: PROFESSIONAL OFFICE DISTRICT (POD)

A. PROFESSIONAL OFFICE DISTRICT

- 1. Two (2) on-premise signs per road frontage from the following list are permitted. Where multiple tenants occupy a structure, the provisions shall apply to each tenant individually.
 - a. Sign Classification: Wall Sign

- i. Animation: Static
 - ii. Maximum Sign Area: Twenty-five (25) square feet
 - iii. Maximum Sign Height: Twenty-five (25) feet
 - iv. Illumination: Yes
 - v. Other Restrictions: See Wall Sign definition
 - b. Sign Classification: Projecting Sign
 - i. Animation: Static
 - ii. Maximum Sign Area: Twenty-five (25) square feet
 - iii. Maximum Sign Height: Twelve (12) feet
 - iv. Minimum Sign Clearance: Eight (8) feet
 - v. Illumination: Yes
 - vi. Other Restrictions: See Projecting Sign definition
2. One (1) on-premise sign per parcel from the following list are permitted. Where multiple tenant structures occupy a parcel, the provisions shall apply to each tenant structure individually. Such sign may identify the name of the office park or structure and those tenants who occupy them.
- a. Sign Classification: Ground Sign
 - i. Animation: Static.
 - ii. Maximum Sign Area: Twenty-five (25) square feet
 - iii. Maximum Sign Height: Six (6) feet
 - iv. Location: Prohibited from Corner Vision Clearance area and being located within thirty (30) feet from any residential district and must be set back five (5) feet from any property line
 - v. Illumination: Yes
 - vi. Other Restrictions: See Ground Sign and Tenant Structures definitions

SECTION 158.030.06: BUSINESS DISTRICTS

A. MIXED USE DISTRICT (MXD)

2. Two (2) on-premise signs per road frontage from the following list are permitted. Where multiple tenants occupy a structure, the provisions shall apply to each tenant individually.
- a. Sign Classification: Wall Sign
 - i. Animation: Static
 - ii. Maximum Sign Area: Twenty-five (25) square feet
 - iii. Maximum Sign Height: Ten (10) feet
 - iv. Location: On a wall that abuts road frontage, however more than one sign may be located on any one wall.
 - v. Illumination: Yes provided the sign is not located within thirty (30) feet from any residential district
 - vi. Other Restrictions: See Wall Sign definition

- b. Sign Classification: Projecting Sign
 - i. Animation: Static
 - ii. Maximum Sign Area: Twenty-five (25) square feet
 - iii. Maximum Sign Height: Twelve (12) feet
 - iv. Minimum Sign Clearance: Eight (8) feet
 - v. Location: On a wall that abuts road frontage, however more than one sign may be located on any one wall
 - vi. Illumination: Yes provided the sign is not located within thirty (30) feet from any residential district
 - vii. Other Restrictions: See Projecting Sign definition
3. One (1) on-premise sign per parcel from the following list is permitted, in lieu of a sign below; one additional sign from the above list may be substituted.

- a. Sign Classification: Ground Sign
 - i. Animation: Static
 - ii. Maximum Sign Area: Twenty-five (25) square feet
 - iii. Maximum Sign Height: Six (6) feet
 - iv. Location: Prohibited from Corner Vision Clearance area and must be set back five (5) feet from any property line
 - v. Illumination: Yes provided the sign is not located within thirty (30) feet from any residential district
 - vi. Other Restrictions: See Ground Sign definition
- b. Sign Classification: Pole Sign
 - i. Animation: Static
 - ii. Maximum Sign Area: Thirty-six (36) square feet
 - iii. Maximum Sign Height: Thirty (30) feet
 - iv. Location: Prohibited from Corner Vision Clearance area and must be set back five (5) feet from any property line
 - v. Illumination: Yes provided the sign is not located within thirty (30) feet from any residential district
 - vi. Other Restrictions: See Pole Sign definition

B. B-1 DISTRICT

1. Two (2) on-premise signs per road frontage from the following list are permitted. Where multiple tenants occupy a structure, the provisions shall apply to each tenant individually.
- c. Sign Classification: Wall Sign
 - i. Animation: Static
 - ii. Maximum Sign Area: Thirty-six (36) square feet
 - iii. Maximum Sign Height: Twenty (20) feet

- iv. Location: On a wall that abuts road frontage, however more than one sign may be located on any one wall
- v. Illumination: Yes
- vi. Other Restrictions: See Wall Sign definition

d. Sign Classification: Projecting Sign

- i. Animation: Static
- ii. Maximum Sign Area: Thirty-six (36) square feet
- iii. Maximum Sign Height: Twenty (20) feet
- iv. Minimum Sign Clearance: Eight (8) feet
- v. Location: On a wall that abuts road frontage, however more than one sign may be located on any one wall
- vi. Illumination: Yes
- vii. Other Restrictions: See Projecting Sign definition

2. One (1) on-premise sign per parcel from the following list are permitted.

a. Sign Classification: Sandwich Board Sign

- i. Animation: Static
- ii. Maximum Sign Area: Nine (9) square feet
- iii. Maximum Sign Height: Six (6) feet
- iv. Location: Directly in front of the business it advertises, prohibited from corners.
- v. Illumination: None
- vi. Other Restrictions: See Sandwich Board Sign definition

C. B-2 DISTRICT

1. Two (2) on-premise signs per road frontage from the following list are permitted. Where multiple tenants occupy a structure, the provisions shall apply to each tenant individually.

a. Sign Classification: Wall Sign

- i. Animation: Static
- ii. Maximum Sign Area: Forty-nine (49) square feet
- iii. Maximum Sign Height: Thirty (30) feet
- iv. Location: On a wall that abuts road frontage, however more than one sign may be located on any one wall
- v. Illumination: Yes
- vi. Other Restrictions: See Wall Sign definition

b. Sign Classification: Projecting Sign

- i. Animation: Static
- ii. Maximum Sign Area: Forty-nine (49) square feet
- iii. Maximum Sign Height: Thirty (30) feet
- iv. Minimum Sign Clearance: Eight (8) feet

- v. Location: On a wall that abuts road frontage, however more than one sign may be located on any one wall
 - vi. Illumination: Yes
 - vii. Other Restrictions: See Projecting Sign definition
2. One (1) on-premise sign per parcel from the following list is permitted, in lieu of a sign below; one additional sign from the above list may be substituted.
- a. Sign Classification: Ground Sign
 - i. Animation: Static
 - ii. Maximum Sign Area: Twenty-five (25) square feet
 - iii. Maximum Sign Height: Six (6) feet
 - iv. Location: Prohibited from Corner Vision Clearance area and must be set back five (5) feet from any property line
 - v. Illumination: Yes
 - vi. Other Restrictions: See Ground Sign definition
 - b. Sign Classification: Pole Sign
 - i. Animation: Static
 - ii. Maximum Sign Area: Eighty-one (81) square feet
 - iii. Maximum Sign Height: Forty (40) feet
 - iv. Minimum Sign Clearance: Eight (8) feet
 - v. Location: Prohibited from Corner Vision Clearance area and must be set back five (5) feet from any property line
 - vi. Illumination: Yes
 - vii. Other Restrictions: See Pole Sign definition

D. BP DISTRICT

1. Two (2) on-premise signs per road frontage from the following list is permitted. Where multiple tenants occupy a structure, the provisions shall apply to each tenant individually.
- a. Sign Classification: Wall Sign
 - i. Animation: Static
 - ii. Maximum Sign Area: Thirty-six (36) square feet
 - iii. Maximum Sign Height: Twenty (20) feet
 - iv. Location: On a wall that abuts road frontage, however more than one sign may be located on any one wall
 - v. Illumination: Yes
 - vi. Other Restrictions: See Wall Sign definition
 - b. Sign Classification: Projecting Sign
 - i. Animation: Static
 - ii. Maximum Sign Area: Thirty-six (36) square feet

- iii. Maximum Sign Height: Twenty (20) feet
 - iv. Minimum Sign Clearance: Eight (8) feet
 - v. Location: On a wall that abuts road frontage, however more than one sign may be located on any one wall
 - vi. Illumination: Yes
 - vii. Other Restrictions: See Projecting Sign definition
2. One (1) on-premise sign per parcel from the following list is permitted, in lieu of a sign below; one additional sign from the above list may be substituted.
- a. Sign Classification: Ground Sign
 - i. Animation: Static
 - ii. Maximum Sign Area: Twenty-five (25) square feet
 - iii. Maximum Sign Height: Six (6) feet
 - iv. Location: Prohibited from Corner Vision Clearance area and must be set back five (5) feet from any property line
 - v. Illumination: Yes
 - vi. Other Restrictions: See Ground Sign definition
 - b. Sign Classification: Pole Sign
 - i. Animation: Static
 - ii. Maximum Sign Area: Forty-nine (49) square feet
 - iii. Maximum Sign Height: thirty (30) feet
 - iv. Minimum Sign Clearance: Eight (8) feet
 - v. Location: Prohibited from Corner Vision Clearance area and must be set back five (5) feet from any property line
 - vi. Illumination: Yes
 - vii. Other Restrictions: See Pole Sign definition

SECTION 158.030.07: INDUSTRIAL DISTRICTS

A. I-1, I-2, I-3, I-4 and IP (INDUSTRIAL PARK) DISTRICTS

- 1. Two (2) on-premise signs per road frontage from the following list are permitted. Where multiple tenants occupy a structure, the provisions shall apply to each tenant individually.
 - a. Sign Classification: Wall Sign
 - i. Animation: Static
 - ii. Maximum Sign Area: Two-hundred (200) square feet
 - iii. Maximum Sign Height: Thirty-five (35) feet
 - iv. Location: On a wall that abuts road frontage, however more than one sign may be located on any one wall
 - v. Illumination: Yes
 - vi. Other Restrictions: See Wall Sign definition

- b. Sign Classification: Projecting Sign
 - i. Animation: Static
 - ii. Maximum Sign Area: Sixty-four (64) square feet
 - iii. Maximum Sign Height: Thirty-five (35) feet
 - iv. Minimum Sign Clearance: Eight (8) feet
 - v. Location: On a wall that abuts road frontage, however more than one sign may be located on any one wall
 - vi. Illumination: Yes
 - vii. Other Restrictions: See Projecting Sign definition

- c. Sign Classification: Roof Sign
 - i. Animation: Static
 - ii. Maximum Sign Area: Sixty-four (64) square feet
 - iii. Maximum Sign Height: Forty-five (45) feet
 - iv. Illumination: Yes
 - v. Other Restrictions: See Roof Sign definition

- 2. One (1) on-premise sign per parcel from the following list is permitted, in lieu of a sign below; one additional sign from the above list may be substituted.
 - a. Sign Classification: Ground Sign
 - i. Animation: Static
 - ii. Maximum Sign Area: Thirty-two (32) square feet
 - iii. Maximum Sign Height: Six (6) feet
 - iv. Location: Prohibited from Corner Vision Clearance area and must be set back five (5) feet from any property line
 - v. Illumination: Yes
 - vi. Other Restrictions: See Ground Sign definition

 - b. Sign Classification: Pole Sign
 - i. Animation: Static
 - ii. Maximum Sign Area: One hundred (100) square feet
 - iii. Maximum Sign Height: Forty (40) feet
 - iv. Minimum Sign Clearance: Eight (8) feet
 - v. Location: Prohibited from Corner Vision Clearance area and must be set back five (5) feet from any property line
 - vi. Illumination: Yes
 - vii. Other Restrictions: See Pole Sign definition

SECTION 158.030.08: OFF-PREMISE & BILLBOARD SIGNS IN BUSINESS & INDUSTRIAL ZONING DISTRICTS.

A. OFF-PREMISE & BILLBOARD SIGNS 100 SQUARE FEET OR LESS

1. Static off-premise signs not exceeding 100 square feet are permitted only in B-2, I-1, I-2, I-3, I-4 and IP zoning districts. The signs shall be no closer than fifteen (15) feet to any lot line and shall not exceed forty (40) feet in height. Such signs shall be placed 1,000 lineal feet from any other off-premise sign in any direction (measured base to base) on both sides of a road and cross roads.
2. Off-premise signs are not permitted:
 - a. within 250 lineal feet from any city or county residential or conservation district, any church, school, health care facility, or designated historic district or site in any direction (measured from sign base to lot line) on both sides of a road and cross roads.
 - b. Within 250 lineal feet from any city of county office district in any direction (measured from sign base to lot line) on both sides of a road and cross roads.
 - c. On a parcel abutting the Wabash River Heritage Corridor.

B. OFF-PREMISE & BILLBOARD SIGNS 101-300 SQUARE FEET

1. Static off-premise signs between 101 and 300 square feet are permitted only in B-2, I-1, I-2, I-3, I-4 and IP zoning districts. The signs shall be no closer than fifteen (15) feet to any lot line and shall not exceed forty (40) feet in height. Such signs shall be placed 1,500 lineal feet from any other off-premise sign in any direction (measured base to base) on both sides of a road and cross roads.
2. Off-premise signs are not permitted:
 - a. within 300 lineal feet from any city or county residential or conservation district, any church, school, health care facility, or designated historic district or site in any direction (measured from sign base to lot line) on both sides of a road and cross roads.
 - b. Within 300 lineal feet from any city of county office district in any direction (measured from sign base to lot line) on both sides of a road and cross roads.
 - c. On a parcel abutting the Wabash River Heritage Corridor.

C. OFF-PREMISE & BILLBOARD SIGNS 301-672 SQUARE FEET

1. Static off-premise signs between 301 and 672 square feet are permitted only in I-1, I-2, I-3, I-4 and IP zoning districts. The signs shall be no closer than twenty (20) feet to any lot line and shall not exceed forty (40) feet in height. Such signs shall be placed 2,000 lineal feet from any other off-premise sign in any direction (measured base to base) on both sides of a road and cross roads.
2. Off-premise signs are not permitted:

- a. within 400 lineal feet from any city or county residential or conservation district, any church, school, health care facility, or designated historic district or site in any direction (measured from sign base to lot line) on both sides of a road and cross roads.
- b. Within 400 lineal feet from any city or county office district in any direction (measured from sign base to lot line) on both sides of a road and cross roads.
- c. On a parcel abutting the Wabash River Heritage Corridor.

D. MOBILE OFF-PREMISE & BILLBOARD SIGNS

- 1. Signs such as these, are deemed Mobile Billboards by definition and shall conform to the regulations set forth in the provisions above depending on their size. The use of these signs in a temporary manner shall conform to Temporary Sign regulations.

E. TRAVELING BILLBOARD SIGNS

- 1. Signs such as this are leasable advertising space that is intended to travel on public roadways for the explicit purpose of advertising. These types of signs are restricted to being static signs only and may not be illuminated. These signs are permitted between the hours of 9:00 am and 5:00 pm Monday-Friday. Permits must be obtained for these types of signs per the Department Fee Schedule and the following information must be provided at the time of application.
 - a. Vehicle make and model
 - b. Photocopy of Drivers License
 - c. License Plate number

SECTION 158.030.09 INCIDENTAL SIGNS

A. INCIDENTAL SIGNS IN ALL DISTRICTS

- 1. In the event any sign desired to be erected does not explicitly fit the qualifications of signs provided for within this ordinance, it shall be up to the Director to determine its closest classification and thereby regulation. The Director may place restrictions on the sign size, quantity and duration of its placement based upon similar signs permitted within the district.
- 2. In the event any sign desired to be erected is determined to be an anomaly or unique in its nature, it shall be up to the Director to determine if a sign permit is required for such signage.

SECTION 158.030.10: TEMPORARY SIGNS

A. SIGN PERMIT REQUIRED

1. The following signs (B through K) shall be permitted in all applicable districts within the city limits and shall not be required to have a permit for a temporary sign unless otherwise specified in this chapter.
2. Where a permit is required for a temporary sign, the temporary permit shall be issued for no more than thirty (30) days in duration. Upon conclusion of the permitted thirty (30) days, a new temporary sign permit may be issued by the Director for an additional thirty (30) days; any requested time period beyond this must be approved by the Board of Zoning Appeals.

B. DEVELOPMENT & CONSTRUCTION SIGNS IN ALL DISTRICTS

1. One (1) on-premise sign per parcel from the following list is permitted. Signs may be posted thirty (30) days prior to the start of any construction and must be removed within thirty (30) days of when construction work is complete or when the certificate of occupancy has been issued, whichever occurs first.
 - a. Sign Classification: Ground Sign
 - i. Animation: Static
 - ii. Maximum Sign Area: Thirty-two (32) square feet
 - iii. Maximum Sign Height: Ten (10) feet
 - iv. Location: Prohibited from Corner Vision Clearance area and must be set back five (5) feet from any property line
 - v. Illumination: No
 - vi. Other Restrictions: See Ground Sign definition

C. REAL ESTATE & AUCTION SIGNS IN ALL DISTRICTS

1. An unlimited number of real estate, auction, open house, and related directional signs from the following list may be placed on private property. Signs must be removed promptly after the closing, lease or rental of the property. In instances where the property for sale is a zero-lot line property, signs are permitted to be placed in the right-of-way so long as they do not create a traffic or safety hazard (this does not include directional signage).
 - a. Sign Classification: Ground Sign
 - i. Animation: Static
 - ii. Maximum Sign Area: Thirty-two (32) square feet
 - iii. Maximum Sign Height: Ten (10) feet
 - iv. Location: Must be located within the lot lines of the property and outside of the Rights-of-way
 - v. Illumination: No
 - vi. Other Restrictions: See Ground Sign definition
 - b. Sign Classification: Wall Sign.
 - i. Animation: Static

- ii. Maximum Sign Area: Thirty-two (32) square feet
- iii. Maximum Sign Height: No taller than the lowest roof line
- iv. Illumination: No
- v. Other Restrictions: See Wall Sign definition

D. GARAGE SALE SIGNS IN ALL DISTRICTS

1. Signs informing the public of private garage, yard or rummage sales are allowed for a maximum period of time and number of times per year at any one residence as regulated by the City of Huntington. Signs are permitted only to be placed upon private property. Signs must be removed immediately at the conclusion of such sale.

a. Sign Classification: Ground Sign

- i. Animation: Static
- ii. Maximum Sign Area: Four (4) square feet
- iii. Maximum Sign Height: Six (6) feet
- iv. Location: Must be located within the lot lines of the property and outside of the Rights-of-way
- v. Illumination: No
- vi. Other Restrictions: See Ground Sign definition

b. Sign Classification: Wall Sign

- i. Animation: Static
- ii. Maximum Sign Area: Four (4) square feet
- iii. Maximum Sign Height: Thirty-five (35) feet
- iv. Illumination: No
- v. Other Restrictions: See Wall Sign definition

E. STREET BANNERS FOR CIVIC EVENTS IN ALL DISTRICTS

1. A banner for special events designated by the Board of Public Works & Safety of the City of Huntington may be erected no more than thirty (30) days prior to the event and shall be removed no more than seven (7) days after the event. The erection of a banner for a special event is further subject to the approval of the governmental agency having jurisdiction over the proposed location of the banner.

F. GRAND OPENING SIGNS AND BANNERS IN NON-RESIDENTIAL DISTRICTS

1. Banners and Ground Signs for grand openings, grand reopening, and similar events may be erected for no more than thirty (30) days.

2. Two (2) on-premise signs per road frontage from the following list are permitted.

a. Sign Classification: Wall Sign

- i. Animation: Static
- ii. Maximum Sign Area: Twenty-five (25) square feet
- iii. Maximum Sign Height: Twenty (20) feet
- iv. Location: On a wall that abuts road frontage, however more than one sign may be located on any one wall
- v. Illumination: Yes
- vi. Other Restrictions: See Wall Sign definition

3. One (1) on-premise sign per road frontage from the following list is permitted.

- a. Sign Classification: Ground Sign
 - i. Animation: Static
 - ii. Maximum Sign Area: Twenty-five (25) square feet
 - iii. Maximum Sign Height: Six (6) feet
 - iv. Location: Prohibited from Corner Vision Clearance area and must be set back five (5) feet from any property line
 - v. Illumination: Yes
 - vi. Other Restrictions: See Ground Sign definition

G. NOT FOR PROFIT AND COMMUNITY SERVICE SIGNS IN ALL DISTRICTS

- 1. Signs erected by not for profit groups and community service agencies for a public purpose are allowed in all districts. These static signs shall be set back five (5) feet from any property line and be prohibited from the Corner Vision Clearance area.

H. MOBILE SIGNS IN NON-RESIDENTIAL DISTRICTS

- 1. One (1) on-premise sign per parcel from the following list is permitted on a temporary basis. A sign permit shall be required for these signs.
 - a. Sign Classification: Ground Sign
 - i. Animation: Static
 - ii. Maximum Sign Area: Thirty-two (32) square feet
 - iii. Maximum Sign Height: Six (6) feet
 - iv. Location: Prohibited from Corner Vision Clearance area and must be set back five (5) feet from any property line
 - v. Illumination: Yes
 - vi. Other Restrictions: See Ground Sign and Mobile Sign definitions

I. MOBILE BILLBOARD SIGNS IN NON-RESIDENTIAL DISTRICTS

- 1. For Mobile Billboard Signs, which are intended to travel on public roads for the purpose of advertising, see Off-Premise Signs.

2. One (1) on-premise sign per parcel from the following list is permitted on a temporary basis. A sign permit shall be required for these signs.
 - a. Sign Classification: Mobile Billboard
 - i. Animation: Static
 - ii. Maximum Sign Area: One-hundred (100) square feet
 - iii. Maximum Sign Height: Fifteen (15) feet
 - iv. Location: Prohibited from Corner Vision Clearance area and must be set back five (5) feet from any property line
 - v. Illumination: Yes
 - vi. Other Restrictions: See Ground Sign and Mobile Sign definitions

J. VEHICLE SIGNS IN ALL DISTRICTS

1. Signs affixed to vehicle are not regulated by this Ordinance; however, vehicles containing signs are prohibited from locating off-premise for the sole purpose of advertisement without complying with the regulations for off-premise signs. Vehicles performing day-to-day duties, as determined by the Director are exempt from this provision.

K. WALKING SIGNS IN ALL DISTRICTS

1. Signs affixed to, held by or otherwise attended to a human being for the purpose of commercial solicitation and advertising are regulated by the following. Walking signs are prohibited from residential and conservation districts and do not require a permit.
 - a. Sign Classification: Walking Sign
 - i. Animation: Static
 - ii. Maximum Sign Area: Six (6) square feet
 - iii. Maximum Sign Height: Eight (8) feet
 - iv. Location: Prohibited from roadway surfaces
 - v. Illumination: No
 - vi. Other Restrictions: Signs are permitted from 9:00 am – 5:00 pm daily, prohibited from within thirty (30) feet from intersections and twenty (20) feet from other walking signs, also see Walking Sign definition

SECTION 158.030.11: SPECIAL PROVISIONS IN ALL DISTRICTS

A. SERVICE STATIONS

1. The following on-premise signs are permitted on the premises of motor vehicle service stations in addition to those signs otherwise permitted.
 - a. Signage is permitted on the gas dispenser and shall not exceed a total copy area of four (4) square feet per pump side.

- b. Eleven (11) additional “vendor” signs per parcel, not exceeding six square feet individually are permitted for the use of vendor advertising area. Of these signs, no more than three (3) may be placed on any wall and no more than eight (8) may be placed elsewhere on the property. These signs are permitted on fences, so long as they face inwards towards the property.

B. CHURCHES & INSTITUTIONS

1. All churches and institutions such as libraries, governmental facilities and other similar uses as determined by the Director in residential districts shall be permitted one (1) on-premise sign per road frontage from the following list to be included as a part of their special exception request when approved by the Board of Zoning Appeals.
 - a. Sign Classification: Wall Sign
 - i. Animation: Static
 - ii. Maximum Sign Area: Sixteen (16) square feet
 - iii. Maximum Sign Height: Ten (10) feet
 - iv. Illumination: None
 - v. Other: See Wall Sign definition
 - b. Sign Classification: Ground Sign
 - i. Animation: Static
 - ii. Maximum Sign Area: Sixteen (16) square feet
 - iii. Maximum Sign Height: Six (6) feet
 - iv. Location: Prohibited from Corner Vision Clearance area and must be set back five (5) feet from any property line
 - v. Illumination: None
 - vi. Other: See Ground Sign definition

C. PUBLIC AND PRIVATE EDUCATIONAL FACILITIES

1. All public and private educational facilities, such as schools and higher education facilities shall be permitted one (1) on-premise sign from each of the following lists. Temporary signs promoting school pride do not count towards these allowances.
2. One (1) sign per facility which may identify the name of the facility
 - a. Sign Classification: Wall Sign
 - i. Animation: Static
 - ii. Maximum Sign Area: Twenty (20) square feet
 - iii. Maximum Sign Height: Ten (10) feet
 - iv. Illumination: Yes
 - v. Other: See Wall Sign definition

3. One (1) sign per road frontage from the following list
 - a. Sign Classification: Ground Sign
 - i. Animation: Static
 - ii. Maximum Sign Area: Twenty (20) square feet
 - iii. Maximum Sign Height: Six (6) feet
 - iv. Illumination: Yes
 - v. Other: See Ground Sign definition

D. ATHLETIC FACILITIES

1. All athletic facilities are permitted three (3) off-premise signs per field, court or other playing surface which are visible from public rights-of-way. Signs are not to exceed nine (9) square feet each and may not be taller than twelve (12) feet. Signs not visible from public rights-of-way, such as those facing the center of the playing surface, are not limited by this ordinance. Facilities that contain scoreboards are limited to sixteen (16) square feet of advertising space on the scoreboards, when they can be viewed from public rights-of-way. These signs are exempt from the permit requirements of this ordinance.
2. Signs and banners showing school pride and athletic support are permitted on these parcels. These signs are not limited in size or quantity, but should be kept to a minimum. The Director has the authority to determine when signage is excessive and should be referred to the Board of Zoning Appeals for further approval. These signs are exempt from the permit requirements of this ordinance.

E. BANKS & FINANCIAL INSTITUTIONS

1. Signs advertising interest, loan and similar rates for financial institutions are permitted to be located on the premise of such institutions. Signs are limited to one (1) ground sign per road frontage, no more than six (6) feet in height and no more than six (6) square feet in size. Such signs are prohibited from the corner vision clearance area and must be set back five (5) feet from all property lines. These signs are exempt from the permit requirements of this ordinance.
2. ATM (automated teller machine) shall constitute as one (1) sign, provided that the total area of any signage does not exceed more than 25% of each ATM wall. These percentages cannot be combined on multiple walls to exceed 25%. Where signage exceeds 25% of a given wall, each sign or ATM wall shall be counted independently as deemed appropriate by the Director.

F. RESIDENTIAL SUBDIVISIONS

1. Signs identifying a residential subdivision are permitted at the entrance of each subdivision. Signs must not interfere with vehicular lines of sight for traffic safety purposes and must be set back five (5) feet from rights-of-way. Signs are limited to one of the following:

- a. When located in a center median, 1 ground sign per entrance, no more than four (4) feet in height and no more than six (6) square feet in size.
- b. When located on one or more sides up a subdivision entrance, 1 ground sign per side, no more than four (4) feet in height and no more than six (6) square feet in size.

G. PARKS

- 1. Public park or other recreational areas are permitted one sign per entrance or road frontage (whichever is more restrictive) for the purposes of identifying the area. Signs shall be limited to sixteen (16) square feet in size, eight (8) feet in height, and set back five (5) feet from all lot.

SECTION 158.030.12: LEGAL NON-CONFORMING SIGNS

- A. After the enactment of this amendatory Ordinance subchapter, all signs currently in place are permitted to remain, provided all applicable requirements then in place for such sign were met. Previously erected signs determined to be incidental prior to this ordinance, shall be required to comply with all provisions of this amendment.
- B. A legal non-conforming sign shall immediately lose its legal non-conforming status if:
 - 1. The sign is not kept in good repair and in a safe condition and the state of disrepair or unsafe condition continues for thirty (30) days after notice by the Director.
 - 2. The sign structure has not contained a sign for any period of twelve (12) consecutive months.
 - 3. The sign is relocated, removed or otherwise structurally altered.
 - 4. The complete sign and/or sign structure is replaced
 - 5. The sign permit under which the sign was permitted expires.
 - 6. The sign, by alteration is changed in height, weight, depth or size.
 - 7. On the happening of any one (1) of the above conditions, the sign shall be immediately brought into conformance with this Ordinance, including the acquisition of a sign permit if necessary, or it shall be removed.
 - 8. Nothing in this Ordinance shall relieve the owner or user of a legal non-conforming sign or owner of the property on which the legal non-conforming sign is located from the provisions of this Ordinance regarding safety, maintenance and repair of signs.”

This Ordinance shall be in full force and effect following its adoption and in accordance with applicable law.

Adopted this ____ day of _____, 2010.

ORDINANCE 3-C-10

Introduced and Filed on the _____ day of _____, 2010.

A motion to consider for Final Adoption on the same day of introduction was [NOT OFFERED or NOT SUSTAINED or SUSTAINED] by a vote of _____ in favor and _____ opposed.

Duly adopted on First Reading this _____ day of _____, 2010, by a vote of _____ in favor and _____ opposed.

Duly adopted on First Reading this _____ day of _____, 2010, by a vote of _____ in favor and _____ opposed.

CITY OF HUNTINGTON, INDIANA by its COMMON COUNCIL

Voting In Favor:

Voting Opposed:

_____	Erv Ebersole (President)	_____
_____	Steve McIntyre	_____
_____	Joe Blomeke	_____
_____	Brooks Fetters	_____
_____	Jack Slusser	_____
_____	Jason Fields	_____
_____	Raymond Keith Eller	_____

Attest:

City Clerk-Treasurer

Presented by me to the Mayor for approval or veto, this _____ day of _____, 2010.

City Clerk-Treasurer

This ordinance having been adopted by the Common Council and presented to me is [APPROVED or VETOED], this _____ day of _____, 2010.

Mayor of the City of Huntington