

## **Article 8. Signs.**

### **8.1 GENERAL**

#### **8:1.1 PURPOSE**

The purpose of this Article is to provide for the comprehensive regulation of signs within the City of Greer. It is declared that the regulation of signs within the City of Greer is necessary and in the public interest, and intended:

- A. To eliminate confusing and unsafe signs and signs which are not maintained in a neat and orderly condition, and to address possible unsafe distractions;
- B. To assure the efficient transfer of information;
- C. To protect and enhance property values;
- D. To promote and aid the economic viability of businesses in the City, without putting restraints and hardships on the merchant's ability to attract customers;
- E. To protect the general public from damage or injury caused by, or partially attributable to distraction and obstruction resultant from improperly designed or situated signs;
- F. To provide a pleasing environment and appearance for the residents of, and visitors to the City in such a way as to not inhibit or harm the merchants' ability to attract customers;
- G. To encourage signs appropriate to the entire environment of various areas of the City;
- H. To promote public safety, welfare, and convenience; and
- I. To free automobile travelers from annoyance, to prevent obstructions of traffic, and enhance the safety of travelers.

#### **8:1.2 AFFECTED SIGNS.**

All legally established signs existing on March 31, 1995 and all signs erected or displayed hereafter, which are located on property within the corporate limits of the City of Greer, now or hereafter established, and which are visible from a public right-of-way or adjacent property, are subject to the provisions of this Article.

### **8:1.3 APPROVAL BY THE BOARD OF ARCHITECTURAL REVIEW**

- A. Any sign or sign alteration, except as exempted by Section 8:5.2, erected or displayed on property upon which a designated historic structure is located or in a designated historic district, must first be approved by the City's Board of Architectural Review before a sign permit is issued;
- B. The Board of Architectural Review shall review signs for appropriateness with designated historic buildings and in designated historic districts. The Board of Architectural Review may disapprove a sign or sign alteration if the Board finds the sign or sign alteration to be inappropriate for the building and/or district on/in which it will be located, although the sign otherwise complies with all the requirements of this Article;
- C. The Board of Architectural Review may designate an historic landmark sign which may be larger than allowed by this Article, if the sign is deemed to have historic value or is necessary to maintain the integrity of this historic structure.

### **8:2 SIGN CLASSIFICATION.**

#### **8:2.1 ILLEGAL SIGNS**

Any sign erected or displayed in the City of Greer after March 31, 1995 for which a sign permit is required, and said permit has not been issued.

#### **8:2.2 LEGAL SIGNS**

- A. Any legally established sign or sign structure existing on March 31, 1995 which complies with the provisions of this Article, and any subsequent amendment hereto, is hereby deemed to be a legal sign. Any proposed alteration to or relocation of such sign shall not be undertaken until the permit required pursuant to Section 8:5.2 has been issued, unless the proposed alteration is specifically exempt from such permit requirement pursuant to Section 8:5.2 or Section 8:5.3.
- B. Any legally established sign which does not comply with the provisions of this Article solely due to the enactment of an amendment hereto subsequent to March 31, 1995 shall, upon the effective date of such amendment, become a nonconforming sign and subject to the provisions of Section 8:2.3.

### **8:2.3 SIGNS MADE NONCONFORMING BY ORDINANCE**

- A. For the purpose of this Article, a nonconforming sign shall be defined as a legally established sign existing on March 31, 1995 which could not be erected or displayed under the provisions of this Article or the provisions of other City, state or federal laws. A nonconforming sign shall be allowed to continue under the provisions of this Section and other provisions of this Article.
- B. A nonconforming sign shall not be modified in any way which increases the nonconformity of the sign, but may be maintained only by painting or refinishing the surface of the sign face or sign structure so as to keep the appearance of the sign as approved when the permit was issued. Any modification to a nonconforming sign, other than painting or refinishing the surface, shall render the prior permit void and shall result in the reclassification of such sign as an illegal sign pursuant to Section 8:2.1.
- C. A nonconforming sign shall not be moved or relocated unless it is brought into compliance with the provisions of this Article. A nonconforming sign which is removed or destroyed by natural or manmade actions shall not be replaced unless it complies with the provisions of this Article. A nonconforming sign which is damaged, but not destroyed, may be replaced or repaired to the condition of the sign immediately prior to the damage. Any improvement, other than painting and refinishing, which extends the life of a nonconforming sign shall not be allowed.

### **8:3 DEFINITIONS**

Except as specifically noted herein, each word or term used in this Article has its customary dictionary definition. For purposes of this Article, certain words and terms used herein are defined below and shall have the meanings ascribed to them.

**ABANDONED SIGN** Any legally established sign or sign structure which was erected on a premises in conjunction with a particular use which use has been discontinued for a period of 30 days or more, or a permitted temporary sign for which the permit has expired.

**ADMINISTRATOR** The City's Zoning Administrator, or that person's designee.

**ALLOWABLE FAÇADE SQUARE FOOTAGE (AFSF)** For the single story buildings the AFSF shall be the square footage of a façade upon which a sign may be placed, measured from the elevation of the finished ground floor to the top of a parapet wall, or to the lower edge of an eave. For multi-storied buildings, the ground floor AFSF shall be the square footage of the façade upon which a sign may be placed, measured from the elevation of the finished ground floor to the elevation of the finished second floor. The top floor AFSF, for multi-storied buildings, shall be the square footage of the façade upon which a sign may be placed, measured from the finished elevation of the top floor to the top of a parapet wall or to the lower edge of an eave. In all cases, square footage is measured on a two dimensional plan, regardless of three-dimensional projections.

**BANNER** A sign made of lightweight fabric or similar material. An official flag and a corporate flag shall not be considered banners for the purposes of this ordinance.

**BEACON** A stationary or revolving light which flashes or projects illumination, single or multicolored, in any manner which is intended or designed to attract or divert attention; except, however, this term is not intended to include any kind of device which is required or necessary under the safety regulations described by the Federal Aviation Administration or similar agencies. Beacon shall include searchlights.

**BUILDING MARKER** A sign indicating the name of a building and date and incidental information about its construction, or historical information about a building, when cut into a masonry surface or made of bronze or other incombustible material.

**CANOPY SIGN** Any sign that is part of or attached to an awning, canopy or other fabric, plastic or structural protective cover over a door, entrance, window, or outdoor service area. A marquee is not a canopy.

**CAMPAIGN SIGN** Any sign expressing support for a candidate for public office or another position regarding a public figure or a public issue.

**CHANGEABLE COPY SIGN** A sign or portion thereof with characters, letters or illustrations that can be changed or rearranged without altering the face or surface of the sign. A sign on which the message changes more than eight times per day shall be considered a moving sign and not a changeable copy sign for the purposes of this ordinance. A sign on which the only copy that changes is an electronic or mechanical indication of time or temperature shall be considered a "time and temperature" portion of a sign and not a changeable copy sign for the purposes of this ordinance. A marquee is a changeable copy sign.

**CITY** The City of Greer.

**COMMERCIAL MESSAGE** Any sign wording, logo, or other representation that directly or indirectly names, advertises, or directs attention to a business operated for profit or not, or to a product, service, sale or sales event, or to any other commercial interest or activity.

**C-1/MAIN/POINSETT OVERLAY DISTRICT** All properties located in the C-1 Central Business Zoning District; and all properties fronting West Poinsett Street from the intersection of Pennsylvania Avenue/Middleton Way east to the intersection of Main Street; and all properties from North and South Main Street from the Worth Barnett Bridge north to edge of the U.S. 29 Overlay District; and including all four (4) corners at the intersections mentioned. (See Figure 8-2)

**COPY** Any letters, numerals or characters used in any combination and displayed on a sign.

**DILAPIDATED SIGN** Any sign which in the Administrator's reasonable opinion is structurally unsound, has defective parts or is in need of painting or maintenance.

**DIRECTIONAL SIGN** A sign of a noncommercial nature which directs the reader to the location of public or educational institutions, or to the location of historical structures or areas, or to numbered highways, or to the location of public parks or buildings.

**DIRECTORY SIGN** A sign listing the businesses within a commercial center or commercial subdivision. A main freestanding sign which includes a listing of business names, in whole or in part, shall not be considered a directory sign.

**FREESTANDING SIGN** A sign which is attached to or a part of a completely self-supporting structure. The supporting structure shall be set firmly in or below the ground surface and shall not be attached to any building or any other structure whether portable or stationary.

**GARAGE/YARD SALE SIGN** A sign advertising a private sale of personal property used to dispose of personal household possessions; not for the use of any commercial venture.

**GROSS FLOOR AREA (GFA)** The area within the outside perimeter of the exterior walls with no deduction for corridors, stairs, closets, thickness or walls, columns or other features, exclusive of areas open and unobstructed to the sky. Businesses which utilize outdoor display areas may calculate 50 percent of the square footage of the outdoor display area as part of the total GFA for purposes of determining sign allowances.

**INCIDENTAL SIGN** A sign, generally informational, that has a purpose secondary to the use of the premises on which it is located, such as “no parking”, “entrance”, “loading only”, “telephone”, and other similar directives. No sign with a commercial message legible from a position off the premises on which the sign is located shall be considered incidental.

**INSTITUTIONAL USE** For the purposes of this Article, the occupancy, use or intended use of land or structures or any portion thereof by persons harbored or detained, voluntarily or involuntarily, to receive medical, charitable, or other care or treatment, or for government, quasi-government, non-profit, cultural, educational or other similar use.

**INTERSTATE 85 OVERLAY DISTRICT** All lands within 1500 feet of each side of the centerline of Interstate 85, except at interchanges, which shall include all lands within 1200 feet of each side of the right-of-way of Interstate 85.

**LEGALLY ESTABLISHED** A sign which was erected, constructed, displayed or used pursuant to, and in conformance with all relevant requirements of the ordinances then in effect.

**MONUMENT SIGN** A sign which is generally composed of a freestanding wall solid to the ground or which distance from the ground to the lower edge of the sign is equal to or less than 10 percent of the overall height of the sign. Monument signs contain architectural features which form a frame around the sign faces applied upon the sign.

**MOVING SIGN** A sign, or portion thereof, which uses movement or change of lighting to depict action or create a special effect or scene.

**MULTI-FAMILY RESIDENTIAL** For the purposes of this Article, Multi-Family Residential shall include any building containing 3 or more dwelling units.

**NEON AND FIBEROPTICS** Any lighting utilizing the characteristic glowing tubular mechanism common to this type of signage or decoration.

**OFF-PREMISE SIGN** A sign which directs attention to a business, commodity, service, entertainment or attraction sold, offered, or existing elsewhere than upon the premises where such sign is displayed.

**OUTDOOR ADVERTISING SIGN** A sign, either on- or off- premise upon which space is usually leased or rented by the owner thereof to others for the purposes of conveying a commercial or noncommercial message. Also known as a Billboard.

**OUTDOOR DISPLAY AREA** The area of a premises outside of a building which is used to display merchandise for sale, rent or lease. Outdoor display area shall not include landscaped areas, required parking spaces and drives, nor vehicular and pedestrian access to the display area.

**PARAPET WALL** That integral part of a wall that extends above the top of a building.

**PENNANT** Any lightweight plastic, fabric, or other material, whether or not containing a message of any kind, which is usually suspended from a rope, wire, or string, and usually in a series, and designed to move in the wind.

**PORTABLE SIGN** A sign not permanently attached to the ground or other permanent structure, or a sign designed to be transported, including, but not limited to, signs designed to be transported by means of wheels. Signs or portions of signs being transported to a premises for the purpose of permanent erection or display shall not be considered a portable sign.

**POST SIGN** A sign which is generally low in height, supported by 4 x 4 wooden posts and/or cross arms, or similar materials, and whose lower edge of the sign face does not exceed 4 feet from the ground under the sign.

**PROJECTING SIGN** A sign attached to a building wall and extending more than 12 inches from the face of such wall.

**PYLON SIGN** A sign which is generally mounted on top of or supported by one or two metal poles, or pylons.

**ROOF SIGN** A sign, any part of which is placed above, supported on, painted on, or extends above the top of a building, excluding parapet wall signs.

**SANDWICH OR "A" FRAME SIGN** An advertising device which is usually in the shape of an "A" or some variation thereof, located on the ground, easily movable, not permanently attached, and which is usually two-sided.

**SEASONAL/TEMPORARY USE** A use which operates only during certain seasons or holidays of the year and is not part of a year-round business. Such uses include, but are not limited to, produce stands, Christmas tree sales, and sale of seasonal sundries.

**SETBACK** The distance from the property line to the nearest part of the applicable building, structure, or sign measured perpendicularly to the property line.

**SHOPPING CENTER** Two or more retail stores and/or service establishments sharing customer parking areas, regardless of whether said stores and/or establishments occupy separate structures or are under separate ownership.

**SIGN** Any device, fixture, placard, display or structure visible to the general public that uses or is designed to use any color, form, graphic, illumination, symbol, writing, or visual presentation of any kind to advertise, announce, draw attention to, or identify a product, place, activity, person, institution, business, or other entity, or to communicate a message or information of any kind to the public.

**SIGN FACE** That portion of a sign on which copy, message or visual image to be communicated is placed or intended or designed to be placed.

**SIGN STRUCTURE** That portion of a sign consisting of the total structural bracing system supporting said sign including the foundation.

**U.S. 29 OVERLAY DISTRICT** All properties fronting on U.S. Highway 29; and all properties within a 1000 foot radius of the intersections of U.S. 29 and Buncombe Road, U.S. 29 and S.C. 14 and U.S. 29 and 357.

**"V" TYPE SIGNS** A sign which faces are displayed in different directions, but not back-to-back, and which plan creates a "V" shape.

**VEHICLE SIGN** A permanent or temporary sign affixed to, painted on or placed in or upon a vehicle.

**WALKWAY SIGN** A sign that is displayed on the underside of a horizontal plane surface and is supported by such surface.

**WINDOW SIGN** A sign that is placed inside a window or upon the window panes or glass, or within five feet of the interior of the window, and is visible from the exterior of the window.

#### **8:4 PROHIBITED SIGNS**

Except as may be specifically permitted hereinafter, it shall be unlawful after March 31, 1995 for any person to erect or display, within the City, any of the following signs:

- A. Signs which require a permit and do not meet the requirements of this Article.
- B. Signs which obstruct free egress/ingress from a required door, window, fire escape or other required exit.
- C. Signs or sign structures which obstruct the view of, or may be confused with, a directional sign or traffic safety sign.
- D. Signs erected or displayed in public rights-of-way, utility or maintenance easements and/or within the required sight triangle at intersections, as defined in Section 6:8.
- E. Moving signs, including pennants, except time/temperature signs.
- F. Portable signs.
- G. Beacons.
- H. Abandoned signs and Dilapidated signs.
- I. Off-premise signs, except for those for institutional uses.
- J. Roof signs.
- K. Signs painted on or attached to trees, rocks, other natural features, utility poles or other unapproved supporting structures.
- L. Signs towed behind a vehicle.
- M. Signs which emit sound, odor or visible matter.
- N. Signs which exhibit statements, words or pictures of an obscene or pornographic nature.

## **8:5 SIGN PERMITS**

### **8:5.1 PERMIT REQUIRED**

No sign or sign structure shall be erected, displayed, relocated, or altered, unless specifically exempted pursuant to Section 8:5.2, until the required fees have been paid and a sign permit issued by the Administrator pursuant to Section 8:8 of this Article.

### **8:5.2 SIGNS EXEMPT FROM PERMIT**

A permit is not required for the following types of signs:

- A. Legal notices issued or required to be posted by any federal, state, county or municipal government.
- B. Public street name signs, directional signs and traffic safety signs.
- C. Incidental signs erected or displayed on private property where the sign face does not exceed six (6) square feet per sign face and does not contain a commercial message. Sign must not block traffic line of sight or be in a right-of-way. Location shall be approved by the Zoning Administrator.
- D. Signs not exceeding 2 square feet in area which contain only the name and address of a residence.
- E. Signs not exceeding 2 square feet, and attached to a building or freestanding sign, and indicating credit cards which are accepted on the premises, or group affiliations of which the business is a members, or clubs or groups which utilize, recommend, inspect, or approve the business for use by its members, or business hours of operation, or "open" and "closed".
- F. Public utility signs not exceeding 1 square foot provided they are placed on the utility's equipment.
- G. Real estate signs which conform to the following:
  - 1. Area of sign face shall not exceed:
    - a. 4 square feet per sign face for single and two-family properties.
    - b. 16 square feet per sign face for properties in the C-1, C-2, C-3, O-D, RM-1, RM-2, PD-R and PD-C zoning districts and for acreage being offered for single or two-family subdivisions in R-5 through R-20 zoning districts.

- c. 32 square feet per sign face for properties in the S-1, I-1, and PD-I zoning districts.
  - d. One (1) rider 8 inches high and the length of the sign face, not to exceed 8 feet, may be added to each allowed sign face for the purpose of displaying information pertinent to the particular property being offered.
2. Height of sign shall not exceed 6 feet (on signs 16 square feet or less in size) and 8 feet (on signs 32 square feet in size) above the highest elevation of the ground under the sign, and the lower edge of the sign shall not exceed 2 feet above the highest elevation of the ground under the sign.
  3. One (1) sign with back-to-back faces shall be allowed for each 500 feet, or portion thereof, of front on each street, provided that signs on any one street are spaced 500 feet apart.
  4. Sign shall now be illuminated.
  5. Sign shall be removed within 5 working days of the completion of the offering advertised.
  6. Each company involved in a co-listed property may advertise the property within the requirements of Sections 1 through 6 above.
- H. Construction/Remodeling signs which conform to the following:
1. Area of sign face shall not exceed:
    - a. 6 square feet per sign face on single and two family properties
    - b. 32 square feet per sign face on all other properties.
  2. The quantity shall be limited to 1 sign with back-to-back faces on single and two family properties, and 1 single faced sign on all other properties.
  3. Sign shall not be illuminated
  4. Height of sign shall not exceed 8 feet above the highest elevation of the ground under the sign, and the lower edge of the sign shall not exceed 2 feet above the highest elevation of the ground under the sign.

5. Sign may not be erected or displayed prior to issuance of a City sign permit, and shall be removed PRIOR to the issuance of a City Certificate of Occupancy or final building inspection.
- I. Campaign signs which conform to the following:
    1. Sign shall not be erected or displayed on public property or public rights-of-way, nor on trees or other natural features, sign posts or utility poles.
    2. Owner's consent must be granted to place a sign on private property.
    3. Sign shall not be displayed sooner than 60 days prior to the election to which it applies. Signs for primary winners may be maintained until the general election.
    4. Sign shall be removed within 10 days of the final election to which it applies; the owner of the property on which said sign is placed shall be responsible for its removal.
  - J. Signs conveying political, ideological, religious, social or governmental messages not related to businesses, services or manufacturing activities or the goods connected therewith, provided such signs do not exceed 4 square feet in size, except that campaign signs shall be subject to the provisions of Section 8:5.2(l).
  - K. Official flags of a nation, state or local government which are displayed in a dignified manner, and not for commercial purposes.
  - L. Corporate flags which conform to the following:
    1. Corporate flag shall not exceed 40 square feet per face, and shall be displayed no higher than 30 feet from the ground, but not higher than an official flag(s).
    2. Corporate flag shall contain only the corporate logo and/or name of the business it represents.
  - M. Decorative flags and banners which contain no commercial message when displayed on a residence.

N. Garage/Yard Sale signs which conform to the following:

1. Sign shall not exceed 4 square feet in size.
2. Sign shall not be displayed on public property, public rights-of-way, or utility poles.
3. One (1) sign may be displayed on the property where the sale is held, and two (2) additional signs may be displayed to direct buyers to the sale. Consent of the property owner must be obtained prior to displaying a sign on property other than the sale site.
4. Sign may be displayed one (1) day prior to sale, and day(s) of the sale up to a maximum total of three (3) days. Signs must be removed at the end of the last sale day.
5. Any sign found displayed in a violating manner will result in an immediate \$25.00 fine to the yard sale permit holder or person holding the sale.

O. Building markers which conform to the following:

1. Sign shall be cut into a masonry surface or constructed of bronze or other incombustible material.
2. Sign shall not exceed 4 square feet in size.
3. Signs in the Historic District shall receive approval from the City's Board of Architectural Review.

P. Vehicle sign which conforms to the following:

1. Primary purpose of such vehicle or equipment is not to display signs.
2. Signs are painted upon or applied directly to an integral part of the vehicle or equipment.
3. Vehicle/equipment is in operating condition, currently registered and licensed to operate on public streets when applicable, and is actively used in the daily function of the business to which such signs relate.
4. Vehicles/equipment may be used primarily as static displays advertising and distributing commercial products or services on special for a period of not more than thirty (30) days per event,

two (2) non-consecutive events per business year. A permit at no cost must be obtained for each event. Location must be approved by permit issuer.

5. During a period of inactivity exceeding 5 working days such vehicle/equipment shall not be parked or placed so that the signs thereon are displayed to the public. Vehicles and equipment engaged in active construction projects and on-site storage of equipment and vehicles offered to the public for rent or sale shall not be subject to these conditions.
- Q. Signs displayed on a donation container of a not-for-profit charitable organization which conform to the following:
1. Sign copy may include only the name of the charity and/or the organization sponsoring the collection.
  2. Not more than one (1) sign shall be displayed per container side and shall be attached to said container.
  3. Size of each sign shall not exceed 6 square feet.
- R. Signs on or as part of a vending machine or phone booth which are an integral part of the vending machine container or booth and advertise only the products or services available from that machine or booth.
- S. Scoreboards and other signs at ball fields when such signs are displayed to the interior of the ball field and generally not visible from a public right-of-way or adjacent property.
- T. Walkway signs which conform to the following:
1. Not more than one (1) sign with back-to-back faces per business entrance, with not more than six (6) square feet of sign face that does not extend beyond the sidewalk shall be permitted.
  2. Sign shall be displayed perpendicular to the building wall and such that the bottom edge of the sign is at least eight (8) feet above the sidewalk under the sign.
- U. Window signs which conform to the following:
1. Sign may be displayed covering up to fifty percent (50%) of window square footage on the ground floor, and twenty percent (20%) on other floors.

2. Signs may be illuminated, except neon, which may be only six (6) square feet. Total illuminated window signage shall be only ten (10%) percent of total allowable window square footage.

V. Home occupation signs which conform to the following:

1. One façade sign shall be permitted for each home occupation provided the sign face does not exceed 2 square feet.
2. Sign is mounted on the wall or suspended parallel to the wall of the building in which such home occupation is conducted or on the wall of the principle structure.

W. Tethered balloons and inflatable signs which conform to the following:

1. Sign shall not exceed 40 square feet in area.
2. Sign shall be securely attached to a rigid structure, but not to trees, rocks, other natural features, utility poles, street signs or roofs.
3. Sign shall not obstruct ingress/egress of a building or site, and shall not be located in any require sight triangle at street and driveway intersections.
4. Sign shall be used for a period of only fifteen (15) days per event, three (3) non-consecutive events per business year.
5. A permit at no cost must be obtained for each event.

X. Holiday decorations which contain no commercial message.

Y. Banners must conform to the following:

1. Must be professionally lettered.
2. Must be securely attached to a rigid structure, but not to trees, rocks, other natural features, street signs or utility poles.
3. Must not obstruct traffic lines of sight.
4. Must be maintained in a neat and orderly manner.
5. May be lettered on both sides, must be hemmed and have either grommets or D-rings for installation.

6. No one banner may exceed forty (40) square feet up to a cumulative maximum of one hundred twenty (120) square feet.

AA. Beacon and premier lights which conform to the following:

1. May be used for special occasions for a period of three (3) days per event, two (2) events per business year.

2. A permit at no charge must be obtained for each event.

BB. Moving message signs for window use.

CC. Time and temperature signs, whether part of another conforming sign, stand alone, or window displayed.

### **8:5.3 SIGN ALTERATIONS EXEMPT FROM PERMIT.**

A permit is not required to engage in sign alterations if such alterations involved only:

- A. The changing of copy on a sign permitted for changeable copy
- B. The changing of any tenant panels on a permitted directory sign
- C. The painting or refinishing of the surface of a sign face or sign structure so as to keep the appearance of such sign as permitted. The surface of a nonconforming sign face or sign structure may be painted or refinished so as to keep the appearance of such sign as it existed on March 31, 1995. Improvement to the appearance of any sign is encouraged. However, when there is a change in the name of a business or of the principal product or service offered by a business after March 31, 1995 and there are nonconforming signs on the building or premises of such business, such signs shall be removed or brought into conformity with the provisions of this Article. However, when there is a change in the name of a business (except when operated, handed down or sold within the immediate family) and there are nonconforming signs on the building or premises of such business, such signs shall be removed or brought into conformity within the provisions of this article within one hundred eighty (180) days of change of ownership.

## **8:6 PERMANENT SIGN STANDARDS**

### **8:6.1 GENERAL**

- A. An integrated sign system design shall be approved by the Administrator for all new residential and non-residential subdivisions, office complexes, shopping centers, and planned developments. The establishment of an integrated sign system for existing developments is strongly encouraged. These systems shall be reviewed for materials, colors, shapes, sizes, compatibility with architecture, and establishment of unity of design for the development. Individual signs shall be reviewed for conformance with said sign systems, whether newly established or existing and substantially in compliance with this Article.
- B. All signs shall be designed and constructed to meet all applicable building code requirements as adopted by the City.

### **8:6.2 SIGN ILLUMINATION**

- A. Electrical requirements pertaining to signs shall be as prescribed in NFPA 70 (the National Electrical Code), and subsequent amendments, as adopted by the City.
- B. Four categories of sign illumination are permitted, according to Table 8-1 and Table 8-2:
  - 1. General. The sign itself is neither lighted internally nor has external light source specifically directed at it. Rather, the sign depends on the general illumination of the area (e.g. parking lots, traffic or pedestrian areas) for its illumination.
  - 2. Internal. The sign face or portion thereof is made of translucent material with internal lights. This category is divided into 100% internal, which allows up to 100% of the sign face to be internally illuminated; and 50% internal, which allow up to 50% of the sign face to be internally illuminated.
  - 3. Back Lighted. (Also referred to as reverse channel.) The letters on a sign face are raised beyond the sign's background and the light source illuminates the background. The light source shall be concealed so that only the background is illuminated.

4. Spot Lighted. The sign is lighted by an external light source specifically directed at the sign. Spot-lighted signs shall be limited to not more than 2 shielded light fixtures per side. The sign base and/or proposed landscaping shall be designed to completely shield the light and light source from any public right-of-way and adjoining property,
- C. Signs shall not have light-reflecting backgrounds, but may use light-reflecting lettering.

### 8:6.3 FREESTANDING SIGNS

Table 8-1 identifies the allowances for freestanding signs. Such allowances shall be the total permitted number and size of signs per premises, not use or tenant.

- A. Freestanding signs shall maintain a 5 foot setback from all public rights-of way.
- B. Freestanding signs on the same site shall be separated by a distance not less than 200 feet along each street frontage of the premises. In the event that a street frontage less than 200 feet exists for any premises, only 1 freestanding sign shall be permitted along that frontage, notwithstanding that a greater number of sign may appear to be permitted by this Section. Unless freestanding signs on adjoining properties are combined into one structure, separation of 100 feet is encouraged when practical.
- C. Sharing of Sign Structures. Uses on adjoining properties may place their freestanding sign on a single sign structure provided the sign face area for the combined signs does not exceed one hundred percent (100%) of the sign face for the use if erected separately.
- D. Freestanding signs are encourage to be located near the vehicle access point on the premises. Freestanding signs may be placed on either side of the vehicle access point on the premises, subject to setback requirements of Sections 8:6.3(A) and 6:8; or may be placed in a median in the vehicle access point on the premises if such median is curbed, provides a landscaped area on all sides of the sign, and is appropriately landscaped.
- E. The thickness of back-to-back signs shall not exceed thirty (30) inches. V-type signs shall not exceed an angle greater than ninety (90) degrees.
- F. Height of freestanding signs shall be measured from the elevation of the street adjacent to the sign, or from the average post-development elevation of the ground within a 10 foot radius surrounding the sign, whichever is higher. Plant material shall be installed around the base of monument and post signs located on ground with an elevation lower than the street elevation. Plant material shall be species which will achieve a height equal to the street elevation.
- G. A sign, which size is permitted based on speed limit of the adjacent street, shall not become non conforming only because of a future change in the speed limit on the adjacent street.

H. As an alternative to existing sign regulations applying to permanent freestanding signs for the U.S. 29 Overlay District, the following regulations may be substituted:

1. This subsection shall be read in conjunction with all other applicable sections of the City's Zoning and Sign Ordinance; provided, all sections or subsections of the zoning and sign ordinance in conflict with the provisions of this subsection are deemed inapplicable.
2. Only monument or pylon signs shall be allowed. If pylon signs are used, all framing material shall be enclosed with preformed panels; provided, if more than one frame structure is utilized, all areas within the frames must be enclosed with preformed panels.
3. The maximum height of freestanding signs shall be thirty feet; provided, an additional five feet in height shall be allowed, in circumstances where there is more than one user. Freestanding signs shall have a maximum size of 180 square feet per sign face; provided, in circumstances where there are more than one user an additional 30 square feet per user up to a maximum of 300 square feet per sign face shall be allowed.

#### **8:6.4 FACADE SIGNS**

Table 8-2 identifies the allowances for Facade Signs. Such allowances shall be the total permitted number and size per tenant, unless otherwise specified. Allowable Facade Square Footage (AFSF) for tenants in a shopping center or other multi-tenant building shall be calculated on the facade of the tenant space only.

- A. Facade signs shall not extend above the top of the wall or parapet wall on which it is attached.
- B. A facade sign shall not extend more than 12 inches laterally from the wall to which it is affixed.

##### **8:6.4-1 CANOPY SIGNS**

Canopy signs shall be considered as façade signs for the purpose of determining square footage and placement allowances. Square footage and number of canopy and façade signs shall be cumulative.

##### **8:6.4-2 PROJECTING SIGNS**

Sign shall not exceed five percent (5%) of the Allowable Façade Square Footage (AFSF) of the ground floor of the building on which it is placed. Projecting signs shall be placed such that the lowest edge or support of the sign is at least eight (8) feet above a sidewalk or other pedestrian way.

## **8:7 SPECIAL SIGN STANDARDS**

**8:7.1 C-1 CENTRAL BUSINESS ZONING DISTRICT.** Because of the unique development of the Central Business District, and the diversity of uses allowed in the Central Business District, the following signs may be permitted:

- A. Sandwich or “A” Frame signs which conform to the following:
  - 1. Only 1 sandwich sign shall be allowed for any single building.
  - 2. A minimum of fifteen (15) feet shall be maintained between sandwich signs;
  - 3. Sign shall not exceed 2 feet in width and 3 feet in height; provided, however that a minimum unobstructed sidewalk of 4 feet shall be maintained.
  - 4. Sign shall not be located in the sight triangle at street intersections.
  - 5. Sign shall be removed when the business it represents closes each day.
  - 6. Any sign which is located within a public right-of-way shall be placed within that portion of the right-of-way which abuts the building containing the business or use, provided an encroachment permit has been issued by the Administrator.
  
- B. Banners which conform to the following:
  - 1. Banner shall be designed to be displayed on public decorative street lamps in the C-1 Central Business Zoning District. Non-commercial banners are discouraged from obstructing the view of any commercial signage or advertisement.
  - 2. Banner shall only advertise community events, festivals, holidays and the like, and shall contain no commercial message, except that not more than 25 percent of the banner may be used for the logo of a major corporate sponsor of the event.
  - 3. Banner may be displayed not earlier than 30 days prior to the event advertised, and shall be removed within 10 working days of the completion of the event.

## **8:7.2 CHANGEABLE COPY SIGN**

Changeable copy signs shall be allowed as an integral part of freestanding and/or façade signs. Changeable copy signs which conform to the following shall be permitted:

- A. Not more than 1 sign per street frontage of any premises shall contain more than 2 changeable copy sign faces, mounted back-to-back.
- B. The area of changeable copy shall not exceed 50 percent of the allowed sign face, but not exceed 32 square feet per sign face, and shall contain not more than 4 lines of copy.
- C. Changeable copy shall be maintained in a legible and neat manner.

### **8:7.3 DIRECTORY SIGNS**

Directory signs which conform to the following shall be permitted for commercial centers, industrial parks, and planned developments:

- A. 1 sign may be located at each vehicular access to the premises, but shall be set back 50 feet from a public right-of-way.
- B. Sign shall be single-faced only, and shall not exceed 40 square feet in area.
- C. Sign shall use spot or general lighting only.
- D. Copy shall include only names of businesses located on the premises.

#### **8:7.4 FUEL PRICE INFORMATIONAL SIGNS**

On premises where motor vehicle fuel is sold from a fuel pump, fuel price informational signs shall be permitted which conform to the following:

- A. Only information required by law and the brand name and type of product being dispensed shall be displayed on fuel pumps and dispensers.
- B. Fuel price informational signs shall be incorporated into a permanent sign on the premises, OR may be placed on each fuel pump or dispenser if such sign does not exceed 2 square feet in area. The fuel price informational portion of a sign shall not count as part of any changeable copy on the sign.

## **8:7.5 MOVIE AND ENTERTAINMENT THEATER SIGNS**

- A. Freestanding signs for movie and entertainment theaters shall meet the requirements of Table 8-1, Permanent Freestanding Sign Regulations, except that the square footage of each sign face shall not exceed 40 square feet of permanent copy, plus 16 square feet of changeable copy per stage or screen.
  
- B. Façade signs for movie and entertainment theaters shall meet the requirements of Table 8-2, Façade and Canopy Sign Regulations, except that changeable copy allowed by Section 8:7.2 may be increased up to 75 percent of the allowable sign face, and may contain not more than 1 line of copy per stage or screen.

### **8:7.6 OUTDOOR MENU BOARD**

Outdoor menu boards shall be permitted on premises which contain a restaurant with a drive-in window and which conform to the following:

- A. Only 1 outdoor menu board shall be permitted per ordering station.
- B. Outdoor menu board shall be single-faced not exceeding 42 square feet of total area.
- C. Lettering on the outdoor menu board shall not be legible from any distance off the premises for which it is approved.

### **8:7.7 TEMPORARY SUBDIVISION SIGNS**

Temporary subdivision signs which conform to the following shall be permitted:

- A. Sign copy may contain only the name of the subdivision, the type of subdivision being developed, and the name and phone number of the developer.
- B. Sign shall not exceed 24 square feet in area.
- C. The height of the sign shall not exceed 8 feet above the highest elevation of the ground under the sign, and the lower edge shall not exceed 2 feet above the highest elevation of the ground under the sign.
- D. One (1) sign per street frontage shall be permitted.
- E. Sign shall not be displayed prior to the subdivision approval, and shall be removed upon completion of a permanent subdivision sign, or 12 months from date of display, whichever occurs first.

### **8:7.8 SEASONAL/TEMPORARY USE SIGNS**

A seasonal/temporary use sign shall be permitted which conforms to the following:

- A. One freestanding sign with back-to-back faces and/or one façade sign shall be permitted per seasonal/temporary use.
- B. Each sign face shall be fabricated of a rigid material and not exceed 30 square feet in area.
- C. The sign may use spot or general lighting only, and shall conform with Section 8:6.2(B4).
- D. A temporary sign permit shall be required for each new season.
- E. Seasonal/temporary use signs shall be allowed only seven (7) days prior to the business being opened and shall be removed within three (3) days of closing. A specific time frame for the seasonal/temporary business to be run will be given by applicant.

### **8:7.9 ILLUMINATED WINDOW SIGNS**

Illuminated window signs which exceed 4 square feet in area shall be permitted which conforms to the following:

- A. Sign shall not exceed 20 percent of the window area of the building's ground floor windows.
- B. Sign shall be displayed only in the ground floor windows of a building.

### **8:7.10 OUTDOOR ADVERTISING SIGNS**

Outdoor advertising signs shall be permitted in the Interstate 85 Overlay District only. The following standards shall apply:

- A. Structures for outdoor advertising signs. Outdoor advertising signs shall be erected on a mono-pole. V-type signs shall not exceed an internal angle of 45 degrees, and the closest edges of the sign faces shall not exceed 5 feet apart.
- B. Spacing of structures. A 1000 foot same-side of highway spacing shall be required. Outdoor advertising signs shall be located within 600 feet of a permanent business structure, and said business must be located within 660 feet of the right-of-way on Interstate 85. Outdoor advertising signs shall be located such that no part of the sign is visible from any residential zoning district, any historic building or district, SC Highway 101, or a public park or recreation facility. No portion of the sign shall extend into or overhang a 20 foot setback from the right-of-way of Interstate 85.
- C. Maximum height of outdoor advertising Signs. The height of an outdoor advertising sign shall not exceed 35 feet, measured from the elevation of the centerline of the Interstate at a point perpendicular to the Interstate at the proposed sign location or from ground level, whichever is higher. In no case shall the height of an outdoor advertising sign exceed 80 feet from the elevation of the centerline of the Interstate. See Figure 8-3.
- D. Maximum Sign Face Area. An outdoor advertising sign may have back-to-back faces, or have a V-form, with not more than 2 sides. Each side may have no more than 2 sign faces. The total square footage of sign face of each side shall not exceed 378 square feet. Extended copy shall not exceed 33 percent of the sign face area, and shall not use more than 75 percent of the height or width of the sign face. See Figure 8-4.
- E. Trees on the public right-of-way. Trees in a public right-of-way shall not be cut for erection or visibility of an outdoor advertising sign.
- F. Lighting of outdoor advertising signs. The light source of a lighted sign shall be shielded from the view of motorists on Interstate 85, and from the view of pilots in the approach path of the Greenville/Spartanburg Airport. Lighting of such intensity or brilliance as to cause glare or to impair the vision of motorists on Interstate 85, or pilots in the approach path of the airport is prohibited. No sign shall have attached to it or be illuminated by flashing or pulsating lights or lights which change colors.

G. Permits for outdoor advertising signs shall be issued on a first come, first served basis.

### **8:7.11 OFF-PREMISE SIGNS**

Off-premise signs shall be permitted under the following conditions:

- A. Each sign must undergo the permit application and approval procedure with a separate fee for each sign. An additional fee of twenty-five percent (25%) of the basic fee amount will also be charged for off-premise privilege.
- B. Each sign is limited to one business per sign, and a total of two (2) square feet per sign facing.
- C. Each sign must have the approval of the property owner, and will count toward the business owner's and the property owner's total number of allowable signs and sign square footage for that location. No more than two (2) off-premise signs per business.
- D. Off-premise signs may not be banners, pennants, moving signs, portable signs, balloons, or other inflatables or lighted.
- E. Off-premise signs within the City of Greer may advertise only other businesses licensed in the City of Greer.

## **8:7.12 ROOF SIGNS**

Roof signs shall be permitted under the following conditions:

- A. Sign must be printed directly on, or attached flat and parallel to the existing roof with no brackets or space between the roof and the sign.
- B. Sign must not violate any existing building codes.
- C. Sign may not be a banner, a pennant, a moving sign, a portable sign, a balloon, or other inflatable.
- D. Sign may cover up to twenty percent (20%) of the total roof square footage.
- E. The use of roof signage reduces the allowable façade footage by fifty percent (50%).

### **8:7.13 INTERSTATE OVERLAY DISTRICT**

Because of the unique character of the Interstate 85 corridor and diversity of development taking place in the area in comparison to other areas of the City, the following provisions relating to signs shall apply. This subsection shall be read in conjunction with all other applicable sections of the City Zoning Ordinance and Sign Ordinance; provided, all sections or subsections of the Zoning and Sign Ordinance in conflict with the provisions of this subsection are deemed inapplicable.

- A. There shall be a maximum of one freestanding high-rise sign allowed per premise; provided, up to two additional users on adjoining properties may place their freestanding sign on a single sign structure. Further, it shall be permissible to have more than one user per high-rise sign as long as users are part of the same development, i.e., co-brand convenience store/restaurant, co-brand motel/restaurant, etc.
- B. The maximum height of freestanding high-rise signs shall be sixty feet; provided, in circumstances where there are more than one user an additional fifteen feet per user up to a maximum of ninety feet shall be allowed.

The height of high-rise freestanding signs shall be measured from the average elevation of the centerline of Interstate 85 at a point parallel with the sign.

- C. Freestanding high-rise signs at interchanges may have a maximum of four sign faces per user having a maximum square footage of 720 square feet; provided, no one sign face may exceed 250 square feet. Freestanding high-rise signs not at interchanges may have a maximum of two sign faces per user having a maximum square footage of 400 square feet with no one sign face exceeding 200 square feet.
- D. All framing material shall be enclosed with preformed panels; provided, if more than one frame structure is utilized, all areas within the frames must be enclosed with preformed panels.
- E. The thickness of back-to-back signs shall not exceed thirty-six (36) inches.

## **8:8 ADMINISTRATION**

### **8:8.1 APPLICATION FOR PERMIT**

An application for a sign permit shall be submitted to the Administrator on a sign permit application supplied by the City. The following information shall be submitted with an application for a sign permit:

- A. Name, address, telephone number and signature of the owner or duly authorized lessee of the premises granting permission for the construction, operation, maintenance or display of the sign or sign structure.
- B. Name, address, telephone number, City of Greer Business License number and signature of sign contractor, if any.
- C. Legal description and/or street address of the premises or property upon which the sign is to be located.
- D. The approximate value of the sign to be installed, including the installation cost.
- E. Type of sign for which a permit is being sought.
- F. Two (2) copies of a scaled drawing showing elevations of the sign as proposed.
- G. For freestanding signs, a survey showing property lines, proposed sign location, and any existing site improvements and other signs.
- H. For signs on a building, a scaled drawing showing the entire façade, the proposed sign location, and any existing signs on the building.
- I. Notice of approval from the Board of Architectural Review, when applicable.
- J. Such other information as the Administrator may require which is necessary to verify full compliance with all applicable provisions of the Municipal Code.

## **8:8.2 FEES**

- A. An application fee shall be paid at the time of application submission for a sign permit. Fees are listed in the City of Greer Schedule of Permit Fees.
- B. When reinspection is required by Section 8:8.5(C) a fee of \$50.00 per reinspection shall be charged.
- C. A penalty of \$150.00 shall be imposed for each sign or sign structure installed prior to receiving a permit. This penalty shall be in addition to any penalties described in Section 8:10.4 and the permit fee.

## **8:8.3 ISSUANCE OF PERMIT**

Under the provisions of this Article, the Administrator shall make a decision to issue, deny or issue with conditions, a permit for such sign or sign structure within ten (10) working days from date of receipt of completed permit application.

## **8:8.4 EXPIRATION OF PERMIT**

A sign permit shall be valid for a period of 90 days from the date of its issuance as noted on the permit. One extension of not more than 90 days shall be granted at the request of the applicant. Failure to notify the Administrator that the sign and all items required by the permit have been completed within the 90 day period, or within the granted extension, shall result in the expiration of such permit.

## **8:8.5 SIGN INSPECTION**

- A. Upon notification that the sign is complete, the Administrator shall conduct an inspection for the purpose of verifying that the sign is in compliance with the requirements of the permit and all other provisions of this Article.
- B. Prior to the inspection of a freestanding sign, the permittee or sign contractor shall locate and identify on site all property lines adjacent to the sign for the purpose of verifying the sign location in relation to such property lines.
- C. If the sign fails to pass the required inspection, the applicant shall correct any items not in compliance within 10 days or the permit shall be deemed invalid and the sign and sign structure shall be impounded pursuant to Section 8:10.3.

## **8:9 REMOVAL OF SIGNS**

Portable, abandoned, dilapidated and other signs shall be removed or brought into conformance with the provisions of this Article according to the following schedule:

- A. Pennants shall be removed by April 1, 1996.
- B. Signs attached to trees, rocks, other natural features, utility poles, and other unapproved structures shall be removed by May 1, 1995.
- C. Other portable signs shall be removed by July 1, 1995.
- D. Abandoned signs shall be removed by July 1, 1995.
- E. Dilapidated signs shall be removed or be brought into conformance with the requirements of this Article by July 1, 1995.
- F. Whenever there is a change in the name of the business or of the principal product or service offered by a business after March 31, 1995 and there are nonconforming signs on the building or premises of such business, such signs shall be removed or brought into conformity with the provisions of this Article.

## **8:10 ENFORCEMENT**

### **8:10.1 AUTHORITY**

The Administrator shall have the authority to enter upon the premises of any person subject to this Article for the purpose of enforcing the provisions of this Article.

### **8:10.2 VIOLATION NOTIFICATION**

When a sign requiring a permit under Section 8:5.2 of this Article is erected, relocated, or altered without a sign permit, the Administrator shall notify its owner, agent of the owner, or sign contractor that a violation of this Article has occurred. Notification shall be by certified mail, or in person with carbon copy notification letters. The owner, agent of the owner, or sign contractor shall then apply for a permit or correct the violation within 10 days of receipt of the notification. Upon failure to comply with this requirement, the Administrator shall have the sign and sign structure impounded pursuant to Section 8:10.3.

### **8:10.3 IMPOUNDMENT OF SIGNS**

- A. The Administrator shall have the authority to remove and hold any sign or sign structure subject to impoundment by the provisions of this Article.
- B. The owner of an impounded sign or sign structure may recover same upon the payment of \$50.00 for each sign plus the cost of removal. In the event the sign or sign structure is not claimed within 10 days from the date of impoundment, the Administrator shall have the authority to dispose of such sign or sign structure without compensation to the owner. Cost of removal and disposal shall be paid by the owner, either by direct payment or as a lien on the property.

### **8:10.4 PENALTIES**

Violation of any provision of this Article is subject to the penalty provisions of Article 15 of this Chapter. Each day's continued violation shall constitute a separate offense.

### **8:11 APPEALS AND VARIANCES**

#### **8:11.1 APPEAL**

Any aggrieved person, sign owner, applicant, or any officer, department, board of bureau of the municipality who alleges that the Administrator acted erroneously in enforcing this Article may appeal the decision of the Administrator to the Board of Zoning Appeals. In addition, the Greer Merchants Association zoning chairperson shall be contacted in the case of any appeal filed with the Administrator to the Board of Zoning Appeals. Such appeal, including any appeal fee, shall be filed in accordance with Section 10:4 of this Chapter.

#### **8:11.2 VARIANCE**

Recognizing that the strict application of the requirements of this Article may cause an undue hardship on certain applicants, variances from the strict application of the provisions of this Chapter may be granted by the Board of Zoning Appeals. In addition, the Greer Merchants Association zoning chairperson shall be contacted in the case of any appeals filed with the Board of Zoning Appeals. Each application for a variance under this section shall be filed in accordance with Section 10:5.2 of this Chapter.

## **8:12 INTERPRETATION AND CONFLICT**

### **8:12.1 MINIMUM REQUIREMENTS**

The standards and provisions of this Article shall be interpreted as being the minimum requirements necessary to uphold the purposes of this Article.

### **8:12.2 OTHER CITY REQUIREMENTS**

Whenever this Article imposes a more restrictive standard than required by any other City ordinance or requirement, the provisions of this Article shall govern. Whenever any other City ordinance or requirements imposes a more restrictive standard than required by this Article, the provisions of such City ordinance or requirement shall govern.

### **8:12.3 STATUTES, COVENANTS, REGULATIONS AND EASEMENTS**

Whenever this Article imposes a more restrictive standard than required by statutes, covenants, regulations or easements, the provisions of this Article shall govern. Whenever the provisions of any statute, covenant, regulation or easement impose a more restrictive standard than required by this Article, the provisions of such statute, covenant, regulation or easement shall govern.

## **8:13 GRANDFATHERING OF SIGNS**

All signs within the City limits of Greer erected prior to a Greer Sign Ordinance or under the provisions of a previous ordinance, shall be grandfathered as of 12-31-96, so as to grant all signs installed by that date a permanent status of acceptance under these and future sign ordinances, subject only to the following restrictions:

- A. In the case of change in ownership, grandfathered sign status for these signs shall not pass on to future business owners unless sold or handed down within the immediate family.
- B. In the case of destruction, grandfathered status for these signs shall allow total replacement as close as possible to its current location, type, height, size, illumination, purpose, and content. Only in the event of accidental or malicious destruction where seventy-five (75%) of the physical structure sign is destroyed (based on the cost of replacement versus the cost of repair as a percentage) or where there is a mandatory relocation.

## **8:14 REVIEW**

Article 8, Signs, of the City of Greer Zoning Ordinance shall be reviewed periodically by the Zoning Administrator and the Greer Merchants Association zoning chairperson shall be notified of any proposed sign changes.

# PERMANENT FREESTANDING SIGN REGULATIONS

## NON-RESIDENTIAL

PROPERTY LOCATION	GROSS FLOOR AREA	MAX S.F./ SIGN FACE	MAX # OF SIGN FACES	MAX # OF SIGNS/PROP.	SPACING SIGNS SAME SITE	MAXIMUM HEIGHT	TYPES OF SIGNS	REQUIRED ARCH. FEATURES	LIGHTING
U.S. 29 OVERLAY DISTRICT	<20,000 20K-60K >60,000	120 150 180	8 12 12	2 3 3	MIN. 200 FT.	30 FT	PYLON MONUMENT	NONE 50-100%	INTERNAL BACK SPOT
						10FT	POST	NONE	GENERAL
I-85 OVERLAY DISTRICT	<20,000 20K-60K >60,000	120 160 200	4 6 6	2 2 2	MIN. 200 FT.	30 FT	MONUMENT	50-100%	INTERNAL BACK SPOT GENERAL
						6 FT	POST	NONE	
C-1, POINSETT, MAIN STREETS OVERLAY DISTRICT	<5,000 >5,000	24 40	6 6	3 3	MIN. 200 FT.	8 FT	MONUMENT	25-50%	INTERNAL UP TO 50% BACK SPOT GENERAL
							POST	NONE	
HIGHWAY TRANSITIONAL		24	4	2	MIN. 200 FT.	8 FT	MONUMENT	50-100%	INTERNAL BACK SPOT GENERAL
STREETS NOT LISTED WITH SPEED LIMITS LESS THAN 30 MPH	<20,000 20K-60K >60,000	32 40 48	4 6 6	2 3 3	MIN. 200 FT.	6 FT	MONUMENT	25-50%	INTERNAL UP TO 50% BACK SPOT GENERAL
							POST	NONE	
STREETS NOT LISTED WITH SPEED LIMITS 30-40 MPH	<20,000 20K-60K >60,000	50 70 90	4 6 6	2 3 3	MIN. 200 FT.	12 FT	MONUMENT	25-50%	INTERNAL UP TO 100% 8 FT OR HIGHER 50% <8 FT BACK, SPOT, GENERAL
						6 FT	POST	NONE	
STREETS NOT LISTED WITH SPEED LIMITS OVER 40 MPH	>20,000 20K-60K >60,000	80 120 160	4 6 6	2 3 3	MIN.200 FT.	20 FT	MONUMENT PYLON	50-100%	INTERNAL UP TO 100% 8 FT OR HIGHER 50% <8 FT BACK, SPOT, GENERAL
						8 FT	POST	NONE	

## RESIDENTIAL

SINGLE FAMILY & MULTI-FAMILY	VEHICLE ENTRANCE	32	2	2		8 FT	MONUMENT	25-50% OR AS PART OF WALL/FENCE	SPOT GENERAL
						6 FT	POST	NONE	

# PERMANENT FACADE AND CANOPY SIGN REGULATIONS

BUILDING USE	ALLOWABLE FACADE S.F.	TOTAL ALLOWED S.F. FOR FACADE SIGNS	# OF SIGNS PER TENANT	SIGN PLACEMENT ON FAÇADE	LIGHTING
SHOPPING CENTERS & OTHER MULTI-TENANT BUILDINGS WHERE EACH TENANT HAS AN ENTRANCE FROM THE OUTSIDE	<1,500 S.F.	32 S.F. OR 10% OF GROUND FLOOR AFSF, WHICHEVER IS GREATER	1	ON THE GROUND FLOOR FAÇADE AT LEAST 2 FT FROM THE EDGE	INTERNAL UP TO 100%
	>1,500 S.F.	150 S.F. OR 7.5% OF GROUND FLOOR AFSF, WHICHEVER IS GREATER, NOT EXCEED 300 S.F.	UP TO 3 WITH 1 SIGN MIN. OF 50% ALLOWABLE S.F.		SPOT GENERAL
A tenant in an end unit is allowed a sign on the side of the building, not exceed the size of sign allowed on façade used to calculate AFSF					
MULTI-TENANT BLDG WHERE EACH TENANT HAS AN ENTRANCE FROM A COMMON INTERIOR SPACE & HOTELS, 3 STORIES OR LOWER	N/A	32 SF OR 10% OF GROUND FLOOR AFSF, NOT TO EXCEED 300 SF	1 OR 1 PER SIDE OF BUILDING	ON THE GROUND FLOOR FAÇADE AT LEAST 2 FT FROM THE EDGE	INTERNAL UP TO 100% SPOT GENERAL
MULTI-TENANT BLDG WHERE EACH TENANT HAS AN ENTRANCE FROM A COMMON INTERIOR SPACE, AND HOTELS 4 STORIES OR HIGHER	N/A	32 SF OR 10% OF GROUND FLOOR AFSF, NOT TO EXCEED 300 SF	1 OR 1 PER SIDE OF BUILDING	ON THE GROUND FLOOR FAÇADE AT LEAST 2 FT FROM THE EDGE OF TENANT	INTERNAL UP TO 100%
		AND 15% OF TOP FLOOR	1 PER SIDE OF BUILDING	ON TOP FLOOR FAÇADE	SPOT GENERAL
NON-RESIDENTIAL SINGLE TENANT BUILDING	<1,500 SF >1,500 SF	32 SF OR 10% OF GROUND FLOOR AFSF 150 SF OR 7.5% OF GROUND FLOOR AFSF, NOT TO EXCEED 300 SF	1 PER BUILDING SIDE, NOT MORE THAN 3 TOTAL	ON GROUND FLOOR FAÇADE	INTERNAL UP TO 100% SPOT GENERAL
SERVICE/DELIVERY ENTRANCE	N/A	MAXIMUM OF 4 SF	1 PER ENTRANCE	ABOVE, BESIDE OR ON THE DOOR OF ENTRANCE	GENERAL
PROJECTING SIGNS	N/A	5% OF GROUND FLOOR AFSF	1	ON GROUND FLOOR FAÇADE	SPOT GENERAL
HOME OCCUPATION	N/A	2 SQUARE FEET	1	ON FAÇADE OF BUILDING OF WHICH HOME OCCUPATION OCCURS	GENERAL

## **ARTICLE 9 ADMINISTRATION**

### **Section 9:1 Zoning Enforcement Official and Duties**

#### **9:1.1 Zoning Administrator**

This ordinance shall be administered and enforced by the Zoning Administrator of the City of Greer with the assistance of such other persons as the City Council may direct.

#### **9:1.2 Duties of the Zoning Administrator**

The duties of the Zoning Administrator shall include receiving applications, inspecting premises, issuing certificates of occupancy for uses and structures that meet the requirements of this ordinance, and other actions to assure conformance with this ordinance.

If the Zoning Administrator shall find that any of the provisions of the ordinance are being violated, he shall notify in writing the person responsible for such violation indicating the nature of the violation and ordering the action necessary to correct it. He shall order discontinuance of illegal use of land, buildings, or structures; removal of illegal buildings or structures or of additions, alterations, or structural changes thereto; discontinuance of any illegal work being done; or shall take any other action authorized by this ordinance to ensure compliance with or to prevent violation of its provisions.

#### **9:2.1**

No land shall be used or occupied, no land shall be graded for construction; and no building or other structure shall be erected, structurally altered, added to, or moved until a zoning certificate shall have been issued in conformity with the provisions of this ordinance by the building inspector.

A record of all zoning certificates issued shall be kept on file in the office of the building inspector, and copies shall be furnished on request to persons having a proprietary or tenancy interest in the building or land involved.

## **9:2.2 Application Procedure**

Application for a zoning certificate shall be made prior to construction, alteration, moving of any structure, or change of land use. Each application for a zoning certificate shall be accompanied by two copies of a plan drawn to a scale of not less than 100 feet to 1 inch. The plan shall show: the shape and dimensions of the lot on which the proposed building or use is to be erected or conducted; the location of the lot with respect to adjacent rights-of-way; the setback lines of buildings on adjoining lots, the shape, dimensions, and location of all buildings, existing and proposed, on the lot; the nature of the proposed use of the building or land; the location and dimensions of off-street parking and the means of egress and ingress to such space, and any other information the Zoning Administrator may deem necessary for consideration in enforcing the provisions of this ordinance.

### **9:2.1-1 Additional Requirements for Development in the 101 Corridor Overlay Zoning District**

In addition to required information listed above, applications for a zoning certificate for property located in the 101 Corridor Overlay Zoning District, as defined in Section 5:14 of this Chapter, shall include: two copies of landscape and site lighting plans drawn at a scale of not less than 100 feet to one inch. Such plans shall show dimensions of required buffers and landscaped areas; and location, type, and detail of lighting fixtures proposed for the site. Two sets of architectural drawings at a scale adequate to show detail of buildings. Such drawings include the floor plan, and all exterior elevations of the proposed building(s). Samples of exterior building materials and proposed colors shall be submitted.

**9:2.2-2** If the proposed plan conforms with the provisions of this ordinance, the Zoning Administrator shall issue a zoning certificate and return one copy of the plan to the applicant. The Zoning Administrator shall mark the plan as approved and attest to the same by his signature. The second copy of the plan, similarly marked, and a copy of the zoning certificate shall be retained by the Zoning Administrator.

### **9:2.3 Expiration of Zoning Certificate**

If the work described in any zoning certificate has not been substantially completed within one year of the date of issuance, or if a vacant parcel of land for which a zoning certificate has been issued is not used for the purpose for which the permit was issued within three months of the date of issuance, the permit shall expire and be canceled by the Zoning Administrator and written notice shall be given to the persons affected together with notice that further work as described in the canceled permit shall not proceed unless and until a new zoning certificate has been obtained.

## **Section 9:3 Certificate of Occupancy for New, Altered, or Nonconforming Uses**

### **9:3.1 Certificate of Occupancy**

It shall be unlawful to use, occupy or permit the use or occupancy of any building or premises, or both, or part hereafter created, erected, changes, converted, or wholly or partly altered or enlarged units use or structure until a certificate of occupancy shall have been issued by the building inspector stating that the proposed use of the building or land complies with the provisions of this ordinance.

No nonconforming structure or use shall be maintained, renewed, changed, or extended until a certificate of occupancy shall have been issued by the building inspector. The certificate shall state specifically how the nonconforming use differs from the provisions of this ordinance provided that upon enactment or amendment of this ordinance.

A record of all certificates of occupancy issued shall be kept on file in the office of the building inspector, and copies shall be furnished on request to persons having a proprietary or tenancy interest in the building or land involved.

### **9:3.2 Application Procedure**

Application for a certificate of occupancy shall be made coincidentally with the application for a zoning certificate. The certificate of occupancy shall be issued within five days after the erection, move, or structural alteration of any building or change in the use of any premises shall have been completed in conformity with the provisions of this ordinance.

### **9:3.3 Temporary Certificate of Occupancy**

A temporary certificate of occupancy may be issued by the building inspector for a period not exceeding six months during alterations or partial occupancy of a building pending the completion, or for bazaars, carnivals, and such; provided that such temporary permit may require such conditions and safeguards as will protect the safety of the occupants and the general public.

### **9:3.3 Failure to Obtain Certificate of Occupancy**

Failure to obtain a certificate of occupancy shall be a violation of this ordinance and punishable under Article 14 of this ordinance.

#### **Section 9:4 Construction and Use to be as Provided in Application, Plans, Permits and Certificates**

Zoning certificates or certificates of occupancy issued on the basis of plans and applications approved by the building inspector authorize only the use, arrangement, and construction set forth in such approved plans and applications. Use, arrangement, or construction that differs from that authorized shall be deemed a violation of the ordinance and punishable as provided by Article 14 of this ordinance.

#### **Section 9:5 Right of Appeal**

If the request for a zoning certificate is disapproved or if a certificate of occupancy is denied, the applicant may appeal the action of the building inspector to the Board of Zoning Appeals.

## **Section 9:6 Temporary Approval, Pending Application for a Zoning Change, Variance, or Use Permitted on Review**

### **9:6.1 Issuance of Temporary Certificate**

Whenever any inspector, administrator, or other officer whose duties are regulated by this article shall find that a newly commenced business operation is not in technical compliance with the zoning ordinance, but he is advised that the owner or operator has filed an application for a zoning change, variance, or use permitted on review which, if granted, would bring the business operation into compliance, then the official shall grant a temporary certificate. Such temporary certificate shall have the same force and effect as a regularly issued certificate until final action on the application by the city commission, committee, board, or council.

### **9:6.2 Zoning Districts Affected**

Temporary certificates may be granted only for commercial, industrial, and service districts. No temporary certificate shall be granted for any district with a residential classification.

### **9:6.3 Required Findings for Issuance**

No temporary certificate shall be granted without the appropriate official first finding:

- A. The building is reasonably suited by design for its proposed use.
- B. Proposed use is compatible with uses made by adjoining properties and the proposed use will not adversely affect the character of the neighborhood in which the property is located.

### **9:6.4 Owner/Operator Proceeds at Own Risk**

Any owner or operator who requests the issuance of such a temporary certificate, and who proceeds with doing business, does so at his own risk. Such owner or operator is still responsible in the same way as any other applicant to establish a need for a change, variance, or use permitted on review. The fact that the temporary certificate has been issued is not a grounds for establishing a need for the change, variance, or use permitted on review; nor shall such fact in any way be deemed to be detrimental reliance by the owner or operator.

## **Article 10 BOARD OF ZONING APPEALS**

### **Section 10:1 Establishment of Board of Zoning Appeals**

A Board of Zoning Appeals is hereby created with the powers and duties set forth below.

### **Section 10:2 Membership**

The Board of Zoning Appeals shall be composed of five members. Each member is appointed for a three-year term provided that the City Council, in the appointment of the original members of the Board or in filling vacancies caused by the expiration of the terms of existing members of any such Board, may make appointments of certain members for less than three years to the end that thereafter the terms of all members shall not expire at the same time. The City Council may, at its discretion, appoint not more than two alternate members to serve on such Board in the absence, for any cause, of any regular members. Such alternate member or members shall be appointed in the same manner as regular members and at the regular times for appointment. Each alternate member, while attending any regular or special meeting of the Board and serving in the absence of any regular member, shall have and exercise all the powers and duties of such regular members so absent. The members of the Board shall have initial terms of office as follows: one member appointed for a term of one year; two members appointed for terms of two years; and two members appointed for terms of three years. At completion of the initial term of office for each member, all additional appointments to vacancies of the Board shall be for three year terms. Vacancies shall be filled for the unexpired term only. Members shall be removed for cause by a majority vote of the total membership of the City Council upon written charges and after public hearing.

### **Section 10:3 Proceedings**

The Board of Zoning Appeals shall draw up and adopt rules governing the conduct of the affairs which are in keeping with the provisions of this ordinance. The rules shall provide and require the following in addition to other rules and regulations the Board shall adopt.

#### **10:3.1 Officials**

At the first meeting after its establishment, the Board shall elect a chairman, a vice-chairman, and such other officers as necessary from among the members. Such officers shall serve one-year terms and may succeed themselves. The chairman, or in his absence, the vice-chairman, shall preside at all meetings, may administer oaths, and compel the attendance or witnesses.

### **10:3.2 Meetings**

Meetings of the Board shall be held at the call of the chairman and at such other times as the Board may determine. Due notice shall be given to all parties in interest. All meetings of the Board shall be open to the public and all evidence and testimony shall be presented publicly.

### **10:3.3 Minutes of Proceedings**

The Board shall keep minutes of its proceedings showing the vote of each member upon every question or his absence or failure to vote, indicating such fact, and also keep records of its examinations, findings, determinations, any other official action. No final action shall be taken unless a majority of the total membership of the Board is present.

### **Section 10:4 Appeals and Hearings**

Appeals to the Board of Zoning Appeals concerning interpretation or administration of this ordinance may be taken by any person aggrieved or by any officer, department, board, or bureau of the city. Such appeal shall be taken within such time as shall be prescribed by the Board of Zoning Appeals by general rule, by filing with the officer from whom the appeal is taken and with the Board a notice of appeal, specifying the grounds. The officer from whom the appeal is taken shall forthwith transmit to the Board all the papers constituting the record upon which the action appealed from was taken. An appeal stays all proceedings in furtherance of the action appealed from, unless the officer from whom the appeal is taken certifies to the Board, after notice of appeal shall have been filed with him, that by reason of facts stated in the certificate, a stay would, in his opinion, cause imminent peril to life or property. In which case, proceedings shall not be stayed otherwise than by a restraining order which may be granted by the Board or by a court of record on application on notice to the officer from whom the appeal is taken and on due cause shown. The Board of Zoning Appeals shall fix a reasonable time for hearing the appeal, give due notice of hearing to the parties concerned, and decide the same within a reasonable time. At the hearing, any party may appear in person, by agent, or by attorney. The Board may reverse or affirm, wholly or partly, or may modify the order, requirement, decision, or determination appealed from; and shall make such order, requirement, decision, or determination as in its opinion ought to be made on the premises, and to that end shall have all the powers of the officer from whom the appeal is taken.

## **Section 10:5 Powers and Duties**

The Board of Zoning Appeals shall have the following powers and duties.

### **10:5.1 Review**

The Board shall hear and decide appeals where it is alleged there is error in any order, requirement, decision, or determination made by the building inspector in the enforcement of this ordinance.

### **10:5.2 Variances**

The Board of Zoning Appeals may authorize upon written appeal in specific cases such variance from the terms of this ordinance as will not be contrary to the public interest, where owing to special conditions, a literal enforcement of the provisions of this ordinance would result in unnecessary hardship or peculiar and exceptional practical difficulties.

Before action is taken on a request for a variance, the Board of Zoning Appeals shall hold one or more public hearings at which any party may appear in person, by agent, or by attorney.

One notice of a public hearing shall be published in a newspaper of general circulation in the community at least fifteen (15) days prior to the hearing. The notice shall list the date, time and place of the hearing, and shall include a brief description of the application(s) being reviewed. The owner of the property for which the variance is requested or his agent shall be notified by mail. A variance from the terms of this ordinance may be granted by the Board of Zoning Appeals upon finding that:

- A. There are special conditions and circumstances which are peculiar to the land, structure, or building involved which are not applicable to other lands, structures, or buildings in the same district.
- B. A literal interpretation of the provisions of this ordinance would deprive the applicant of rights commonly enjoyed by other properties in the same district under the terms of this ordinance.
- C. The special conditions and circumstances do not result from the actions of the applicant.
- D. Granting the variance requested will not confer on the applicant any special privilege that is denied by this ordinance to other lands, structures, or buildings in the same district.

- E. The variance requested will be in harmony with the general purpose and intent of this ordinance and will not be injurious to the neighborhood, or otherwise detrimental to the public welfare.
- F. The variance requested is the minimum variance that will make possible the legal use of the land, building, or structure.

No nonconforming use of neighboring lands, structures, or buildings in the same district and no permitted or nonconforming use of lands, structures, or buildings in other districts shall be considered grounds for the issuance of a variance.

**UNDER NO CIRCUMSTANCES SHALL THE BOARD GRANT A VARIANCE TO ALLOW A USE NOT PERMISSIBLE UNDER THE TERMS OF THIS ORDINANCE IN THE DISTRICT INVOLVED.**

### **10:5.3 Uses Permitted By Special Exception**

The Board of Zoning Appeals may hear and decide upon Uses Permitted on Review specifically authorized by the terms of this ordinance. A use permitted on review shall not be authorized by the Board of Zoning Appeals unless and until:

- A. A written application is submitted.
- B. Notice shall be appearing at least 15 days in advance of a public hearing.
- C. A public hearing shall be held.
- D. The Board shall make findings.
- E. The Board shall make written findings certifying compliance with the regulations governing the special use.

### **10:5.4 Additional Power**

In addition to the powers conferred upon the Board of Zoning Appeals, the Board shall have authority to interpret district boundaries where boundaries on the ground are at variance with those shown on the Official Zoning Map.

In granting any variance, the Board of Zoning Appeals may prescribe appropriate conditions and safeguards in conformity with this ordinance. Violation of such conditions and safeguards shall be a violation of this ordinance and punishable under Article 14.

**UNDER NO CIRCUMSTANCES SHALL THE BOARD GRANT A VARIANCE TO ALLOW A USE NOT PERMISSIBLE UNDER THE TERMS OF THIS ORDINANCE, OR ANY USE EXPRESSLY OR BY IMPLICATION PROHIBITED BY THE TERMS OF THIS ORDINANCE IN THE DISTRICT INVOLVED.**

**Section 10:6 Decisions**

The concurring vote of four members of the Board of Zoning Appeals shall be necessary to reverse any order, requirement, decision, or determination of the building inspector charged with the enforcement of this ordinance; or to decide in favor of the applicant any matter upon which it is required to pass under this ordinance; or to grant a variance from the provisions of this ordinance.

**Section 10:7 Appeals**

Every decision of the Board of Zoning Appeals shall be subject to review by a court of record in the manner provided by the laws of the State of South Carolina and particularly by The South Carolina Local Government Comprehensive Planning Enabling Act of 1994, S. C. Code Title 6, Chapter 29.

**Section 10:8 Fee**

A fee of \$100.00 shall be paid to the Zoning Administrator for each application for a variance, use permitted by special exception, interpretation or appeal to cover the necessary administrative costs.

**Section 10:9 Duties of Administrative Official, Board of Zoning Appeals, City Council, and Courts on Matters of Appeals**

It is the intent of this ordinance that all questions of interpretation and enforcement shall first be presented to the building inspector. Such questions shall be presented to the Board of Zoning Appeals only on appeal from the decision of the building inspector and that recourse from the decision of the Board of Zoning Appeals shall be to the circuit Court and the Supreme Court of the State of South Carolina and particularly by Act Number 487, Acts of 1967. It is further the intent of this ordinance that the duties of the City Council in connection with this ordinance shall not include hearing and deciding questions of interpretation and enforcement that may arise. The procedure for deciding such questions shall be as stated in this section and this ordinance. Under this ordinance, the City Council shall have only the duty of considering, adopting, or rejecting proposed amendments or the repeal of this ordinance as provided by law.

## **ARTICLE 11 AMENDMENTS**

The regulations, restrictions, and boundaries set forth in this ordinance may from time to time be amended, supplemented, changed, or repealed by the City Council after study by the Planning Commission and in accordance with the following procedures:

### **Section 11:1 Action by the Applicant**

The following action shall be taken by the applicant for an amendment to this ordinance.

#### **11:1.1 Initiation of Amendment**

Proposed changes or amendments may be initiated by the City Council, Planning Commission, and in accordance with the following procedures.

#### **11:1.2 Application**

An application for any change or amendment shall contain a description and/or statement of the present and proposed zoning regulation or district boundary to be changed, and the names and addresses of the owner or owners of the property. Such application shall be filed with the City Planning staff not later than 35 days prior to the Planning Commission meeting at which the application is to be considered.

#### **11:1.3 Fee**

When a proposed amendment is initiated by an individual or parties other than the City Council, Planning Commission, or Board of Zoning Appeals, a fee of \$100.00 shall be paid to the City Clerk for each application for administrative expenses involved. The \$100.00 fee for annexations has been waived.

### **Section 11:2 Action by the Planning Commission**

#### **11:2.1 Consideration by the Planning Commission**

The Planning Commission shall consider the proposed zoning amendments four times per year. These times are in the months of March, June, September, and December at a public hearing conducted in accordance with Section 10:2.2. The Planning Commission may also consider proposed zoning amendments at such other times as the Commission Chairman or City Council may direct.

### **11:2.2 Notice of Hearing**

- a. One notice of a public hearing shall be published in a newspaper of general circulation in the community at least fifteen (15) days prior to the hearing. The notice shall list the date, time, and place of the hearing, and shall include a brief description of the application(s) being reviewed.
- b. In rezoning cases, a property under application shall be posted at least ten days prior to the public hearing with conspicuous notices on or adjacent to the property. One notice shall be visible from each public street that borders the property.
- c. The agenda for a public hearing shall be posted at City Hall at least twenty-four (24) hours prior to the hearing.

### **11:2.3 Action by the Planning Commission**

In conjunction with its public hearing, the Planning Commission shall consider the recommendations of the Greer City Planning Commission staff as well as other factors and make written recommendations to the City Council concerning each proposed zoning amendment.

## **Section 11:3 Action by City Council**

### **11:3.1 City Council Consideration**

The City Council may consider proposed zoning amendments at any meeting of Council provided however that no proposed zoning amendment shall be adopted by the Council until after public notice and hearing as provided for in Section 11:2.2.

### **11:3.2 Consideration of Planning Commission Recommendation**

Prior to acting on any proposed zoning amendment, City Council shall consider the recommendation of the Planning Commission. If the Planning Commission recommends denial of a proposed zoning amendment, the City Council may reject the Planning Commission's recommendation only by a vote of two-thirds of the members of Council who are present and voting. If no recommendation is received from the Planning Commission within 30 days from the date of the public hearing, it shall be deemed to have approved the proposed amendment.

### **11:3.3 Protest**

When the Planning Commission has recommended approval of a proposed zoning amendment, in case of a protest against such amendment signed by the owners of 20 percent or more of the lots included in the proposed change, or of those immediately adjacent to, in the rear, or on either side extending 100 feet or of those directly opposite extending 100 feet from the street frontage of such opposite lot, any amendment shall not become effective except by a favorable vote of three-fourths of all the members of Council.

No protest petition shall be valid unless it is (1) written, (2) bears the actual signatures of the requisite number of property owners and states that they protest the proposed amendment, and (3) is received by the building inspector in time to allow at least two normal work days (excluding weekends and legal holidays) prior to the public hearing on the amendment, so as to allow time for municipal personnel to check the accuracy and sufficiency of the petition.

### **11:3.4 Reconsideration of Request for Amendment**

When the City Council shall have denied a request for an amendment, it shall not consider another request for an amendment affecting the same property until one year from the date of the previous denial.

**ARTICLE 12 PROVISIONS OF ORDINANCE DECLARED TO BE MINIMUM REQUIREMENTS**

The provisions of this ordinance shall be minimum requirements adopted for the promotion of the public health, safety, morals, or general welfare. Whenever the requirements of this ordinance are at a variance with the requirements of any other lawfully adopted rules, regulations, ordinances, deed restrictions, or covenants, the most restrictive or that imposing the higher standards shall govern.

## **ARTICLE 13 COMPLAINTS REGARDING VIOLATIONS**

Whenever a violation of this ordinance occurs or is alleged to have occurred, any person may file a written complaint. Such complaint stating fully the causes and basis of the alleged violation shall be filed with the Zoning Administrator. He shall record properly the complaint, immediately investigate, and take action as provided by this ordinance.

## **ARTICLE 14 REMEDIES**

In case any building or structure is erected, constructed, reconstructed, altered, repaired, converted, or maintained; or any building, structure, or land is used in violation of this ordinance, the Zoning Administrator or any appropriate authority of the municipality, or any adjacent, nearby, or neighboring property owner, who would be affected by such violation, in addition to other remedies, may institute injunction or any other appropriate action in proceeding to prevent the occupancy of such building, structure, or land.

## **ARTICLE 15 PENALTIES FOR VIOLATION**

Any person, firm, or corporation violating any provisions of this ordinance, or who shall violate or fail to comply with any order made thereunder, or who shall continue to work upon any structure after having received written notice from the Zoning Administrator cease work shall be guilty of a misdemeanor and punishable by a fine not to exceed 100 dollars or imprisoned for not more than 30 days, or both. Each day such violation shall be permitted to exist shall constitute a separate offense. Notice of violation shall be sufficient if directed to the owner, the agent of the owner, or the contractor and left at his known place of residence or place of business.

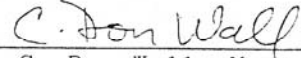
## **ARTICLE 16 SEPARABILITY AND VALIDITY**

Should any section, paragraph, clause, phrase, or provision of this ordinance be adjudged invalid or held unconstitutional by a court of the competent jurisdiction, such declaration shall not affect the validity of the ordinance as a whole or any part or provision thereof, other than the part so decided to be invalid or unconstitutional.

**ARTICLE 17 EFFECTIVE DATE**

ARTICLE 17 EFFECTIVE DATE

This ordinance shall be effective upon second reading approval.



\_\_\_\_\_  
C. Don Wall, Mayor

ATTEST:

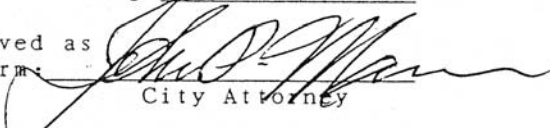
  
\_\_\_\_\_  
Lucia Polson, Municipal Clerk

Introduced by: Martha King

First Reading: March 23, 1999

Second Reading: April 13, 1999

Approved as  
to Form:

  
\_\_\_\_\_  
City Attorney

# EXHIBITS

## Sight Triangle

EXHIBIT 1

Street or Driveway Intersection

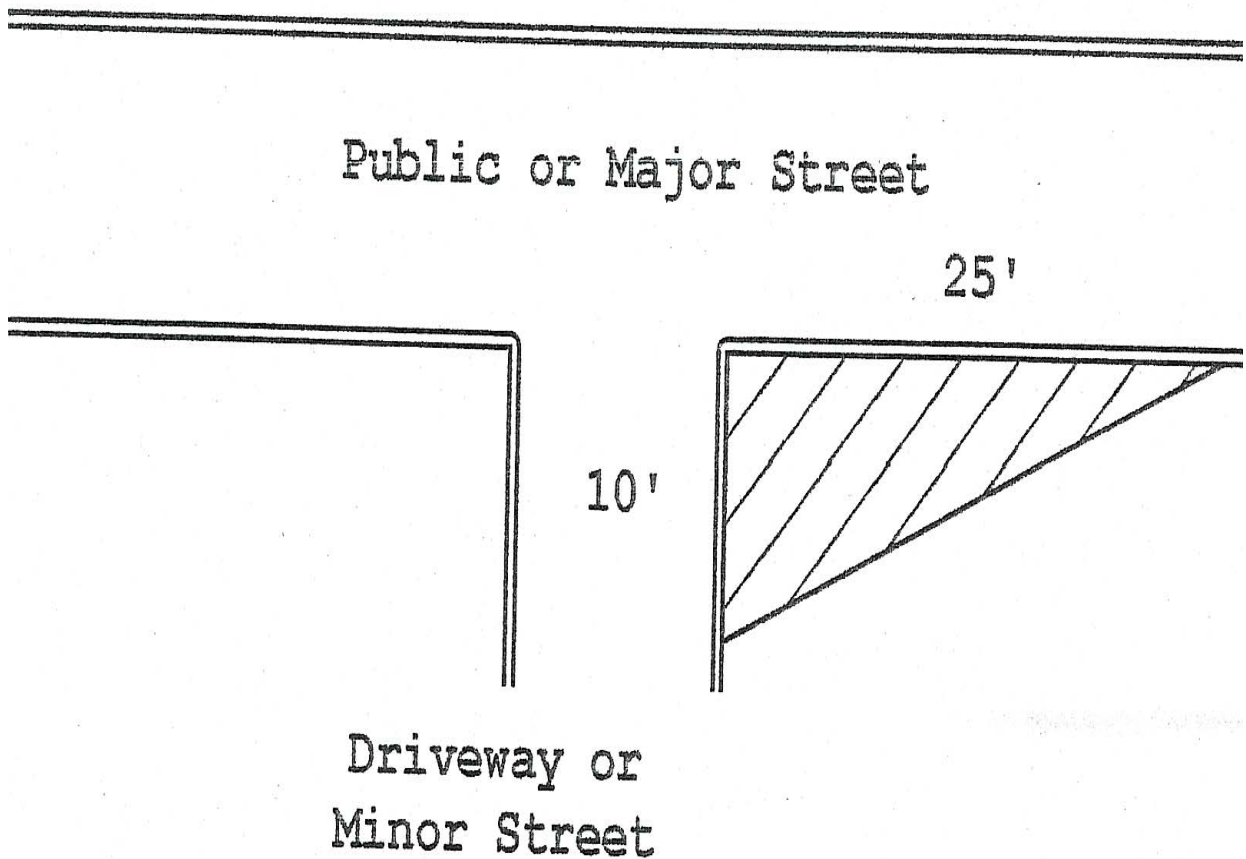
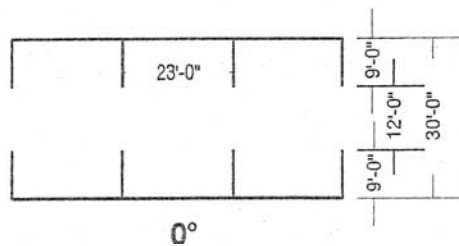
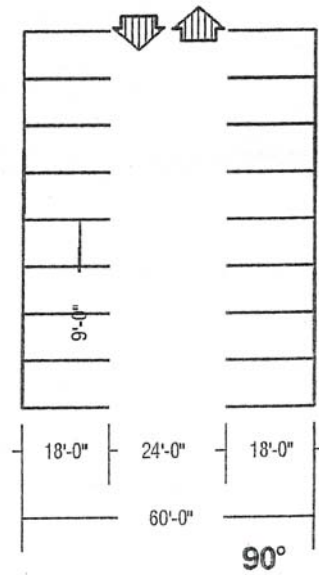
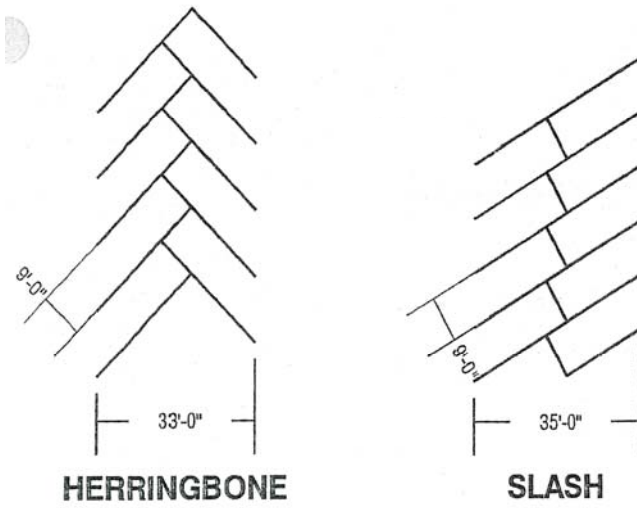
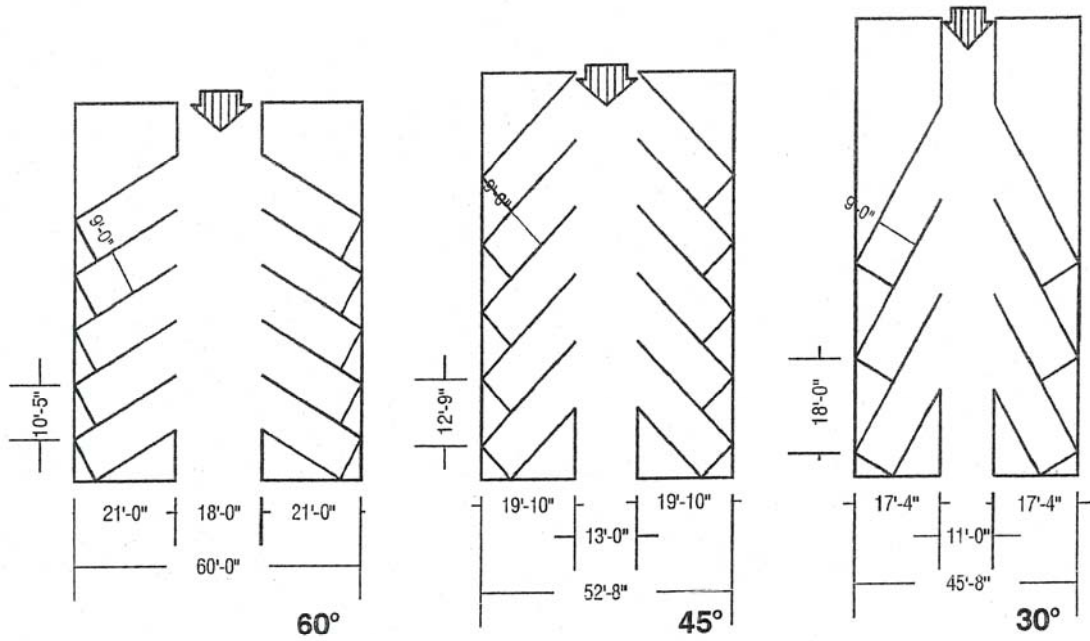


EXHIBIT 2

**PARKING STANDARDS**



NOTE: TURNING RADI: 15'-0" MIN.

