

# City of Wetumpka

## Sign Ordinance

### ARTICLE VIII. EXCEPTIONS AND MODIFICATIONS

#### **Section 80.0 Front Yard Setback Modifications**

Where a new structure is to be built between two existing structures with front yards greater or less in depth than required, the owner should use the setbacks of adjacent buildings as a guide, and the Board of Adjustment shall account for same in its review of variance requests. No new building shall be erected closer to the street than the average front yards so established by existing buildings.

#### **Section 81.0 Signs**

All types and makes of signs that are located within the city limits of Wetumpka shall have the following general provisions and regulations to apply as set out and described herein. No sign, except for non-illuminated, temporary real estate, construction, and political signs not exceeding 32 square feet in area, shall be placed or erected without a permit from the Building Inspector.

The following requirements shall apply to all signs:

- a. All signs shall be located at least five (5) feet behind the public right-of-way line unless otherwise provided for in this section.
- b. No sign shall exceed 45 feet in height above grade. No sign shall exceed 672 square feet in area size, one side per facing.
- c. No sign shall be attached to, or painted on, any utility fixture, or on any tree, rock, or other natural object.
- d. No sign shall be located so as to prevent or hinder free access to, or egress from, any door, window, or fire escape.
- e. All construction and operation of signs shall be in accordance with the building, electrical, and other applicable codes.
- f. Should any sign be or become unsafe or unsightly, the person responsible for maintaining the sign shall, upon notice from the building official, put the sign in a safe, secure condition or remove it within 90 days.
- g. No part of any sign shall be located within 25 feet of the intersection of any two streets or within 25 feet of the intersection of any street and/or railroad.
- h. No sign shall be located within ten feet of the intersection of any street and driveway.
- i. Face signs shall be flush with the face or side of the building and extend not more than 12 inches beyond said face or side of the building.

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j. Projecting signs will be allowed for business identification purposes and may be mounted on the front of the building facing the main thoroughfare. Projecting signs may not exceed 20 square feet and may not project further than five feet from the building face towards the street or sidewalk. The minimum heights for projecting signs will be nine feet above sidewalk or road level, whichever is greater.

k. No sign shall be illuminated by or contain flashing, intermittent, moving, or rotating light or lights without the consent of the Board of Adjustment, which body shall make certain that light intensity, color, and movement will not likely be so distracting to motor vehicle operators as to constitute a traffic hazard. This subsection does not apply to time and temperature signs and similar signs displaying information.

l. With the approval of the Building Inspector, directional signs may be located closer than five feet to the right-of-way line, but not on the public right-of-way, provided such signs are no higher than 2-1/2 feet above the grade of the adjacent street.

m. Temporary real estate and political signs may be placed closer than five feet to the right-of-way line, but not on the public right-of-way; provided, that such signs are not higher than 2- ½ feet above the grade of the adjacent street.

### **Section 81.1 Billboards.**

For the purpose of this section, a "billboard" shall be defined as any sign, structure, or device which advertises or contains information about a business, product, or service not located on or offered on the premises on which the sign is located. In addition to any regulations applying to all signs in general, the following regulations shall apply to billboards:

a. No billboard within the City of Wetumpka, Alabama, shall be located closer than 500 feet to any other billboard on the same side of the street; and, on U.S. Highway 231 and State Highways 14, 111, and 9, no billboard shall be located closer than 500 feet to another billboard on the same side of the highway.

B. No billboard shall exceed 672 square feet in area per facing, excluding base and trim.

c. No billboard shall be located closer than 100 feet to any residential district or any property used for residential purposes.

d. The lowest portion of any billboard must be at least 30 feet above grade.

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- e. No billboard shall be illuminated by or contain flashing, intermittent, rotating or moving light or lights, or animated, without consent of the Board of Adjustment (or Planning Board), which body shall make certain that light intensity, color, and movement will not likely be so distracting to motor vehicle operators as to constitute a traffic hazard.
- f. All billboards shall be of all metal, either steel beams or steel single-pole, construction, except for the sign face and trim, which may be of other durable materials.
- g. Subject to the provisions of this section, billboards shall be permitted in Districts B-1, B-2, M-1 and M-2. Billboards shall not be permitted in any other districts.

**Section 81.2 Portable Signs.** For the purpose of this section, a "portable sign" shall be defined as any sign, whether on wheels, its own trailer, or otherwise, which is designed or constructed in such a manner as to be easily transported from one place to another. In addition to any regulations applying to signs in general, the following regulations shall apply to portable signs.

- a. Portable signs must comply with the same setback and distance requirements as all other signs.
- b. No portable sign shall be illuminated by or contain flashing, intermittent, rotating, or moving light or lights.
- c. One portable sign per premise will be allowed and shall be used only for on-premise advertising and shall not be used as billboards.
- d. Subject to the provisions of this section, portable signs shall be permitted uses only in Districts B-1, B-2, B-3, M-1 and M-2.

**Section 81.3 Nonconforming Signs.** Notwithstanding any other provisions of this Ordinance, legally nonconforming signs existing on the date of adoption of this Ordinance may be continued, subject to the following requirements, except for portable signs, which shall immediately comply with the provisions of this ordinance.

- a. Existing signs, which became legally nonconforming as a result of the passage of this section, shall be allowed to be rebuilt on the same premise as long as they conform to the structural provisions of this ordinance.
- b. Any legally conforming or nonconforming signs which cease to be used for a period of more than six consecutive months shall be removed or made to comply with the provisions of this ordinance.

**Section 81.4 Abandoned Signs.** Any sign that is located on property which becomes vacant and is unoccupied for a time period of six months or more, or any sign which pertains to a time, event or purpose which no longer applies, shall be deemed to have been abandoned. Permanent signs applicable to a business temporarily suspended because of a change in ownership or management of such business shall not be deemed abandoned unless the property remains vacant for a period of nine months or more. An abandoned sign is prohibited and shall be removed by the owner of the sign or the owner of the premises.

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**Section 81.5 Removal of Signs.** The Wetumpka Building Inspector shall cause to be removed any sign that endangers the public safety, such as: abandoned; dangerous; or materially, electrically or structurally defective sign; or a sign for which no permit has been issued. The Building Inspector shall prepare a notice which shall describe in detail the nature of the violation or violations involved and which shall state that, if the sign is not removed or the violation is not corrected within 30 days, this sign shall be removed in accordance with the provisions of this Ordinance. However, the following shall apply to signs placed in public rights-of-way: any sign installed or placed on a public right-of-way, except in conformance with the requirements of this Ordinance, shall be forfeited to the public and subject to confiscation. In addition to other remedies provided under this Article, the City shall have the right to recover from the owner or person placing such a sign the full costs of removal and disposal.

**Section 81.6 Commercial and Business Signs.** All signs to be viewed in a B-1 General Business district shall conform to the following requirements:

- a. All signs shall be placed flat against the main building, or parallel to the building on a canopy; and, may face only public street or parking areas which are part of the development.
- b. The sign height may not exceed 20 percent of the building height, and the total area of all signs shall not exceed 20 percent of the area of the nearest building face with which they are parallel.
- c. Signs may be illuminated, but not flashing.
- d. One additional sign may be placed freestanding or attached to the building but not extending over a public right-of-way, near one entrance of each street upon which the lot or parcel fronts. Such a sign shall convey only the identification of the permitted use, shall be located so that view of traffic within or without the development is not obstructed for pedestrians or motorists, and may not exceed 100 square feet in area.
- e. Signs purely for traffic regulation and direction within the development may be utilized as required.

All signs to be viewed in a B-2 Local Business District shall conform to the following requirements. Any sign or signs may be displayed if they pertain exclusively to the business carried on within the building, and if no part of any sign projects into a public right-of-way in excess of six inches except as herein provided.

- a. A sign shall be placed flat against the main building, or parallel to the building on a permitted canopy, and shall face only public streets or parking areas which are part of the development, and shall not project above the cornice or roof lines.
- b. The sign height may not exceed 20 percent of the building height, and the total area of all signs shall not exceed 20 percent of the area of the nearest building face with which they are parallel.
- c. A sign may be illuminated, but if intended to have moving illumination, such illumination must be approved in advance by the Board of Adjustment (or Planning Board), which body shall make certain that light intensity, color, and movement will not likely be so distracting to motor vehicle operators as to constitute a traffic hazard.

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All signs to be viewed in a B-3 Central Business District shall conform to the following requirements. Any sign or signs may be displayed if they pertain exclusively to the business carried on within the building, and if no part of any sign projects into a public right-of-way in excess of six inches except as herein provided:

- a. A sign shall be placed flat against the main building, or parallel to the building on a permitted canopy, and shall face only public streets or parking areas which are part of the development, and shall not project above the cornice or roof lines.
- b. The sign height may not exceed 20 percent of the building height, and the total area of all signs shall not exceed 20 percent of the area of the nearest building face with which they are parallel.
- c. A sign may be illuminated, but if intended to have moving illumination, such illumination must be approved in advance by the Board of Adjustment (or Planning Board), which body shall make certain that light intensity, color, and movement will not likely be so distracting to motor vehicle operators as to constitute a traffic hazard.
- d. Outdoor advertising signs or structures permitted on appeal in this district shall be subject to such conditions or regulations as the Board of Adjustment may require in order to preserve and protect the character of the district in which such use is proposed.

**Section 81.7 Industrial Signs.** All signs to be viewed from without any building in a M-1 Light Industrial District shall conform to the following requirements. Any sign or signs permitted in and regulated by the requirements of this ordinance for a B-1 General Business District, are permitted in a M-1 District, with the following additional allowance. One additional sign may be placed freestanding near one entrance on each street upon which the lot or parcel fronts. Such a sign shall convey only identification of the permitted use; shall be located so that view of traffic within or without the development is not obstructed for pedestrians or motorists, and may not exceed 100 square feet into any public right-of-way or easement.

All signs to be viewed from without any building in a M-2 Heavy Industrial District shall conform to the following requirements. Any sign or signs permitted in and regulated by the requirements of this ordinance for a B-1 General Business District or M-1 Light Industrial District, are permitted in a M-2 District.

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**Section 81.8 Residential Signs.** Only subdivision signs and temporary real estate signs shall be allowed in any residential district. Business signs, even for a home occupation, or political signs are not allowed in a residential district. All signs to be located in a residential zoning district must be approved in advance by the Board of Adjustment (or Planning Board). All signs to be located in a residential district (R-1, R-2, R-2.6, R-3, R-4 or R-5) shall conform to the following requirements.

- a. All entrance signs shall be constructed of lasting and durable material and shall provide neighborhood identification. Plywood entrance signs are not permissible.
- b. A sign may be illuminated, but not flashing.

**Section 82.0 Height Limitations** Height limitations, as stated in Section 61.0 of this ordinance, shall apply to satellite dish antennas in residential districts, but shall not apply to church steeples, barns, silos, farm structures, chimneys, flag poles, public utility poles, radio and television towers and aerials, cooling towers and water tanks.

**Section 83.0 Moved Structures** Any building or structure which is to be moved to any location within the city limits of Wetumpka whether from within or without the corporate city limits, shall be considered for the purpose of this ordinance to be a new building under construction, and as such shall conform to all applicable provisions of this ordinance.

Such building or structure shall not be permitted in an R-1, R-2 or R-2.6 zoning district except on special exception from the Board of Adjustment.

In conforming to the building code requirements, all electrical wiring and plumbing shall be installed after building is placed on the lot. One exception is modular homes that carry all certifications of inspection.

A certificate of occupancy must be obtained within 120 days after the building or structure is placed on the lot. Failure to do so will subject owner to a penalty as defined in Section 99.0 of this ordinance.

**Section 84.0 Mobile Home Parks** All mobile homes shall be located within an R-5 zoning district. Prior to development and/or location of a mobile home within the City of Wetumpka, a site plan meeting the requirements as set forth below is required to be submitted for approval of a mobile home location.

In order to provide for a clean, safe, and healthy living environment for residents living in mobile homes, this section applies to the development of mobile home parks. Plans meeting these minimum specifications will be approved by the Building Inspector in those zones permitting mobile home parks.

**Ordinance No. 2018-8**  
**Amendment to Zoning Ordinance**

**WHEREAS**, the Wetumpka Planning Commission, petitioned to amend the Zoning Ordinance of Wetumpka, Alabama; and

**WHEREAS**, the Council has held a duly advertised public hearing as required by Sec. 11-52-78, Code of Alabama 1975, and

**WHEREAS**, the Council finds that the proposed amendment is not contrary to the general purpose and intent of the ordinance or injurious to the neighborhood or otherwise detrimental to the public welfare;

**NOW, THEREFORE, BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF WETUMPKA, ALABAMA, AS FOLLOWS:**

The Zoning Map of the City of Wetumpka, being incorporated by reference in Ordinance 99-4, entitled "Zoning Ordinance of the City of Wetumpka, AL," adopted on September 2, 1998, be and is hereby amended as follows.

Section 1. Section 81.6 be amended to read as follows:

**Commercial Business Signs.** All signs to be viewed in a B-1 General Business district shall conform to the following requirements:

- a. All signs shall be placed flat against the main building, or parallel to the building on a canopy; and, may face only public street or parking areas which are part of the development.
- b. The sign height may not exceed 20 percent of the building height, and the total area of all signs shall not exceed 20 percent of the area of the nearest building face with which they are parallel.
- c. Signs may be illuminated, but not flashing.
- d. One additional sign may be placed freestanding or attached to the building but not extending over a public right-of-way, near one entrance of each street upon which the lot or parcel fronts. Such a sign shall convey only the identification of the permitted use, shall be located so that view of traffic within or without the development is not obstructed for pedestrians or motorists, and may not exceed 100 square feet in area.
- e. Signs purely for traffic regulation and direction within the development may be utilized as required.

All signs to be viewed in a B-2 Local Business District shall conform to the following requirements. Any sign or signs may be displayed if they pertain exclusively to the business

carried on within the building, and if no part of any sign projects into a public right-of-way in excess of six inches except as herein provided.

- a. A sign shall be placed flat against the main building, or parallel to the building on a permitted canopy, and shall face only public streets or parking areas which are part of the development, and shall not project above the cornice or roof lines.
- b. The sign height may not exceed 20 percent of the building height, and the total area of all signs shall not exceed 20 percent of the area of the nearest building face with which they are parallel.
- c. A sign may be illuminated, but if intended to have moving illumination, such illumination must be approved in advance by the Board of Adjustment (or Planning Board), which body shall make certain that light intensity, color, and movement will not likely be so distracting to motor vehicle operators as to constitute a traffic hazard.

All signs to be viewed in a B-3 Central Business District shall conform to the following requirements.

- a. In no case shall a sign applied to a building be allowed to obscure any significant architectural details or features of a building face such as windows, transom panels, sills, moldings, and cornices.
- b. A primary façade shall be designated for each building. This façade shall be divided into divisions defined by the overall length and height of each activity occupying the building. The resulting square footage is the amount of façade exposure that each activity has. This amount determines the sign sizes for each business.
- c. Lighting. All signs (except monument signs in subsection (f) below) may be illuminated directly or with indirect lighting provided that indirect light sources are shielded from other buildings and do not create glare or visual discomfort to pedestrians at street level. Neon window and wall signs are permitted as long as they conform to all other restrictions within this ordinance.

## Section 2. Insert Section 81.6.1 Specific Sign Requirements for the B-3 Zoning District

- a. Primary Signs.
  1. Description and Use. The Primary Sign may only be the activity name, logo, business type, or dimensional icon graphically depicting the type of business.
  2. Amount allowed. One Primary Sign per “business division” of the primary façade shall be allowed.
  3. Placement: Primary signs may be mounted or painted on

- a perpendicular hanging sign or “blade” sign, over the sidewalk and storefront, side or corner mount,
  - a flush surface on the building, including windows, designated for sign use.
4. Size. Primary signs shall have an aggregate area not exceeding 1.5 square feet for each linear foot of building face parallel to a street lot line, or 10% of the division area, whichever is smaller. Provided that
- The widest point of one dimension (vertical or horizontal) of the primary sign should not exceed four feet, or a circular diameter of six feet.
  - Window signs shall cover no more than 30% of any one window.
- b. Secondary Signs.
1. Description and use. Secondary signs are generally second, smaller versions of the Primary Sign or supporting signage to the business. The Secondary Sign may be the business name or the type of business. The Secondary Sign may include tag lines below the name, graphics, or proprietor / professional’s name and title, or slogan. The Secondary Sign could be a dimensional icon graphically depicting the type of business; however it MUST be smaller than the Primary Sign. Neon, channel letter or any internally-lit signs are NOT permitted as Secondary Signs.
2. Amount allowed. One secondary sign per business division. An identical pair of window signs on separate windows may constitute one secondary sign. Provided that
- For Multiple lines of type or full logos in mass, NO dimension should exceed 3 (three) feet at their widest point. Single lines of type and basic graphics or rules are exempt from this limitation.
  - At any time, no single window shall be covered more than 30%.
  - Window signs on or above the second floor will be limited to identification and instructional signs and cover no more than 30% of any one window.
  - If the business is located on a corner, occupies multiple storefronts, or in a stand-alone structure, EACH facade (storefront) can have 1 (one) additional Secondary Sign (matching set) upon that facade. The entire business can still have only one Primary Sign, however.
3. Placement. Secondary Signs can be located in many places on the façade, including repeated, matching signs on awning valances or in multiple display windows.
- c. Monument signs (freestanding ground based signs). These shall be the only freestanding signs permitted in this zoning district, and same shall not exceed four feet in height, and shall not exceed 24 square feet in area. Monument signs must be setback at least ten feet from the public right-of-way. The following additional restrictions also apply:
1. Signs may not be directly illuminated.
  2. Shall be constructed of materials consistent with the building architecture.
  3. May only be used as identification or professional signs.

4. May not contain other messages or be used as a base to hang temporary signs for sales or events.
5. Signs shall not be electronic signs.

d. Other Signage Allowed.

1. Pedestrian Zone Advertising. Sidewalk signs, usually in the form of A-Frame or "sandwich board," are permissible. However, they may only contain daily specials, menus or sale items in erasable type such as chalk or dry-boards. Placement is in the pedestrian zone directly adjacent to the business. Height should not exceed 3 (three) feet and the sign should not take up sidewalk area of more than 3 (three) square feet.

There must be a 5 (five) foot distance to pass between the sign and building or any immobile street amenity such as benches, bike racks, trees, post boxes, stairs, etc., as the sign can become a hazard to the public right-of-way. These signs must be removable and taken inside by the business when closed, in case of downtown events, and for emergency purposes.

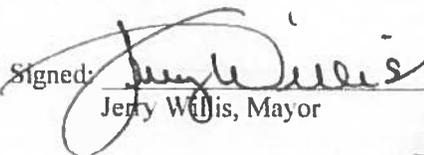
2. Temporary Sale or Event Banners. Sale or event banners are generally large, sticker-type vinyl lettered "quick" signs, cheaper in materials, and therefore must be TEMPORARY. These signs may only be in place for a maximum of 10 (ten) days, should include the dates of the event and a few months should pass between hanging temporary signs. On the exterior, temporary banners should be attached with ties. On the interior, these include anything hung within 3 (three) feet from the inner surface of the display glass. One side of a "SALE" sign should not exceed 2 1/2 feet across.

Section 81.6.2. Signs prohibited in the B-3 Zoning District

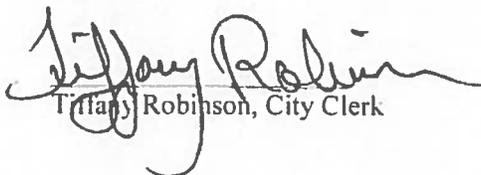
The following are prohibited anywhere within the geographical area designated as zoning district B-3:

- a. Freestanding pole signs, or other non-monument signs.
- b. Fluorescent day-glow colored signs.
- c. Wind and light activated glitter signs.
- d. Electronic or flashing signs.
- e. Streamer and non-official flags.

Adopted and approved this the 5th day of November, 2018.

Signed:   
Jerry Willis, Mayor

ATTEST:

  
Tiffany Robinson, City Clerk

