

ARTICLE 17

SIGN REGULATIONS

17.1 Title

This Article shall be known and may be cited as the “Town of Spencer Sign Regulations.”

17.2 Purpose

This Article applies to all *signs* erected in the Town of Spencer. The purpose of this ordinance is to ensure the installation of safe and effective signage that promotes both business activity and the aesthetic character of the Town, as well as communicating essential information to the public. The following statements elaborate on this purpose.

- (A.) To provide opportunities for neighborhoods and commercial endeavors to be identified in an effective and equitable fashion.
- (B.) To promote public safety by reducing hazards associated with distracting or excessive signage.
- (C.) To establish and promote enhanced community character through signage that is reflective of the adopted goals of the Town and its scale of development.
- (D.) To promote the integration of signage with the architectural characteristics and aesthetic quality of the Town’s development.
- (E.) To provide for flexibility in amount, type and scale of signage depending on the context of the development and the surrounding area.
- (F.) To facilitate efficient, thorough, consistent and effective enforcement of the *sign* regulations.

17.3 Definitions

Please see definitions in Article 3 of this Ordinance.

17.4 Applicability

Except as specifically exempted in this Article, no *sign* shall be erected, altered or displayed without a *sign* permit issued by the Town of Spencer confirming compliance with the provisions of this Article. *Signs* made nonconforming by this Article shall be grandfathered until altered, abandoned, relocated, or removed except for prohibited *signs*, which shall be removed within ten (10) days as required in Section 17.5 of this Article.

17.5 Prohibited Signs

Signs prohibited by the enactment of this Article shall be removed within ten (10) days from the date of notification by the *Planning, Zoning & Subdivision Administrator* or duly authorized code enforcement agent of the Town; however, where deemed dangerous or prejudicial the *Planning, Zoning & Subdivision Administrator* may act in accordance with Section 23.10 of this Ordinance. The following *signs* are specifically prohibited by this Ordinance. (reference G.S. 136-32, 136-32.1, 136-32.2, and 160A-193)

- (A.) *Snipe signs*.
- (B.) *Signs* attached to light fixtures, curbs, sidewalks, gutters, streets, utility poles, public buildings, fences, railings, public telephone poles, or trees.
- (C.) Windblown *signs* not specifically permitted in this Article such as pennants, streamers, spinners, balloons, inflatable figures, and similar *signs*, except as specifically permitted in Section 17.8.
- (D.) *Signs* which prevent free ingress to or egress from any door, window, or fire escape.
- (E.) *Signs* erected or displayed in such a manner as to obstruct free and unobstructed vision at any street, intersection, or driveway.
- (F.) Any *sign* which interferes with vehicular or pedestrian traffic because of its position, size, shape, movement, color, fashion, manner, or intensity of illumination, including *signs* with the potential to be confused with any authorized traffic *sign*, signal, or device not found in compliance with the provisions of Section 17.7-1(H) of this Article.
- (G.) *Signs* erected or displayed on or over public street rights-of-way, other than those erected by governmental agencies or for which appropriate encroachment agreements have been executed pursuant to this Ordinance. *Signs* specifically protected by the provisions of G.S. 136-32(b) are not prohibited, provided the requirements of G.S. 136-32(b) are met.
- (H.) *Portable signs*, except as specifically permitted herein.
- (I.) *Signs* that mechanically alter their height, location, or size; *signs* that revolve; or *signs* that strobe; or any other similarly constructed *signs*.
- (J.) *Signs* attached to the roofs of buildings or are otherwise located above the roofs of buildings or are part of roofing finish and/or materials.
- (K.) Off-premises billboard *signs*, including outdoor advertising *signs*, except those placed by governmental agencies for public purposes. Existing off-premises

billboard *signs* that are non-conforming may be disassembled and replaced with a newer structure upon approval of a permit issued by the *Planning, Zoning & Subdivision Administrator*. The new signage shall be designed to result in no expansion of or increase in the non-conformity; shall allow replacement with a digital *sign*; shall not exceed 48 feet in height above adjacent grade; shall be designed to limit lighting to the *sign* face; and shall be designed to enhance the architectural features of adjacent buildings. Color renderings or photographic simulations shall be submitted to the *Planning, Zoning & Subdivision Administrator*, who shall have the authority to deny permits for *signs* that do not meet the intent of this Article.

17.6 **Exempt Signs**

The following *signs* are exempt from the requirements of this ordinance; however, in some instances building permits may be required, such as an electrical permit for wiring, and a zoning permit is a prerequisite to a building permit.

- (A.) Warning and security *signs*, including *signs* placed by a public utility for the safety, welfare, or convenience of the public, including, but not limited to *signs* identifying fire department connections or high voltage, public telephone, or underground cables and/or gas pipelines.
- (B.) Government *signs* and *signs* for non-profit organizations sponsored by governments including insignia; statutorily required legal notices; and informational, directional, wayfinding, and traffic safety *signs*. This exemption shall not include permanent and temporary *signs* covered in section 17.8 of this Article but may include *signs* or flags erected on public property or private property immediately proximate to public property to commemorate public holidays recognized by resolution of the Town Board of Aldermen.
- (C.) Warning and security *signs*, including *signs* placed by private property owners restricting activity such as "No Dumping", "No Hunting" and "No Trespassing" *signs* containing less than two square feet in copy area per *sign* face.
- (D.) *Signs* placed inside ball fields and outdoor amphitheaters that face toward the interior of the field or amphitheater and are primarily visible for viewing by persons attending events and/or performances.
- (E.) Accent lighting, as defined herein, provided that not more than two architectural elements are accented per occupancy (e.g., two windows or a window and a roofline, etc.).
- (F.) *Signs* associated with events of short duration for a nonprofit or charitable organization posted for 14 days or less, provided that not more than a total of 24

square feet of signage is posted per property per street frontage and they are removed within two (2) days.

- (G.) Incidental *signs* affixed to windows containing no more than two square feet in copy area provided that not more than a total of six (6) square feet of incidental signage is displayed per occupancy. An incidental *sign* may flash provided they are located within a building and no more than one such *sign* is displayed per occupancy.



Example of Incidental Signs

- (H.) Machine *signs* containing no more than eight (8) square feet in copy area, except drive-through menu and/or kiosk machine *signs* may contain up to twelve (12) square feet in copy area provided the portion of the *signs* devoted to a logo or business name contains no more than six (6) square feet of the total *sign* copy area.



Example of Machine Signs

- (I.) Menus and kiosks displayed outdoors at restaurants provided they contain no more than six (6) square feet in copy area.
- (J.) *Signs* attached to collection bins, provided they contain no more than six (6) square feet in copy area.
- (K.) Any *sign*, public notice or warning required by a valid and applicable federal, state, or local law, regulation, approved development plan, or ordinance, including traffic control *signs* on private property.
- (L.) Address *signs* no greater than four (4) square feet in copy area.

- (M.) Retail store window displays of merchandise.
- (N.) *Signs* attached to licensed roadworthy vehicles, provided the vehicles are not parked unattended and in such a manner as to create the effect of additional signage, whether on-premises or off-premises (see Section 17.5, Prohibited Signs).
- (O.) *Signs* attached to umbrellas provided no more than 25% of the total surface area of the umbrella is devoted to signage.
- (P.) One *Temporary sign* per property street frontage containing no more than four (4) square feet in copy area in “SFR” and “RMST” districts; no more than 16 square feet in copy area in the “MS”, “CIV”, and “MU” districts; and, no more than 32 square feet in the “AG”, “C-85”, “C-29”, “VSR”, and “IND” Districts. *Temporary signs* are limited to duration of not more than six (6) consecutive months in any one calendar year. See Section 17.8 for *temporary signs* requiring a permit.
- (Q.) Flags of the United States, the State of North Carolina, Rowan County or the Town of Spencer if they do not exceed 50 square feet in area, that they are displayed on flagpoles not exceeding 48 feet in height, that no more than three flags are displayed on a lot of less than one acre in size and not more than five flags are displayed on zone lots of one acre or more in size. Flagpoles may be roof or wall-mounted provided size, height and setback requirements are met.
- (R.) Holiday, sports, and good-will decorations with non-promotional message if lights are not illuminated and decorations are not displayed for longer than a total of 60 days per calendar year on nonresidential property.
- (S.) *Signs* for “temporary businesses” such as, but not limited to, produce stands, street vendors, and vendors at special events that shall operate for a specified time, not to exceed seven consecutive days. If the business is a recurring operation, such as produce stands that operate on weekends or on select days during the week, then said “temporary business” shall comply with the regulations set forth in this Article; the exception being that the *Planning, Zoning & Subdivision Administrator* may permit “temporary businesses” to use banners and temporary signage that comply with the standards and intent of this Article to be used as signage.
- (T.) Fence wraps displaying signage when affixed to perimeter fencing at a construction site until the certificate of occupancy is issued for the final portion of any construction site or 24 months from the time the fence wrap was installed provided it contains only advertising sponsored by parties directly involved in the construction project in accordance with G.S. 160D-907.

17.7 Requirements for Permanent Signs Requiring an Approval of a Zoning Permit

17.7-1 Permanent sign requirements. The following tables and text provide the design and dimensional requirements for permanent *signs* that require a permit. Requirements include copy area, number, type of illumination, and letter height for both attached and freestanding *signs*. Setback and height requirements are established for freestanding *signs* and detailed design requirements are provided for monument and pole *signs*.

- (A.) Only one general attached *sign* (blade, V-type, or flat) is allowed per street or parking frontage.
- (B.) Only one monument or pole freestanding *sign* is allowed per street frontage.
- (C.) Height of freestanding *signs* shall be measured from the elevation of the ground at the point of contact with the *sign* provided that the grade of the site is not artificially altered to increase the allowable height of the *sign*. For sloping sites, the applicable point of contact shall be the point having the highest elevation.
- (D.) One *sign* per approved *Home Occupation* within the Single Family Residential (SFR), Residential Main Street Transition (RMST), Mixed Use (MU), and Main Street (MS) districts, not to exceed four (4) square feet in area.
- (E.) The following permanent special purpose *signs* are in addition to general attached and freestanding *signs* under the limitations provided in the following tables and elsewhere in this Article.
 - (1.) Window.
 - (2.) Directional.
 - (3.) Directory.
 - (4.) Community identification.
- (F.) Clocks and Thermometers (including digital displays of time and temperature information) are allowed as either attached or freestanding components of *signs* provided they are:
 - (1.) incorporated into the general or attached signage for a non-residential property,
 - (2.) no more than two (2) per property, and
 - (3.) the area does not exceed 16 square feet. The square footage allowance constitutes an area bonus in addition to the maximum allowable area for the applicable *sign* type to which clocks and/or thermometers are attached.

(G.) Changeable Copy *signs* are allowed as either attached or freestanding *signs* provided they are:

- (1.) incorporated into the general or attached signage for a nonresidential property,
- (2.) not more than one such *sign* is allowed per occupancy,
- (3.) the *sign* message changes no more frequently than once every twenty-four hours for manually and/or mechanically changing *signs* and once every twelve hours for digitally changing *signs*.

(H.) Digitally Changing *signs* are allowed on properties zoned “C-85”, “C-29”, “VSR”, “IND”, “CIV”, and “MU”, subject to the provisions of this article, and the following additional conditions and limitations:

- (1.) Electronic changeable copy signs are prohibited in the MS, R/MST, SFR district, in any designated historic preservation district, and on any designated historic property.
- (2.) All messages, images, or graphics must remain static for a minimum of 20 seconds, before changing, and the changeover must be accomplished by the disappearance of one message or image, followed by the immediate appearance of another message or image, without in any way simulating movement, such as by scrolling, flashing, spinning, fluttering, fade-in/out, or otherwise.
- (3.) No moving messages, images, graphics, or video images, or which in any way simulate movement, such as by scrolling, flashing, spinning, fluttering, fade-in/out, or otherwise, may be displayed.
- (4.) The portion of the sign devoted to electronically changeable copy may not exceed 50 percent of the total permitted sign area.
- (5.) No direct or undiffused light may be cast upon roadways or other properties.
- (6.) Any sign visible from any property in residential use must be turned off or otherwise disabled between the hours of 11:00 p.m. and 6:00 a.m.
- (7.) Operators of electronic changeable copy signs shall reserve space and time for public service announcements on behalf of the Town for community events, news and information, especially in times of emergency or disaster.
- (8.) No electronic changeable copy sign may be utilized as a window sign, as that term is defined in Article 3 of this Ordinance.




(I.) All subdivisions requiring the development of new public roads within the Single-Family Residential District (SFR) and Agriculture District (AG) must be named. Subdivision names or identification shall not duplicate or closely approximate phonetically the names of existing streets and subdivisions in the Town of Spencer and must be approved by Rowan County’s emergency address coordinator. The minimum identification requirement is that a sign clearly showing the name of a named subdivision be posted at the primary vehicular entrance to the subdivision from a major and/or minor thoroughfare(s). Residential subdivisions in all other zoning districts may install temporary signage identifying the subdivision until lots are sold. Commercial

subdivisions are not required to use identification signage. (See Article 16).






- (J.) Requirements for *signs* extending over pedestrian and vehicular travel areas: *Signs* extending over pedestrian and vehicular travel areas shall maintain a minimum clear distance between the finished grade surface material and any portion of the *sign* and its associated support structure of seven (7) vertical feet on public and/or private sidewalks, and fourteen (14) vertical feet over paved vehicular parking and/or maneuvering areas. Signs shall not extend over public streets, except as stipulated in Section 17.5(G) of this Article.

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Table 17.1 – Permanent Sign Standards and Criteria

Sign Type	Sign Copy Area Allowance (sq. ft.)	Sign Illumination	Minimum Letter Size	Maximum Number	Other Requirements
Permanent Attached Signs – General					
Blade* (or Projecting)					Only one <i>sign</i> (blade, V-type or flat <i>sign</i>) allowed per occupancy per street or parking frontage
V-type*					
Flat* (or Wall)		32	Ambient External Internal	6" One per street or parking frontage per occupancy	Internally-illuminated <i>signs</i> – <i>sign</i> face can be illuminated No attached signage above second story except in monolithic multi-story buildings fronting major thoroughfares. May encroach into adjoining street right-of-way pursuant to an encroachment agreement. See 17.5(G), also see 17.7-1(J)

*May encroach into adjoining street right-of-way in the Main Street (MS) and Mixed Use (MU) Districts pursuant to an encroachment agreement subject to the provisions of Sections 17.5(G) and 17.7-1(I) of this Article.

Sign Type	Sign Copy Area Allowance (sq. ft.)	Sign Illumination	Minimum Letter Size	Maximum Number	Other Requirements	
						Permanent Attached Signs – Special Purpose
Window		8	Ambient	Not Applicable	One per each 100 square feet of display or doorway window area or fraction thereof	A maximum allowance of three <i>signs</i> per street or parking frontage per occupancy
Directional		4	Ambient External Internal	4"	Not Applicable	
Outdoor Directory		6	Ambient External	Not Applicable	One per street or parking frontage per building	
Awning*		6	Ambient Backlit	4"	One per street or parking frontage per awning	Not more than two awning <i>signs</i> per occupancy per street or parking frontage.
Canopy		16	Ambient Internal	6"	One per side of canopy	

*May encroach into adjoining street right-of-way in the Main Street (MS) and Mixed Use (MU) Districts pursuant to an encroachment agreement subject to the provisions of Sections 17.5(G) and 17.7-1(I) of this Article.

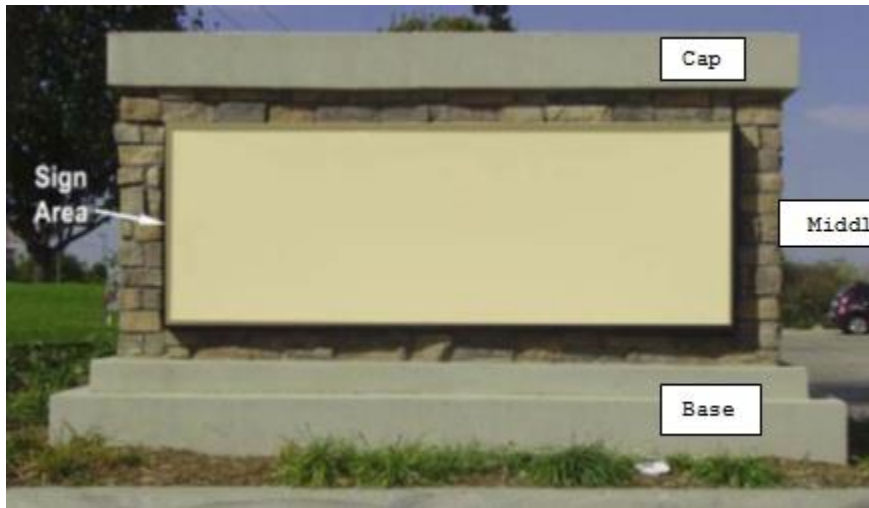
Sign Type		Sign Copy Area (sq. ft.)	Max. Sign Height (feet)	Sign Illumination	Min. Letter Size	Max. Number	Min. Setback from Property Line(s)	Other Requirements
Permanent Freestanding Signs – General and Special Purpose								
Non-residential Monument		48	8	Ambient External Internal	6"	One per street frontage having access to the site	5 ft	Monument signs shall comply with the design requirements of section 17.7-2
Non-residential Pole		12	10	Ambient External Internal		One per street frontage providing access to the site	4 feet	Pole signs shall comply with the design requirements of section 17.7-3
Residential Monument		32	6	Ambient		One per each gateway or primary entrance	0 feet*	Shall comply with design requirements for monument signs
Non-residential Directory		24	6	Ambient External Internal	4"	One per street frontage having access to the site	25 feet	Sites with multiple buildings only
Non-residential Directional		3	2.5	Ambient External Internal	4"	Two per each driveway access to the site	0 feet*	Not more than 25% of sign face shall contain a logo w/no commercial text

*May encroach into adjoining street right-of-way in the Main Street (MS) and Mixed Use (MU) Districts pursuant to an encroachment agreement subject to the provisions of Sections 17.5(G) and 17.7-1(I) of this Article.

17.7-2 Monument sign design requirements. Monument signs are intended to serve a wider range of aesthetic and architectural purposes than pole signs. Consequently, the following design requirements are established for monument signs.

- (A.) General design requirements and sign copy area measurement for monument signs. As in traditional building design, monument signs shall be designed to include a base, middle, and cap. The following illustration shows a monument sign having these architectural characteristics, as well as how sign copy area is to be measured on a monument sign.

Monument Sign Design Elements



- (B.) Sign structure materials. In general, monument sign structures should be constructed of materials that are like or complementary to the principal building(s) on the premises where they are located. Only the following materials shall be used in monument sign structure construction, singly or in combination.

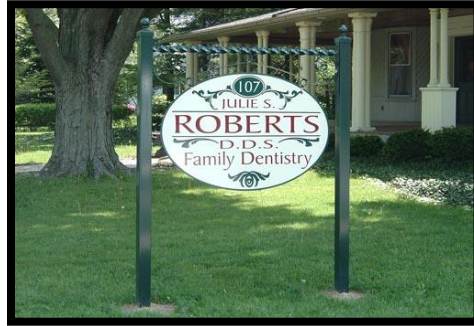
- (1.) Brick (painted or unfinished)
- (2.) Wood
- (3.) Concrete or stucco
- (4.) Natural stone or manufactured stone having a natural appearance
- (5.) Metal
- (6.) Glass

- (C.) Sign copy materials. Sign copy materials for monument signs shall include the sign structure materials listed above. For internally illuminated monument sign copy, acrylic may be utilized, provided not more than 50% of the sign face is illuminated.

17.7-3 Pole sign design requirements. The following design requirements are established for pole signs:

(A.) General design requirements. Pole *signs* in Spencer have traditionally been supported by two posts or suspended from a single post as shown in the following non-local sample illustrations. Pole *signs* shall use one of these two forms of design.

Examples of Allowable Types of Pole *Signs*



(B.) Materials. In general, pole *signs* should use materials that complement the principal building(s) on the premises where they are located. The following materials are acceptable for use in pole *signs*, singly or in combination:

- (1.) Wood
- (2.) Metal
- (3.) Brick (painted or unfinished)
- (4.) Concrete or stucco
- (5.) Natural stone or manufactured stone having a natural appearance

17.8 Temporary Signs Requiring a Permit

The following tables provide the design, dimensional, and time of display requirements for Temporary *Signs*, refer to section 17.5 for Prohibited Signs and Section 17.6 for Exempt Signs. Additionally: Nonconforming temporary *signs* shall not be *grandfathered* (see section 17.13 of this Article).

17.8-1 Requirements for temporary *signs* that require a permit.

The temporary *signs* listed in the following table require a permit and shall comply with the indicated zoning location and other requirements. All such *signs*, except for searchlights, shall be illuminated solely by ambient light sources.

Temporary Sign Type	Allowable Zoning Districts	Requirements
Sandwich board <i>signs</i>	“AG”, “MS”, “CIV”, “MU”, “C-85”, “C-29”, “VSR”, & “IND”	One <i>sign</i> per occupancy having direct access onto any public or private sidewalk where <i>sign</i> is placed. “Direct access” shall mean an occupancy having a public entrance immediately from the sidewalk where the <i>sign</i> is placed. See additional sandwich board <i>sign</i> requirements in section 17.8-2 (below) of this Article.
Banners and flags	“MS”, “MU”, “C-85”, “C-29”	Up to 60 square feet of banner/flag materials per occupancy. Banners shall remain tethered and/or anchored to resist movement. Display time limit: 30 days, four times per calendar year with a 60-day separation between permits and/or installations.

17.8-2 Additional requirements for sandwich board *signs*.

Sandwich board *signs* offer businesses in pedestrian-oriented zoning districts an effective and creative way to market products or services. However, unless carefully regulated, sandwich board *signs* can create hazards for pedestrians and a cluttered and unattractive appearance. The following design standards are established to permit sandwich board *signs* to be utilized in a fashion which meets community safety and design expectations, as well as the need for businesses to market their products and services.

- (A.) Sandwich board *signs* shall not exceed four feet in height and 30 inches in width.
- (B.) Sandwich board signs shall be located only on sidewalks that serve the establishment with which they are associated.
- (C.) Five feet of sidewalk clearance shall be provided along at least one side of the *sign* to allow for unobstructed pedestrian access in accordance with ADA regulations.
- (D.) Sandwich board *signs* are intended to inform and orient pedestrians to business locations and available products and services. Consequently, such *signs* shall be placed twenty (20) feet to the primary public entrance to the occupancy with which they are associated and shall be oriented to communicate information primarily to pedestrian traffic utilizing the sidewalk on which they are located as opposed to vehicular traffic utilizing nearby public or private streets or private drives and parking areas.
- (E.) Sandwich board *signs* shall be moved to an indoor location for storage during times when the associated businesses are not open for customers.
- (F.) Standard design for sandwich board *signs*. Sandwich board *signs* shall be located in frames constructed of black anodized aluminum, black wrought-iron, or wood which has been painted black, as illustrated in the following photographs. Plastic, PVC, or other similar materials shall not be used as the frame. The display area within the frame shall be constructed of durable metal or wood if containing permanent messages; such permanent messages shall be applied to the display area with paint, metal or durable vinyl or shall consist of carved wood or cut metal lettering or images. Sandwich board *signs* containing changeable message display areas may be constructed of chalk board style materials, durable plastic (such as a “dry erase” board), or similar materials, provided the display area background is either black, dark green or white in color and that the changeable message is applied using erasable chalk or erasable ink in a handwritten application. Unless otherwise specified, a muted color palette shall be used for any background or message, including lettering and images.



Example of Standard Sandwich Board Sign Frame

(G.) Alternative design for sandwich board *signs*. As an alternative to the standard design described above, the *Planning, Zoning & Subdivision Administrator* may permit alternative sandwich board *sign* designs which exhibit a distinctive and creative flair which the owner would otherwise be unable to replicate if the standard frame design was used. Such *signs* shall not contain changeable copy and images and lettering shall be permanently attached, painted, cut or carved onto the *sign* using a muted palette of colors. Wooden *signs* are preferred, but all such *signs* shall be made of durable materials. An example of an acceptable alternative design is illustrated in the following photograph.



Example of Alternative Sandwich Board Sign

17.9 Signs Located in Local Historic Districts

Regardless of the other dimensional provisions of this Article, *signs* that are located in local historic districts shall be governed by the applicable design guidelines and review processes established for the local historic district.

17.10 Master Sign Plan

Regardless of the other provisions of this Article, the Town Board of Aldermen may, at its sole discretion, approve a master *sign* plan for specified areas of Town or for certain development projects listed in this section. The approved master *sign* plan may include *signs* of different sizes, types, locations, placement and height from those otherwise enumerated in this Article.

17.10-1 Purpose. The purpose behind this section is to permit creativity in *sign* design and placement to address site issues and constraints associated with topography, pedestrian-orientation, wayfinding/directional/directory and other conditions unique to the subject development or area of Town.

17.10-2 Application. Master *sign* plans may be submitted for the following types of developments:

- (A.) Traditional Neighborhood Development (TNDO) projects, in accordance with the provisions of Article 8 of this Ordinance.
- (B.) Commercial, institutional, industrial, or mixed-use developments containing three or more acres in area.
- (C.) Areas of Town that are governed by a corridor plan or area plan that includes *sign* guidelines.

17.10-3 Submittal process. Master *sign* plan applications may be submitted for consideration at the time of original submittal of the proposed development or separately from the original development proposal. The following information or material shall be required for a signage plan application and shall be indicated on an application form provided by the *Planning, Zoning & Subdivision Administrator*.

- (A.) Owner and contact name, address, telephone number and signature(s), as applicable.
- (B.) A master *sign* plan proposal illustrating the proposed *signs*, their proposed location, and their proposed purpose, along with a statement as to why the existing *sign* code cannot or should not be followed in the subject case.
- (C.) An analysis showing how the proposed signage plan differs from what could be provided under the existing *sign* regulations set forth in this Article.
- (D.) Other similar information determined by the *Planning, Zoning & Subdivision Administrator* to be necessary for understanding the purpose and intent of the proposed master *sign* plan application.

17.10-4 Review procedure. The *Planning, Zoning & Subdivision Administrator* shall schedule the master *sign* plan for Planning Board and Town Board of Aldermen consideration in accordance with the notice and public hearing procedures set forth in Article 5 for zoning map amendments. In reviewing the proposed master *sign* plan, the Planning Board and Town Board of Aldermen shall take the following matters into consideration.

- (1.) The extent to which the proposed master *sign* plan deviates from the *sign* allowances otherwise applicable in this Article.
- (2.) The rationale provided by the applicant for the deviations.
- (3.) The extent to which the master *sign* plan promotes Town goals associated with community character, wayfinding, pedestrian-orientation, and business identification.

(4.) The degree to which the master *sign* plan creatively and effectively addresses the issues and constraints unique to the site with regard to signage.

The Planning Board shall provide a recommendation to the Town Board of Aldermen whether to deny or approve the proposed master *sign* plan in part or in total and shall further recommend conditions regarding approval where deemed warranted.

The Town Board of Aldermen may deny or approve the proposed master *sign* plan in part or in total and may establish conditions regarding approval. In the event that the master *sign* plan is denied, the applicant must wait at least 90 days before reapplying for a new master *sign* plan *substantially similar* (as defined in Article 3) to the proposed master *sign* plan.

17.11 Suggested Design Guidelines

In addition to the mandatory standards provided in Sections 17.7 and 17.8 above, the following design guidelines for *signs* are provided in order to promote more attractive and functional design and placement of *signs*.

- (A.) Freestanding *signs*. Placement of freestanding *signs* should take into account existing trees and other site landscaping so as to maintain *sign* visibility. Landscaping around the base of freestanding *signs* is strongly encouraged to improve the overall appearance and visibility of these *sign* types as evidenced in the following example.



Landscaping Around the Base of a Monument Sign

- (B.) Display windows are intended to offer opportunities to display merchandise or services available on the premises. Careful placement of *signs* in display windows will not obscure the visibility of merchandise or services. Additionally, display windows shall not be “papered-over,” especially in pedestrian areas.
- (C.) General design guidelines. The following general guidelines are provided to guide overall *sign* design in the Town:
- (1.) Use high quality, durable materials.
 - (2.) Minimize the need for *sign* lighting by placing *signs* where ambient light sources illuminate the *sign*. Where separate lighting is necessary, external illumination

sources are preferred over internal illumination. All electrical conduit and junction boxes should be concealed.



Externally Illuminated Sign

(3.) Backlit, individual letter *signs* (aka, halo lighting) are encouraged where illumination is needed as illustrated below.



Backlit Individual Letters

(4.) Avoid elaborate or confusing styles of text as illustrated in the following example.



Overly-Complicated Style of Text

(5.) Attempt to use symbols rather than text; for example, this Norwegian pharmacy *sign* incorporates a symbol as well as text.



Use of Symbols

(6.) Use *sign* styles and designs that complement the architecture of the site where the *signs* are located. Spencer is a historic Town so using “period” signage is strongly encouraged.



An Example of a “Period” Pole Sign in a New York Town Suburb

17.12 Permitting

Applications for *sign* permits and the associated fee schedule may be obtained from the *Planning, Zoning & Subdivision Administrator*. Completed applications, including payment of fees, shall be reviewed for compliance with the requirements of this ordinance.

Signs requiring *sign* permits under the provisions of this ordinance may also require additional permits, including building permits and electrical permits. It shall be the responsibility of the applicant to obtain all applicable permits.

17.13 Nonconforming Signs

A permanent *sign* which does not comply with one or more of the requirements of this Article shall be grandfathered (deemed a vested right) until such *sign* is removed, physically altered beyond maintenance (as defined), relocated, damaged or destroyed, after which it shall be brought into compliance with all requirements of this Article. Nonconforming temporary *signs* shall not be grandfathered and shall be brought into compliance with all requirements of this Article within ten (10) days from the date of notification by the *Planning, Zoning & Subdivision Administrator* or duly authorized code enforcement agent of the Town.

17.14 Discontinued and Abandoned Signs

Signs identifying a discontinued occupancy or use shall be considered abandoned *signs* and shall be removed by the owner of the property on which they are located. Failure to remove a discontinued or abandoned *sign* shall be considered a violation of this ordinance. In addition, correction of a discontinued or abandoned *sign* violation may include removal of a discontinued or abandoned *sign* or *signs* by the Town at the owner’s expense after proper notice of the violation and failure to act by the owner within the timeframe established in the notice of violation.

17.15 Maintenance

All *signs*, including exempt *signs*, shall be maintained in a satisfactory state of repair. This shall include, without limitation, correction of peeling or faded paint, repair or replacement of damaged panels, trimming of vegetation that obscures the *sign(s)*, replacement of defective lighting of illuminated *signs*, secure attachment to the building for attached *signs*, and stable vertical alignment of freestanding *signs*.