

Jeffersontown Sign Ordinance

CITY OF JEFFERSONTOWN
JEFFERSON COUNTY, KENTUCKY

ORDINANCE NO. 1396, SERIES 2019

AN ORDINANCE RELATING TO:

THE AMENDMENT OF ORDINANCE NO. 1352, SERIES 2016,
ORDINANCE NO. 665, SERIES 1976, AS AMENDED: THE CITY OF
JEFFERSONTOWN, KENTUCKY SIGN ORDINANCE.

WHEREAS, the City Council of the City of Jeffersontown, Kentucky, has established regulation governing the construction, erection, maintenance, size, style and safety related features of signs within the City of Jeffersontown, Kentucky; and,

WHEREAS, the City Council of the City of Jeffersontown, Kentucky, has provided for the requirement of permits, made provisions for penalties for non-compliance and provided an appellate process; and,

WHEREAS, the City Council is desirous of making certain amendments thereto.

NOW, THEREFORE, BE IT ORDAINED BY THE CITY COUNCIL OF THE
CITY OF JEFFERSONTOWN, KENTUCKY, AS FOLLOWS:

SECTION 1. That the provisions of this Ordinance shall govern the appearance, Construction, alteration, repair, and maintenance of all signs and outdoor display structures together with their appurtenant and auxiliary devices in respect to aesthetics as well as structural and fire safety.

SECTION 2. ZONING LAW.
Where more restrictive in respect to location, use, size or height of signs and outdoor display structure, the limitations of zoning laws affecting required light and ventilation requirements and use of land shall take precedence over the regulations contained in this Ordinance.

SECTION 3.

DEFINITIONS.

Attached Sign: A business sign painted on, bonded or mounted by rigid connectors on and parallel to the façade of a building. Signs temporarily or permanently displayed in a window are considered attached signs.

Awning Sign: Graphics, symbols and written copy painted on, printed on, or attached flat against the surface of an awning. Signs on an awning are considered an attached sign.

Banner Sign: A cloth, plastic or other soft material sign placed flat against the façade of a building or strongly secured between two poles. No banner sign shall flap or move with the wind.

Bench Sign: A sign painted on or affixed to any portion of a bench or seating area at bus stops or other such pedestrian areas shall be considered a freestanding sign.

Business Sign: A sign used to identify a business, profession, trade or occupation on the site and/or the generic or brand name products or services available at the site, and shall include an attached sign, a freestanding sign, a projecting sign, an awning sign, and a freestanding directional sign all as more specifically described in and allowed herein, and a small freestanding sign as more specifically described in and allowed by Section 13.

Canopy, Building: A rigid multi-sided structure covered with fabric, metal or other material and supported by a building at one or more points any by columns or posts at the other points.

Canopy, Freestanding: A rigid multi-sided structure covered with fabric, metal or other material and supported solely by columns or posts.

Canopy Sign: A sign painted on, printed on or attached flat against the surface of the canopy.

Card Sign or Poster Board: Any sign designated as a “price card” sign, no larger than two (2) square feet, whether or not the facing may be changed.

Changeable copy sign / Manually Operated Reader board: A sign or portion thereof with characters, letters, or illustrations that can be

changed or rearranged without altering the face or the surface of the sign.

Changing Image Sign: A video display of at least television quality used to display a fixed image for a set time period at the end of which an instantaneous change to a new image is allowed. The change in image shall be instantaneous and not utilize any scrolling or motion. A Changing Image Sign cannot be used as a temporary sign. As used herein, a Changing Image Sign shall also include an Electronic Reader Board as defined below.

Columnar Sign: A freestanding business sign supported by one or more columns or pillars having an aggregate width equal to at least 40% but less than 80% of the width of the sign cabinet or sign face.

Construction/Architect Sign: A sign used to identify the persons or businesses engaged in the construction of a building on site.

Corporate Flags: A flag used to advertise a business, product or service. Corporate flags on flag poles shall be considered freestanding signs and shall be subject to the sign restrictions herein.

Copy: A writing, reproduction, transcript, specimen, manuscript, printing, any literary or journalistic material not limited to, but including, and an advertisement.

Display Sign: A structure that is arranged, intended, designed or used as an advertisement, announcement or direction; and includes a sign, sign screen, billboard, poster panel, and advertising devices of every kind.

Directional Signs: An on-premise sign without occupant identification used to direct pedestrian or vehicular traffic, including but not limited to signs for entrances, exits parking areas, one-way drives and drive-throughs. Directional Signs up to (4) square feet without company information, logos, commercial message, etc, shall not be counted as a free standing sign.

Electronic Reader Board: A sign, including a sign using a video display method, which changes its message or background by means of electrical, kinetic, solar or mechanical energy. A video display method is a method of display characterized by real-time, full motion imagery. 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 an Electronic Reader Board for purposes of this Ordinance.

Façade: All the wall planes of a structure as seen from one side or view. For example, the front façade of a building would include all of the wall area that would be shown on the elevation of a building plan or that portion of a building occupied by ownership or lease by the applicant.

Freestanding Sign: A sign that is set firmly in or upon the ground surface and is not attached to any building or other structure.

Full Motion Video Sign: A video display characterized by real-time, full-motion imagery of at least television quality.

Illegal Sign: A sign, which was not in compliance with this regulation, or with the applicable regulation when it was erected, installed, altered or displayed. A non-conforming sign is not an illegal sign.

Illuminated Sign: An electrically illuminated sign within the limitations set forth in this Ordinance. A sign may be either internally or externally illuminated.

Incidental Sign: Any sign, generally informational, that has a purpose secondary to the use of the lot on which it is located, such as “no parking,” “entrance,” “loading only,” “telephone,” and other similar directives. Two single faced Menu Board type signs are allowed for each driving lane with a maximum of two lanes at a “drive-through” facility and not counted toward the number of freestanding business signs allowed, provided the sum total of the Menu Board signs do not exceed forty (40) square feet per driving lane.

Industrial Park Identification Sign: A sign located within the perimeter of the properties comprising an industrial park and identifying that industrial park; such sign may be located on property commonly owned, or an easement commonly maintained by the users or owners of the industrial park or an association thereof, and shall not be considered an off-premised advertising sign or billboard.

Institution Identification Sign: A sign identifying a church, school or other institution of learning, library, museum, community center or similar institution on site.

Marquee: A roof like awning or canopy of permanent construction, projecting from the wall of a building above an entrance often bearing a signboard.

Marquee Sign: A sign attached to or hung from a marquee canopy or other covered structure projecting from and supported by the building and extending beyond the building wall.

Menu Board Sign: See Incidental Sign.

Monument Style Sign: A freestanding business sign with a base width of at least eighty percent (80%) of the width of the sign cabinet or sign face.

Non-conforming Sign: A sign that was erected or installed in compliance with the sign regulation in effect at the time of its erection or installation but which is not in compliance with this Ordinance and which has not been reconstructed, altered or otherwise modified since the adoption of this Ordinance in any manner which renders the sign or its placement less in compliance with this Ordinance.

Off-premises Sign: See Outdoor Advertising Sign.

On-premises Sign: See Business Sign.

Outdoor Advertising Sign: Commonly known as a “billboard” or an “off premised sign” is a sign used to display, advertise or otherwise direct attention to any business enterprise, commodity, service or entertainment conducted, sold or offered at a location other than the premises on which the sign is located A shared business sign that meets the provisions of this ordinance and a directional sign as authorized herein, shall not be considered an off premises sign.

Pole/Pylon Sign: Any sign that is mounted on one or more freestanding poles or pylons with a combined width of less than 20% of the sign width.

Projecting Sign: Any sign, which is erected on or attached to and not parallel to a building wall or structure and extends beyond the building wall more than eighteen (18) inches.

Public Way: Any street, highway, road, alley, right-of-way, easement, or publicly maintained sidewalk or easement walkway.

Rent/Sale Sign: A sign used to advertise the premises on site or a portion thereof for sale or lease.

Roof Sign: A sign erected and constructed wholly or in part upon, against, or above the roof of a building. For purposes of this Ordinance, any portion of a building above or behind the fascia or parapet of a building shall be considered part of the roof. A roof does not include ornamental or structural accoutrements.

Shared Business Sign: A business sign that advertises two or more businesses in separate premises, which utilize common off-street parking and/or shared access. A shared business sign is not considered an outdoor advertising sign by this Ordinance. A Shared Business Sign is a Freestanding Sign.

Note: One or more businesses occupying the same space, such as a filling station with a convenience store that may include a fast food restaurant service area, would not be eligible for a shared business sign. Multiple businesses in a shopping center, even if they are on the same lot, would qualify for a shared business sign.

Sight Line: See Vision Clearance.

Sign: Any device, structure, fixture, display, or placard using graphics, symbols, or written copy or any combination thereof for the primary purpose of identifying, providing directions, or advertising any establishment, product, goods, place, activity, business, or service.

Sign Plan: A coordinated plan for developing signs for an individual building or a group of buildings. A Sign Plan includes, but is not limited to, a rendering of the proposed sign with dimensions, and (for freestanding signs) a plot of the property showing the location of the sign in relation to property lines, buildings, and entrances OR (for attached signs) a drawing or photo of the wall or façade to which it will be attached.

Small Freestanding Business Sign: A freestanding business sign that is no greater than twelve (12) square feet in area for each sign face.

Street Frontage: The distance along which a lot line adjoins a public street right-of-way between lot lines intersecting the same street. Corner lots have at least two (2) street frontages.

Structure: Anything constructed or erected, the use of which requires location on the ground, or attachment to something having a location on the ground, including walls or fences exceeding four (4) feet in height, buildings, and signs. In this ordinance, reference to buildings includes structures and vice versa.

Subdivision Identification Sign: A sign used to identify a residential subdivision on site.

Substantial Repair: Substantial repair as used in this Section shall refer to:

- (i) any change in copy face not designed to bring the existing sign within compliance with the Ordinance, if such copy face change is made to reflect a new business or new owner; or,
- (ii) Actual repairs made (not designed to bring the sign within compliance), the test being the actual cost of any such repair. Such cost of repair, if in excess of twenty-five percent (25%) of the original cost of the sign, shall be sufficient for the purpose of this Ordinance to qualify same as a “substantial repair”.

Temporary Sign: A display sign, banner, pennant, balloons or other advertising device constructed of cloth, canvas, fabric or other light temporary material, with or without a structural frame, intended for a limited period of display. Changing Image signs cannot be used as a Temporary Sign.

Time or Temperature Sign: A sign or portions thereof on which the only copy that changes is an electronic or mechanical indication of time and/or temperature.

Trailer, Portable, or Mobile Sign: A sign not permanently affixed to a permanent structural device; or, any sign capable of being towed, pushed or otherwise achieving mobility. A trailer portable or mobile sign is a temporary sign and must be permitted as such.

A trailer, portable, or mobile sign, which is stored on property for a period in excess of seventy-two (72) hours, shall not be visible from any city street, county road, state or federal highway unless all lettering and/or images have been removed.

For purposes of KRS 100.253 portable signs shall be regarded as personal property unattached to the real property on which they are

placed and such signs are not structures and no non-conforming land use rights shall attach to them.

Vision Clearance: Where street intersects with another street or traffic entrance/driveway, in all except the Town Center Form District, no, freestanding sign shall be located in the 25 foot site distance triangle, measured from the point of intersection of the intersecting edges of pavement and within the triangle formed by connecting the ends of the respective distances. In no case shall a sign be placed in the right-of-way and shall be placed no closer than 2 feet to any property line.

SECTION 4. EXEMPTIONS.

- I. Governmental Signs:
 - A. Signs required by law or constructed by a duly constituted governmental body or agency thereof are exempt from this regulation.
- II. No permit shall be required for the signs or outdoor display structures covered by the provisions of this Section. Such exceptions, however, shall not be construed to relieve the Owner of the sign from responsibility for its erection and maintenance in a safe manner.
 - A. Indoor Wall Signs: Indoor wall signs shall not require a permit.
 - B. Store Signs: Non-illuminated signs not exceeding one (1) square foot in surface area, erected over a show window or over the door of a store or business establishment which announce only and without elaboration the name of the proprietor and the nature of the business conducted therein.
 - C. Government Building Signs: Signs erected on a municipal, State or Federal building which announce the name, nature or the occupancy and information as to use of or admission to the premises.
 - D. Help Wanted Signs: A sign erected to announce employment opportunities at the business on the property where the sign is located. When such sign is located in a **Neighborhood, Suburban Marketplace or Town Center Form District** the dimensions shall not be over three (3) feet in height nor more than five (5) square

feet in area. When such sign is located in a **Suburban Workplace Form District** the dimensions shall not be over four (4) feet in height nor more than twelve (12) square feet in area. No such sign may be affixed or anchored in any manner to any pole, post or other fixture owned or maintained by any governmental agency or public utility company. Such sign must be removed when and/or if the employment opening no longer exists. Help Wanted Signs are limited to one per lot.

E. Sale or Rent Signs: Signs erected to announce the sale or rent of the real property so designated, provided such signs are not over three (3) feet in height nor more than twelve (12) square feet in area. No such sign may be affixed or anchored in any manner to any pole, post or other fixture owned or maintained by any governmental agency or public utility company. Such signs must be removed within one (1) week following the “close” of the transaction to which the same applied. “Sold” signs may be affixed to an earlier erected “Sale” sign after the close of the sale, but shall also be removed within one (1) week from closing date. Multi-unit sale or rent signs shall be limited to two (2) signs per ingress. In C-N, EZ-1, C-1, C-2, C-3, C-M, M-1, M-2, M-3, OR, OR-1, OR-1, OR-3, OTF, W-1, W-2, W-3, PRO and PEC Districts freestanding or attached rent or sale signs not exceeding sixty-four (64) square feet shall be allowed. Such signs shall be removed no later than one week after closing of sale or consummation of lease. Rent or Sale signs within the above listed zoning districts may have two signs on street frontages in excess of 600 feet. The area of each of the two signs combined shall not exceed the total area allowed for one such sign.

F. Transit Directions: The erection or maintenance of a sign designating the location of a transit line, railroad station, or other public carrier when not more than three (3) square feet in area.

G. Construction Signs: Construction signs, Engineers’ and Architects’ signs and other similar signs which may be authorized by the Code Enforcement Officer in connection with construction operations, for new developments, not to exceed three (3) feet in height nor more than twelve (12) square feet in area. In the alternative, one sign identifying all persons or business firms engaged in construction of a building on site is allowed, provide the sign shall not exceed sixty-four (64) square feet in area and fifteen (15) feet above ground in height. All such signs shall be removed within one week following the issuance of a Temporary Certificate of Occupancy, a Certificate of Occupancy or a Certification of Compliance.

H. Special Displays: Special decorative displays, used for holidays, public demonstrations, or promotion of civic welfare or charitable purposes on which there is not commercial advertising.

I. Political Signs: Political Campaign Signs are not to exceed thirty-two (32) square feet in exposed surface area and are to be removed by person or organization placing such sign within one (1) week following the election to which they apply.

J. Industrial Parks: One industrial park identification sign shall be allowed on each street on which the industrial park fronts and shall not exceed a maximum of 300 square feet in area per sign face. (Maximum of four faces). Tenant identification areas on the industrial park identification sign is permitted to a maximum of 225 feet of each sign face.

K. Vehicle Signs: A signs upon a vehicle, provided that any such vehicle with a sign face of over twelve (12) square feet is not conspicuously parked so as to constitute a sign (e.g. on more than one average parking space); nothing herein prevents such a vehicle from being used for bona fide delivery and other vehicular purposes.

L. Animating Features, Statues, Three Dimensional Images: Animating features such as public art or murals of a non-commercial nature, as approved by the Building Department Director.

M. Sports fields: Signs located within a ballpark, sports field or baseball diamond which are oriented toward the sports field or baseball diamond.

N. Machines: Any sign integrated into or on a coin operated machine, vending machine, gasoline pump, telephone booth or ATM up to a maximum area of (6) square feet.

O. A sign carried by a person.

SECTION 5.

UNSAFE AND UNLAWFUL SIGNS.

A. Notice of Unsafe or Unlawful Signs: When any sign becomes insecure, in danger of falling, or otherwise unsafe, or if any sign shall be unlawfully installed, erected or maintained in violation of any of the provisions of this

Ordinance, the owner thereof, or the person or firm maintaining same, shall, upon written notice of the Code Enforcement Officer, forthwith in the case of immediate danger or in a reasonable period of time but ~~and~~ in any case within not more than ten (10) days the order is not complied with, the Code Enforcement Officer may remove such sign at the expense of the owner or lessee thereof, or the person or firm maintaining same where such notification has been made upon the latter. Nothing herein shall operate to prevent Code Enforcement Officer from exercising his judgment pursuant to subsection (i) and (ii) hereof.

(i) Egress Obstructions: The Code Enforcement Officer shall notify the owner or lessee of the building or structure by certified mail, by personal service, or by posting on the property whenever a sign is so erected as to obstruct free ingress to or egress from a required door, window, fire escape or other required exitway element.

(ii) Signs Constituting Traffic Hazard: No sign or other advertising structure as regulated by this Ordinance shall be erected in a public right-of-way, at the intersection of any streets or driveways in a manner as to obstruct vision clearance; or at any location where, by reason of its position, shape or operation, it may interfere with, obstruct the view of, or be confused with, any authorized traffic sign, signal or device. Further, no signs shall make use of any word, phrase, symbol, or character in such a manner as to interfere with, mislead or confuse traffic. Any sign or advertising structure violating this Section shall be deemed to be unlawful.

(iii) Sign containing immoral or indecent material, literary, graphic or pictorial, shall be deemed a violation of this Ordinance. Current community standards shall govern what is considered indecent or immoral.

Nothing in this paragraph shall be construed to prohibit the Code Enforcement Officer from issuing a citation for any violation of this paragraph, or for any violations of Chapter 95 of the Jeffersontown Code of Ordinance.

(iv) No sign shall be permitted to project beyond a lot line.

(v) Outdoor Advertising Signs: Outdoor advertising signs are hereby prohibited by this ordinance.

SECTION 6.

EXISTING/NON-CONFORMING SIGNS.

A. Reconstructing Signs: No sign heretofore approved and erected shall be substantially repaired, altered or moved, nor shall any sign, or any substantial part thereof, which is destroyed, be re-erected, reconstructed or rebuilt unless it is made to comply with all applicable requirement of this Ordinance.

Any sign in existence at the time of the enactment of this Ordinance and for which a proper permit has been granted by the City of Jeffersontown, which permit shall not have been revoked at the time of the passage of this Ordinance, shall be allowed to remain in its present form.

1. A non-conforming business sign may not be altered or replaced by another non-conforming sign, unless the non-conformance in area, and height, is reduced by at least twenty percent (20%).
2. Replacement of structural elements in this context means the disassembly and subsequent re-assembly or the substantial alteration of the pole, base or frame.
3. No reduction in non-conformance shall be required for the replacement of signs, awnings, canopies and marquees that were damaged by a weather event or accident, including vehicular accidents, unless the damage results from neglect of maintenance or other willful act of the property owner or occupant.
4. Properties with a non-conforming freestanding sign shall not be allowed an additional freestanding sign under Section 9, until the existing/con-conforming sign is brought into conformance with this ordinance.
5. Non-conformance sign allowances do not apply to Changing Image signs.

B. Repair of Unsafe Signs: This Section shall not be construed to prevent the repair or restoration at the expense of the owner to a safe condition as directed by the Code Enforcement Officer of any non-substantial part of an

existing sign when damaged by storm or other accidental emergency.

- C. Relocating Signs: Any sign that is moved to another location either on the same or to other premises shall be considered a new sign and a permit shall be secured for any work performed in connection therewith when required by this Ordinance.

SECTION 7. PLANS, SPECIFICATIONS AND PERMITS.

- A. New Signs: No signs shall hereafter be erected, constructed, or altered except as herein provided and until after a permit has been issued by the Code Enforcement Officer.
- B. Alterations: No signs shall be enlarged or relocated except in conformity to the provisions of this Ordinance for new signs, nor until a proper permit has been secured. The changing of movable parts of a prior approved sign that is designed for such changes, or the repainting or reposting of display matter shall not be deemed an alteration provided the conditions of the original approval and the requirements of this Ordinance are not violated.

SECTION 8. GENERAL REQUIREMENTS FOR ALL SIGNS.

- A. Business Signs: are allowed in all non-residential zoning districts (these districts include: OR, OR-1, OR-2, OR-3, OTF, C-R, C-N, C-1, C-2, C-3, C-M, M-1, M-2, M-3, EZ-1, PEC, PRO, W-1, W-2, W-3). Institution, and Multi-Family Residential Identification Signs are allowed in residential zoning districts.
- B. Design Loads: The effect of special local wind pressures shall be thoroughly considered in the design; but in all cases shall conform to the Kentucky Building Code.
- C. Obstructions to Exitways: No sign shall be erected, constructed or maintained so as to obstruct any fire escape, required exitway, window or door opening used as an element of a means of egress or to prevent free passage from one part of a roof to another part thereof or access thereto by firefighting forces.

- D. Obstruction of Ventilation: No sign shall be attached in any form, shape or manner which will interfere with any opening required for ventilation; except that such signs may be erected in front of and may cover transom windows when not in violation of the provisions of this Ordinance or any other related building code or regulation in force in the City of Jeffersontown.
- E. Situs Certain: All signs, except those coming under the classification of temporary signs, or those specifically exempt from the operation of this Ordinance, shall be immobile and of permanent construction.
- F. Reflective Signs Prohibited: No reflectors or reflective material shall be used on any permanent sign.
- G. Location: Signs must be located on the applicant's place of business unless it qualifies as a shared business sign.
- H. Obstruction of Right-of Way: No sign shall be placed in a manner visible from any public street, alley, right-of-way, sidewalk or other public easement except as provided herein nor shall any sign be placed in or extend over street, right-of-way, roadway, sidewalk, public or private utility or access or other easement, or alley except as provided herein.
- I. Obstruction of Vision: All signs allowed hereunder shall be constructed and placed so as not to obstruct sight lines for persons using streets, pedestrian rights-of-way and driveways (See Vision Clearance Section 3 Definitions).
- J. Illumination: No sign shall be illuminated except as expressly provided herein.

Signs in OR, OR-1, OR-2, OR-3, OTF, C-N, C-1, C-2, C-3, C-M, EZ-1, M-1, M-2, M-3 and PEC zones are allowed unless the Code Enforcement Officer shall find that the lighting causes glare or otherwise interferes with the vision of persons operating motor vehicles or if the lighting would cause glare in a Residential Zone, unless separated by a street or road.

All illuminated signs shall be non-flashing and shall be constant in intensity and color, except for signs which display time and temperature and changing image signs.

Institution and Multi-Family Residential Identification signs shall be limited to external illumination unless they are located on a commercial corridor or as otherwise authorized in this ordinance.

- (i) No sign shall be illuminated by other than electrical means and electrical devices and wiring shall be installed in accordance with the requirements of the National Electrical Code. In no case shall any open spark or flame be used for display purposes.
- (ii) Signs coming within the operation of this Ordinance may have external illumination or internal illumination. Where internal illumination is used, the effective intensity of same shall not exceed fifteen (15) watts per square foot. Where external illumination is used, lighting shall meet the requirements of Chapter 4.1.3 of the Jeffersontown Land Development Code.

K. Traffic Signs: No sign shall be allowed if the Code Enforcement Officer finds that the sign is constructed or designed in a manner, which may cause the sign to be confused with a traffic sign or other traffic control device.

L. Faces: No sign shall have more than four (4) faces. Signs with more than two sign faces shall be calculated for compliance with this section in the following manner. The maximum allowable size of each sign face shall be calculated by taking the maximum allowable square footage for a two-sided freestanding sign and dividing it by the total number of sign faces.

M. Awnings and canopies:

Signs located on an awning or canopy shall be included in the total allowable signage ~~are~~ permitted on any one façade of a building. Awning signs and canopy signs may be illuminated in accordance with the National Electrical Code. Exterior lighting is permitted in accordance with Chapter 4, Part 1.3, Lighting of the Jeffersontown Land Development Code.

- N. Outdoor Advertising: Outdoor advertising is prohibited. Shared business signs shall not be considered outdoor advertising signs by this Ordinance.
- O. (Existing Signs Only - Approved Prior to September 2019) Electronic Reader Board: Electronic changeable copy signs shall conform to the following standards:
1. All electronic reader board signs under five (5) square feet in area with no more than one (1) line of text, which may or may not include an image or images, shall not exceed a rate of change of once per four (4) seconds,
 2. All electronic reader board signs five (5) square feet or more in area or with more than one (1) line of text, which may or may not include an image or images, shall not exceed a rate of change of once per six (6) seconds.
 3. Only one electronic reader board sign is permitted on a property.
 4. The square footage of the electronic reader board shall not operate to reduce the square footage allowed for a pole sign or ground sign.
 5. The maximum area of an electronic reader board sign shall be 32 square feet and shall utilize a single color against a contrasting background.
- P. Composite signs: A composite group of signs or shared business sign integrated into one framed unit or compact structure constitutes one sign.
- Q. V-Shaped Signs: A back-to-back or V-shaped sign constitutes one sign if it has a common set of supports. If the interior angle between the two sign faces is less than 120 degrees, the sign area is of one sign face only. If the angle between the two sign faces is greater than or equal to 120 degrees, the sign area is the sum of the areas of the two sign faces.
- R. Changing Image Signs: shall conform to the following standards:
1. Changing Image signs are permitted in all Form Districts.

2. Only one Changing Image sign is allowed per property, in-lieu of a freestanding sign allowed under Section 9 or towards the maximum attached sign area allowed in Section 8.
 3. The maximum size of a free standing or attached Changing Image sign shall be governed by the freestanding sign chart in Section 9.A (Table 9.A.1)
 4. A Changing Image sign shall not exceed a rate of change of once per 20 seconds.
 5. All Changing Image signs shall utilize automatic dimming technology which automatically adjusts the sign's brightness based on ambient light conditions so as to decrease the light level output from a day time level to a night time level, which is typically 0.3 foot candles above ambient light levels.
 6. Freestanding or attached signs that include changing image signs shall not be closer than 300 feet to a residentially zoned district unless the residentially zoned property is used for a non-residential purpose (e.g. church or school) or the changing image sign is not visible to the residentially zoned residence.
- S. Full Motion Video signs are not allowed within the City of Jeffersontown.

SECTION 9. FREESTANDING/MONUMENT SIGNS.

- A. The display area of all freestanding signs shall not exceed an area larger than what is permitted and identified in the table below, except as allowed by the Jeffersontown Branding Incentive allowance. Signs that include "Jeffersontown, Of Jeffersontown or similar" shall receive an additional 10% increase of the allowed static business sign square footage (for their name/logo) with the inclusion of the (Jeffersontown) branding verbiage which shall also be 10% of the original allowable square footage. The additional sign area will not be included in the sign fee calculation.

**Table 9.A.1 FREESTANDING SIGNS:
Total Sign Area (Max. Changing Image Area / Min. Static Sign Area)**

<u>Form District</u>	<u>Single Business Area (SF)</u>	<u>Single Business Height(ft) (Note a)</u>	<u>Shared 2-3 Business Area (S.F.)</u>	<u>Shared 2-3 Business Height (ft) (Note a)</u>	<u>Shared >4 Business Area (S.F.)</u>	<u>Shared >4 Business Height (ft) (Note a)</u>
<u>Neighborhood</u>	40 (30/10)	6	40 (30/10)	6	40 (30/10)	6
<u>Suburban Workplace</u>	80 (60/20)	9	100 (80/20)	9	120 (100/20)	9
<u>Suburban Marketplace Corridor</u>	80 (60/20)	9	100 (80/20)	9	120 (100/20)	9
<u>Town Center</u>	40 (30/10)	6*	50 (40/10)	6 *	60 (50/10)	6 *

Note a: Per (ii) below the maximum height of pole signs shall be twenty (20) feet

*9 ft height can be approved by the Building Department Director if the sign would be obstructed by a City of Jeffersontown Streetscape wall or landscaping.

B. Measurement:

- (i) The maximum allowed area for freestanding on-premises signs shall be measured by drawing straight lines encompassing the extremities of the sign within the smallest possible area, provided, however, that the area of a freestanding sign shall not include the structural framework (e.g. poles, supports, columns or other structures) which is solely for support and as long as the structural framework is clearly incidental to the display itself and does not contain any advertising. The area of a freestanding sign shall not include the space between the business identification portion of a freestanding business sign and the reader board/changeable copy portion.
- (ii) Pole/Pylon Signs: Pole signs shall not exceed 20 feet in height from existing ground grade and with a minimum ground clearance of not less than 9 feet. Pole/Pylon signs are not allowed in Town Center or Neighborhood Form Districts.
- (iii) Pole/Pylon Signs and Columnar Signs are not allowed in Town Center Form Districts. Freestanding signs in the Town Center Form District shall be limited to a 6 or 9 foot tall monument sign.

C. No ground sign shall be erected so as to obstruct free access or egress from any building.

- D. No ground sign shall be set nearer to the street lot line than two (2) feet except that where more restrictive, applicable zoning regulations or State or Federal laws shall govern.
- E. Freestanding business signs are allowed within all non-residential zoning districts (these districts include: OR, OR-1, OR-2, OR-3, OTF, C-R, C-N, C-1, C-2, C-3, C-M, M-1, M-2, M-3, EZ-1, PEC, PRO, W-1, W-2, W-3) and as allowed in Section 8.
- F. No freestanding sign shall be located in or project over or into the right-of-way or into any adjoining property.
- G. A lot fronting only on one street shall have no more than one freestanding sign unless the street frontage exceeds 600 feet, then a second freestanding sign is allowed. The sum of the areas of the two freestanding signs combined shall not exceed the total maximum area allowed for one freestanding sign. Freestanding signs on one lot shall be separated by at least sixty (60) linear feet.
- H. A lot fronting on two or more public streets shall be allowed to have one freestanding sign for each street frontage. If one street frontage exceeds 600 feet then a third sign shall be permitted in accordance with Section 9E. If the site contains more than one street frontage with more than 600 feet of length, then only one of the street frontages shall be permitted to have a second sign in accordance with Section 9E.
- I. Where more than one (1) freestanding sign is proposed for installation on a site with multiple frontages, a minimum of sixty (60) linear feet shall separate each freestanding sign.

SECTION 10.

ATTACHED SIGNS.

- A. No sign shall extend above the top of the wall, or extend beyond the ends of the wall to which they are attached unless meeting all of the requirements for projecting signs. Such wall signs must be safely and adequately attached to the building to which they are secured.

- B. Attached signs shall have a maximum area as identified in the Table below, except as allowed by the Jeffersontown Branding Incentive allowance. Signs that include “Jeffersontown, Of Jeffersontown or similar” shall receive an additional 10% increase of the allowed static business sign square footage (for their name/logo) with the inclusion of the (Jeffersontown) branding verbiage which shall also be 10% of the original allowable square footage. The additional sign area will not be included in the sign fee calculation.

Table 10.B.1 Attached Signage

Area of Facade of Building	Maximum Sign Area
Less than 500 square feet	20% of Building Facade area
Greater than or equal to 500 but less than 1,000 square feet	100 square feet plus 15% of the amount by which Building Facade Area exceeds 500 square feet
Greater than or equal to 1,000 but less than 3,500 square feet	175 square feet plus 5% of the amount by which Building Facade Area exceeds 1,000 square feet
Greater than or equal to 3,500 square feet but less than 5,000 square feet	300 square feet
Greater than or equal to 5,000 square feet (industrial uses only in M-1, M-2, M-3 and PEC Districts)	10% of Facade – Maximum of 750 square feet.

C. Measurement

- (i) The maximum allowed area for all signs other than freestanding on-premises signs shall be determined by drawing straight lines encompassing the extremities of the sign within the smallest possible area.

SECTION 11. PROJECTING SIGNS.

- A. Materials: Projecting signs shall be constructed entirely of metal or other approved materials.
- B. Maximum Projection: No sign may project over the public way

No projecting sign shall be more than four (4) feet in height or vertical width at any section, nor shall such sign project outside of the property line,; and in no event shall such sign extend to a point less than two (2) feet from the face of the curb. A clear space of not less than nine (9) feet shall be provided below all parts of such signs.

SECTION 12. MARQUEE SIGNS.

- A. Materials: Marquee sign shall be constructed entirely of metal or other approved materials.
- B. Height: Marquee signs may extend to within two (2) feet of the curb face, but no such sign shall be less than nine (9) feet above the level of the sidewalk at the marquee's lowest level.
- C. Length: Marquee signs may extend the full length, but in no case shall they project beyond, the ends of the marquee.

SECTION 13. GASLIGHT DISTRICT SIGNAGE (Gaslight Festival District)

A. General

- 1. Signs may extend over the Right-of-Way however no sign shall extend to more than 2 feet behind the face of the curb.
- 2. Any sign that extends into the right-of-way over a sidewalk shall provide a minimum 9 foot of clearance above the sidewalk grade.
- 3. Gaslight District Signs may be illuminated per Section 8.J requirements.
- 4. Signs that project into the Right-of-Way are required to meet the requirements of the Jeffersontown Objects in the Right-of-Way Permit (Ordinance 1328, Series 2015) however they do not need to renew on an annual basis. Renewal shall occur every five (5) years.
- 5. For multi-floor buildings, multiple businesses can use a shared, Façade sign to allow for the best/safest sign location on the building.
- 6. Changing Image Signs in the Gaslight District shall be limited to façade signs with a maximum size of 15 square

feet. Changing Image Signs shall not be allowed as an Attached Projecting Sign.

B. Attached Projecting:

1. Projecting signs can be used in-lieu of a façade sign.
2. The size of a Projecting sign shall be limited to 20 square feet.
3. For multi-floor buildings, multiple businesses can use a shared, Projecting sign, of up to 24 square feet to allow for the best/safest sign location on the building.

C. Freestanding:

1. Free standing signs shall be limited to either a 6-foot tall, 32 S.F. Monument style sign (9-foot if obstructed by streetscape infrastructure), a 15 S.F. Short Hanging Sign (max. 6-feet tall) or a 15 S.F. Tall Hanging Sign (max. 15 feet tall). The hanging signs shall utilize a single support pole which shall be painted black.
2. Freestanding sign poles shall not encroach into the right-of way.

D. Jeffersontown Branding Increase:

1. Branding Incentive allowance. Signs that include “Jeffersontown, Of Jeffersontown or similar” shall receive an additional 10% increase of the allowed static business sign square footage (for their name/logo) with the inclusion of the (Jeffersontown) branding verbiage which shall also be 10% of the original allowable square footage. The additional sign area will not be included in the sign fee calculation.

SECTION 14. MISCELLANEOUS SIGNAGE

I. TEMPORARY SIGNS:

- A. A display sign, banner, pennants, balloons or other advertising device constructed of cloth, canvas, fabric or other light temporary material, with or without a structural frame, intended for a limited period of display, which period is not to run in excess of fifteen (15) consecutive days, including decorative displays for holidays or public

demonstrations; there shall be no electrical connections for illumination to any temporary sign or trailer sign authorized herein.

- B. There shall be a Thirty (30) day waiting period before subsequent application therefore may be accepted up to 6 times per year.
- C. In addition hereto, each temporary sign application shall be accompanied by a Fifty (\$50.00) Dollar refundable deposit, to be refunded upon removal, if said removal occurs within fifteen (15) days next following erection. In no case will a refund occur when the removal occurs more than fifteen (15) days next following erection.
- D. No more than one (1) single faced, or one (1) double-faced temporary sign permit shall be issued to a single business on an individual lot during the permit period. On lots with multiple business, i.e. shopping centers, and fronting on two or more public streets, or with more than 150 feet of road frontage an additional temporary sign permit may be issued to a separate business. On lots with multiple business, i.e. shopping centers, with a street frontage exceeding 600 feet a third temporary sign shall be permitted for a separate business on that lot. Under no circumstances shall any lot be permitted more than three (3) temporary signs. Multiple temporary signs shall not be closer than sixty (60) feet.
- E. Temporary freestanding business signs may not be illuminated. Signs containing electrical components shall be listed and comply with the National Electrical Code.
- F. Any business that has control of a reader board sign (freestanding or attached) is not eligible for a temporary sign.
- G. No temporary freestanding business sign shall be allowed within the public right-of-way or public easement.
- H. No temporary freestanding business sign shall be constructed and placed so as to interfere with vehicular traffic by obstructing sight lines for streets, pedestrian right-of-way and driveways.
- I. If the Code Enforcement Officer finds a temporary freestanding business sign so placed on private property that

the sign as located causes an obstruction to pedestrian or vehicular traffic or restricts the vision of drivers of vehicles on abutting streets or on the subject property the Code Enforcement Officer or police officer may cause the sign to be removed to a safe location on the subject property.

- J. The Code Enforcement Officer may remove any sign located on the public right-of-way and dispose of same.

II. SMALL FREESTANDING BUSINESS SIGNS

- A. One small freestanding business sign shall be allowed on each lot.
- B. The small freestanding business sign shall not exceed twelve (12) square feet of surface area per face and there shall be no more than two (2) faces. The sign shall not extend more than four (4) feet above the ground on which it is placed.
- C. The small freestanding business sign shall advertise only the business, profession, trade or occupation lawfully practiced on site and/or the generic or brand name products or services lawfully available on site, or religious, charitable or other non-commercial messages. Display of small freestanding business signs shall be limited to the hours of operation of the business, profession, trade or occupation lawfully practiced on site.
- D. Small freestanding business signs shall not be illuminated or contain any electrical component.
- E. No small freestanding business sign shall be allowed within the public right-of-way or public easement; unless all required permits have been issued therefore and it shall be a condition of all such permits that the sign shall be removed from the public right of way or easement when the business is closed.
- F. No small freestanding business sign shall be constructed and placed so as to interfere with vehicular traffic by obstructing sight lines for streets, pedestrian right-of-way and driveways.

- G. If the Code Enforcement Officer finds a small freestanding business sign so placed on private property that the sign as located causes an obstruction to pedestrian or vehicular traffic or restricts the vision of drivers of vehicles on abutting streets or on the subject property the Code Enforcement Officer may cause the sign to be removed to a safe location on the subject property.
- H. The Code Enforcement Officer or Jeffersontown Police Officer may remove any sign located on the public right-of-way and dispose of same.
- I. All small freestanding business signs shall be kept in good repair and in a proper state of preservation.
- J. Every small freestanding business sign and the premises immediately surrounding the sign shall be maintained by the owner or person in charge thereof in a clean, sanitary and inoffensive condition, and free and clear of all obnoxious substances, rubbish and weeds.

III. CHANGEABLE COPY SIGN/MANUAL READER BOARD SIGN:

- A. Only one sign with an accumulative area not to exceed thirty-two (32) square feet. The sign can be attached to an approved freestanding/ monument sign as defined herein or attached to the structure as approved. Provided said Changeable Copy/Reader Board Sign shall not contain any business identification.
- B. There shall be no fee charged for manually operated Reader Board Signs in addition to the fee charged for the accompanying pole or ground sign; nor, shall the square footage hereof operate to reduce the square footage allowed for a pole sign or ground sign. However, nothing herein shall abate fees for an applicant who chooses the exclusive use of a Changeable Reader Board Sign without a pole or ground sign.

SECTION 15.

MAINTENANCE AND INSPECTION.

- A. Maintenance: All signs together with all their supports, braces, guys and anchors, shall be kept in repair in accordance with the provisions of this Ordinance; and when not galvanized or constructed of approved corrosion-resistant non-combustible materials shall be painted when necessary to prevent corrosion.
- B. Housekeeping: It shall be the duty and responsibility of the owner and lessee of every sign to maintain the immediate premises occupied by the sign in a clean, sanitary and healthful condition. Any person, firm or corporation occupying any vacant lot or premises with a ground sign shall be charged with the keeping of same clean, sanitary, inoffensive and free and clear of all noxious substance in the vicinity of such ground sign.
- C. Inspection: Every sign for which a permit has been issued and every existing sign for which a permit is required, including ground, wall, marquee and pole signs, may be inspected at "Exempted" signs may be inspected at the discretion of the Code Enforcement Officer to insure their entitlement to such status.

SECTION 16.

REGISTRATION AND FEES.

- A. Registration: Every sign, unless otherwise exempt by operation of this Ordinance, shall be permitted with the City Department of Permitting & Enforcement by the person maintaining the same. No permit shall be granted until an application has been filed with the City Department of Permitting & Enforcement showing the plans and specifications, including dimensions, material and details of construction for the proposed sign.

- B. PERMIT FEES:

FREESTANDING AND ATTACHED SIGNS:

- (i) The fee for freestanding, changing image, and attached sign permits shall be Fifty Dollars (\$50.00) for the first sign on any group of signs being installed under one (1) permit on a single piece of property, and Ten Dollars (\$10.00) for each additional sign.

(ii) For any sign having a surface area in excess of Fifty (50) square feet there shall be an additional fee of One Dollar (\$1.00) for each square foot of excess surface. But in no event shall the fee for any sign exceed a maximum of Two Hundred Dollars (\$200.00).

TEMPORARY SIGNS:

Fees for temporary signs shall be Twenty Dollars (\$20) up to the maximum square footage of thirty-two (32) square feet.

SMALL FREESTANDING BUSINESS SIGNS:

Fees for small freestanding business signs shall be Twenty Dollars (\$20) up to the maximum square footage of twelve (12) square feet.

SECTION 17. PENALTIES.

Any person, firm or corporation violating any of the terms or provisions of this Ordinance and any person, firm or corporation failing to conform to any of the provision of this Ordinance, or failing to obey any order of the Code Enforcement Officer of the City of Jeffersontown, Kentucky, issued in pursuance of this Ordinance, shall be deemed guilty of a violation, and upon conviction thereof shall be fined not less than Fifty Dollars (\$50.00) nor more than Five Hundred Dollars (\$500.00); and where such violation is of a continuing nature, each day such person, firm or corporation violates any such provision, or fails to conform to any of the provisions of this Ordinance or any such order of the City Code Enforcement Officer, shall be deemed a separate offense.

All Citations issued hereunder shall be in accordance with Section 9 Enforcement Proceedings of Ordinance 1105, Series 1997, and all hearings shall be in accordance with Section 10, Hearing; Notice and Final Order, thereof, and appeals therefrom shall conform to Section 12, Appeals: Final Judgment, thereof.

SECTION 18. SEVERABILITY.

If any Section, sub-section, sentence or clause is held invalid or unconstitutional by any Court of competent jurisdiction, such portion shall be deemed a separate, distinct and an independent

provision and such holding shall not affect the validity of the remaining portions of this Ordinance.

SECTION 19. All Ordinances or parts of Ordinances conflicting with the provisions of this Ordinance, are hereby repealed insofar as same affect this Ordinance.

SECTION 20. That this Ordinance shall take effect and be in force immediately upon its passage and publication.

PASSED AND APPROVED BY THE CITY COUNCIL OF THE CITY OF JEFFERSONTOWN, KENTUCKY, THIS **FIRST DAY OF OCTOBER.**

VETOED:

APPROVED:

MAYOR

MAYOR

DATE: _____

DATE: _____

ATTEST: _____ , CITY CLERK

