

**TITLE 9**

**STREETS AND SIDEWALKS**

Chapters:

- 9.04 Streets, Alleys, Gutters or Ditches
- 9.08 Excavations and Alterations
- 9.12 Signs
- 9.16 Street Naming
- 9.20 Master Street Plan

**CHAPTER 9.04**

**STREETS, ALLEYS, GUTTERS OR DITCHES**

Sections:

- 9.04.01 Streets and alleys
- 9.04.02 Gutters or ditches

9.04.01 Streets and alleys It shall be the duty of every owner or occupant of any lot or premises in this city along which any street or alleys runs, to keep said street or alley from the middle line thereof to the side next to him, free from all manner and kind of filth, garbage, trash, debris or decaying animal and vegetable substance of every kind.

9.04.02 Gutters or ditches No person shall allow any dirt, filth or obstruction of any kind to accumulate in the gutter or ditch in front of his premises, and all owners or occupants of property are required to keep the gutter or ditch in front of their premises clean, open and free from trash and weeds, and all obstructions to the easy and rapid flow of water.

**CHAPTER 9.08**

**EXCAVATIONS AND ALTERATIONS**

Sections:

- 9.08.01 Excavations - permit
- 9.08.02 Fee
- 9.08.03 Bond
- 9.08.04 Warnings

9.08.05	Street restoration
9.08.06	Written notice
9.08.07	Billings
9.08.08	Penalty
9.08.09	Forms

9.08.01 Excavations - permit Any person desiring to excavate in any street, alley, sidewalk, road, right-of-way, easement or other public way in the city, shall first obtain a permit to do so from the Mayor's office. (Ord. No. 116, Sec. 1)

9.08.02 Fee A non-refundable fee of Twenty-Five Dollars (\$25.00) shall accompany the application which may be in one of the following forms:

- A. Name of application, location and description of work to be done and approval by the Mayor or his representative (Form 64-1)
- B. Plumbing permit required by Ordinance No. 46, Article IV, Section 2. (See also city of Greenland Code, Title 10, Water and Sewer)
- C. Water service agreement required by Ordinances of the city of Fayetteville, Arkansas, Section 21-16 (e). (Ord. No. 190, Sec. 1)

9.08.03 Bond. The applicant shall deposit with the Recorder/Treasurer a cash bond of Three Hundred Dollars (\$300.00) or in lieu thereof, a surety bond (Form 64-2) which shall be refunded upon showing that conditions of the permit and requirements of this ordinance have been met. (Ord. No. 190, Sec. 2)

9.08.04 Warnings The permittee shall place and maintain around the excavation adequate guards, fencing, warning signs (bilingual), lights, and other devices as shall be necessary to give warning to anyone using the road/street, sidewalks and the affected area. (Ord. No. 190, Sec. 4)

9.08.05 Street restoration The permittee shall repair the excavated street at his own expense by the following methods: Cuts in primary roads to be filled with SB2 to a level which is four inches (4") below original blacktop and tamped; then a minimum of four inches (4") of cement mixed with carbon black to one-quarter inch (1/4") above the level of blacktop. Secondary streets shall be filled with SB2 no less than two inches (2") below original surface, then tamped; then hot mix up to the level of the street. (Ord. No. 71, Sec. 1)

9.08.06 Written notice Upon written notice signed by the Mayor, the permittee shall within thirty (30) days make the repairs required by this ordinance. If permittee fails to make satisfactory repairs within the time allowed, the City may make repairs and at its option, bill the permittee for its costs or forfeit permittee's bond in satisfaction of its costs. (Ord. No. 64, Sec. 6)

9.08.07 Billings Utilities may comply with the procedures set out above or make separate agreement approved by the City Council for monthly billing of fees and repair costs. (Ord. No. 64, Sec. 7)

9.08.08 Penalty Any person found to be violating any provision of this ordinance shall be guilty of a misdemeanor and on conviction thereof shall be fined in an amount not exceeding One Hundred Dollars (\$100.00) for each offense. Each day in which any such violation shall continue shall be deemed a separate offense. (Ord. No. 190, Sec. 3)

9.08.09 Forms

CITY OF GREENLAND  
Forms 64-1  
Permit to Excavate

Name of Applicant:

Address:

Telephone No. (home) \_\_\_\_\_ (Work)

Location of Excavation

Reason for Excavation

Size of Excavation

Date work is to begin

Estimated date work will be completed

Fee of \$ \_\_\_\_\_ is attached

Bond of \$ \_\_\_\_\_ cash/surety is attached

Applicant

This is your permit to excavate on condition of:

- A. Complying with City Ordinance Number 64
- B.

Approved this \_\_\_\_\_ day of \_\_\_\_\_, 19\_\_\_\_.

Mayor/Representative

(Ord. No. 64, Sec. 2(a))

CITY OF GREENLAND  
Form 64-2  
BOND

We, \_\_\_\_\_ as Principal, and  
as Surety, are held and firmly bound unto the City of Greenland, Arkansas, in the penal sum of  
One Hundred Dollars (\$100.00) for the payment of which well and truly to be made, we jointly  
and severally bind ourselves, our heirs, personal representatives, successors and assigns.

The condition of this obligation is such that, whereas the above bounden principal has this day  
made application for a permit to excavate in a certain street or public way in the City of  
Greenland, Arkansas.

NOW, THEREFORE, in consideration of said permit being issued to principal, the said principal  
shall:

1. Fully comply with City Ordinances regulating excavation of streets and public  
ways.
2. Perform repairs required by the City to restore the street or public way to a  
condition similar to that existing prior to the excavation.
3. Pay any penalties that may be imposed during and for the period of said permit.

Compliance with all and several of the above enumerated items shall make this bond void;  
otherwise, it shall remain in full force and effect.

Signed this \_\_\_\_\_ day of \_\_\_\_\_, 19

Witness to Signature of Principal

Principal

(Ord. No. 64, Sec. 3)

## CHAPTER 9.12

### SIGNS

#### Sections:

9.12.01	Purpose and scope
9.12.02	General provisions
9.12.03	Legend
9.12.04	Non-conforming signs
9.12.05	Construction specifications
9.12.06	Administration and enforcement
9.12.07	Repeal, conflict, severability, and effective date
9.12.08	Definitions

#### 9.12.01 Purpose and scope

Sec. 1.01 Purpose Signs are an important and necessary means of communication. When properly regulated, signs can serve as a great economic and aesthetic asset. They can be lively, colorful and exciting. In enacting this ordinance, it is the intent of the city of Greenland to promote attractive signage, facilitate traffic safety, promote commerce, and to comprehensively address community aesthetic concerns about visual clutter and visual blight in the environment.

The regulation of signs in the city is intended to promote an aesthetically pleasing environment with these concerns in mind. Sign regulation shall be consistent with land use patterns, and signs shall add to, rather than detract from the architecture of the buildings where they are located. Signs shall be well maintained and, in addition, shall not create traffic safety hazards. The regulations of signs in the city of Greenland is intended to be content-neutral and to provide adequate opportunity for the presentation of messages of all kinds.

Sec. 1.02 Scope The primary intent of the ordinance shall be to regulate signs of a commercial nature intended to be viewed from any vehicular or pedestrian public right-of-way.

This ordinance shall relate signage to building design, particularly integral decorative or architectural features of buildings.

This ordinance shall not regulate official traffic or government signs; the copy and message of signs; signs not intended to be viewed from a public right-of-way; product dispensers and point of purchase displays; scoreboards on athletic fields; flags and insignia of any government or non-commercial organization, except when displayed in direct connection with

commercial promotion; gravestones, barber poles; religious symbols; commemorative plaques; the display of street numbers; signs not exceeding one square foot in area and bearing only property numbers, postbox numbers, or names of occupants of premises; or any display or construction not defined herein as a sign.

Sec. 1.03 Applicability No signs shall be erected or maintained in any land use district established by the Zoning Ordinance, except those signs specifically enumerated in this ordinance. The number and area of signs as outlined in this ordinance are intended to be maximum standards.

All signage shall adhere to the guidelines and regulations detailed within this document and any and all other current laws pertaining to signage. This ordinance shall supersede all prior sign requirements of Greenland Municipal Code.

The design, height, location, and size of signs are encouraged to be visually complementary and compatible with the scale, and architectural style of the primary structures on the site. As part of development review, sign concepts shall be considered during the design of the site and structures so that signs and graphics can be integrated into the architecture of the project. Sign styles, size, height, scale, colors, location, and materials shall strongly relate to the design of the structures. (Ord. No. 294, Sec. 1.)

9.12.02 General provisions It shall be hereafter be unlawful for any person to erect, place, or maintain a sign in the city of Greenland except in accordance with the provision of this ordinance.

Sec. 2.01a Signs prohibited The following types of signs are prohibited in all districts:

- A. Abandoned signs.
- B. Festoons, except as displayed for “seasonal” business (i.e. fireworks, Christmas tree lots, etc.). Such use shall be for a three (3) week maximum duration, or the permitted duration of sales as may be otherwise allowed by law.
- C. Signs imitating or resembling official traffic or government signs or signals.
- D. Snipe signs or signs attached to trees, telephone poles, public benches, streetlights, or placed on any public property or public right-of-way.
- E. Animated, moving, flashing, blinking, reflecting, or revolving signs.
- F. Permanent sale or come-on signs.
- G. Signs painted on fences or roofs.
- H. String lights or any unshielded light that is within public view and is used in connection with commercial premises for commercial purposes other than Christmas decorations at Christmas time or seasonal fireworks displays.
- I. Obscene signs.
- J. Inflatable signs over ten (10) feet tall by ten (10) feet wide by ten (10) feet deep, or 1000 cubic feet, except as provided for in 2.03(14).

- K. Any sign which obstructs the vision of drivers or obstructs or detracts from the visibility of any traffic sign or traffic-control device on public streets and roads by reason of the size, coloring or illumination of the sign
- L. Off-premises signs or off-premises directional signs, except for institution signs
- M. Search lights.

Sec. 2.01b Signs permitted The following types of signs shall be permitted in all districts, subject to the provisions of this chapter. Signage must be a finished product, made of durable, high quality, material, and have aesthetic value pursuant to Section 1.01 and 5.01 (see **Finished product** definition):

- A. Premise identification
  - 1. Residential Zones: Name plates for residential housing units identifying the occupancy and address of the premise, not to exceed two square feet;
  - 2. Commercial and Industrial Zones: Name plates for businesses identifying the occupancy and address of the premise, not to exceed two square feet;
- B. Fraternity, sorority and professional building signs identifying the building or occupancy and address of the building, not to exceed eight square feet in area;
- C. Memorial signs or tablets indicating names of buildings and date of erection when cut into a masonry surface or when constructed of bronze or other incombustible material;
- D. Signs painted on or attached to vehicles bearing current license plates, which are traveling or lawfully parked upon public highways or lawfully parked upon any other premises;
- E. Signs of a school, museum, community recreational facility or library indicating the name, current displays or activities.
- F. Signs or notices placed on public bulletin boards or kiosks;
- G. Permanent signs on vending machine, gas pumps or ice containers indicating only the contents of the devices. The sign area of each of these types of signs may not exceed six square feet, and these signs shall not be computed in the total allowable sign area determined in this chapter;
- H. Signs not exceeding six square feet each which contain only non-commercial messages including designation of restrooms, telephone location, restrictions on



smoking, door openings and private traffic-control and parking signs, and these signs shall not be computed in the total allowable sign area determined in this chapter;

- I. One sign per parking lot entrance not exceeding six square feet per sign face containing information on credit cards and business affiliations;
- J. Business signs not exceeding two square feet per sign face containing information on credit cards and business affiliations;
- K. Permanent subdivision signs. A permanent subdivision sign shall have a minimum yard setback of 15 feet;
- L. Temporary subdivision signs;
- M. Real estate signs having an area of not more than eight square feet, and real estate signs shall be limited to one sign per lot;
- N. Institution signs. Institutions, for the purpose of this chapter, shall include churches, hospitals, rest homes, private clubs and similar institutions or organizations.
- O. Window signs located on the exterior or interior of a window and where the area of the sign or signs complies with the provisions of this chapter.
- P. Theater-hotel marquees, as well as awning advertising, provided that the advertising is wholly contained within the basic marquee, awning or canopy face;
- Q. Garage sale signs, provided that the signs shall meet the requirements of 2.04 of this chapter, be placed only in locations authorized by this chapter, and under no circumstances shall a garage sale sign be located within or on trees or utility poles, in the public parkway, and the signs shall be allowed only during the time of the garage sale; a no-fee permit is required.
- R. Signs (posters) and attention-getting devices, approved by the Planning Commission, announcing special programs or events, provided the signs or attention-getting devices shall be displayed not more than two weeks before the event and shall be removed immediately after the event being advertised or as directed by the Planning Commission; and/or
- S. Home occupation signs having an area of not more than two square feet, providing only the name of the business and address, and provided that the sign is firmly attached to the building.

- T. Portable signs are allowed for special event purposes (i.e., sales special, seasonal, holiday, etc.) for a maximum fourteen (14) day duration.
- U. Festoons are allowed only when displayed for “seasonal” business such as fireworks, Christmas tree lots, etc., however, use of festoons shall be no longer than three (3) weeks or for the period that such sales are allowed by law.

Sec. 2.02 Permits required Unless otherwise provided by this ordinance, all signs shall require permits and payment of fees as described in Section 6 of this ordinance. No permit is required for the maintenance of a sign, or for a change of copy on painted, printed, or changeable copy signs. Relocation of a legally conforming non-electrical sign (signs without electrical components) on the same premises where the relocated area meets the provisions of this chapter will not require a permit; however, it will require a final inspection to ensure compliance with all provisions of this chapter.

Sec. 2.03 Signs not requiring permits The following types of signs are exempted from the permit requirements but must be in conformance with all other requirements of the ordinance:

- A. Construction signs Non-illuminated construction signs, that are no more than forty-eight (48) square feet in area in residential zones or are no more than sixty-four (64) square feet in area in all other zones. They shall be removed within thirty (30) days following completion of construction.
- B. On-premise directional/information signs of six (6) square feet or less.
- C. Nameplates of two (2) square feet or less, non-illuminated, attached to building or structure, or by a post supported and arm structure, one per occupancy.
- D. Political signs
  1. All signs, posters, or outdoor advertisement shall be constructed, installed and maintained in a manner that will not create a hazard or a nuisance, or obstruct the clear-view zone.
  2. Signs, posters and advertisements shall not be displayed more than sixty (60) days prior to the primary and/or general election. In addition, all signs, posters and advertisements of this kind must be removed not later than ten (10) days after the primary and/or general election.
  3. No sign, poster, or other outdoor advertisement shall be permitted in or on any parkway, alley, public street, easement, or road right-of-way, on any utility pole, tree or other appurtenance.

- E. Public signs or notices or any sign relating to an emergency – such as safety signs, danger signs, traffic signs, and official logo signs erected along state and federal highways.
- F. Direction/information as required for public facilities
- G. Incidental signs
- H. Real estate signs For residential sales shall be one (1) sign per street frontage and/or one (1) sign per tenant lease space not exceeding six (6) square feet in area and six (6) feet in height, provided it is not in street right-of-way, unlit, and is removed within fifteen (15) days after the close of escrow or the rental or lease has been accomplished. Open house signs For the purpose of selling a single house or condominium and not exceeding six (6) square feet in area and six (6) feet in height, and not in place for more than twenty-four (24) hours in any one month, are permitted off-site for directing prospective buyers to property offered for sale. For the sale, rental, or lease of commercial, industrial, and multi-family premises: One sign per street frontage not to exceed forty-eight (48) square feet in area to advertise the sale, lease, or rent of the premises. No such sign shall exceed eight (8) feet in height, shall not occupy street right-of-way, and shall be removed upon sale, lease or rental of the premises.
- J. Historical markers Historical markers as recognized by local, state or federal authorities.
- K. Signs created by landscaping
- L. Temporary signs and banners of a non-commercial nature not exceeding twenty-four (24) square feet.
- M. Sign face changes not requiring any change to the structure of a sign
- N. Inflatable signs less than ten (10) feet high, by ten (10) feet wide, ten (10) feet deep, or one thousand (1000) cubic feet. Larger inflatable signs require a permit and are allowed for a special event one time per year for a maximum of thirty (30) days. They are limited to one (1) per tenant or business location.
- O. Yard/garage sale signs as permitted 2.04.

Sec. 2.04 Garage/yard sale signs A no-fee permit is required. It may be used for residential garage/yard sales only. No more than four (4) yard sales per year, per location, shall be permitted. The application for the no-fee permit shall include:

- A. Name;
- B. Address;
- C. Address/location where garage/yard sale will be held;
- D. Telephone number of applicant.

Size and type All signs shall be no larger than six (6) square feet, placed on a single or double stake or other freestanding manner. The sign shall display the location address of the sale. If the location address is not displayed on the sign, the sign is subject to removal by code enforcement or their designee.

#### Location

- A. One (1) sign at the location of the sale for each street frontage on that property, i.e., if you have a corner lot, you may have one sign on each street frontages.
- B. One (1) pointer sign per sale may be placed in any intersection under the following conditions: No garage/yard sale sign shall be placed, affixed, stapled, glued, taped to any utility pole, street sign, tree, stop sign, fence, etc.
- C. No garage/yard sale sign shall be placed in any public right-of-way in a manner as to interfere with traffic, both vehicular and pedestrian, or interfere with any residential, commercial or industrial property.

Time No garage/yard sale signs shall be placed on public property any earlier than 7:00 a.m. the day before and must be picked up by 7:00 p.m. the day the sale is over.

Removal Any sign posted or displayed, which is posted earlier than the time-frame specified in this chapter, or is not removed within the time-frame specified in this chapter, shall be subject to removal by the designated city official, and shall be subject to Twenty-Five Dollars (\$25.00) removal fee.

#### Sec. 2.05 Outdoor banners

- A. No more than two (2) outdoor banners may be displayed at the same time
- B. Outdoor banners may not be used as the primary source of premises identification.
- C. Outdoor banners shall not exceed 24 square feet in area per side.
- D. Outdoor banners may not be placed within the street right-of-way.
- E. Outdoor banners may not be hung from awnings unless the under canopy sign requirements can be met.
- F. Banners extending into, or being displayed over, a sidewalk shall have a minimum clearance of 8' from grade level.
- G. Banners extending into, or being displayed over, an area designated for vehicular traffic shall have a minimum clearance of 18' from grade level.

- H. Banners existing prior to the enactment of this ordinance are not considered pre-existing non-conforming signs (grandfathered).
- I. All banners must be kept in good repair.

Sec. 2.06 Sign construction and maintenance Every sign, all parts, portions, and materials shall be manufactured, assembled, and erected in compliance with all applicable state, federal, and city regulations and building codes.

Every sign, including those specifically exempt from this ordinance in respect to permits and permit fees, and all parts, portions, and materials shall be maintained and kept in good repair. The display surface of all signs shall be kept clean, neatly painted, free from rust corrosions and well-maintained. If

- A. A business has been discontinued for ninety (90) days or more and the business' signs have been abandoned; or
- B. A business has been discontinued for less than ninety (90) days, but the sign has fallen into disrepair, or
- C. If a sign of any existing business has fallen into disrepair,

the owner will be notified, and if the condition(s) is not corrected within thirty (30) days, the sign shall be required to be removed.

Sec. 2.07 Lighting

- A. Unless otherwise prohibited by this ordinance, all signs may be illuminated. No illuminated sign shall be permitted within fifty (50) feet of any residential zone.
- B. Every part of the light source of any illuminated sign shall be concealed from view from vehicular traffic in the public right-of-way or adjacent property. The light shall not travel from the light source directly to vehicular traffic in the public right-of-way or adjacent property but instead shall be visible only from a reflecting or diffusing surface. This provision shall not apply to neon tube lighting.
- C. High-brightness LEDs (HB LEDs), as defined in Section 6, shall not be allowed in any area of the city.
- D. Back lit illuminated awnings – Unless expressly provided otherwise in this ordinance, awning signs may be illuminated, including without limitation by backlighting.

- E. Where a sign is illuminated by light reflected upon it, direct rays shall not beam upon any part of any existing residential area nor into a residential district, nor into a street. A sign in direct line of vision of a traffic signal shall not be red, green, or amber in color.

Sec. 2.08 Changeable copy Unless otherwise specified by this ordinance, any sign herein allowed may use manual changeable copy. Only one (1) changeable copy area per sign is allowed. Electronic message boards and electronic numeric displays are allowed in any commercially-zoned area, provided the frequency of message change occurs no more than twelve (12) times per minute. See Section 3.03, 3.04 and 3.05. (Ord. No. 319, Sec. 1.)

Sec. 2.09 Sign projections from buildings Signs attached to and wholly supported by a building shall not project more than eight (8) feet from any building and the bottom of such sign shall not be less than ten (10) feet above the sidewalk or fourteen (14) feet above a vehicular right-of-way.

Sec. 2.10 Sign similarity to official signs No sign may be placed or designed so as to simulate or interfere with traffic control devices or official highway directional/informational signs.

Sec. 2.11 Indemnification and insurance All persons involved in the maintenance, installation, alteration, or relocation of signs near or upon any public right-of-way of property shall agree to hold harmless and indemnify the city, its officers, agents and employees, against any and all claims of negligence resulting from such work insofar as this ordinance has not specifically directed the placement of a sign. All persons involved in the maintenance, installation, alteration, or relocation of signs shall maintain all required insurance and shall file with the state a satisfactory certificate of insurance to indemnify the state, county, or city against any form of liability.

#### 9.12.03 Legend

= equal to > more than < less than

For sign and other definitions, see Section 6.

Note: For PUD zones, sign requirements shall be established by the PUD or shall be assigned an appropriate zoning equivalent by the Planning Commission dependent upon use.

**ALL ZONES****NO PERMIT REQUIRED****All Zones – Sign permit not required**

	<u>Signs allowed</u>	<u>Limitations</u>
3.01 All zones	All signs not requiring permits (Sec. 2.03)	Must conform with all other requirements of this chapter

**RESIDENTIAL ZONES****R-1, R-2, R-3, RE****Residential Zones – (R-1, R-2, R-3, RE) Sign permit required**

	<u>Signs allowed</u>	<u>Limitations</u>
3.02 Residential zones	All signs permitted in 3.01	As shown in these sections
	1 subdivision or neighborhood identification sign per external street frontage	Monument sign $\leq 48$ sq. ft. $\leq 6$ ft. in height. May be on street property line as long as it does not extend into the clear-view zone
	1 identification sign per entrance to apartment or condominium complex	Monument sign $\leq 36$ sq. ft. $\leq 6$ ft. in height. May be on street property line as long as it does not extend into the clear-view zone
	1 monument or one-pole or two—pole sign and 1 wall sign for permitted non-residential uses including religious facilities.	$\leq 48$ sq. ft. $\leq 6$ feet in height Wall sign $\leq 10\%$ of aggregate area of building elevation on which the sign is installed. May abut street property line as long as it does not extend into the clear-view zone.

**C-1 ZONE**

**BUSINESS 71 ZONE**

The Business Highway 71 Zone has a need for more unique signage and for a greater variety of signs in the urban area of the city. This area is characterized by smaller-sized commercial uses, office space, or mixed use properties. It is the city’s intent in its regulations to strike a fair balance between commercial needs, traffic safety, and community concerns about visual clutter and visual blight. As with the review of all sign applications in the city, the proposed content of signs shall never be considered by the Sign Administrator or the Greenland Planning Commission.

**Business Highway 71 Zone: Sign permit required**

	<u>Signs allowed</u>	<u>Limitations</u>
3.03 C-1	All signs permitted in Sec. 3.01 and 3.02	As shown in these sections
	<u>Monument</u> , one-pole, or two-pole sign, multiple businesses must be located on same pole or poles, and/or electronic Message Board Meeting requirements of Section 2.08 One (1) per street frontage	=<64 sq. ft. in area per side =<15 ft. in height. If electronic message board used in conjunction with monument, one-pole sign, it shall be included in the allowable aggregate area.
	<u>Wall sign</u> may be used in lieu of a projecting sign	=<10% of aggregate area of building elevation on which the sign(s) are installed. The total of all wall and awning signs can be no more than the 10% aggregate area.
	<u>Projecting sign</u> (Blade sign) may be used in lieu of a wall sign. Limited to 1 sign for each separate occupancy or entrance.	May not project more than 8 ft. from the side of a structure =<10% of aggregate area of building elevation on which the sign(s) are installed. =<10% clearance to grade over pedestrian walkway =<14 ft. clearance over vehicular right-of-way.



Electronic Message Boards ≤36 sq. ft. in area and subject to provisions of Sec. 2.08

Roof sign may be used instead of any wall signs or awning signs. Height ≤20% of the total height of the building to which attached. External illumination or neon only

Incidental signs ≤6 sq. ft. per occupancy

Banner sign No more than two (2) banners per business location may be displayed at any one time; maximum display of 8 weeks followed by 8 weeks down time. Requirements per Sec. 2.05 and 6.03

Awning sign ≤10% of aggregate area of building elevation on which the sign (s) are installed. The total of all wall and awning signs can be no more than the 10% aggregate area.

Under canopy 1 sign for each separate occupancy or entrance ≤8 sq. ft. ≤7 ft. clearance to grade Sign may project beyond the front property line, but may not be closer than six (6) inches to the line of the paved street surface.

**C-2 ZONE**

**NEIGHBORHOOD COMMERCIAL**

**Neighborhood Commercial – sign permit required**

	<u>Signs allowed</u>	<u>Limitations</u>
3.04 Commercial, office, institutional	All signs permitted in Section 3.01, 3.02, 3.03	As shown in these section

<p><u>Monument</u>, one-pole, or two-pole sign. multiple businesses must be located on the same pole or poles. One (1) per street frontage.</p>	<p>One (1) per street frontage          Lots or developments =&lt;5 acres in size:          =&lt;64 sq. ft. in area per side          =&lt;15 ft. in height          Lots or developments &gt;5 and &lt;20 acres:          =&lt;64 sq. ft. in area per side          =&lt;20 feet in height          Lots or developments &gt;20 acres in size:          =&lt;96 sq. ft. in area per side          =&lt;20 feet in height          Street frontage must be =&gt;325 ft. in length.          If frontage is &lt;325 ft., the 5-20 acre limits above apply.</p>
<p><u>Wall signs</u> may be used in lieu of a projecting sign</p>	<p>=&lt;10% of aggregate area of building or elevation on which the sign(s) are installed. The total of all wall and awning signs can be no more than the 10% aggregate area.</p>
<p><u>Projecting sign</u> (Blade sign) may be used in lieu of a wall sign</p>	<p>May not project more than 8 ft. from the side of a structure          =&lt;10% of aggregate area of building elevation on which the sign(s) are installed.</p>
<p>Limited to 1 sign for each separate occupancy or entrance</p>	<p>=&lt;10% clearance to grade over pedestrian walkway          =&lt;14 ft. clearance over vehicular right-of-way. External illumination only.</p>
<p><u>Electronic Message Boards</u></p>	<p>&lt;=36 sq. ft. in area and subject to provisions of Sec. 2.08</p>
<p><u>Roof sign</u> may be used instead of any wall signs or awning signs. Limited to one (1) per business.</p>	<p>Height =&lt;20% of the total height of the building to which attached. External illumination or neon only</p>
<p><u>Incidental signs</u></p>	<p>=&lt;6 sq. ft. per occupancy</p>

Banner sign No more than two (2) banners per business location may be displayed at any one time; maximum display of 8 weeks followed by 8 weeks down time. Requirements per Sec. 2.05 and 6.03

Awning sign =<10% of aggregate area of building elevation on which the sign(s) are installed. The total of all wall and awning signs can be no more than the 10% aggregate area.

Under canopy 1 sign for each separate occupancy or entrance =<8 sq. ft. =>7 ft. clearance to grade External illumination only.

**C-3 ZONE**

**THOROUGHFARE COMMERCIAL**

**Thoroughfare commercial – sign permit required**

	<u>Signs allowed</u>	<u>Limitations</u>
3.05	All signs permitted in Sec. 3.01, 3.02, 3.03, 3.04	As shown in these section
	<u>On-premise interstate sign</u> may be used in lieu of monument or two-pole sign, multiple businesses must be located on the same pole or poles. One (1) per parcel.	Property must be immediately adjacent to I-49 or within 500 feet of center lane of I-49 Note: principal purpose must be to address interstate traffic.  =<500 sq. ft. per side, but must pertain to the business; no billboards permitted =<75 feet in height of =>25 feet above the freeway grade, whichever is higher.

	<p><u>Static LED fuel price sign</u> One(1) per business</p>	<p>If used in conjunction with an on-premise interstate sign, both signs shall be located on the same pole(s) and shall be included in the allowable aggregate area. Static light emitting diode sign for fuel pricing and message boards are permitted, and the pricing or message board may alternate, provided the frequency of message change occurs no more than as prescribed in 2.08. HB LED, as defined in Section 8, shall be prohibited. (Ord. No. 319, Sec. 2.)</p>
<p>3.05.01</p>	<p>All signs permitted in 3.01, 3.02, 3.03 and 3.04.</p>	<p>C-3 properties which do not abut I-49 or are outside of 500 feet of I-49 center lane.</p>
	<p><u>Monument or two-pole sign</u>, multiple businesses must be located on the same pole or poles. One (1) per parcel.</p>	<p>=&lt;200 sq. ft. area per side =&lt;40 feet in height Area/height combination shall allow for adequate vehicular and pedestrian traffic.</p>
	<p><u>Static LED fuel price sign</u>. One (1) per business.</p>	<p>If used in conjunction with a single or two-pole sign, both signs shall be located on the same pole(s) and shall be included in the allowable aggregate area. Static light-emitting diode signs for fuel pricing and message boards are permitted, as provided in 3.05 above. (Ord. No. 319, Sec. 3.)</p>

**I-1 ZONE**

**LIGHT INDUSTRIAL**

**Light Industrial – sign permit required**

	<u>Signs allowed</u>	<u>Limitations</u>
3.06	All signs permitted in 3.01, 3.02, 3.03, and 3.04 (Ord. No. 294, Sec. 3.)	Same as in 3.02, 3.03 and 3.04

9.12.04 Non-conforming signs

Sec. 4.01 Determination of legal non-conformity

- A. A non-conforming sign is any permanent sign that was legally established and maintained in compliance with the provisions of all applicable laws in effect at the time of original installation but that does not now comply with the provisions of this sign ordinance. This includes all signs; freestanding, wall, awning etc.
- B. A legally established sign which fails to conform to this ordinance shall be allowed continued use, except that the sign shall not be expanded, moved, or relocated, except in the case of street relocation.

Sec. 4.02 Loss of legal non-conforming status A legal non-conforming sign shall lose this designation:

- A. Existing signs outside the interstate zone:
  - 1. If the sign face is damaged or destroyed, the face may be replaced. The sign face supporting structure may be temporarily placed on the ground in order to immediately replace the sign face or service the structure.

2. If the structural components of the sign including the face structure is damaged or destroyed, the structure and face may be replaced with a new face and structure of no more than sixty-four (64) square feet in area. In no case, may a sign face be replaced with a face larger than the damaged face.
  3. If the sign is damaged to the extent of more than fifty percent (50%) of the replacement cost, the determination for this percent of damage shall be based on the average of three (3) estimates from three (3) separate sign companies.
- B. Interstate signs: Existing on-premise, freestanding pole signs up to 672 sq. ft. in area will be allowed replacement as follows:
1. If the sign face is damaged or destroyed, the face may be replaced. The sign face supporting structure may be temporarily placed on the ground in order to immediately replace the sign face or service the structure.
  2. If the structural components of the sign including the face structure is damaged or destroyed, the structure and face may be replaced with a new face and structure of no more than 300 sq. ft. in area. In no case, may a sign face be replaced with a face larger than the damaged face.
- C. If the size of the sign is altered in any way except toward compliance with this ordinance. This does not refer to change of copy, face of the sign, or normal maintenance. Normal maintenance does not include the replacement of structural elements.
- D. If the sign(s) advertising a building/development contains the majority of the businesses/tenants and the building/development undergoes major redevelopment such as demolition or expansion requiring a building permit.

Exceptions:

1. A remodel of an existing building will not cause the loss of legal non-conformity.
  2. The construction of an additional building on the same property shall not cause the loss of legal non-conformity.
- E. The sign is relocated, except in the case of street relocation.

Sec. 4.03 Maintenance and repair of non-conforming signs The legal non-conforming sign is subject to all requirements of this code regarding safety, maintenance, and repair. If a non-conforming sign is found to no longer advertise a business that has been discontinued for ninety (90) days or more and the business' signs have been abandoned or fallen into disrepair, the owner will be notified and if the condition(s) is not corrected within thirty (30) days, the sign will lose legal non-conforming status and shall be required to be removed. (Ord. No. 294, Sec. 4.)

9.12.05 Construction specifications

Sec. 5.01 Construction specifications

- A. All signs shall be installed in compliance with current city Building and Electrical Codes. All illuminated signs or signs with electrical components will require obtaining an electrical permit prior to construction.
- B. All signs shall be constructed to be a "finished product," and constructed with durable high quality materials such as metal, stone, hardwood, brass plated, and exposed or channel neon, neatly designed and made, properly weatherproofed, and subject to Sec. 1.01
- C. Where occupancy is on a corner lot, a minimum clear-view zone is to be maintained in a triangulated area at the point of intersection to allow an unobstructed view of oncoming traffic. No sign taller than two (2) feet in height is allowed in the clear view zone. (Ord. No. 294, Sec. 5.)

9.12.06 Administration and enforcement

Sec. 6.01 Code Administrator The Sign Administrator shall be the City Building Inspector. The Planning Commission is authorized to process applications for permits and variances, hold public hearings as required, and enforce and carry out all provisions of this code. The application procedure shall be that of normal development review. The sign permit shall be issued by the City Clerk following design review and approval of the Planning Commission.

The Administrator is empowered, upon presentation of proper credentials, to enter or inspect any building, structure, or premises in the city for the purpose of inspection of a sign and its structural and electrical connections to ensure compliance with all applicable codes and ordinances. Such inspections shall be carried out during business hours unless an emergency exists.

Sec. 6.02 Application for permits Applications for a permit for the erection or relocation of a permanent sign (except as provided by Sec. 2.02) shall be made on a form provided by the Administrator, and shall include the following information:

Permanent sign:

- A. Name and address of the applicant.
- B. Street address or location of the property on which the sign is to be located, along with the name and address of the property owner.
- C. Written permission from the property owner for the placement of the proposed sign(s) on the site.
- D. Plans for the sign, drawn to scale, showing the proposed location of the sign in relation to other signs on the site.
- E. Specifications and drawings showing the materials, design, dimensions, structural supports, and electrical components of the proposed sign.
- F. A complete color scheme for the sign, and design drawing of the sign.
- G. Sufficient other details of the proposed sign to show that it complies with the provisions of this chapter.
- H. Computation of the total sign area, the area of each individual sign, the height of each sign, and the total number of existing and proposed signs on the site.
- I. An accurate indication on the site plan of the proposed location of each present and future sign.
- J. Other information as required by the department.

Expiration of sign permit approval Approval of a sign permit shall expire twelve (12) months from the date of approval unless the sign has been installed.

Sec. 6.03 Permit fees All applications for permits filed with the Administrator shall be accompanied by a payment of the initial permit fee for each sign as required by the ordinance. The fee shall be Fifty Dollars (\$50.00) per sign. Any required electrical permit fees shall be an additional cost, pursuant to the electrical permit fees then in effect. Banner permits are Twenty-Five Dollars (\$25.00).

Sec. 6.04 Issuance and denial The Administrator shall issue a permit for the erection, structural alteration, or relocation of a sign provided that the sign complies with all applicable laws and regulations of the city. In all applications, where a matter of interpretation arises, the more specific definition or higher standard shall prevail. When a permit is denied, the Administrator shall give a written notice to the applicant along with a brief statement of the reasons for denial, citing code sections and interpretation of possible non-conformity. The Administrator may suspend or revoke an issued permit for any false statement or misrepresentation of fact in the application.

Sec. 6.05 Inspection upon completion Any person installing, structurally altering, or relocating a sign for which a permit has been issued shall notify the Administrator upon completion of the work. The Administrator may require a final inspection, including an



electrical inspection and inspection of footings on freestanding signs. The Administrator may require at the time of issuance of a permit that written notification for an inspection be submitted prior to the installation of certain signs. The business or individual owning the sign shall be responsible for any applicable inspection or re-inspection fees.

Sec. 6.06 Variances for signs A variance for any other requirement of this ordinance, i.e., height, location, type, etc. may be applied for. Requests for sign variances shall be in writing and shall be submitted along with the sign application. Such request shall demonstrate that special conditions or circumstances exist that are not applicable to other lands, structures, or buildings such that a literal interpretation of the ordinance would result in an undue hardship.

The Planning Commission shall review the request as needed to determine if the variance should be granted. If the Planning Commission decides to grant the request, the Planning Director will, at the next regularly scheduled City Council meeting, present the matter to the City Council for final approval of the variance.

If the Planning Commission refuses the variance, the applicant may appeal the decision to the City Council. The appeal must be submitted to the Planning Department no less than thirty (30) working days from the date of the Planning Commission's decision. In order to be placed on the City Council agenda, the appeal must be submitted no less than eleven (11) days prior to the City Council meeting.

The Planning Director or Planning Commission or City Council will grant the variance only when the requirements noted above are suitably demonstrated. The Planning Director or Planning Commission or City Council shall grant only the minimum variance required to make possible the variance request, provided that such variance will be in harmony with the general purpose and intent of the ordinance and will not be injurious to the neighborhood or otherwise detrimental to the public welfare.

The applicable fee for a variance application shall be the fee, then in effect, with the Clerk's office at the time application is made.

Sec. 6.07 Violations When a violation of the sign code exists, the Administrator shall issue a written order to the alleged violator. The order shall specify those sections of the Sign Code which the individual may be in violation of and shall state that the individual has sixty (60) days from the date of the order in which to correct the alleged violation or to appeal to the City Council.

If, upon inspection, the Administrator finds that a sign is abandoned or structurally, materially, or electrically defective in such a way that it endangers the public, the Administrator shall issue a written order to the owner of the sign and occupant of the premises stating the nature of the violation and requiring them to remove the endangerment immediately and to repair or remove the sign within sixty (60) days of the date of the order.

In cases of emergency, the Administrator may cause the immediate removal of a dangerous or defective sign without notice. Signs removed in this manner must present a hazard to the public safety as defined in the local building or traffic codes.

In cases of illegal signs placed in the public right-of-way, the Administrator may cause immediate removal of the sign without notification of the owner of the sign.

Sec. 6.08 Removal of signs by the Administrator The Administrator may cause the removal of an illegal sign in cases of emergency, if its is located within the public right-of-way, for failure to comply with the time frames as stated in this chapter, the written orders of removal or repair. After removal or demolition of the sign, a notice shall be mailed to the sign owner stating the nature of the work and the date on which it was performed and demanding payment of the costs as certified by the Administrator.

If the amount specified in the notice is not paid within sixty (60) days of the notice, it shall become an assessment upon a lien against the property of the sign owner, and will be certified as an assessment against the property together with a ten percent (10%) penalty for collection in the same manner as the real estate taxes.

The owner of the property upon which the sign is located shall be presumed to be the owner of all signs thereon unless documented facts to the contrary are brought to the attention of the Administrator, as in the case of a leased sign. For purposes of removal, the definition of sign shall include all embellishments and structures designed specifically to support the sign.

Sec. 6.09 Penalties Any person who fails to comply with the provisions of the ordinance within ten (10) days after a notice by the Administrator may be subject to a fine of One Hundred Dollars (\$100.00) per day that the violation continues.

Sec. 6.10 Appeals Any failure to respond to an application within ten (10) working days or receipt of any decision rendered by the Administrator in denying a permit or variance or in alleging a violation of this ordinance may be appealed to the City Council within sixty (60) days of the Administrator's receipt of application. The action being appealed shall be held in abeyance pending the decision of the Council.

Sec. 6.11 Inventory and abatement Within six (6) months from the date of adoption of this ordinance, the city shall commence a program to inventory and identify illegal or abandoned signs within its jurisdiction. Within sixty (60) days after this six (6) month period, the city shall commence abatement of identified illegal or abandoned signs. (Ord. No. 294, Sec. 6.)

#### 9.12.07 Repeal, conflict, severability, and effective date

Sec. 7.01 Repeal The current Sign Ordinance adopted August 11, 2008, as Ord. No. 272 and all amendments thereto are hereby repealed in their entirety.

Sec. 7.02 Conflict If any portion of this code is found to be in conflict with any other provision of any zoning, building, fire, safety, or health ordinance of the City Code, the provision which establishes the stricter standard shall prevail.

Sec. 7.03 Severability If any section, subsection, sentence, clause, or phrase of this code or its application to any person or circumstance is held invalid by the decision of any court of competent jurisdiction, the remainder of this code, or the application of the provision to other persons or circumstances is in effect and shall remain in full force and effect.  
(Ord. No. 294, Sec. 7.)

9.12.08 Definitions Certain terms are defined for the purposes of the ordinance as follows:

- = - A symbol meaning equal to.
- < - A symbol meaning less than.
- > - A symbol meaning more than.

**A frame sign** – A sign composed of two panels hinged at the top. From a side elevation, resembles an “A.” Such outdoor signs are considered portable signs and are prohibited.

**Abandoned sign** – A sign which no longer identifies or advertises a *bona fide* business, lesser, service, owner, product, or activity and is no longer maintained.

**Abatement** – Suspension: an interruption in the intensity or amount of something; reducing the degree or intensity of, or eliminating.

**Administrator** – The Sign Code Administrator or his designated representative.

**Animated sign** – (see also and note difference from changeable sign) A sign or display manifesting either kinetic or illusionary motion occasioned by natural, manual, mechanical, electrical, or other means. Animated signs visible from the street right-of-way shall be considered a nuisance and are prohibited. Animated signs include the following types:

- A. **Naturally energized:** Signs whose motion is activated by wind or other atmospheric impingement. Wind-driven signs include flags, banners, pennants, streamers, spinners, metallic disks, or other similar devices designed to move in the wind.
- B. **Mechanically energized:** Signs manifesting a repetitious pre-programmed physical movement or rotation in either one or a series of planes activated by means of mechanically based drives.

- C. **Electrically energized:** Illuminated signs whose motion or visual impression of motion is activated primarily by electrical means. Electrically energized animated signs are of two types:
- a. **Flashing signs:** Illuminated signs exhibiting a pre-programmed repetitious cyclical interruption of illumination from one or more sources in which the duration of the period of illumination (on phase), is either the same as or less than the duration of the period of darkness (off phase), and in which the intensity of illumination varies from zero (off) to 100 percent (on) during the programmed cycle.
  - b. **Illusionary movement signs:** Illuminated signs exhibiting the illusion of movement by means of a pre-programmed repetitious sequential switching action in which illuminated elements of the sign are turned on or off to visually simulate the impression of motion characteristic of chasing, running, blinking, oscillating, twinkling, scintillating, or expanding and contracting light patterns.

#### Area of sign

- A. **Projecting and monument:** The area of a freestanding or projecting sign shall have only one side of any double or multiple face design counted in calculating its area. The area of the sign shall be measured as follows if the sign is composed of one (1) or more individual elements: When calculating the sign surface area of any sign, a maximum of three (3) distinct and abutting “areas” made up of squares or rectangles may be used to encompass the extreme limits of the writing, representation, emblem, or other display, together with any material or color forming an integral part of the background of the display or used to differentiate the sign from the backdrop or structure against which it is placed.
- B. **Wall sign or awning sign:** The area shall be within a single, continuous perimeter composed of any rectilinear line geometric figure which encloses the extreme limits of the advertising message. If the sign is composed of individual letters or symbols using the wall or awning as the background with no added decoration, the total sign area shall be calculated by measuring the area within the perimeter of each symbol or letter. The combined areas of the individual figures shall be considered the total sign area.

**Awning** – A shelter projecting from and supported by the exterior wall of a building constructed of non-rigid materials on a supporting framework. (compare “Marquee”)

**Awning sign** – A sign painted on, printed on, or attached flat against the surface of an awning. Banners may not be attached to awnings.

**Back lit awning** – An internally illuminated fixed space-frame structure with translucent, flexible reinforced covering designed in awning form and with graphics or copy applied to the visible surface of the awning.

**Banner sign** – A sign on cloth or other flexible material which projects from or hangs from a building, pole or wire. Banners include pennants, flags, cable-hung banners and vertical banners. Depending upon its method attachment, a banner sign may be a flat-mounted sign, a projecting sign, or a free-standing sign. Banner sign may not be attached to fences, railing, trees, or roofs.

**Bench sign** – A sign located on any part of the surface of a bench or seat place on or adjacent to a public right-of-way.

**Billboard** – see “Off-premise sign.”

**Blade sign** – see “Projecting sign.”

**Building** – As defined in the Zoning Ordinance.

**Canopy (Building)** – A rigid multi-sided structure covered with fabric, metal or other material and supported by a building at one or more points or extremities and by columns or posts embedded in the ground at other points or extremities. May be illuminated by means of internal or external sources. (compare “Marquee”).

**Canopy (Freestanding)** – A rigid multi-sided structure covered with fabric, metal or other material and supported by columns or posts embedded in the ground. May be illuminated by means of internal or external sources.

**Canopy sign** – A sign affixed or applied to the exterior facing surface or surfaces of a building canopy or freestanding canopy.

**Cable hung banner** – A single banner, or several individual banners, or individual cutout letters, suspended by cable over a public right-of-way from poles designated for such civic use.

**Changeable sign** – A sign whose informational content can be changed or altered by manual or electric, electro-mechanical, or electronic means. Changeable signs include the following types:

- A. **Manually activated:** Signs whose alphabetic, pictographic, or symbolic informational content can be changed or altered by manual means.

- B. **Electrically activated:** Signs whose alphabetic, pictographic, or symbolic informational content can be changed or altered on a fixed display surface composed of electrically illuminated or mechanically driven changeable segments. Includes the following two types:
1. **Fixed message electronic signs:** Signs whose basic informational content has been pre-programmed to include only certain types of information projection, such as time, temperature, predictable traffic conditions, or other events subject to prior programming.
  2. **Compute controlled variable message electronic signs:** Signs whose information content can be changed or altered by means of computer-driven electronic impulses.

**City** – Unless the context clearly discloses a contrary intent, the word “city” shall mean the city of Greenland.

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

**Clear-view zone** – The area of a corner lot closest to the intersection which is kept free of visual impairment to allow full view of both pedestrian and vehicular traffic. Typically, such an area is established by marking a point at which the two property lines intersect, measuring thirty (30) feet along each property line and drawing a line across the two back points to form a triangulated area. No sign in excess of two (2) feet above curb grade may be installed in this area.

**Construction sign** – A temporary sign giving the name or names of principal contractors, architects, and lending institutions responsible for construction on the site where the sign is placed, together with other information included thereon.

**Copy** – The graphic content of a sign surface in either permanent or removable letter, pictographic, symbolic, or alphabetic form.

**Development Review Committee (DRC)** – Usually part of the Planning Department, a DRC is composed of one representative from each of the regulatory agencies that have jurisdiction of over the permitting of a project (Planning Department, Fire Department, City Engineer, public utility, Sanitation Department, and Street Department)

**Directional/information sign** – An on-premise sign giving directions instructions, or facility information and which may contain the name or logo of an establishment but no

advertising copy, e.g., parking or exit and entrance signs. May contain logo provided that the logo may not comprise more than 20% of the total sign area.

**Directory sign** – A sign on which the names and locations of occupants or the use of a building is given. This shall include office buildings and church directories.

**Disrepair** – Signs that are broken, cracked, vandalized, torn, rotten, faded, faulty, defective, rusty, or otherwise unsightly.

**Double-faced sign** – A sign with two faces, essentially back-to-back.

**Electric sign** – A sign or sign structure in which electrical wiring, connections, or fixtures are used.

**Electronic message center** – see “Changeable signs, electrically activated.”

**Elevation** – The entire side or front of a building including the parapet. Utilized in determining the permissible sign area.

**Façade** – The entire building front including the parapet.

**Face of sign** – The area of a sign on which the copy is placed. This does not include the mounting structure.

**Festoons** – A string of ribbons, tinsel, small flags, or pinwheels.

**Finished product** – Constructed of durable high quality materials such as metal, stone, hardwood, brass plated, and exposed or channel neon, neatly designed and made, and properly weatherproofed.

**Flashing sign** – see “Animated sign, electrically energized.”

**Freestanding sign** – A sign supported permanently upon the ground by poles or braces and not attached to any building.

**Frontage** – The length of the property line of any one premise along a public right-of-way on which it borders.

**Frontage, building** – The length of an outside building wall on a public right-of-way.

**Government sign** - Any temporary or permanent sign erected and maintained by the city, county, state, or federal government for traffic direction or for designation of or direction to any school, hospital, historical site, or public service, property, or facility.

**Height (of a sign)** – The vertical distance between the highest part of the sign or its supporting structure, whichever is higher, and the average established ground level beneath the sign, unless adjacent public street curb elevation is higher than the ground level, in which case the height shall be measured from the adjacent or nearest public street curb level. Any berm or other fill placed at the base of the sign shall not be considered normal ground elevation.

**High-brightness LEDs (HB LED)** – LEDs are so bright that viewers cannot look directly at them without irritating their eyes. HB LEDs come in two forms which have evolved from a series of semi-conducting materials; ALLnGaP, (pronounced alan-gap), which is composed of aluminum, indium, gallium and phosphide which create HB orange-red, orange, yellow and green lighting units. The second solid state offering is InGaN (pronounced as n-gan), which includes indium and a Gallium-Nitride compound, and creates blue, blue-green, true-green and when combined with a yellow phosphor, white, HB LEDs can usually be found in a standard 5mm, 1 amp LED package which provide at least several hundred millicandela in light intensity.

**Identification sign** – A sign whose copy is limited to the name and address of a building, institution, or person and/or to the activity or occupation being identified.

**Illegal sign** – A sign which does not meet the requirements of this code and which has not received legal non-conforming status.

**Illuminated sign** – A sign with an artificial light source incorporated internally or externally for the purpose of illuminating the sign.

**Incidental sign** – A small sign, emblem, or decal informing the public of goods, facilities, or services available on the premises, e.g., a credit card sign or a sign indicating hours of business.

**Institution sign** – Signs used by institutions; institutions are facilities such as hospitals, churches, rest homes private clubs, city offices, public library, etc.

**LED sign** – A sign composed of alphanumeric characters composed of light emitting diodes.

**Lot** – A parcel of land legally defined on a subdivision map recorded with the assessment department or land registry office, or a parcel of land defined by a legal record or survey map.

**Low-profile sign** (also “monument Sign”) – A sign mounted directly to the ground. The maximum height is measured from the ground to the top of the sign including any base construction.



**Maintenance** – Cleaning, painting, or minor repair of defective parts of a sign in a manner that does not alter the design, or structure of the sign. No structural parts of a non-conforming sign may be replaced without the loss of the sign’s legal non-conformity.

**Mansard** – A sloped roof or roof-like façade architecturally comparable to a building wall.

**Marquee** – A permanent roof-like structure or canopy of rigid materials supported by and extending from the façade of a building.

**Marquee sign** – Any sign attached to or supported by a marquee structure.

**Message board** – The portion of a sign whose informational content can be changed or altered by manual, electric, electro-mechanical, or electronic means. See: Changeable signs.

**Monument sign** – A sign mounted directly to the ground. No poles shall be visible. The maximum height is measured from the ground to the top of the sign including any base construction. Maximum area is to be determined as defined in “Area, of sign projecting and monument.” This does not include light fixtures intended to illuminate the sign.

**Multiple-faced sign** - A sign containing three (3) or more faces, not necessarily in back-to-back configuration.

**Nameplate** – A non-electric on-premise identification sign giving only the name, address, and/or occupation of an occupant or group of occupants.

**Neon** – A sign manufactured utilizing neon tubing, which is visible to the viewer.

**Non-commercial sign** – A temporary sign which carries no message, statement, or expression related to the commercial interests of the sign owner, lessee, author or other person responsible for the sign message. The message does not direct attention to a business operated for profit, or to a commodity or service for sale.

**Non-conforming sign**

- A. A sign which was erected legally, but which does not comply with subsequently enacted sign restrictions and regulations.
- B. A sign which does not conform to the sign code requirements, but for which a special permit has been issued.

**Occupancy** – The portion of a building or premises owned, leased, rented, or otherwise occupied for a given use.

**Off-premise directional sign** – A sign which provides direction to a site that is not located on the same parcel or lot as the sign. Only allowed for institution signs. May contain the address, name, and logo only.

**Off-premise sign** (also “Billboard”) – A sign structure advertising an establishment, merchandise, service or entertainment, which is not sold, produced, manufactured, or furnished at the property on which said sign is located.

- A. Off-premise signs shall not be permitted.
- B. Billboards are prohibited along I-540 or Business 71 pursuant to the Arkansas Scenic Byway Program established by the Arkansas Highway Commission in 1998 adopting criteria by which routes in Arkansas could be designated as Arkansas Scenic Byways.  
([http://www.arkansashighways.com/planning/scenichighways/scenic\\_byway\\_program.htm](http://www.arkansashighways.com/planning/scenichighways/scenic_byway_program.htm))

**On-premise sign** – A sign which pertains to the use of the premises and/or property on which it is located.

**Owner** – A person recorded as such on official records. For the purposes of this ordinance, the owner of property on which a sign is located is presumed to be the owner of the sign unless facts to the contrary are officially recorded or otherwise brought to the attention of the Administrator, e.g., a sign leased from a sign company.

**Painted wall sign** – Any sign which is applied with paint or similar substance on the surface of a wall.

**Parapet** – The extension of a false front or wall above a roof-line.

**Person** – Any individual, corporation, association, firm, partnership, or similarly defined interest.

**Point of purchase display** – Advertising of a retail item accompanying its display, e.g., an advertisement or a product dispenser, tire display, etc.

**Pole cover** – Cover enclosing or decorating poles or other structural supports of a sign.

**Pole sign** – A freestanding sign, usually double-faced, mounted on a round pole, square tube or other fabricated member without any type of secondary support.

**Political sign** – A temporary sign used in connection with a local, state, national election, or referendum.

**Portable sign** – Any sign designed to be moved easily and not permanently affixed to the ground or to a structure or building. Such signs are prohibited from the view of vehicular or pedestrian public right-of-way. Permanently affixed shall mean anchored to the ground as stipulated in Section 2303 Construction of the 1991 Edition of the Standard Building Code.

**Post and arm sign** – A sign of two (2) square feet or less in area supported by an upright post with a horizontal arm, from which a sign is suspended. No part of the structural support may be greater than six (6) inches in any dimension. Maximum height of four (4) feet.

**Projecting sign** – A sign, other than a flat wall sign, which is attached to and projects from a building wall or other structure not specifically designed to support the sign. Typically projecting from the façade of a building and perpendicular to the pedestrian or vehicular right-of-way. Maximum area is to be determined as defined in “Area, of sign projecting and monument, and two-pole.”

**Premises** – A parcel of land with its appurtenances and building which, because of its unity of use, may be regarded as the smallest conveyable unit of real estate.

**Pylon sign** – see “pole sign.”

**Real estate sign** – A temporary sign advertising the real estate upon which the sign is located as being for rent, lease, or sale.

**Relocation of a sign** – The movement of the sign to a new or changed location and includes without limitation any movement of the sign to a new location on the same structure, on the same parcel or elsewhere. Any movement of a sign, no matter how slight, is a relocation.

**Removal fee** – The fee which is assessed for any temporary sign which is posted before, or remains after, the proscribed time frame stated in this chapter.

**Roof sign** – A sign which is attached to a structure located on a roof.

**Roofline** – The top edge of a roof or building parapet, whichever is higher, excluding any mansards, cupolas, pylons, chimneys, or minor projections.

**Rotating sign** – see “Animated sign, mechanically energized.”

**Sign** – Any device, structure, fixture, or placard using graphics, symbols, and/or written copy for the primary purpose of identifying, providing directions or advertising any establishment, person, product, goods, or services. Where the term “sign” is used, it shall refer to on-premise signs unless specifically noted otherwise.

**Snipe sign** – A temporary sign or poster affixed to a tree, fence, etc.

**Subdivision identification sign** – A freestanding monument or wall sign identifying a recognized subdivision, condominium complex, or residential development.

**Stand-alone sign** – A portable sign, in which its frame, support, or structure sits upon the ground and is readily movable. Such signs are prohibited from the view of vehicular or pedestrian public right-of-way.

**Structure** – Any mechanical component to which the actual advertising face is attached. Including the pole.

**Temporary sign** – A sign not constructed or intended for long-term use.

**Two-pole sign** – A sign constructed with two vertical support poles. The poles shall be mounted on the outside of the sign face or within the outside one-fourth ( $\frac{1}{4}$ ) of the sign face. A sign face may be mounted on top or between the two vertical poles.

**Under-canopy sign** – A sign suspended beneath a canopy, ceiling, roof, or marquee.

**Vertical banner** A banner hung or projecting from a banner pole in the public right-of-way designated for civic use.

**Wall sign** – A sign attached essentially parallel to and extending not more than twenty-four (24) inches from the wall of a building with no copy on the sides or edges. This definition includes painted, individual letter, and cabinet signs, and signs on a mansard. Wall signs shall be placed only on the sides of buildings with street frontage. Wall sign area shall be measured by the smallest polygon that can be drawn to outline and contain all letters, artwork, and logos, using no angle other than ninety (90) degrees.

**Window sign** – A sign applied directly onto a window or inside of a window and within ten (10) feet of the window. Window signs include without limitation the application of words and logos onto window glass, the use of hanging signs and paper signs. However, the display of non-copy merchandise shall be permitted provided the packaging and/or labels are not so extreme as to render it substantially advertising copy. Window signs shall not be animated signs, blinking signs, or electronic message boards.

**Under canopy sign** – A sign fastened under a canopy structure and mounted perpendicular to the face of the building from which the canopy projects.

**Use** – The purpose for which a building, lot sign, or structure is intended, designed, occupied, or maintained. (Ord. No. 272, Sec. 8.)

## **CHAPTER 9.16**

### **STREET NAMING**

**Sections:**

9.16.01 Mountain Drive

**9.16.01 Mountain Drive** The street in Greenland, Arkansas, formerly known as Mountain Drive which begins at its east end at North Allen and runs west to the top of the mountain for a distance of 1300 feet, more or less, shall hereafter be known as Wiles Road for all intents and purpose; the address numbering shall remain as formerly. (Ord. No. 216, Sec. 1.)

## **CHAPTER 9.20**

### **MASTER STREET PLAN**

**Sections:**

- 9.20.01 Map adopted by reference
- 9.20.02 Adoption of each part
- 9.20.03 Uses and occupations of lands
- 9.20.04 Violations

**9.20.01 Map adopted by reference** The Future Land Use Map and Master Street Plan hereby adopted are entitled "City of Greenland, Arkansas Future Land Use Map and Master Street Plan 2021" and were prepared by the Planning Commission under date of December 6, 2021, following a public hearing as required by state law, and the Future Land Use Map and Master Street Plan are hereby declared to be approved and incorporated by reference as if set out fully herein pursuant to A.CA 14-55-207. (Ord. No. 358, Sec. 2)

At least one copy of the Future Land Use Map and Master Street Plan, marked "Official Copy as Incorporated by Reference by Ordinance No. 358, "and to which there shall be attached a published copy of this Ordinance, shall be filed with the Recorder/Treasurer to be open for inspection and available to the public at all business hours. (Ord. No. 358, Sec. 3)

9.20.02 Adoption of each part In 2021, the City Council approved a proposal for the preparation of an update to the city's Future Land Use Map and Master Street Plan;

The Planning Commission made recommendations for approval of an updated map and plan and published proper notices that a public hearing would be held on December 2, 2021 for the purpose of considering such proposed map and plan; and

At the Planning Commission meeting on December 6, 2021, the Planning Commission recommended adoption of the map and plan and have transmitted said recommendations to the City Council.

The City Council has considered the recommendations of the Planning Commission and examined the proceedings of the Planning Commission and find them in order and conformity with city ordinances and state statutes. (Ord. No. 358, Sec. 1)

9.20.03 Uses and occupations of lands All uses and occupation of lands within each respective use area as shown on the attached Greenland Future Land Use Master Street Plan Map shall be in accordance with each described use as set forth on the Greenland Future Land Use Master Street Plan Map and no structures or improvements shall hereafter be permitted or allowed which encroach on the streets/roads depicted on the Greenland Future Land Use Master Street Plan Map. (Ord. No. 273, Sec. 3.)

9.20.04 Violations Disobedience to the provisions of the Greenland Future Land Use Master Street Plan Map and/or Master Street Plan and Land Use Plan in regard to the use and occupation of specific parcels of land within the city or encroachment on such depicted streets/road shall be punished as provided in the Greenland Municipal Code 1.32.01. (Ord. No. 273, Sec. 4.)