SIGN PERMIT APPLICATION City of Elkins

Phone (479) 643-3400 or fax (479) 643-3368

|  |  |
| --- | --- |
| Office Use Only | Permit # |
| Zoning District: | 1 |
| Planning Commission Variance | 2 |
| City Council Variance: | 3 |
| Sign Approved by: | Date: |

Off Site: \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_ Joint: \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_

Property Owner Signature if Off Site of Joint ID

|  |  |  |  |  |  |  |
| --- | --- | --- | --- | --- | --- | --- |
| BUSINESS INFORMATION:Name of Business: |  |  |  |  | Bus. Phone: |  |
| Business Owner: |  |  |  |  | Hm. Phone: |  |
| Bus. Owner Address: |
| Property Owner: |  |  |  |  | Phone: |  |
| Property Own. Add: |
| Sign Contractor: |  |  |  |  | Phone: |  |
| Contractor Address: |
| New Sign (s) or Alteration or Addition to Existing Sign(s), (Please circle: NEW | ALTERATION ADDITION) |  |
| Alteration or Addition to existing sign(s), specify: |
| List each Sign Type below: (Wall, Freestanding, Joint ID, Projecting, or Area ID or specify if other) |
| Type Sign | Valuation | *illumination* | Length | Width | Area | Fee |
| 1 |  |  |  |  |  |  | $ |
| 2 |  |  |  |  |  |  | $ |
| 3 |  |  |  |  |  |  | $ |
| 4 |  |  |  |  |  |  | $ |
| 5 |  |  |  |  |  |  | $ |
| Check must accompany sign application in the amount of-- |  |  | — Total Fee | $ |

Setback from Right of Way for Freestanding Sign: \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_, From nearest Property Line:\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_, Total Height:\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_

Type of display surface: \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_ Type of support: \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_

\*Please specify under illumination: Neon, Fluorescent, Incandescent, Direct, Indirect or None

|  |
| --- |
| Existing Sign(s) on this site: |
| List each sign: (Wall, Freestanding, Joint ID, Projecting, Area ID or specify if other) |
| Sign Type | Permit# | *illumination* | Length | Width | Area | Notes: |
| 1 |  |  |  |  |  |  |
| 2 |  |  |  |  |  |  |
| 3 |  |  |  |  |  |  |
| 4 |  |  |  |  |  |  |
| 5 |  |  |  |  |  |  |

# Drawing and Specifications MUST BE submitted with Permit Applicationfor Review and Approval BEFORE Installation.

*Permit becomes null and void if installation is not commenced within 6 months or anytime work on installation
is abandoned for a period of 6 months. Permit will he issued after installation is complete.*

Master Licensed Electrician shall obtain an electrical permit for power wiring before permit will be approved.

*I hereby certify that I have read and examined this application and know the same to be True and Correct. All provisions of law and ordinances governing this type of work will be complied with whether specified herein or not. The granting of a permit does not presume to give authority to violate or cancel the provisions of any other state of local law regulating construction or the performance of construction.*

\* \* \* All illuminated signs require an electrical permit\* \*

Sign Site Address: \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_

Applicant Signature: \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_ Date \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_

ORDINANCE NO: 9-5-2002

AN ORDINANCE ADOPTING A COMPREHENSIVE SIGN PERMIT PROCEDURE AND SIGN LAW REGULATING ERECTION AND MAINTENANCE OF SIGNS IN ELKINS, ARKANSAS; REPEALING ALL PAST SIGN ORDINANCES INCLUDING 01-27-20G0A, 2-13-97, AND 7-26-2001.

WHEREAS, the City Council has determined a need to adopt a procedure for permitting the erection and maintenance of signs within the City,

WHEREAS, the City Council charged the Planning Commission with the task of reviewing and making recommendations concerning a law controlling permits,

WHEREAS, the Planning Commission has studied existing law's relating to signs and viewed numerous signs within the City and has prepared a comprehensive suggestion to be considered and adopted by the City Council to control signs within the City,

NOW, THEREFORE, BE IT ORDAINED BY THE CITY COUNCIL OF ELKINS, ARKANSAS:

SECTION 1: That effective with the passage and approval of this Ordinance the following is hereby adopted as the sign permit and sign law of the City of Elkins, Arkansas;

**ENFORCEMENT** - An enforcement officer designated by the City Council shall administer the enforcement of the provisions of this ordinance,

**PENALTY** - If the enforcement officer finds that the provisions of this ordinance are being violated he or she shall notify in writing the person responsible for such violation- indicating the nature of the violation and ordering five (5) days’ time to correct the violation. Should the person, firm, corporation, or agent responsible for said violation fail to take the necessary action to correct if the enforcement officer shall notify the City Council, which may certify the violation to the City Attorney. The City Attorney shall, within seven days, apply to a court having jurisdiction to remove the violation. Each day a violation exists after expiration of the removal period and notification by the enforcement officer is considered a separate offense. The violator may also be charged with a misdemeanor and be subject to a fine of not less than $25,00 nor more than $50.00 per day.

**DEFINITIONS** - Certain words in this ordinance are defined for the purpose of clarity and are as follows:

1. Area Sign. (Signs) A sign to identify a common area containing a group of structures, or a single structure on a minimum site of one acre, such as a residential subdivision, residential, office, commercial or industrial subdivision, apartment complex, mobile home park, or shopping center located at the entrance or entrances of the area, and consisting of fence or wall or archway with letters or symbols affixed thereto or other supporting structure as approved by the enforcement officer.
2. **Joint Identification Sign.** (Signs) A sign which serves as common or collective identification for a group of persons or businesses operating in the same subdivision or lot in a residential, office, commercial or industrial district (e.g., shopping center, office complex, etc.) Such sign may name the persons or businesses included but carry no other advertising matter.
3. Monument Sign. A freestanding sign with a maximum height of six feet above the surrounding finish grade and is in contact with and supported by the ground.
4. Free Standing. Self-supporting attached to ground but not to a structure.
5. **Free Standing Bulletin Board.** Any free-standing sign of a non-commercial nature.

SECTION 1. **GENERAL REGULATIONS**

1. **Permit Required,** It shall be unlawful for any person to erect, alter, relocate or keep within the City any sign or other advertising structure except as exempted herein without first obtaining a sign permit from the City Recorder/Treasurer's office,
2. **Illuminated -Signs.** All illuminated signs shall, in addition, be subject to the provisions of the electrical code, and the permit fees required,
3. Fees. Every applicant, before being granted a permit, shall pay to the Recorder/Treasurer’s office the permit fee established by the City Council
4. **Maintenance** of **Premises.** All signs and the premises surrounding the same shall be maintained by the owner thereof in a clean, sanitary, and inoffensive condition, and free and clear of all obnoxious substances, rubbish, and weeds.
5. **Privilege.** All rights and privileges acquired under the provisions of this chapter or any amendments thereto are mere licenses revocable at any time by the enforcement officer and all such permits shall contain this provision. Appeals may be made to the City Council.

SECTION II. **PERMIT APPLICATION/ISSUANCE**

1. **Application.** Application for initial sign permits shall be made upon forms provided by the City’s Recorder/Treasurer office and shall contain or have attached thereto the following information:
2. **Applicant Identification.** Name, address, and telephone number of the applicant. In the case of a legal entity, also the name, address, and telephone number of a contact person.
3. **Location,** Location of building, structure, or lot to which or upon which the sign or other advertising structure is to be attached or erected.
4. **Position.** Position of the sign or other advertising structure in relation to nearby buildings or structures.
5. **Blueprints/Drawings.** Two blueprints or ink drawing of the plans and specifications and method of construction and attachment to the building or in the ground.
6. **Person Erecting Structure.** Name of person, firm, corporation, or association erecting structure.
7. **Consent of Owner.** Written consent of the owner (or his representative) of the building, structure, or land to which or on which the sign is to be erected.
8. **Electrical Permit.** Any electrical permit required and issued for said sign. Application requesting electrical permit for proposed sign must accompany sign application.
9. **Other Information.** Such other information as the enforcement officer shall require showing full compliance with the codes of Elkins.
10. **Issuance** of **Sign Permit.** It shall be the duty of the enforcement officer, upon the filing of an application for an erection permit, to examine such plans and specifications and other data and the premises upon which it is proposed to erect the sign or other advertising structure, and if it shall appear that the proposed structure is in compliance with all the requirements of this ordinance and all other laws and ordinances of the City, he shall then issue the erection permit. If the work authorized under and erection permit has not been completed within six months after date of issuance, the said permit shall become null and void.

EXEMPTIONS,

1. **Exemptions.** Exemptions shall not be construed as relieving the owner of such signs from the responsibility of complying with certain applicable provisions of this chapter. The exemptions shall apply to the requirement for sign permit only, and no sign permit shall be required for the erection of the following signs:

SECTION III

1. **Professional Nameplates.** Professional nameplates erected flat on walls or door(s) of building and not exceeding four square feet of display surface area. Refer to 11.2 for the number of signs.
2. **Building Construction Signs.** One on-site building construction sign on each construction site in any zoning district, provided that maximum display surface area shall not exceed thirty-two (32) square feet in all zoning districts.
3. **Real Estate Signs.** On a lot in any district, there may be erected one on-site unanimated real estate sign; provided, when a lot is listed simultaneously with two real estate firms, one such sign per firm shall, be permitted. Provided further, such signs shall be limited to wall signs, freestanding signs or platform signs; and, freestanding signs or platform signs shall be set back a minimum of ten feet from the street. The permitted illumination and maximum display surface area for a real estate sign shall be as follows:

|  |  |  |
| --- | --- | --- |
| District | PermittedIllumination | Area (Sq. Ft.) |
| A | Mon-Illuminated | 32 |
| R-O | Non-illuminated | 8 |
| P, C & I | Non-Flashing | 32 |

1. **Home Occupation Signs.** Home occupation sign erected flat against the wall and not exceeding three square feet.
2. **Memorial Signs, Name Signs.** Memorial signs or tablets, names of building and date of erection when cut into any masonry surface or when constructed of bronze or other incombustible materials.
3. **Traffic Signs, etc.** Traffic or other municipal signs, legal notices, stop, speed limit, yield, railroad crossing signs, danger, and such temporary, emergency or non-advertising signs as may be approved by the City Council.
4. **Posting Bills, Repainting Signs.** Posting of bills on signs, repainting of signs, or the changing of letters or numbers on signs designed for changeable lettering or numbering that were legally erected and maintained for such purposes.

***Note: The repainting of a sign requires a permit when a new owner exists and the***

***name, wording*, *etc. is changed.***

1. **Districts Where Signs Not Otherwise Permitted.** In districts where signs are not otherwise permitted. A political sign may be erected but said sign shall be

*Elkins Sign Permit Procedures* 3

removed 72 hours following the final election to which ii applies; the owner of the property on which said sign is placed shall be responsible for its removal.

1. Sign Permitted. In districts where signs are otherwise permitted, political signs shall meet those requirements.
2. Time and Temperature Displays. Time and temperature display without advertising matter, providing all dimensions and setbacks prescribed herein for signs similarly located are maintained.
3. Banners.

3.12**A** Public/Private Events. Banners shall be exempted when used in conjunction with public and private events as follows:

1. (a) Election Campaigns. Election campaign banners when said banners are not placed more than ten days prior to and are removed within 72 hours following the election to which the banner applies.
2. (b) Public Events. Public event banners may be set out ten (10) days before the event and shall be removed within 72 hours following the event to which the banner applies.
3. (c) Private Sales Events. Banners placed on private property for advertising a special sales event shall be removed within 72 hours following the special sales event to which the banner applies.
4. Advertising. Banners bearing advertising matter shall be considered wall or freestanding signs, depending upon mounting, and shall meet all regulations pertaining thereto. A permanent sign shall replace temporary business banners within (60) sixty days of the opening of the business.
5. Signs Located in Building. All signs located within a building.
6. Signs on Windows. Signs painted on, or affixed to, glass surfaces of windows or doors and pertaining to the lawful business conducted therein.
7. Directional Identification and Informational Signs. Directional, identification and informational signs; provided, such signs shall be limited to wall and freestanding signs with a maximum of four-square feet of display surface area. Notwithstanding the restrictions on the location and number of freestanding signs, one freestanding sign not exceeding four square feet in display surface area shall be permitted at each entrance or exit on a lot or parcel to identify such entrance or exit and to encourage the use of motor vehicle seatbelts, subject to the following restrictions:
8. Traffic Hazard. No such sign shall be erected which would create a traffic hazard.
9. Collection Boxes. Collection boxes for charitable or nonprofit organizations containing no commercial advertising and located on private property in any C or I Zone District.
10. Subdivision Signs. In any district, one temporary subdivision identification sign indirectly illuminated, not to exceed 50 square feet in area per side may be erected at any principal entrance to a subdivision, provided that in no event shall such sign remain for more than six months after completion of the subdivision within 50 feet of a dwelling in any R District occupied as a dwelling.

.3.18 Freestanding Bulletin Boards. A freestanding bulletin board shall be set back a minimum of one (1) foot from street right-of-way; and any bulletin board having a display surface area in excess of ten square feet per side shall be set back from street right-of-way an additional one-foot for each two square feet of display surface area in excess of ten square feet.

3.19 **Fences and Scoreboards in City Parks and Schools.** Signs may be permitted on baseball/softball fences and scoreboards in city parks and schools.

SECTION **TV** **SIGN REMOVAL**

1. Sign Removal. Any business that is closed at the time of passage of this ordinance or thereafter closed for a period of 60 days, the sign owner or lessee, or the property1 owner, shall have thirty (30) days to remove any sign identifying or advertising said business or any product sold thereby; provided, however, this requirement shall not apply where under the provisions of this chapter an existing conforming sign may be altered to advertise a new business to be in operation on the premises within 60 days.

SECTION V NONCONFORMING SIGNS

1. **Nonconforming** Signs. For the purpose of this section, a nonconforming sign shall be defined as a sign existing on or before the effective date of this ordinance, which could not be built under the terms of this chapter or under the terms of Zoning,
2. **On-Site, Nonconforming Signs.** All on-site, nonconforming signs not otherwise prohibited by the provisions of this chapter shall be removed or shall be altered to conform to the provisions of this chapter when the nature of the business conducted on the premises changes and. the sign is changed or modified either in shape, size, or legend, or when the name of the business changes and the sign is changed or modified either in shape, size, or legend, or on or before January 1, 2010. whichever occurs sooner.
3. **Off-Site, Nonconforming Signs.** Off-site, nonconforming signs not otherwise prohibited by the provisions of this chapter shall be removed or shall be altered so as to conform to the provisions of this chapter on or before January 1, 2005.
4. **Enlarge/Alter.** No Nonconforming signs may be enlarged or altered in a way that would increase its nonconformity.
5. **Damage/Repiace.** Should any nonconforming sign be damaged by any means to an extent of more than 50% of its replacement cost at time of damage, it shall not be reconstructed except in conformity with the provisions of this chapter.

SECTION VI **PLACING SIGNS ON PUBLIC AND PRIVATE PROPERTY.**

1. Placing Signs on Public Property.
2. **Agencies of Government.** No signs, other than signs placed by agencies

of government, shall be erected on any public property without the consent of the city or state.

6.L2 **Nonprofit Organizations.** Nonprofit organizations shall be allowed to place temporary signs of a noncommercial nature on public property for the purpose of directing the public to the location of an event or activity that promotes the public welfare. The placement of such temporary signs shall be subject to the following conditions:

1. **Display Surface Area.** The maximum display surface area of each sign shall not exceed sixteen square feet per side.
2. **Number of Signs.** No More than three signs directing the general public to such an event or activity shall be placed on public property at the same time by one such organization.
3. **Organization Name.** Each such sign shall identify the nonprofit organization by name.
4. **Temporary Sign.** No such temporary sign shall be placed on public property for more than five successive days.
5. **Location/Approval.** The location of each such sign shall be approved by the enforcement officer to ensure that the signs will not constitute a traffic hazard.
6. Permit/Number of Signs. When an organization applies for and is issued a sign permit: one permit may authorize installation of up to three signs pursuant to the provisions of this section.
7. **Frequency.** No Such organization shall install, or he issued a permit to install a temporary sign on public property pursuant to the provisions of this division more often than six times within a 12- month period.
8. **Placing Signs on Private Property.** No signs shall be placed on any private property without the consent of the owner thereof
9. **Placing Signs on Utility Poles.** No signs shall be placed on any utility pole **except** for utility identification or similar purposes.

SECTION VII PROHIBITED SIGNS.

1. **Spotlights and Beacons.** It shall be unlawful for any person to continue in operation or erect any attraction device or sign, which contains a beacon of any type and contains a spotlight providing direct illumination beyond the sign it is illuminating.
2. **Signs that Constitute a Traffic Hazard.** No sign or other advertising structure as regulated by this chapter shall be erected or continued to be displayed at the intersection of any street in such a manner as to obstruct free and clear vision; or at any location where, by reason of the position, shape, or color, it may interfere with, obstruct the view7 of, or be confused with any authorized traffic sign, signal or device.
3. **Use of Vehicle as a** Sign. **It** shall be unlawful to use a vehicle or a trailer as a sign in circumvention of this ordinance.

•7.4 Roof Signs, Roof signs shall not be permitted except on appeal to the City Council.

SECTION VIII SIGN ILLUMINATION.

1. Sign Illumination. All external light bulbs shall be restricted to light bulbs of 40 waits or less. Except for light bulbs providing direct illumination pursuant to 7.1.

SECTION IV FREE STANDING SIGNS.

1. Free Standing Signs. It shall be unlawful to erect any free-standing sign which total height is greater than 30 feet above the level of the street upon which, the sign faces. Free standing signs shall be permitted to be erected in the city subject to the following:
2. On-Site.
3. Number of Signs. Only one on-site freestanding sign, which may be a joint identification sign, shall be permitted on a lot or at a business operating on two or more adjoining lots.

9.1X2 Display Surface Area. Display surface area shall not exceed 120 square feet per side.

9X1.3 Illumination. Sign may be illuminated by direct or indirect illumination.

1. Setback from Right-of-Way. Setback shall be minimum of one (1) foot from the existing street right-of-way, air space included.
2. Adjoining Property. May be erected a minimum of one foot from adjoining property, air space included.
3. Joint Identification Sign. The display surface area of a complex sign shall not exceed 100 square feet each side and a sign for each business within the complex shall not exceed 20 square feet each side,
4. Off-Site.
5. Number of Signs. Only one off-site freestanding sign shall be permitted per lot.

9X2.2 Display Surface Area, Display surface area shall not exceed 32 square feet per side.

9X2.3 Illumination. Signs may be illuminated by direct or indirect illumination.

1. Setback from Right-of-Way. Setback shall be a minimum of (1) foot from the existing the street right-of-way, air space included.
2. Adjoining Property. May be erected a minimum of one foot from adjoining property, air space included.
3. Joint Identification Sign. Joint identification sign shall be limited

to 16 square feet per side for each business. The enforcement officer must approve any combination of on-site and off-site joint identification signs.

SECTION X PROJECTING SIGNS.

1. **Location.** Projecting signs shall be located on the vertical surface of a building and shall not be higher than the eave or rafter line, whichever is higher. Projecting signs shall clear grade level below the sign by a minimum of eight feet and shall not project from the building more than four (4) feet.
2. **Display Surface Area.** The display surface area of a projecting sign shall not exceed 16 square feet per side. Only one projecting sign per business shall be permitted and a projecting sign shall not be permitted on property that has a freestanding sign.
3. **Off-Site.** Off-site projecting signs shall be prohibited in all zoning districts.
4. **On-Site.** On-site projecting signs shall be prohibited in A and R zoning districts.

SECTION XI WALL SIGNS.

1. Projection.
2. **General.** Wall signs shall not project more than **18** inches from the surface upon which they are mounted.
3. **Mansard Roof.** The upper edge of a wall sign mounted on a mansard roof may project more than 18 inches so long as the sign is perpendicular to the ground.
4. Number of Signs.
5. **Multiple Tenants.** Where a building houses more than one business, wall signs, professional nameplate signs, home occupancy signs, memorial signs, and name signs shall be limited in number to one exterior wall sign per business on each wall with a limit of four wall signs per business per building. Add professional nameplate, home occupancy, memorial sign, name sign.
6. Single **Tenant.** Where a building houses only one business, a maximum of four wall signs may be placed on one wall, but no more than four wall signs may be placed on the building.
7. Display Surface Area.
8. **Number of Signs.** The total display surface area of all wall signs on any one wall shall not exceed 150 square feet or 20% of the area of the wall on which they are located, whichever is greater.
9. **Multiple Tenants. In** the event a building which houses multiple tenants does not front on the street or highway from which principal access to the building is obtained, the display surface area of each sign on a wall shall not exceed 150 square feet or 20% of the area of the wall and the display surface area of all wall signs on the wall facing said street or highway shall not exceed the area of the wall.
10. **Off-Site Wall** Signs. Off-site wall signs shall be prohibited in all zoning districts.
11. **Limitations in** Any **R and O Districts.** In any R and O zoning districts, the following limitations shall apply:
12. **Number of** Signs. Limit of one on-site wall sign per business per building; provided, when a building abuts more than one street, the limit shall be one on-site wall sign per business per building for each wall which faces an abutting street.
13. **Display Surface Area.** Display surface area shall not exceed **16** square feet for each sign.

SECTION XII AREA SIGNS.

1. **Size/Location.** The enforcement officer, who will approve such structure upon the criterion of traffic safety sight lines, must approve the size and location of the fence, wall, or other structure that will contain the area identification sign.
2. **Display Surface Area.** The maximum display surface area of area identification signs shall not exceed 32 square feet.

SECTION XIII GARAGE AND YARD SALES

1. **Garage and Yard Sales.** One on-site and three off-site temporary' signs can be posted, however, posting may not occur more than two days before the sale begins. Signs are not to be in the public right-of-way. Each sign shall not exceed four and one-half square feet in area. All signs shall be removed by 8:00 a.m. on the day following the sale.