

ORDINANCE NO. 240

AMENDING ORDINANCE NO. 169, SECTION 11. SIGNS, AMENDING THE LISTED SECTIONS AND CHANGING THE PAGE NUMBERS THEREAFTER, FOR THE CITY OF BETHEL HEIGHTS, ARKANSAS

WHEREAS, The City of Bethel Heights has previously enacted Ordinance No .169

NOW THEREFORE, Ordinance No. 169 shall be amended to add the following changes;

Section 1. Amending Section 1. Definitions, deleting the definition for Sign page (4).

Amending Section 2. R-1, (g) Permitted Signs to read: See Signs - Section 11 (1) General Regulations and deleting numbers 1., 2., 3., 4., and 5.

Amending Section 3. R-2, (g) Permitted Signs to read: See Signs - Section 11 (1) General Regulations and deleting numbers 1., 2., 3., 4., and 5.

Amending Section 4. R-3, (g) Permitted Signs to read: See Signs - Section 11 (1) General Regulations and deleting numbers 1., 2., 3., 4., and 5.

Amending Section 5. R-MH, (g) Permitted Signs to read: See Signs - Section 11 (1) General Regulations and deleting numbers 1., 2., 3., 4., and 5.

Amending Section 6. B-1, (f) Permitted Signs to read: See Signs - Section 11 (1) General Regulations and deleting numbers 1., 2., 3., and 4.

Amending Section 7. B-2, (f) Permitted Signs to read: See Signs - Section 11 (1) General Regulations and deleting numbers 1., 2., 3., and 4.

Amending Section 8. I, (f) Permitted Signs to read: See Signs - Section 11 (1) General Regulations and deleting numbers 1., 2., 3., and 4.

Amending Section 11. Signs, 1. General Regulations to include:

**e. Prohibited locations. No sign shall be erected, used or maintained which is:**

1. Located within an eight-foot radial clearance from overhead electrical conductors which are energized from zero to 750 volts or within a ten-foot radial clearance from any conductors energized at more than 750 volts (the term "overhead electrical conductors" as used in this section shall include any electrical conductor, either bare or insulated, installed above the ground except such conductors as are enclosed in iron pipe or other metal covering of equal strength).
2. Located within ten feet of a fire hydrant.
3. Located on public property, within or above any public property or right-of-way or upon any utility pole unless placed by authorization of a government agency.

4. Attached to any rock or tree.
5. Erected upon or directly above the roof of any building which is unsafe in the reasonable judgment and determination of the chief city inspector.

**f. Setback requirements. No sign shall be erected, used or maintained except in conformance with the following:**

1. Front Setback: All signs shall be placed so that the leading edge of the sign shall be setback a minimum of two feet behind the proposed street right-of-way line as outlined in the adopted master street plan.
2. Side setback: All signs shall be set back a minimum of ten feet from the nearest side property line.
3. Exceptions: The setback requirements of this section shall not apply to:
  - a. Wall signs which otherwise conform to all provisions of this section and which are mounted on building walls lawfully sited within the setback space.
  - b. Street island signs which otherwise conform to the provisions of this section which shall be set back a minimum of four feet from any edge of the sign to the back of any curb of the island.

**g. Construction requirements generally.**

1. Compliance. The supports for all signs or sign structures shall be securely built, constructed and erected in conformance with the requirements of this Code.
2. Materials. Materials used for the construction of signs and sign structures shall be of the quality and grade as specified for buildings in the latest adopted International Building Code. In all signs and sign structures, the materials and details of construction shall, in the absence of specified requirements, conform with the following: Structural steel shall be of such quality as to conform with Chapter 16, 2000 International Building Code or latest adopted addition. Secondary members in contact with or directly supporting the display surface may be formed of light gauge steel, provided such members are designed in accordance with the specifications of the design of light-gauge steel as specified in Chapter 16. Secondary members, when formed integrally with the display surface, shall not be less than number 18-gauge in thickness. When not formed integrally with the display surface, the minimum thickness of the secondary members shall be at least number 20-gauge in thickness. The minimum thickness of hot-rolled steel members furnishing structural support for signs shall be at least one-eighth inch. Steel members may be connected with one bolt provided the connection is adequate to transfer the stresses in the members.
3. Nonstructural trim. Nonstructural trim may be of wood, metal, approved plastics or any combination thereof.
4. Restrictions and combustible materials
  - a. All electric signs and electrical sign structures shall have structural members of incombustible materials.
  - b. Ground signs may be constructed of any material meeting the requirements of this chapter, except as provided above.

- c. Wall signs, projecting signs, and signs on marquees shall be constructed of incombustible materials, except as provided in this section. No combustible materials other than approved plastics shall be used in the construction of electric signs.

**h. Requirements for specific sign types.**

1. Billboards. No billboard shall be constructed, erected, used, or maintained within the city except in compliance with the following provisions:
  - a. Billboards shall be located only in specified commercial and industrial zones and shall not be placed within 300 feet of any residential zone.
  - b. Each billboard shall have a maximum of two sign faces, one per each side, supported by the same structural foundation. Each face shall have a maximum total area of 300 square feet, except that billboards located adjacent to a divided highway may have a maximum sign face area of 600 square feet. All measurements shall include sign face framework and decorative or other additions.
  - c. No billboard shall be located within 1,320 feet of another billboard.
  - d. No billboard shall exceed 45 feet in total height.
2. Neon signs. For purposes of this provision, the term "neon signs" shall include all signs using neon gas whether or not located inside or outside of a permanent building. Neon signs shall be constructed and erected according to the current national electrical codes and building codes.
3. Projecting signs. Projecting signs shall be located a minimum of ten feet from any other such sign and shall not exceed 32 square feet in sign face area.
4. Flashing signs. Flashing and animated signs of all types are expressly prohibited.
5. Temporary signs. Temporary signs of rigid material shall not exceed six feet in height and shall have a maximum sign face area of 32 square feet and a maximum sign area of 64 square feet. Non rigid temporary signs shall not exceed a sign area of 200 square feet. Temporary signs shall be anchored or designed to resist overturning and shall comply with the National Electrical Code. Temporary signs shall be erected, used or maintained on any lot or parcel for a period not exceeding 90 days in any 12 month period; provided, however, that banners or pennants may be used on any lot or parcel for an unlimited period. Private banners or pennants shall be extended onto or above public property or the public right-of-way only by authorization from the city inspector.
6. Wall signs. No wall sign shall extend above any adjacent parapet or roof of the supporting building nor exceed a sign area of 300 square feet or 30 percent of the area of the wall face on which the sign is located, whichever is less. Wall signs shall be mounted in compliance with the specifications of Table No. 1:

TABLE NO. 1

PROJECTION OF WALL SIGNS FROM BUILDING WALL

Clearance (above grade) (feet)	Maximum projection
Less than 9	2"
9	1'
9 to 16	1' plus 6" for each foot of clearance in excess of 9'
Over 16	5'

7. Street island signs. Street island signs shall not exceed a height of three feet above the top of the curb; and the maximum sign face area shall not exceed 15 square feet. Such signs may be placed only in curbed street islands or medians with a minimum width of ten feet back-of-curb to opposing back-of-curb.
8. Church, synagogue and /or organizational signs. These signs shall be allowed only on premises and may include non flashing wall or projecting signs with a sign area not to exceed 32 square feet, a non flashing, freestanding sign no larger than 300 square feet per sign face. Sign height shall not exceed 40 feet.

**i. Anchorage**

1. Members supporting unbraced signs shall be so proportioned that the bearing loads imposed on the soil in either direction, horizontal or vertical, shall not exceed the safe values. Braced ground signs shall be anchored to resist the specified wind load acting in any direction. Anchors and supports shall be designed for safe-bearing loads on the soil. Anchors and supports shall penetrate to a depth belowground greater than that of the frostline.
2. Signs attached to masonry, concrete or steel shall be safely and securely fastened thereto by means of metal anchors, bolts or approved expansion screws of sufficient size and anchorage to support safely the loads applied.
3. No wooden block or plugs or anchors with wood used in connection with screws or nails shall be considered proper anchorage except in the case of signs attached to wood framing.

**j. Definitions.**

The following words, terms and phrases, when used in this chapter, shall have the meanings ascribed to them in this section, except where the context clearly indicates a different meaning:

**Banner sign** means a sign made of fabric or any nonrigid material with no enclosing framework.

**Billboard** means a freestanding sign not in excess of 600 square feet per sign face area as provided by section h. – (1.) - b.

**Building frontage** means the wall of the building that determines where signs can go and how large they can be. Only walls that face a street, driveway, or parking lot, which serves the building use, may be counted as building frontage.

**Building inspector** means the chief city inspector or his duly authorized representative.

**Construction sign** means a sign identifying an architect, contractor and/or material supplier participating in construction on the property upon which the sign is located.

**Divided highway** means a public highway of four or more through traffic lanes with opposing traffic lanes separated by a median area at least 15 feet in width and built to interstate highway standards.

**Flashing sign** means a sign which contains an intermittent or sequential flashing light source used primarily to attract attention. The term "flashing sign" does not include animated signs or signs which, through reflection of natural or automobile light sources, create an illusion of flashing, intermittent light or signs using movement or change of lighting to depict action or signs on which the copy changes automatically or through mechanical means, e.g., electronic time/temperature displays.

**Freestanding sign** means a sign supported upon the ground only by its own structural foundation and not attached to any building or other object or structure.

**Garage/porch/yard sale sign** means a sign advertising the sale of goods from residential property.

**Government sign** means a sign used solely by a local, state or federal government or agencies thereof or by any public utility company for the purpose of giving notice of matters of public safety or of governmental concerns.

**Height of a sign** means the vertical distance measured from the highest point of the sign and/or structural foundation to the grade of the adjacent street or of the ground surface grade beneath the sign, whichever grade is lower.

**Pennants** means triangle pennants or flags on strings; also includes strip pennants, polypennants, slogan pennants and racetrack starter pennants.

Person means any individual, corporation, association, firm, partnership or legal entity whatsoever.

Political sign means a sign advertising any candidate or any position on an issue upon which the citizens of the city may vote.

Projecting sign means a sign other than a wall sign which extends from and/or is supported by a wall or roof of a building or other structure.

Real estate sign means a sign advertising the availability of any particular real property.

Roof sign means a sign erected upon or above a roof or parapet of a building or structure.

Sign means any device, structure, fixture, display field or placard, designed for the display of or displaying graphics, any communicative symbols or message and/or written copy, and the structural foundation thereof which is located outdoors or which is not entirely located under the roof and entirely surrounded by the vertical plane of interior walls, including windows and doors, of a permanent building.

Sign area means the aggregate square-foot area enclosed by the perimeter of the sign face, including framework and decorative roofing or other embellishments but not including structural foundation, with each face contributing to the aggregate area. The sign area of wall signs composed of letters or symbols displayed against the wall as background with no distinguishing background coloration/decoration shall be calculated by measuring the area encompassing all the letters or symbols constituting the sign. The combined areas of the individual figures shall be considered the total sign area.

Sign face means any single planar surface of a sign, including the sign's framework or decorative embellishments, but not including structural foundation.

Sign face area means the aggregate area enclosed by the perimeter of any sign face.

Special occasion sign means a sign advertising a special occasion, such as a family reunion, birth of a child, school play, special church event or similar noncommercial function.

Street island sign means any sign placed in a curbed island in a street right-of-way.

Structural foundation means a structure or supporting member affixed to the premises for the purpose of supporting or displaying a sign but carrying no graphic or communicative symbol other than that within the sign area.

Temporary sign means a sign meeting the requirements of section h. - 4.

Traffic/directional sign means a sign bearing only property numbers, post box numbers, names of occupants on premises or words or symbols guiding traffic or parking on private property and having no other message or any commercial connotation.

Wall sign means a sign which is attached to and supported by the vertical wall of a permanent building and which is entirely within a plane which is:

(1) Coplanar with the wall; or

(2) Parallel with the plane of the wall and is removed therefrom only by structural foundation.

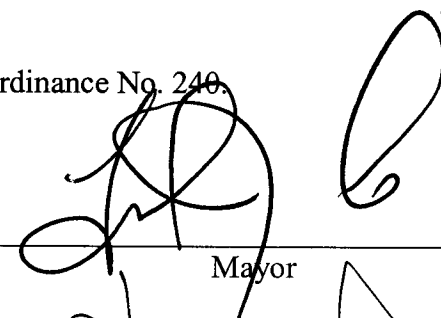
State law reference(s)--Traffic control devices shall conform to state specifications, A.C.A. § 27-52-106(2).

THEREFORE, that the remainder of Ordinance No. 169 shall remain in full force and effect.

Passed and approved this 19<sup>th</sup> day of July, 2007.

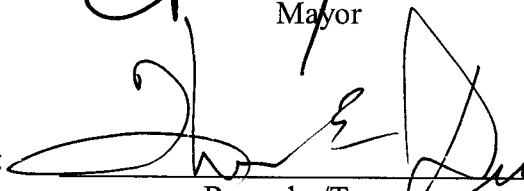
Approval of Ordinance No. 240.

APPROVED:

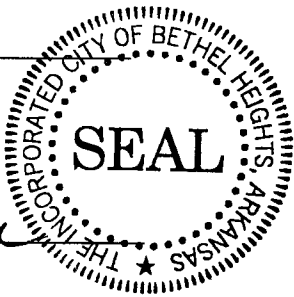


Mayor

ATTEST:



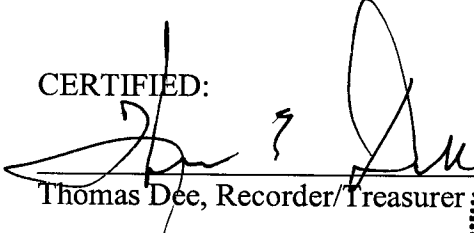
Recorder/Treasurer



Certification

I, Thomas Dee, do hereby certify that this is a true and correct copy of Ordinance No. 240, an ordinance amending Ordinance No. 169, Section 11, Signs.

CERTIFIED:



Thomas Dee, Recorder/Treasurer



Date:

7-19-07