

Chapter 210

SIGNS AND BILLBOARDS

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[HISTORY: Adopted by the Common Council of the City of Franklin 8-5-1997 by Ord. No. 97-1461 as Ch. 22 of the 1997 Code. Amendments noted where applicable.]

GENERAL REFERENCES

Electrical standards — See Ch. 118.
Public nuisances affecting peace and safety — See § 178-5A.

Streets and sidewalks — See Ch. 222.

§ 210-1. Scope of regulations.

Except as otherwise regulated herein, the regulations of this chapter shall govern all outdoor signs, advertising structures or devices with respect to location, safety, size, construction, erection, attachment, support, anchorage and maintenance.

§ 210-2. Definitions.

For the purpose of this chapter, the following words and phrases shall have the meanings assigned to them in this section:

APPROVED COMBUSTIBLE MATERIALS — Wood, combustible plastics or other rigid material impervious to water.

APPROVED COMBUSTIBLE PLASTICS — Only those combustible plastic materials which, when tested in accordance with the American Society for Testing and Materials Standard Method of Testing for Flammability of Plastics over 0.050 inch in thickness, D635 (Latest Revision), burn no faster than 2.5 inches per minute in sheets of 0.060 inch thickness.

BASE SETBACK LINE —

- A. The ultimate street line as established by the Master Plan of the City and/or by an Official Map of the City. On all such streets, the base setback line shall be located at a distance from the center line of such street or 60 feet from the center point of a cul-de-sac, unless specifically designated otherwise by the Council of the City.

- B. The base setback line of frontage roads shall be located at a distance from the center line of such road equal to 1/2 of the right-of-way width of said frontage road.
- C. All setback lines shall be parallel to and measured at right angles to the center line of the street or highway.

BILLBOARD —

- A. Outdoor advertising on a board, poster, panel structure or device of any kind used or intended to be used for advertising or display painted therein, or for the affixment, attachment or support of printed posters or other advertising matter, and constructed, erected and located on any premises or attached to a wall or placed on a roof of a building or structure now owned or occupied by the person for whose use such billboard is constructed, erected, located or attached, and when used for purposes other than advertising, the business conducted on such premises or in such building or structure.
- B. Such outdoor advertising constructed, erected and located as aforesaid used for the purpose of advertising the business conducted on premises or in a building or structure shall be deemed a sign.

BULLETIN BOARDS — A sign not to exceed 15 square feet, located on public, charitable or religious institutions.

CANOPY SIGN — A sign attached to or supported by a canopy.

DISPLAY SURFACE — The surface made available on the sign or billboard structure, either for the direct mounting of letters and decorations or for the mounting of facing material intended to carry the entire advertising message.

FACING — The surface of the sign or billboard upon, against or through which the message of the sign or billboard is exhibited.

GROUND SIGN OR GROUND BILLBOARD — A sign or billboard which is supported by one or more uprights or braces in or upon the ground.

HOOD SIGN — A sign attached to or supported by a hood.

LETTERS AND DECORATIONS — The letters, illustrations, symbols, figures, insignia and other services employed to express and illustrate the advertising message.

MARQUEE SIGN — A sign attached to or supported by a marquee.

MASTER SIGN PROGRAM — The establishment of an identification program for any multitenant operation within the City, including, but not limited to, office parks, industrial parks and multitenant office and retail buildings. The intent of a master sign program is to give a uniform theme of size, color and style to signs in such a development. Each sign covered by a master sign program must be permitted separately. **[Added 11-20-2007 by Ord. No. 2007-1934]**

MOBILE SIGN — Any sign or billboard which lacks parts making it stationary or which is not stationary and which is located on any premises for longer than 48 hours.

MULTIPLE-TENANT COMMERCIAL CENTER (MTCC) — A commercial development that contains a number of separate commercial activities in which there are appurtenant facilities, such as parking or a pedestrian mall, and which is designed to provide a single area in which the public can obtain varied products and services. Distinguishing characteristics of a MTCC may, but need not, include common ownership of the real property upon which the center is located, common wall construction and multiple-occupant commercial use of a single structure. For the purpose of this chapter, MTCC also includes separate parcels sharing common walls and facilities, but not necessarily common owners. MTCC can be office, retail, or mixed use in character. [Added 11-20-2007 by Ord. No. 2007-1934]

OUTDOOR ADVERTISING — Any structure or device that is arranged, intended, designed or used as an announcement, declaration, demonstration, display, illustration, indication, symbol, insignia or emblem used to advertise, identify or promote the interests of any person when the same is placed out of doors in view of the general public, and shall include the supports, uprights, bracing, framework and trim.

PLANNED DEVELOPMENT — A collection of like-use buildings, residential (in the case of mixed-use development), office, or industrial in nature, designed and constructed contemporaneously and in close proximity to each other as part of a single integrated project, including, but not limited to, office or industrial parks. [Added 11-20-2007 by Ord. No. 2007-1934]

PROJECTING SIGN — A sign affixed or attached directly to the exterior wall of a building or structure and extending more than 10 inches from the exterior wall of the building or structure.

ROOF SIGN OR ROOF BILLBOARD — A sign or billboard constructed, erected and maintained on or above the roof of any building or structure.

SIGN — Any outdoor advertising other than a billboard.

SUBDIVISION EMBLEM — A device, structure or symbol affixed permanently to the ground, used and adopted as an identifying mark for the subdivided area.

TEMPORARY SIGN — Any sign, banner, pennant, valance or advertising display constructed of cloth, canvas, light fabric, cardboard, wallboard or other light materials, with or without frames, intended to be displayed for a period not to exceed 30 days.

TRIM — The moldings, battens, cappings, nailing strips, latticing and platforms which are attached to the sign or billboard structure.

WALL SIGN OR WALL BILLBOARD — A sign or billboard fixed or attached directly to the exterior wall of a building or structure and extending not more than 10 inches from the exterior wall of the building or structure.

§ 210-3. Permits and fees.

A. Permit required.

- (1) No person shall erect, construct, enlarge, move, relocate or maintain any sign or billboard regulated in this chapter without first obtaining a permit therefor from the Building Inspector and paying the fee prescribed in this section.
 - (2) In addition to the permit required in Subsection A(1), a permit shall also be obtained for electrically illuminated signs and billboards from the Electrical Inspector under Chapter 118, Electrical Standards, § 118-23.
- B. Application for permit. Application for sign erection permits shall be made upon blanks provided by the Building Inspector and shall contain or have attached thereto the following information:
- (1) Name, address and telephone number of applicant.
 - (2) Plot plan showing the location of the building, structure or lot to which or upon which the sign or other advertising structure is to be attached or erected and the sign or billboard location.
 - (3) The location and type of any other signs or billboards located or proposed to be located on the property.
 - (4) Drawing of the sign or billboard to a scale not less than 1/2 inch equals one foot.
- C. Issuance of permits.
- (1) The Building Inspector, upon filing of an application for a sign erection permit, shall examine such plans and specifications and other data. He or she shall determine whether the proposed structure is in compliance with the requirements of this chapter and all other regulations of the City.
 - (2) For all signs other than mobile signs and signs applied for as part of an approved master sign program, the Building Inspector shall refer the application to the Architectural Board. In considering such application, the Architectural Board shall consider the purpose of such advertising; the appearance, location, lighting, height and size of such structures; safety of operators of vehicles upon the adjoining streets and highways; the effect of such structure with respect to the scenic beauty of the vicinity in which such structure is proposed to be located; the effect of such structure and advertising with respect to the enforcement of state laws and county and City ordinances; the effect of such structure with respect to the danger to human life because of falling or combustibility; the effect of such structure and advertising with respect to the prevention of crime and the effect of such structure and advertising with respect to the general public welfare, morals and the conserving of the taxable value of lands and buildings located within the City and in the immediate area adjacent to the proposed location of such structure. **[Amended 11-20-2007 by Ord. No. 2007-1934]**
 - (3) The Architectural Board shall approve, approve with modifications or deny the sign or billboard. Any approval given by the Architectural Board shall be valid for 180 days. If a permit is not obtained within the 180 days, such approval shall become null and void, and a new application shall be required.

- (4) Upon his or her determination that the proposed structure conforms with the ordinances of the City, and upon notice of Architectural Board approval, the Building Inspector shall issue the permit. If the work authorized under a sign permit has not been completed within one year after the date of issuance, the permit shall become null and void.

D. Permit fees. [Amended 2-25-2002 by Ord. No. 2002-1702; 11-20-2007 by Ord. No. 2007-1934; 7-13-2010 by Ord. No. 2010-2008]

- (1) Together with the application for each and every master sign program, amendment to a master sign program or sign or billboard, the applicant shall pay a fee as provided below. If the sign or billboard is not approved and no permit is issued, or if the sign is approved but no permit is obtained, the application fee shall be retained by the City to cover the cost of processing the application.

(a) Application fees.

[1] Application for sign or billboard: \$50 each sign.

[2] Application for master sign program: \$500.

[3] Application to amend master sign program approval: \$150.

- (2) Every applicant, before being granted a permit, shall pay the following permit fee or fees for such sign or other advertising structure regulated by this chapter.

(a) For any and all signs or billboards, an original permit fee or permit renewal, shall be paid per the following schedule:

[1] For eight square feet or less: \$40.

[2] For nine to 50 square feet: \$75.

[3] For 51 to 100 square feet: \$100.

[4] For 101 to 150 square feet: \$150.

[5] For 151 square feet or larger: \$150 plus \$25 each additional 100 square feet.

[6] Additional fee for illuminated sign: \$50 each sign.

[7] Reinspection fee: \$75 per inspection.

[8] Failure to call for a required inspection: \$100.

[9] Failure to obtain a permit before starting work.

[a] First offense: Triple fees (3x).

[b] Second and subsequent offense: Quadruple fees (4x).

(b) Mobile signs: \$75 each permit or renewal.

- (c) Architectural Board review fee: \$40 per sign.
- (d) Technology fees.
 - [1] Permit fee is less than \$100: \$2 per permit.
 - [2] Permit fee is greater than or equal to \$100: \$5 per permit.

NOTE: Before any work is commenced or recommenced after a permit has expired, a new permit shall be reissued at 1/2 the regular fee; or at the reinspection rate for each remaining inspection. The method used shall be determined by, and at the sole discretion of, the Building Inspector.

NOTE: If construction is not commenced prior to expiration of the permit, that portion of the permit fee, excluding plan exam fees, that exceeds the minimum fee will be refunded upon written request.

- E. Revocation of permits. The Building Inspector may revoke any permit issued by him or her or refuse to issue a permit upon failure of the holder to comply with any provision of this chapter.

§ 210-4. Regulatory measures.

A. Permissible areas for signs.

- (1) Other than residential districts. Signs and billboards shall be permitted in any nonresidential district as defined by Chapter 118, Electrical Standards, and after approval by the Architectural Board as provided in § 210-3B.
- (2) Residential districts. Anyone conducting a business in any residential district in the City shall be permitted to have one sign or nameplate advertising the business conducted on the sign. If any business is being conducted in a residential district on any premises which are adjacent or contiguous to other premises used for business purposes, but to which direct access is not obtained from any public street or highway, an additional sign or nameplate not to exceed six square feet in size may be permitted on the business premises adjacent to the public street or highway to advertise the business being conducted on the premises to which direct access is not available from a public street or highway.

B. Prohibited areas for signs and billboards.

- (1) No billboards shall be permitted in a residential district in the City.
- (2) No signs shall be permitted in a residential district in the City except as herein specifically provided.

- (3) No sign or billboard shall be constructed, erected or maintained which shall be nearer to the street or highway than the established base setback line provided by the zoning regulations of the City.
 - (4) No signs, excepting official City, county or state regulatory signs, shall be erected, installed or posted on and within any public right-of-way within the corporate limits of the City.
- C. Standards for the design and erection of signs and billboards.
- (1) Location; obstruction.
 - (a) No sign or billboard, or any part thereof, shall be erected, constructed or maintained so as to obstruct any exit, window opening necessary for required light or ventilation or other opening of a building or so as to prevent free passage from one part of a roof to any other part thereof.
 - (b) No sign or billboard shall be attached to or erected and maintained on any premises on any standpipe, exterior stairway, fire escape, smokeproof stair, tower balcony or balcony serving as a horizontal exit or so as to interfere with the use thereof.
 - (c) No sign or other advertising structure as regulated by this chapter shall be erected at or near the intersection of any street in such 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 view or or be confused with any authorized traffic sign, signal or device; or which makes use of the words "Stop," "Look," "Danger" or any other word, phrase, symbol or character in such manner as to interfere with, mislead or confuse traffic.
 - (d) Except within an MTCC or planned development having a master sign program, wherein the total amount of signage permitted shall be calculated by multiplying the aggregate lineal front footage of all buildings by a factor of 1.5 square feet, the total amount of signage permitted for each business premises within a business district shall be determined by the greater of the product obtained by multiplying either the lineal front footage of the main building of the business facing the adjacent roadway by a factor of 1.5 square feet or multiplying the lineal front footage of the business premises lot by a factor of 0.8 square feet. Either factor may be increased by a factor of 0.5 square feet for each 50 feet of setback beyond 100 feet, to a maximum of 500 feet. However, each business premises located on the ground floor shall be entitled to minimum total signage of 40 square feet per ground floor business premises. The owner of a multi-tenant building is responsible for dividing the gross allowable signage among all tenants of the multi-tenant building. No business premises shall have more than two signs. Each business premises may have one monument sign. **[Amended 11-20-2007 by Ord. No. 2007-1934; 1-22-2008 by Ord. No. 2008-1936]**
 - (e) Except within an MTCC or planned development having a master sign program, wherein the total amount of signage permitted shall be calculated

by multiplying the aggregate lineal front footage of all buildings by a factor of 1.5 square feet, the total amount of signage permitted for each business premises within the Industrial District shall be determined by the greater of the product obtained by multiplying either the lineal front footage of the main building of the business facing the adjacent roadway by a factor of two square feet or multiplying the lineal front footage of the business premises lot by a factor of 0.8 square feet. The owner of a multi-tenant building is responsible for dividing the gross allowable signage among all tenants of the multi-tenant building. No business premises may have more than two signs. Each business premises may have one monument sign. As an exemption to the restrictions for signs in the Industrial District, nonilluminated directional signs shall be allowed on industrial premises, provided that they do not exceed six square feet in area and, if they are either ground, post or pylon signs, they do not exceed five feet in height measured from the top of the sign to the ground immediately below the sign. [Amended 11-20-2007 by Ord. No. 2007-1934; 1-22-2008 by Ord. No. 2008-1936]

- (2) Wind pressure, allowable stresses and materials.
 - (a) All signs and billboards shall be constructed, erected and maintained to safely withstand a wind pressure of not less than 30 pounds per square foot.
 - (b) The allowable stresses in chains, wire ropes, and steel guy rods and their fastenings shall not exceed 1/4 of their ultimate strength.
 - (c) All ferrous chains, wire ropes, guy rods and their fastenings and anchor bolts shall be galvanized or be of other approved equivalent protection. All other ferrous parts of signs or billboards subject to corrosion shall be protected and maintained free from corrosion by approved corrosion-resistant coating.
- (3) Identification.
 - (a) All signs hereafter erected shall bear the manufacturer's name, and the name trademark or other approval mark or symbol of the person erecting such sign.
 - (b) All billboards hereafter erected shall bear the name, trademark or other approved mark or symbol of the erector or of the person in charge, possession or control of such billboard.
- (4) Combustible facings, letters and decoration, etc.
 - (a) Facings. Facings of signs and billboards may be made of approved combustible plastics, provided that the supports, uprights, bracing framework and structural trim is made from noncombustible material, and provided that the surface area of each face is not in excess of 100 square feet, and provided, further, that such faces shall be separated from each other in an approved manner with noncombustible material. The letters and decorations mounted upon such plastic facings may be made of approved combustible plastics.

- (b) Letters and decorations. The area of the display surface or facing occupied or covered by plastic letters or decorations shall not exceed a total area calculated on the following basis:

Display Surfaces	Covered by Plastics
100 square feet or less	100% of display surface area
Over 100 square feet but not over 2,000 square feet	100 square feet plus 25% of the difference between 100 square feet and the area of the display surface
2,000 square feet	Not more than 575 square feet

- (5) Monument sign. [Amended 11-20-2007 by Ord. No. 2007-1934]

- (a) Description: a permanent, freestanding sign having a solid appearance, consisting of a face and base. The width of the base must be at least 1/2 the width of the widest part of the sign face. The base must be constructed with stone, decorative concrete, brick or other durable and aesthetically pleasing materials in keeping with the architectural integrity of the building the sign is representing. The monument sign sign content area must be attached in a continuous fashion to a proportionate base. Monument signs have no exposed supports other than the base itself.
- (b) Number. No more than one monument sign shall be erected on each public street frontage of a property, except with the approval of the Plan Commission, considering the effect upon the aesthetics of and visual harmony with the vicinity and considering any other such factor the Plan Commission shall deem appropriate.
- (c) Area. The area of a monument sign shall not exceed 120 square feet.
- (d) Location:

- [1] Monument signs shall not be closer than 500 feet to another monument sign.
 - [2] Monument signs will be permitted to flank driveways, provided that the height of each sign shall not exceed six feet in height and 60 square feet in area, and also provided that the monument signs are within 50 feet of the driveway.
 - [3] When a building is set back less than 30 feet from the property line, a monument sign shall not be permitted to be installed in the areas identified below: **[Amended 5-17-2011 by Ord. No. 2011-2047]**
 - [a] Anywhere along the property frontage having a building set back less than 30 feet and between the two boundaries created by parallel lines extending from each side of the building's footprint which intersect said property line perpendicular to the right-of-way.
 - [b] Anywhere along a property frontage having a building set back less than 30 feet and between the two boundaries created by parallel lines extending from each side of the building's footprint, from the point at which the building crosses the thirty-foot setback, which intersect said property line perpendicular to the right-of-way and then expanding that range 30 feet in each direction along the property frontage.
 - [c] Where the monument sign would infringe upon, interfere with, or replace approved architectural or landscaping features.
 - [4] No part of any monument sign may be closer than three feet to a lot line.
 - [5] A monument sign may not be located so as to create an obstruction within the vision triangle as determined by and at the discretion of the Department of City Development.
- (e) Height. The maximum sign height of a monument sign, including the base, shall not exceed 14 feet at the highest point of the sign. The maximum height of the sign base shall not exceed four feet. The height of the sign shall be measured from the nearest adjacent road grade at the edge of the pavement to the highest point of the sign and/or supporting structure of the sign, excepting that under no circumstances shall the maximum height of a monument sign exceed 18 feet, measured from ground level at the base to the highest point of the sign.
 - (f) Material and color compatibility. The color scheme of monument signs must be consistent with the color scheme of the principal building, unless an alternate color scheme is required by an approved master sign program.
- (6) Roof signs and roof billboards.

- (a) Materials bottom clearance.
 - [1] Roof signs and billboards not exceeding at any point 13 feet in height from the lower to the upper edge of the facing may be constructed of materials as regulated in Subsection C(5)(a). Roof signs and billboards exceeding such height shall be constructed of noncombustible materials, except mouldings and furring strips.
 - [2] An open space not less than four feet shall be maintained between the bottom of the sign or billboard facing and the roof, except that necessary supports extending through such space will be permitted.
- (b) Height. The height of the solid face of any sign or billboard placed on the roof of any building shall be limited to 12 feet. Any lettering or figures attached to the top of the roof sign or billboard shall not exceed five feet in height. On buildings 50 feet more in height, signs or billboards thereon shall not exceed 50% of the height of the buildings.
- (c) Location.
 - [1] When a roof sign or billboard is erected parallel to the exterior wall of a building, the distance between the facing of such sign and the parallel wall of the building shall be not less than five feet. When a roof sign or billboard is erected at an angle to the exterior wall of the building, the distance between the sign and the exterior wall shall be not less than 2 1/2 feet.
 - [2] No roof sign or billboard shall be erected on a building of ordinary or frame construction, unless such building is structurally capable of supporting such additional load with a factor of safety of two.
- (d) Supports and anchorage.
 - [1] Roof signs and billboards shall be secured and anchored in an approved manner to buildings or structures over which they are constructed or erected. The dead and wind loads of such signs and billboards shall be distributed to the structural members of the building or structure in such a manner that no structural member shall be overstressed.
 - [2] Uplift due to overturning of roof signs and billboard shall be resisted by approved anchorage to the building or structure. Approved anchorage to the building or structure shall include such alterations to the buildings or structure as may be needed to integrate and interconnect sufficient dead load to equal not less than 10% in excess of the computed uplift applied to such building or structure by the sign or billboard.
- (7) Wall signs and wall billboards.
 - (a) Materials. Wall signs and billboards not exceeding at any point 13 feet in height from the lower to the upper edge of the facing may be constructed as regulated in Subsection C(5)(a). Wall signs and billboards exceeding such

height shall be constructed of noncombustible materials, except mouldings and furring strips.

(b) Height.

- [1] No part of a combustible wall sign or billboard shall be erected or maintained above the sill of a second-story window or windows of the building or structure to which such sign or billboard is to be attached, nor shall any part of such a sign or billboard be more than 30 feet above the established grade immediately below, except as further regulated in Subsection C(7)(b)[2] and except that an automobile dealership with at least 300 feet of frontage on a public highway may erect and maintain one identification wall sign upon its business or institutional premises or location, no part of which shall be more than 35 feet above the established grade immediately below.

- [2] No wall signs or billboards shall be erected or maintained to extend more than 1/2 of the height thereof above the top of the exterior wall to which attached.

(c) Location.

- [1] No part of any wall sign or billboard, except lighting reflectors, shall extend more than 10 inches from the face of the wall to which such sign or billboard is attached. Lighting reflectors, when at least 10 feet above the established grade immediately below, may extend eight feet beyond the face of the wall, but not beyond the base setback line.
- [2] No wall sign or billboard shall be erected or maintained to extend beyond the street end of the wall to which such sign or billboard is attached.

(d) Supports and anchorage.

- [1] Wall signs and billboards attached to exterior walls of concrete or masonry shall be securely fastened to such walls by means of metal anchors, bolts, expansion screws or by other approved method which will ensure stability and safety, but no fastening shall be of less strength or performance than that provided by a three-eighths-inch diameter expansion sleeve imbedded within the masonry or concrete.
- [2] Except in the case of wall signs or billboards attached to buildings or structures with walls of wood, no wooden blocks or anchorage with wood used in connection with screws or nails shall be considered approved anchorage.
- [3] No wall sign or billboard shall be entirely supported by a parapet wall.

(e) Area requirements.

- [1] One identification sign shall be permitted totaling 250 square feet, subject to the following:
 - [a] The building shall be a minimum of 300 feet from the base setback line.
 - [b] The sign shall be used for identification. No product advertisement shall be included in the sign.
 - [c] This section shall apply to industrial uses only.
- [2] All other signs shall comply with Subsection C(1)(d).

(8) Projecting signs.

(a) Materials.

- [1] All projecting signs shall be constructed of noncombustible materials; provided, however, that the letters, decorations and facing of signs may

be of approved combustible plastics when in compliance with Subsection C(5)(a).

- [2] Glass or porcelain shall be wired glass or porcelain or shall be protected with a wire screen of a mesh of such size as to prevent broken pieces thereof from falling upon the public, excepting signs with molded glass letters of which only the letters or trademarks are exposed.
- [3] Glass globes or glass signs shall be made of wired glass or protected with a wire screen as regulated in Subsection C(8)(a)[2] above. All globes shall be suspended in an approved manner from the building or structure.

(b) Projection; clearance.

- [1] All signs projecting from a building or other structure shall not project beyond the base setback line.
- [2] Projecting signs erected over marquees shall be set back not less than two feet from the outer edge of such marquee.
- [3] No projecting sign shall at the lowest point be less than 10 feet above the established grade immediately below.

(c) Supports and attachment.

- [1] The dead load of projecting signs and the load due to wind pressure shall be supported entirely by the building or structure to which such signs are attached by means of structural shapes, chains, wire ropes or steel guy rods; lateral supports shall be spaced not more than eight feet apart unless otherwise approved. Turnbuckles or other approved means of adjustment shall be placed in all chains, wire ropes or steel rods supporting or bracing projecting signs. No staples, nails or wire shall be used to secure any projecting sign to any building or structure.
- [2] No part of a projecting sign shall be supported from a parapet wall unless approved bracing is provided.
- [3] Where projecting sign supports are fastened to walls or wood construction, the supporting device shall be fastened securely in an approved manner.
- [4] All projecting perpendicular signs having a facing of more than six feet in height shall be provided with a perpendicular metal ladder not less than eight inches wide at the inner edge of such sign and constructed in such manner as to provide access for the repairing or inspection of such signs.
- [5] Ground or pole signs shall have approved vertical supports of metal.

(9) Marquee signs.

(a) Materials.

- [1] All marquee signs shall be constructed of noncombustible materials; provided, however, that the letters, decorations and facings of signs so constructed may be made of approved combustible plastics when in compliance with the regulations of § 210-2, "approved combustible plastics."
- [2] Glass or porcelain when used shall be wired glass or porcelain or shall be protected as regulated in Subsection C(8)(a)[2].

(b) Length and height.

- [1] Marquee signs may be attached directly to or made a part of the sides or front face of a marquee, and such signs may extend the entire length or width of such marquee but not beyond such length or width. Such sign or signs shall not exceed eight feet in vertical dimension, nor shall such sign or signs extend below the face of a marquee.
- [2] Signs may be erected on the roof of a marquee, provided that the total combined heights of the sign on the face of the marquee and the sign erected on the roof shall not exceed 13 feet. Any such sign shall not be closer than two feet from the outer edge of the marquee.

(10) Canopy signs.

(a) Materials. Materials for canopy signs shall be as regulated in Subsection C(5)(a).

(b) Length and height.

- [1] Except as regulated in Subsection C(10)(b)[3], canopy signs may be attached directly to or made a part of the sides or front face of a canopy. Such signs may extend the entire length or width and shall not exceed 18 inches in vertical dimension or extend below the face of a canopy.
- [2] Except as regulated in Subsection C(10)(b)[3], canopy signs may be erected on the roof of a canopy, provided that such signs do not extend more than 18 inches above the top edge of the canopy. Such canopy roof signs shall not extend beyond the length or width of the canopy.
- [3] A canopy on any one building or structure may have signs attached thereto or placed thereon as permitted in either Subsection C(10)(b)[1] or [2], but in no case shall there be placed or erected on such canopy both types of signs.

(11) Hood signs.

(a) Materials. Materials for hood signs shall be as regulated in Subsection C(5)(a).

- (b) Length and height. Hood signs may be erected either in the face or on the roof of a hood. Such signs shall not exceed 15 inches in vertical dimensions nor extend beyond the length or width of the hood.

(12) Clock signs.

- (a) All clock signs hereafter erected shall be attached directly to and supported by the exterior wall within a building or structure. Such signs shall be either wall signs or projecting signs and shall conform to the applicable regulations of this chapter.
- (b) Existing clock signs erected prior to November 16, 1967, shall comply with the regulations of Subsections C(6) and (7).

(13) Billboards.

- (a) Materials, height, location, supports and anchorage for billboards shall be regulated as specified in the sections of this chapter pertaining to ground, wall and roof signs.
- (b) Billboards, as defined by this chapter, may be erected only if the following requirements, in addition to all other applicable requirements of this chapter, are met:
 - [1] The billboard advertises a specific business which is being conducted within the limits of the City or within 2,500 lineal feet of said City limits.
 - [2] The billboard is located along a street or highway which leads directly to the business being advertised or intersects the street upon which the business is located at a point not more than 2,500 lineal feet from said business.
 - [3] The billboard, if presenting a commercial or advertising message, may not exceed 200 square feet in area unless approved as part of a master sign program. **[Added 11-20-2007 by Ord. No. 2007-1934]**

(14) Illuminated signs and billboards.

- (a) The face or faces of illuminated projecting signs shall be electrically illuminated in an approved manner. Such illumination shall be an integral part of such signs.
- (b) Electrical illumination of signs in residence use districts shall be as regulated in the State Electrical Code.
- (c) All illumination of or on signs or billboards shall be by means of electricity and shall conform to the regulations of the State Electrical Code. It shall be the policy of the Building Inspector to approve, subject to the regulations of this chapter and the State Electrical Code, any illuminated sign or billboard bearing the Underwriters Laboratories, Inc., Label of Approval.

- (d) Goose neck reflectors and lights shall be permitted on ground signs, roof signs and wall signs; provided, however, that the reflectors shall be provided with proper glass lenses concentrating the illumination upon the area of the sign so as to prevent glare upon the street or adjacent property.
 - (e) No person shall maintain any sign which is wholly or partially lighted by spotlights or floodlights unless such spotlights or floodlights are hooded or shielded in a manner approved by the Electrical Inspector. No person shall use any rotating or flashing spotlight or floodlight on any sign or for the purpose of illuminating or displaying of such sign.
- (15) Signs and billboards on public property, snipe advertising, etc.
- (a) No person, except a public officer or a government employee in the performance of a public duty, shall maintain, place, erect, paint, paste, print, nail, tack or otherwise fasten any card banner, picture, handbill, sign, poster, advertising or notice of any kind or cause the same to be done on any curb, streetwalk or public thoroughfare surface, fence, board, barrel, box, case, railing, pole, post, bridge, tree, barricade, material, bridge fender, dock, pile, building or structure of any kind on public ground or public waterway or upon any structure projecting over any public thoroughfare, public ground or public waterway within the City except as may be permitted by this chapter or other ordinance, the Superintendent of Public Works, the Council, statutes of the state or federal laws.
 - (b) No person shall place, erect, paint, paste, print, nail, tack or otherwise fasten or maintain any "snipe" advertising or deface any exterior wall or surface of any building, board, barrel, box, case, railing, pole, post, tree, barricade, material, dock, pile or structure of any kind with advertising or notice of any kind.
 - (c) Except as permitted by this chapter, no person shall place, erect, tack or otherwise fasten or use or maintain any outdoor advertising, such as banners, decorative displays or other advertising devices, or cloth, paper or other nonrigid materials.
- (16) Other advertising devices. Any advertising device not herein regulated shall be constructed and erected in a manner approved by the Plan Commission.

§ 210-5. Maintenance and removal of signs.

A. Unsafe and unlawful signs.

- (1) If the Building Inspector shall find that any sign or other advertising structure regulated herein is unsafe or insecure or is a menace to the public or has been constructed or erected or is being maintained in violation of the provisions of this chapter, he or she shall give written notice to the licensee thereof. If the licensee fails to remove or alter the structure so as to comply with the standards herein set forth within 10 days after such notice, such sign or other advertising structure may

be removed or altered to comply by the Building Inspector at the expense of the licensee or owner of the property upon which it is located. The Building Inspector shall refuse to issue a license to any licensee or owner who refuses to pay costs so assessed.

- (2) The Building Inspector may cause any sign or other advertising structure which is, in his or her opinion, an immediate peril to persons or property to be removed summarily and without notice.

B. Painting requirements.

- (1) The owner of any sign or billboard as defined and regulated by this chapter shall have properly painted all parts and supports of said sign or billboard as directed by the Building Inspector unless the same are galvanized or otherwise treated to prevent rust or deterioration.
- (2) If the owner of said sign or billboard does not paint the same within 60 days after written notification from the Building Inspector, said sign or billboard shall be removed as provided in Subsection A.

C. Removal of certain signs and billboards.

- (1) Any sign or billboard now or hereafter existing which no longer advertises a bona fide business or a product sold or is dilapidated or out of repair shall be taken down and removed by the owner, agent or person having the beneficial use of the building or land upon which such sign or billboard may be found within 10 days after written notification from the Building Inspector and, upon failure to comply with such notice within the time specified in such order, the Building Inspector may cause removal of such sign or billboard, and any expense incident thereto shall be paid by the owner of the building or land to which such sign or billboard is attached. If such cost and expenses are not paid within 10 days from the date of billing, the costs and expenses incurred for such removal shall be assessed against the real estate upon which such sign is located and collected as other taxes are collected on said real estate.
- (2) Any sign or billboard which is constructed after November 16, 1967, without a permit shall be removed or a permit be applied for, together with double fees, upon five days' notice to the owner. Such notice shall be given by the Building Inspector by mail.
- (3) If the owner of such sign or billboard cannot be ascertained by the Building Inspector, such notice shall be given to the owner of the real estate upon which such sign or billboard is located. If the owner of such real estate does not pay the amount thereof within 10 days from the billing, such cost and expense shall be assessed against the real estate upon which such sign or billboard is located and collected as other taxes are collected on said real estate.
- (4) If the permit be denied, the Building Inspector shall issue a five-day removal notice, and if such sign or billboard is not removed within such period, the same

may be removed by the Building Inspector and the cost thereof charged and assessed as hereinabove provided.

§ 210-6. Exemptions from permit regulations.

The following outdoor signs, advertising structures or devices shall be exempted from § 210-3:

- A. One sign appertaining to the lease or sale of any building or land, provided that such sign does not exceed 32 square feet in size and is located upon the premises.
- B. Signs not exceeding three square feet in size maintained by the owner or occupant of any land or any building for the purpose of displaying the name of the owner or occupant or for the purpose of warning against trespasses.
- C. Bulletin boards not over 15 square feet in size for public, charitable or religious institutions when the same are located on the premises of said institutions.
- D. Memorial signs or tablets, names of buildings and date of erection when cut into any masonry surface or when constructed of bronze or other incombustible materials.
- E. Traffic or other municipal signs, legal notices, railroad crossing signs, danger and such temporary emergency or nonadvertising signs as may be approved by the Common Council.
- F. (Reserved)¹
- G. Letters or numerals attached to or signs painted on glass surfaces of windows or doors.
- H. Signs used in connection with movable and fixed awnings.
- I. Nonilluminated signs painted on canopies, hoods and marquees indicating only the name, street number and character of the business of the owner, tenant or building when consisting of letters and decorations not exceeding six inches in height.
- J. Signs not to exceed 20 square feet, identifying farm or estate property on parcels of land containing not less than three acres.
- K. Flags or banners representing the United States, State of Wisconsin, County of Milwaukee, City of Franklin or other organizations approved by the Council.
- L. Political signs that comply with all other sections of the this chapter, provided that they be removed within 10 days after an election and they do not exceed 35 square feet in size in nonresidential districts.

1. Editor's Note: Former Subsection F, exempting signs painted on the wall surface of certain public buildings or structures, was repealed 11-20-2007 by Ord. No. 2007-1934.

§ 210-7. Exemptions from permit fees.

The following outdoor signs, advertising structures or devices shall be exempted from § 210-3D:

- A. (Reserved)²
- B. Subdivision emblems when an agreement regarding such emblems has been entered into with the City.
- C. Special decorative displays or signs in public thoroughfares when authorized by the Council.
- D. An approved sign not more than 12 square feet in area painted on or attached to a temporary enclosure used in connection with alterations to buildings or structures denoting continuance of occupancy.
- E. Temporary signs.

§ 210-8. Violations and penalties.

Any person who shall violate any provision of this chapter, or any order, rule or regulation made hereunder, shall be subject to a penalty as provided in Chapter 1, General Provisions, § 1-19.

§ 210-9. Master sign program. [Added 11-20-2007 by Ord. No. 2007-1934]

- A. All MTCCs and planned developments, including, but not limited to, office parks, industrial parks, office centers, retail centers, office and limited business structures, and churches and schools which have a campus must have a master sign program if, after January 1, 2007, more than one sign will be erected in conjunction with such building, development, or center, as defined in this chapter.
- B. An application for a master sign program must first be filed with the Inspection Department, which shall forward it to the Plan Commission for consideration.
- C. Each individual sign proposed in accordance with an approved master sign program must be applied for and permitted separately in accordance with this chapter, and in no event shall any recommendation or approval of a master sign program be deemed an approval of or a permission to construct any particular sign under that program. All applications for permits for such signs must be filed with the Inspection Department for approval under the terms and conditions of the previously approved master sign program, except the application must specify in exact terms any sign characteristics which the master sign program considered in general or nonspecific terms or measurements. The Building Inspector may approve or deny such application or may forward the application to the Plan Commission for its denial, approval, or approval with conditions or modifications, including but not limited to modification of the previously approved master sign

2. Editor's Note: Former Subsection A, exempting all signs of businesses and institutions on premises, was repealed 11-20-2007 by Ord. No. 2007-1934.

program, provided such modification was duly noticed and the master sign program application fee is paid.

- D. The Plan Commission shall hear all requests for the establishment or amendment of a master sign program, make written findings, and approve, modify, approve with conditions, or deny such requests.
- E. A master sign program, as presented to the Plan Commission, shall include the following components:
- (1) An aesthetically developed theme on color, size, and style;
 - (2) A proposed location of all permanent signs for the building, development, or center, which considers that, where possible, wall signs shall be centered over tenant spaces;
 - (3) The proposed size of individual signs, which may be expressed in maximums and minimums for purposes of the proposed master sign program;
 - (4) The following categories of signs may be proposed and approved for inclusion in a master sign program:
 - (a) Master identification sign: a freestanding monument sign which identifies a MTCC or planned development;
 - (b) Tenant identification sign, separate from such identification that may be made as part of a master identification sign:
 - [1] Tenant identification signs at individual tenant entrances in an office center may not exceed four square feet in area if permitted.
 - [2] Retail tenants occupying not less than 20% of an office and limited business structure with individual entrances to the exterior may be allowed tenant identification similar to tenants in retail centers. In both instances, the area of such signage shall not exceed 1.5 times the lineal front foot of the space occupied unless provided a special exception.
 - (c) Tenant/service/product directory board for an office center or office and limited business structure;
 - (d) Entrance markers;
 - (e) Traffic directional signs;
 - (f) Wall signs for retail centers; and
 - (g) Such other signs as requested by the applicant.
 - (5) Nature and characteristics of signage proposed, i.e., individual letters, box, etc.;
 - (6) Blueprints, drawings, and written policies governing the color, size, style, location and other features of the proposed signs, including but not limited to the proposed

allocation or distribution of the total signage allowance to individual tenants or tenant spaces; and

- (7) An acknowledgement of the authority identified in Subsection I of this section.
- F. Review criteria. The Plan Commission, in its discretion, will consider the following and/or other factors as it deems appropriate.
- (1) Scale and proportion: All signs shall be in scale and proportion in their design and their relationship to other signs, buildings, and surroundings.
 - (2) Integral elements: Signs shall be designed as integral architectural elements of the building and the site and not appear as add-ons or intrusions.
 - (3) Harmonious design: The colors, materials, and lighting of each sign shall be compatible and harmonious with the design of the building and the site.
 - (4) Composition: The graphic design elements of the sign, including consideration that the size of individual sign letters shall be in reasonable proportion to the area of the facade of the building or tenant space.
 - (5) Compatibility: Signs shall be compatible with signs on adjacent properties.
 - (6) Unified image: The proposed signs submitted as part of the master sign program review shall provide a unified image for the development.
 - (7) Type and location of the building and development site.
 - (8) The proposed tenant mix and proposed allocation or distribution of the total signage allowance to individual tenants or tenant spaces, which allocation or distribution may be restricted or conditioned within a master sign program.
 - (9) The size of the development.
- G. Master identification signs.
- (1) The purpose of the master identification sign is to advertise a center. Therefore, for an MTCC or planned development, a minimum of 50% of the sign must be devoted to center identification, rather than individual tenants.
 - (2) Application for a master identification sign shall be made in accordance with Subsection C. The following entities may make such application:
 - (a) Retail or mixed-use MTCC or planned developments of five or more individual tenants or at least fifty thousand (50,000) square feet of building area;
 - (b) Office MTCC or planned developments of five or more tenants having exterior entrances;
 - (c) Office parks and industrial parks; and

- (d) Developments that have multiple entry points (e.g., churches, schools), where multiple buildings are used, along with multiple uses, and where a need to direct traffic within the campus exists.
- (3) MTCCs or planned developments of four or fewer tenants may not make application for a master identification sign except as provided in Subsection G(2)(a) of this section.
- (4) Architecture of master identification signs. Master identification signs must be architecturally integrated with the principal building on the property. The following considerations must be made when designing a master identification sign:
 - (a) The base of the sign must be constructed of masonry products. The tone and texture of the base shall reflect the principal building construction as close as possible. The base of the sign must be equal or larger in width to the sign face.
 - (b) The color scheme of the sign shall follow the color scheme of the principal building.
 - (c) Architectural features (such as sills, piers, reveals, capstones, medallions, etc.) which are part of the architectural makeup of the building shall be incorporated into the sign.
 - (d) The sign face shall be constructed of aluminum, masonry, or similar products. Polycarbonate backgrounds shall be prohibited, unless this cannot be achieved (i.e., changeable copy), in which case the Plan Commission may approve the sign face in its discretion.
- (5) Area of master identification signs.
 - (a) MTCCs or planned development under 100,000 square feet of building area may be permitted one freestanding sign of no more than 120 square feet in area for primarily retail development and 100 square feet in area for primarily office or nonretail development.
 - (b) MTCCs or planned developments between 100,000 square feet and 500,000 square feet of building area may be permitted one freestanding sign per arterial street of no more than 120 square feet in area each, subject to Plan Commission discretion and approval.
 - (c) The signage area for MTCCs or planned developments over 500,000 square feet of building area shall be determined by the Plan Commission.
 - (d) The area of a master identification sign does not count toward the maximum total signage area allowed, unless otherwise determined at the discretion of the Planning Commission.
- (6) Master identification signs shall meet open space requirements, as may be determined by the Plan Commission.

- (7) The Plan Commission shall not approve any master identification sign greater than 18 feet in height for retail, office, or mixed use, except for a MTCC or planned development over 500,000 square feet in building area, which height shall be subject to the discretion of the Plan Commission considering the factors set forth in Subsections C(2) and F of this section.
 - (8) No freestanding signs other than the master identification sign(s) allowed pursuant to this section, a development identification sign per Subsection G(9) and entrance markers, informational signs, and traffic directional signs without advertising reference and not in excess of four square feet will be permitted for any MTCC or planned development, except as otherwise provided by special exception. If a tenant's name is part of the MTCC or planned development name, the tenant's name may not be repeated elsewhere on the sign, unless otherwise permitted by the Plan Commission in its discretion considering name and sign proportions and other evaluation factors identified in this chapter.
 - (9) The Common Council, acting upon recommendation of the Plan Commission, may permit a development identification sign, separate from the master identification sign and lacking tenant reference (except as may be part of the MTCC or planned development name), to be placed over or above a private entry drive, provided structural supports are located outside a vision triangle established by a line drawn 20 feet along the public right-of-way and a line drawn 20 feet perpendicular to the right-of-way along the private drive, both of which commence from the intersection of the private drive and the public right-of-way, and a line connecting the end points of those two lines (forming a triangle). The Common Council shall determine if, or to what extent, such sign area is to be included in the maximum allowable sign area of the MTCC or planned development.
 - (10) Unless specifically exempted by the provisions of the master sign program for the MTCC or planned development, the master identification sign shall conform to all of the sign code requirements (except for those governing number and area) for individual sign types found elsewhere in this chapter.
- H. Authorized special exceptions. In conjunction with the approval of the master sign program for a MTCC or planned development, the Plan Commission may authorize limited special exceptions to the regulations included in this chapter. Such special exceptions will be permitted only when, in the sole discretion of the Plan Commission, the applicant demonstrates that they are necessary to provide an improved comprehensive solution considering the factors and review criteria as set forth in Subsections C(2) and F of this section and to address special circumstances and needs that may exist with said MTCC or planned development. The special exceptions permitted are limited to the following:
- (1) Wall signs: may deviate from the requirement that wall signs be located with the tenant space or occupancy to which the signs refer.
 - (2) Monument signs: may modify the number of monument signs, the thirty-foot facade setback requirement, the height limitations up to the height of the principal building to which the sign pertains, the proximity to another monument sign, and

the sign area limitations up to the maximum of 150 square feet per sign (as long as the total permitted sign area for either the occupant or the premises is not exceeded).

- (3) Tenant identification signs: may deviate from the size area limitations set forth in this section.
 - (4) Master identification signs: may deviate from the requirements set forth in Subsection G(4) and G(5) of this section.
 - (5) The total amount of signage permitted under § 210-4C(1)(d) and (e) may be increased by up to 100%.
- I. Temporary signs, window signs, and other devices to attract attention. Any master sign program approved hereunder may be modified at any time at the discretion of the City of Franklin or the Plan Commission to prohibit, further restrict, or place requirements upon the use of, restrictions on, and standards or requirements for temporary signs, window signs, interior signs visible to the exterior, and devices intended primarily to attract attention. This subsection shall in no way limit any rights or authority the City or Plan Commission may otherwise have in relation to signs and master sign programs.

§ 210-10. Signs on vehicles. [Added 11-20-2007 by Ord. No. 2007-1934]

Signs placed on or affixed to vehicles and/or trailers, which are parked on a public right-of-way, public property, or private property so as to be visible from a public right-of-way, where the apparent purpose is to advertise a product or direct people to a business or activity located on the same or nearby property, are prohibited. This provision shall not prohibit signs placed on or affixed to vehicles and/or trailers, such as lettering on motor vehicles, where the sign is incidental to the primary use of the vehicle or trailer.