

Section 80.0 Front Yard Setback Modifications

Where a new structure is to be built between two existing structures with front yards greater or less in depth than required, the owner should use the setbacks of adjacent buildings as a guide, and the Board of Adjustment shall account for same in its review of variance requests. No new building shall be erected closer to the street than the average front yards so established by existing buildings.

Section 81.0 Signs

All types and makes of signs that are located within the city limits of Wetumpka shall have the following general provisions and regulations to apply as set out and described herein. No sign, except for non-illuminated, temporary real estate, construction, and political signs not exceeding 32 square feet in area, shall be placed or erected without a permit from the Building Inspector.

The following requirements shall apply to all signs:

- a. All signs shall be located at least five (5) feet behind the public right-of-way line unless otherwise provided for in this section.
- b. No sign shall exceed 45 feet in height above grade. No sign shall exceed 672 square feet in area size, one side per facing.
- c. No sign shall be attached to, or painted on, any utility fixture, or on any tree, rock, or other natural object.
- d. No sign shall be located so as to prevent or hinder free access to, or egress from, any door, window, or fire escape.
- e. All construction and operation of signs shall be in accordance with the building, electrical, and other applicable codes.
- f. Should any sign be or become unsafe or unsightly, the person responsible for maintaining the sign shall, upon notice from the building official, put the sign in a safe, secure condition or remove it within 90 days.
- g. No part of any sign shall be located within 25 feet of the intersection of any two streets or within 25 feet of the intersection of any street and/or railroad.
- h. No sign shall be located within ten feet of the intersection of any street and driveway.
- I. Face signs shall be flush with the face or side of the building and extend not more than 12

inches beyond said face or side of the building.

- j. Projecting signs will be allowed for business identification purposes and may be mounted on the front of the building facing the main thoroughfare. Projecting signs may not exceed 20 square feet and may not project further than five feet from the building face towards the street or sidewalk. The minimum heights for projecting signs will be nine feet above sidewalk or road level, whichever is greater.
- k. No sign shall be illuminated by or contain flashing, intermittent, moving, or rotating light or lights without the consent of the Board of Adjustment, which body shall make certain that light intensity, color, and movement will not likely be so distracting to motor vehicle operators as to constitute a traffic hazard. This subsection does not apply to time and temperature signs and similar signs displaying information.
- l. With the approval of the Building Inspector, directional signs may be located closer than five feet to the right-of-way line, but not on the public right-of-way, provided such signs are no higher than 2-1/2 feet above the grade of the adjacent street.
- m. Temporary real estate and political signs may be placed closer than five feet to the right-of-way line, but not on the public right-of-way; provided, that such signs are not higher than 2-1/2 feet above the grade of the adjacent street.

Section 81.1 Billboards. For the purpose of this section, a "billboard" shall be defined as any sign, structure, or device which advertises or contains information about a business, product, or service not located on or offered on the premises on which the sign is located. In addition to any regulations applying to all signs in general, the following regulations shall apply to billboards:

- a. No billboard within the City of Wetumpka, Alabama, shall be located closer than 500 feet to any other billboard on the same side of the street; and, on U.S. Highway 231 and State Highways 14, 111, and 9, no billboard shall be located closer than 500 feet to another billboard on the same side of the highway.
- b. No billboard shall exceed 672 square feet in area per facing, excluding base and trim.
- c. No billboard shall be located closer than 100 feet to any residential district or any property used for residential purposes.
- d. The lowest portion of any billboard must be at least 30 feet above grade.
- e. No billboard shall be illuminated by or contain flashing, intermittent, rotating or moving light or lights, or animated, without consent of the Board of Adjustment (or Planning Board), which body shall make certain that light intensity, color, and movement will not likely be so distracting to motor vehicle operators as to constitute a traffic hazard.

- f. All billboards shall be of all metal, either steel beams or steel single-pole, construction, except for the sign face and trim, which may be of other durable materials.
- g. Subject to the provisions of this section, billboards shall be permitted in Districts B-1, B-2, B-3, M-1 and M-2. Billboards shall not be permitted in any other districts.

Section 81.2 Portable Signs. For the purpose of this section, a "portable sign" shall be defined as any sign, whether on wheels, its own trailer, or otherwise, which is designed or constructed in such a manner as to be easily transported from one place to another. In addition to any regulations applying to signs in general, the following regulations shall apply to portable signs.

- a. Portable signs must comply with the same setback and distance requirements as all other signs.
- b. No portable sign shall be illuminated by or contain flashing, intermittent, rotating, or moving light or lights.
- c. One portable sign per premise will be allowed and shall be used only for on-premise advertising and shall not be used as billboards.
- d. Subject to the provisions of this section, portable signs shall be permitted uses only in Districts B-1, B-2, B-3, M-1 and M-2.

Section 81.3 Nonconforming Signs. Notwithstanding any other provisions of this Ordinance, legally nonconforming signs existing on the date of adoption of this Ordinance may be continued, subject to the following requirements, except for portable signs, which shall immediately comply with the provisions of this ordinance.

- a. Existing signs, which became legally nonconforming as a result of the passage of this section, shall be allowed to be rebuilt on the same premise as long as they conform to the structural provisions of this ordinance.
- b. Any legally conforming or nonconforming signs which cease to be used for a period of more than six consecutive months shall be removed or made to comply with the provisions of this ordinance.

Section 81.4 Abandoned Signs. Any sign that is located on property which becomes vacant and is unoccupied for a time period of six months or more, or any sign which pertains to a time, event or purpose which no longer applies, shall be deemed to have been abandoned. Permanent signs applicable to a business temporarily suspended because of a change in ownership or management of such business shall not be deemed abandoned unless the property remains

vacant for a period of nine months or more. An abandoned sign is prohibited and shall be removed by the owner of the sign or the owner of the premises.

Section 81.5 Removal of Signs. The Wetumpka Building Inspector shall cause to be removed any sign that endangers the public safety, such as: abandoned; dangerous; or materially, electrically or structurally defective sign; or a sign for which no permit has been issued. The Building Inspector shall prepare a notice which shall describe in detail the nature of the violation or violations involved and which shall state that, if the sign is not removed or the violation is not corrected within 30 days, this sign shall be removed in accordance with the provisions of this Ordinance. However, the following shall apply to signs placed in public rights-of-way: any sign installed or placed on a public right-of-way, except in conformance with the requirements of this Ordinance, shall be forfeited to the public and subject to confiscation. In addition to other remedies provided under this Article, the City shall have the right to recover from the owner or person placing such a sign the full costs of removal and disposal.

Section 81.6 Commercial and Business Signs. All signs to be viewed in a B-1 General Business district shall conform to the following requirements:

- a. All signs shall be placed flat against the main building, or parallel to the building on a canopy; and, may face only public street or parking areas which are part of the development.
- b. The sign height may not exceed 20 percent of the building height, and the total area of all signs shall not exceed 20 percent of the area of the nearest building face with which they are parallel.
- c. Signs may be illuminated, but not flashing.
- d. One additional sign may be placed freestanding or attached to the building but not extending over a public right-of-way, near one entrance of each street upon which the lot or parcel fronts. Such a sign shall convey only the identification of the permitted use, shall be located so that view of traffic within or without the development is not obstructed for pedestrians or motorists, and may not exceed 100 square feet in area.
- e. Signs purely for traffic regulation and direction within the development may be utilized as required.

All signs to be viewed in a B-2 Local Business District shall conform to the following requirements. Any sign or signs may be displayed if they pertain exclusively to the business carried on within the building, and if no part of any sign projects into a public right-of-way in excess of six inches except as herein provided.

- a. A sign shall be placed flat against the main building, or parallel to the building on a permitted canopy, and shall face only public streets or parking areas which are part of the development, and shall not project above the cornice or roof lines.

- b. The sign height may not exceed 20 percent of the building height, and the total area of all signs shall not exceed 20 percent of the area of the nearest building face with which they are parallel.
- c. A sign may be illuminated, but if intended to have moving illumination, such illumination must be approved in advance by the Board of Adjustment (or Planning Board), which body shall make certain that light intensity, color, and movement will not likely be so distracting to motor vehicle operators as to constitute a traffic hazard.

All signs to be viewed in a B-3 Central Business District shall conform to the following requirements. Any sign or signs may be displayed if they pertain exclusively to the business carried on within the building, and if no part of any sign projects into a public right-of-way in excess of six inches except as herein provided:

- a. A sign shall be placed flat against the main building, or parallel to the building on a permitted canopy, and shall face only public streets or parking areas which are part of the development, and shall not project above the cornice or roof lines.
- b. The sign height may not exceed 20 percent of the building height, and the total area of all signs shall not exceed 20 percent of the area of the nearest building face with which they are parallel.
- c. A sign may be illuminated, but if intended to have moving illumination, such illumination must be approved in advance by the Board of Adjustment (or Planning Board), which body shall make certain that light intensity, color, and movement will not likely be so distracting to motor vehicle operators as to constitute a traffic hazard.
- d. Outdoor advertising signs or structures permitted on appeal in this district shall be subject to such conditions or regulations as the Board of Adjustment may require in order to preserve and protect the character of the district in which such use is proposed.

Section 81.7 Industrial Signs. All signs to be viewed from without any building in a M-1 Light Industrial District shall conform to the following requirements. Any sign or signs permitted in and regulated by the requirements of this ordinance for a B-1 General Business District, are permitted in a M-1 District, with the following additional allowance. One additional sign may be placed freestanding near one entrance on each street upon which the lot or parcel fronts. Such a sign shall convey only identification of the permitted use; shall be located so that view of traffic within or without the development is not obstructed for pedestrians or motorists, and may not exceed 100 square feet into any public right-of-way or easement.

All signs to be viewed from without any building in a M-2 Heavy Industrial District shall

conform to the following requirements. Any sign or signs permitted in and regulated by the requirements of this ordinance for a B-1 General Business District or M-1 Light Industrial District, are permitted in a M-2 District.

Section 81.8 Residential Signs. Only subdivision signs and temporary real estate signs shall be allowed in any residential district. Business signs, even for a home occupation, or political signs are not allowed in a residential district. All signs to be located in a residential zoning district must be approved in advance by the Board of Adjustment (or Planning Board). All signs to be located in a residential district (R-1, R-2, R-2.6, R-3, R-4 or R-5) shall conform to the following requirements.

- a. All entrance signs shall be constructed of lasting and durable material and shall provide neighborhood identification. Plywood entrance signs are not permissible.
- b. A sign may be illuminated, but not flashing.

Section 82.0 Height Limitations

Height limitations, as stated in Section 61.0 of this ordinance, shall apply to satellite dish antennas in residential districts, but shall not apply to church steeples, barns, silos, farm structures, chimneys, flag poles, public utility poles, radio and television towers and aerials, cooling towers and water tanks.

Section 83.0 Moved Structures

Any building or structure which is to be moved to any location within the city limits of Wetumpka whether from within or without the corporate city limits, shall be considered for the purpose of this ordinance to be a new building under construction, and as such shall conform to all applicable provisions of this ordinance.

Such building or structure shall not be permitted in an R-1, R-2 or R-2.6 zoning district except on special exception from the Board of Adjustment.

In conforming to the building code requirements, all electrical wiring and plumbing shall be installed after building is placed on the lot. One exception is modular homes that carry all certifications of inspection.

A certificate of occupancy must be obtained within 120 days after the building or structure is placed on the lot. Failure to do so will subject owner to a penalty as defined in Section 99.0 of this ordinance.

Section 84.0 Mobile Home Parks

All mobile homes shall be located within an R-5 zoning district. Prior to development and/or