

ORDINANCE NO. 02-3713

BE IT ORDAINED by the City Council of the City of Decatur in the State of Alabama, as follows:

Section 1. That Section 25-70 of the Code of Decatur, Alabama is hereby amended to read as follows:

“Sec. 25-70. Purpose and intent.

It is hereby declared that the aesthetic and safety interests of the City of Decatur are reasonably promoted by the provisions of this article. Accordingly, it is the intent and purpose of this article to provide for the orderly and harmonious display of signs within the community; to aid in the identification of properties and enterprises for the convenience of the public; to avoid the erection of displays which produce deleterious and injurious effects to adjacent properties and to the natural beauty of the environment; to provide for the safety of the traveling public by limiting distractions, hazards, and obstructions; to minimize visual clutter and encourage a positive visual environment within the city; and to promote the health, safety, and welfare of the public.”

Section 2. That subdivision (a) of Section 25-71 of the Code of Decatur, Alabama is hereby amended to read as follows:

“(a.) The provisions of this article shall apply to all areas within the corporate limits of the City of Decatur, but shall not apply to signs erected by or on behalf of or pursuant to the authorization of a governmental body, including legal notices; identification and informational signs; traffic, directional, and regulatory signs; and official signs that do not fall within the definition of advertisement as defined in Section 25-72 (1). The provisions of this article describe those signs which are permitted; all others are excluded. Unless otherwise provided, the yard and setback requirements for the various districts and for streets, highways, and thoroughfares, established in Chapter 25 of the Code of Decatur, Alabama, shall be applicable to signs authorized hereby.”

Section 3. That Subdivisions (30); (31); (32); (33); (34); (35); and (36) of Section 25-72 of the Code of Decatur, Alabama are hereby amended to read as follows:

- “(30) *Special event: an occasion intended to attract a large number of people and includes events that have an admission fee or free admittance to the general public, including but not limited to grand openings, fairs, carnivals, circuses, festivals, animal shows, contests, races, and entertainment shows.*
- (31) *Special sales event or promotion: an event conducted on the premises of licensed business or merchant that features a special pricing promotion or similar type event of goods and services normally offered for sale during the regular course of the business's or merchant's conduct of trade.*
- (32) *Standard Building Code: The Standard Building Code published by the Southern Building Code Congress International, Inc., as adopted and amended by the City of Decatur from time to time.*
- (33) *Subdivision, condominium, and apartment identification signs: Signs that identify the name of a residential subdivision, condominium development, or apartment complex.*
- (34) *Temporary sign: A sign of a nonpermanent nature that is used in connection with a circumstance, situation, or event that is designed, intended and expected to take place or to be completed within a reasonably short and definite time period after the erection of*

- such sign. If a sign display area is permanent, but the message displayed is subject to periodic changes, such sign shall not be regarded as temporary.
- (35) *Wall sign*: An attached sign which is mounted parallel to or flush against an exterior wall of a building.
- (36) *Warning sign*: A sign, containing no advertising material, warning the public of the existence of danger.”

Section 4. “That Subparagraph (5) of Subdivision (a) of Section 25-74 of the Code of Decatur, Alabama is hereby deleted in its entirety.”

Section 5. That the Code of Decatur, Alabama is hereby amended by adding a Subdivision to be numbered subdivision (d) of Section 25-74, which said subdivision reads as follows:

- “(d.) The following temporary signs are permitted in the specified districts upon submission of an application to the Building Department for signs described below and subject to the following conditions in addition to those set out elsewhere in this article:
1. *Flags, banners and streamers advertising either a special event or a special sales event or promotion, as defined in this article, shall require a permit.*
 2. *A permit application for flags, banners and streamers shall be submitted to the Building Department and shall contain the following information:*
 - a. *The beginning and ending dates of the special event or special sales event or promotion.*
 - b. *The size of the temporary sign in area, with dimensional notations sufficient to determine compliance with the applicable requirement of subsection b (4).*
 - c. *The proposed location of the temporary sign indicated on a survey or plot plan of the property, indicating that the required setback requirement of the zoning district regulation will be met.*
 - d. *An affirmative statement by the applicant that the permitted temporary sign will be erected and removed in accordance with the dates stated in subsection b (2a).*
 3. *Temporary sign permits issued under the provisions of this section shall be limited to no more than four special events, special sales events or promotions per property each calendar year and the total days encompassed in the four special events or special sales events or promotions shall not be more than sixty (60) days in any calendar year.*
 4. *The square footage area of any temporary signs issued under the provisions of this section shall not exceed fifty (50) square feet on lots with less than one hundred (100) linear feet of road frontage and a maximum of 100 square feet on lots with more than one hundred (100) linear feet of road frontage. Streamers shall be no more than one hundred (100) linear feet on any lot regardless of the linear feet of lot frontage along a street.*

Section 6. That Section 25-75 of the Code of Decatur, Alabama is hereby amended to read as follows:

“Subsection 25-75, Permit Requirements.

Except for those signs exempted under sections 25-73 and 25-74, above, no sign shall be located, constructed, erected, posted, attached, altered, or repaired until a building permit has been issued by the Building Department in accordance with the requirements of *this article*; provided

however, that no permit shall be required for the performance of work to an off-premise sign which work is valued at less than \$1,000.00.”

Section 7. That Subdivision (k) of Section 25-76 of the Code of Decatur, Alabama is hereby amended to read as follows:

“(k.) No *permanent* sign shall revolve or be animated, or utilize movement or apparent movement in order to attract the attention of the public, which is visible from the right-of-way of a public street or highway, or from any other vehicular travel way open to the public.”

Section 8. This Ordinance shall take effect October 1, 2002.

ADOPTED this 5th day of August, 2002

Patricia Woller, President
Decatur City Council

Authenticated:

/s/ Gail Busbey
City Clerk

APPROVED this 7th day of August, 2002

/s Lynn C. Fowler
Lynn Fowler, Mayor