

## **ARTICLE 7 Sign Regulations**

### **7-1 Purpose and Intent.**

The purpose of this article is to regulate exterior signs so as to protect the health, safety, convenience, and general welfare of the community, to protect property values, to protect the historic, rural and natural character of the community, to protect the safety of the traveling public and pedestrians, to promote the creation of an attractive and harmonious community, to conserve electricity, to ensure the equitable distribution of public space for the purpose of communication, to promote the reasonable, orderly and effective display of outdoor advertising and to further the goals of the Comprehensive Plan.

### **7-2 Applicability**

#### **7-2.1 In General.**

All signs are governed by these regulations whether or not a sign permit is required. In the event two or more different types of signs are combined into a single combination sign, as herein defined, the entire sign shall be considered as one sign and shall be treated as the sign with the most stringent requirements.

These regulations shall apply to the construction, display, erection, alteration, installation, use, relocation, replacement and reconstruction of all signs placed for public display within the area governed by this Ordinance. The message content of signs is not regulated by this Ordinance.

Any sign authorized by this ordinance is allowed to contain any otherwise lawful noncommercial content in lieu of any other content.

#### **7-2.2 Applicability of Other Regulations.**

Signs are accessory structures and uses and limited to the site of the principal use or structure identified by the signs. Signs shall comply with all requirements of the Building Code. Whenever sign regulations of the Commonwealth of Virginia or the Federal Government are more stringent than the regulations herein, the State or Federal regulations shall govern.

#### **7-2.3 Permit Required.**

7-2.3.1 A sign permit shall be required for signs except as herein provided. It shall be unlawful to erect, locate, establish, display, alter, install, relocate, reconstruct or paint on a structure any size or type of outdoor sign or billboard as described in this Ordinance, anywhere within the jurisdiction of Westmoreland County without first obtaining a sign Permit from the Administrator except as provided for in Article 10 and this Article.

7-2.3.2 Before any permit is granted for the erection of a sign, plans and specifications shall be filed with the Administrator showing the dimensions, type of materials and the details of construction including anchorage, illumination, colors and wording or graphics.

- 7-2.3.3 All signs shall be located on the same lot with the principal use to which they pertain. Failure to adhere to the requirements of this Ordinance voids any permit approval, requiring removal of the sign or structure.

### **7-3 Sign Dimensions and Special Regulations.**

#### **7-3.1 Sign Area Computation**

The area of a sign face shall be computed by means of the smallest square, circle, rectangle, triangle or combination thereof that will encompass the extreme limits of the writing, representation, emblem or other display together with any material or color forming an integral part of the background of the display or used to differentiate the sign from the backdrop or structure against which it is placed, but not including any supporting framework, bracing, or decorative fence or wall when such fence or wall otherwise meets zoning ordinance regulations and is clearly incidental to the display itself.

#### **7-3.2 Sign lighting**

- 7-3.2.1 Sign lighting shall be turned on only during business operating hours.

- 7-3.2.2 Light fixtures for externally illuminating signs must be located, aimed and shielded so that light is directed only onto the sign face and is prevented from creating glare or light shining into motorist or pedestrian field of vision. Shielding must be accomplished with architectural elements, landscaping, and/or specific lighting components, such as shields or louvers. The light fixture must be designed to prevent light spill into the sky and shall not be aimed toward adjacent streets or properties.

#### **7-3.3 The following regulations shall apply to free-standing signs:**

- 7-3.3.1 One freestanding monument type sign shall be permitted on each parcel having 200 or more feet of street frontage.
- 7-3.3.2 Signs shall not exceed 40 square feet per face with a limit of two faces per sign.
- 7-3.3.3 Signs may only be placed on the property within required yards and setbacks.
- 7-3.3.4 The maximum height of any freestanding sign shall not exceed ten (10) feet. The height of a sign shall be computed as the distance from the base of the sign at normal grade to the top of the highest attached component of the sign. Normal grade shall be construed to be the lower of (1) existing grade prior to construction or (2) the newly established grade after construction, exclusive of any filling, berming, mounding, or excavating. In cases in which the normal grade cannot be reasonably determined, sign height shall be computed based on the assumption that the elevation of the normal grade at the base of

the sign is equal to the elevation of the edge of the nearest public street or the grade of the land at the principal entrance to the subject property, whichever is lower.

7-3.3.5 Individual stores, businesses or professions on the same property, exclusive of shopping centers, shall combine signs on a single free standing monument type sign and the square footage of the combined signs shall not exceed 40 square feet per face.

7-3.3.6 Shopping centers shall be permitted one freestanding monument type sign per street frontage not to exceed 60 square feet per face. The shopping center name shall comprise not less than fifty (50) percent of the sign face area. Individual shops and businesses in shopping centers shall not have individual free-standing signs but may co-locate on the shopping center name sign and may have wall signs as provided for in subsection 7-3.4 of this Section.

7-3.3.7 The base of any free-standing sign shall be surrounded by a landscape area not less than 100 square feet and consisting of not less than a mixture of shrubs and groundcover.

7-3.4 The following regulations shall apply to wall signs:

7-3.4.1 Wall signs shall include but not be limited to, canopies, awnings and other signs mounted, painted, or attached to a building face.

7-3.4.2 One wall sign shall be permitted and shall not exceed one (1) square foot of sign area per two (2) linear feet of building frontage in which the sign is to be attached with a minimum of twenty (20) square feet permitted or one hundred (100) square feet whichever is smaller. Such signs shall be mounted flat against the building on the side measured above.

7-3.4.3 The top of all wall signs shall be below the roofline and at a height no greater than twenty (20) feet.

7-3.4.4 Any logo, trademark, mural, copyright, or recognizable symbol, pertaining to the use or business contained within the building, painted on any face of the building shall be treated as a wall sign.

7-3.5 The following regulations apply to changeable copy signs:

7-3.5.1 No more than one sign per street frontage of any site shall contain changeable copy.

7-3.5.2 The area of changeable copy shall not exceed twenty (20) square feet with no more than four (4) lines of copy.

- 7-3.5.3 Changeable copy shall be limited to:
  - (A) Special Sales, Promotions, Operating hours and similar business information
  - (B) Bulletin boards of civic, charitable, religious, or social organizations or similar organizations.
  - (C) Gasoline prices
  - (D) Theatric events, motion pictures or similar activities

7-3.5.4 Changeable copy shall be securely fastened to the sign face and neatly maintained as initially designed and placed.

7-3.6 Illuminated free-standing signs shall conform to the following:

- 7-3.6.1 Illumination shall be by an externally located steady stationary light source, shielded and directed solely at the sign;
- 7-3.6.2 The light source used to illuminate signs shall neither be visible from any street right-of-way nor-from adjacent properties;
- 7-3.6.3 Spot-Lighting of signs shall be restricted to not more than one shielded light per side for sign faces up to forty (40) square feet and not more than two (2) shielded light fixtures per side for sign faces more than forty (40) square feet;
- 7-3.6.4 Light Intensity shall not exceed ten (10) foot candles at any point on the sign face;
- 7-3.6.5 Signs shall not have reflective backgrounds but may use reflecting lettering; and
- 7-3.6.6 Colored lamps are not permitted.

7-3.7 Flag signs

Flag signs shall be limited to one flag, no larger than thirty two (32) square feet, advertising the business name and shall be installed in a permanent fashion, maintained in good repair at all times and not constitute a hazard to vehicular or pedestrian traffic. If used, flagpoles shall not exceed fifty (50) feet in height.

7-3.8 Signs on entrance awnings or canopies

- 7-3.7.1 Signs on entrance awnings or canopies shall be allowed, provided that the total area of such signs if constructed alone or in combination with other building signs does not exceed the maximum allowable dimensions and square footage as set forth in section 7-3.4 above.
- 7-3.7.2 Canopies associated with convenience stores, fast-food restaurants, gasoline stations and similar facilities shall have no signage.

### 7-3.9 Directional signs

Directional signs may be allowed upon the determination of the administrator that the sign or signs:

- 7-3.9.1 Are necessary to permit vehicular traffic to locate distinctive places of historical significance, churches, marinas, campgrounds and residential areas or other activities, excluding retail sales and services uses, which are located adjacent to State secondary roads or private roads leading to such secondary roads and no entrance or access to a primary road;
- 7-3.9.2 Show only the business name and/or logo, mileage, operating hours and route directions; and
- 7-3.9.3 No more than three non-illuminated signs will be permitted and such signs shall be constructed of wood with non-reflective painted surfaces.
- 7-3.9.4 Signs on primary roads shall be no larger than twenty (20) square feet and signs on secondary roads shall be no larger than ten (10) square feet.
- 7-3.9.5 Signs on primary roads will be permitted only on properties zoned BN, BG, IG, PIP, B-1, B-2 or M-I.

### 7-3.10 Residential Subdivision Signs

Residential subdivisions may have one identification sign, non-internally illuminated and not exceeding forty (40) square feet in area, for each principal entrance. Such sign is bound by all other provisions of this ordinance and if the sign is located at the corner of two right-of-ways, the sign may be placed no closer than 10 feet to the corner.

### 7-3.11 Electronically Controlled Signs

Digital or electronically controlled message components of a sign shall be limited to no more than fifty percent (50%) of the sign face area. No flashing or scrolling text shall be used and, with the exception of time and date, no message shall be displayed for an interval of less than thirty (30) seconds.

### 7-3.12 Signs for Fuel Pumps

Petroleum product pumps and dispensers shall be permitted to display only information required by law and the brand name and type of product being dispensed with characters not exceeding twelve (12) inches in height.

**7-4 Exemptions.**

The following signs are exempted from the provisions of these regulations and may be erected or constructed without a permit but in accordance with the structural and safety requirements of the Building Code, any applicable federal or state requirements:

- 7-4.1 Official traffic signs, historical markers, warning signs indicating caution or danger structures when erected or required to be erected by a governmental agency.
- 7-4.2 Traffic signs authorized by the Virginia Department of Transportation to be placed on a highway right-of-way.
- 7-4.3 Changing of the copy on a bulletin board, poster board, display encasement, reader board or billboard.
- 7-4.4 Temporary non-illuminated signs, not more than thirty-two (32) square feet in area, advertising real estate for sale or lease and located on the premises, one such sign for each street frontage.
- 7-4.5 Temporary non-illuminated signs, not more than thirty-two (32) square feet in area, erected in connection with new construction work and displayed on the premises during such time as the actual construction work is in progress, one such sign for each street frontage.
- 7-4.6 Non-illuminated signs warning trespassers or announcing property as posted, not to exceed two (2) square feet per sign in residential, commercial and industrial areas, and four square feet per sign in agricultural areas.
- 7-4.7 Sign on a truck, bus or other vehicle, while in use in a normal course of business, but not parked in front of a business so as to function as an on-site sign (see section 7-5.8)
- 7-4.8 Mailboxes and similarly located signs identifying a private residence.
- 7-4.9 Botanical signs.
- 7-4.10 Signs not to exceed six square feet in area, within a business or manufacturing district, which state the name or number of a building.
- 7-4.11 Signs placed upon the exterior of a structure indicating the location of rest rooms, bathhouses, entrances or exits.
- 7-4.12 Signs not to exceed six (6) square feet in area indicating the entrance or exit from a parking lot, potable water supply, sewage station for recreational vehicles or other notices related to public health or safety.
- 7-4.13 Temporary signs not to exceed thirty-two (32) square feet per face, erected for a period of up to ninety (90) days, advertising seasonal agricultural products for sale within the A-1, agricultural general, district.

- 7-4.14 One sign, not to exceed four square feet in size, attached to a building or to a freestanding sign indicating credit cards which are accepted on the premises; group affiliations of which the business is a member or clubs or groups which utilize, recommend, inspect or approve the business for use by its members.
- 7-4.15 Signs conveying political, ideological, religious, social or governmental messages unrelated to businesses, services or manufacturing activities or the goods connected therewith, provided such signs shall not exceed thirty-two (32) square feet in size.
- 7-4.16 Signs within a ball park or other similar recreational facility and which cannot be seen from an adjacent street or adjacent properties.
- 7-4.17 Vehicle inspection signs, non-illuminated, identifying state inspection stations and the inspection number which is due. Such signs shall not exceed sixteen (16) square feet.
- 7-4.18 Works of art that do not include any commercial messages or references.
- 7-4.19 Interior window signs, non-illuminated, occupying not more than fifty (50) percent of the total window area of the building face on which the signs are mounted.
- 7-4.20 Temporary Private Yard sale signs
- 7-4.21 Handicapped Parking Space Signs

## **7-5 Prohibited signs.**

The following signs are specifically prohibited:

- 7-5.1 Flashing, animated and rotating signs or appurtenances to signs which are nonstationary.
- 7-5.2 Displays of intermittent lights resembling or seeming to resemble the flashing lights customarily associated with danger, such as are customarily used by police, fire or ambulance vehicles or for navigation or traffic control purposes.
- 7-5.3 Signs so located and so illuminated as to provide a background of colored lights blending with traffic signal lights that might reasonably confuse a motorist when viewed from a normal approach position of a vehicle at a distance of 25 to 300 feet.
- 7-5.4 Signs which are not an integral part of the building design but fastened to and supported by or on the roof of a building or projecting over or above the roof line or parapet wall of a building, except as otherwise provided herein.
- 7-5.5 Signs placed or located to conflict with the vision clearance or other requirements of applicable traffic ordinances.
- 7-5.6 Signs attached to trees, utility poles or other unapproved supporting structure.

- 7-5.7 Signs which are portable or otherwise designed to be relocated, or are constructed on a chassis or carriage with permanent or removable wheels, including the use of vehicles parked in the front of commercial structures in prominent view of the public right-of-way and displaying signs for the purpose of functioning as an on-site sign to circumvent this Ordinance. This limitation does not pertain to signs painted or displayed on an operable commercial vehicle which is regularly used as a delivery, service, or transportation vehicle and is stored in a manner on site that does not circumvent these regulations.
- 7-5.8 Pennants, banners, flags, and other displays used for marketing or advertising except as provided in section 7-6 of this Ordinance.
- 7-5.9 Any sign towed by a vehicles, watercraft or aircraft.
- 7-5.10 Inflatable signs or balloons
- 7-5.11 Strings of lights outlining property lines, sales areas, products, or any portion of a structure, unless part of an approved sign or sign structure. This prohibition shall not apply to seasonal decorations.
- 7-5.12 Neon Signs External to a Building
- 7-5.13 Signs Higher Than Buildings and Roof signs.
- 7-5.14 Searchlights
- 7-5.15 Pole or Ground Signs

## **7-6 Temporary signs.**

The administrator shall review and consider for approval the following signs and displays when the use of such signs and displays would be in the public interest and would not result in damage to private property. Such permits shall be valid for a period of up to thirty (30) days following issuance:

- 7-6.1 Signs or banners advertising a special civic or cultural event such as a fair or exposition, play, concert or meeting sponsored by a governmental, charitable or nonprofit organization.
- 7-6.2 Special decorative displays used for holidays, public demonstrations or promotion for nonpartisan civic purposes.
- 7-6.3 Special decorative displays used for purposes of advertising the opening of a new store, business or profession.

## **7-7 Nonconforming signs.**

Any sign existing prior to April 10, 2000, and not conforming to the terms of this Chapter is hereby declared a nonconforming sign and may not be structurally altered or replaced except for refacing unless such sign conforms to the requirements of the Chapter. If such nonconforming sign is destroyed, demolished, or removed due to any reason, it

shall not be replaced without complying with all provisions of this chapter. Upon the cessation or termination of the current use on a parcel of real property, the owner thereof shall within ninety (90) days of such cessation or termination remove all nonconforming signs. If the owner shall fail to comply with this requirement, then written notice shall be given by the administrator to the owner advising of the violation. If such signs are then not removed within ten (10) days, the administrator shall cause such removal and charge the cost to the owner of the premises, and signs removed become the property of the County.

**7-8 Violation and penalties.**

The Administrator shall remove or cause to be removed any sign erected or maintained in conflict with these regulations. If the owner or lessee of either the site or the sign fails to correct the conflict within thirty (30) days after receiving written notice from the Administrator.

Prior to any criminal or civil enforcement under this Section, the administrator or his designee shall give five (5) days written notice of the violation to the owner, tenant or lessee of the property. The violation of any provision of this article is subject to punishment pursuant to Article 11. In addition, if such violation is not corrected within five (5) days after receipt of the notice of violation, except violations involving portable signs, the administrator or his designee may remove or cause to be removed at the owner's or tenant's expense such sign and/or institute such other action as may be appropriate.

If the violation involves a portable sign, such sign shall be removed immediately, and if not, the administrator may remove or cause to be removed, at the owner's or tenant's expense such sign and/or institute such other action as may be appropriate. Removal of a sign shall not affect any proceedings instituted prior to removal of such sign.