

ORDINANCE NO. 2017- 25

**AN ORDINANCE ESTABLISHING SIGN LIMITATIONS FOR THE CITY OF JASPER,
INDIANA AND ITS JURISDICTIONAL AREA**

(AMENDING ORDINANCE NO. 2016-30 Unified Development Ordinance)

WHEREAS, the City of Jasper Advisory Plan Commission (“Commission”), after due publication and notice, held a public hearing to review and considered a proposal to amend the text of the Unified Development Ordinance No. 2016-30 by adding language establishing limitations on signs within the City of Jasper and its jurisdictional area;

WHEREAS, the Commission has certified to the Common Council of the City of Jasper (hereinafter "Common Council") a favorable recommendation on said proposal;

WHEREAS, the Common Council has provided due publication and notice of its intention to consider said amendment to the text of the referenced portions of the Unified Development Ordinance; and

WHEREAS, the Common Council now finds it in the best interest of the City of Jasper to amend the Unified Development Ordinance as set out herein.

NOW, THEREFORE, BE IT ORDAINED BY THE COMMON COUNCIL OF THE CITY OF JASPER, INDIANA, as follows:

SECTION 1. Ordinance No. 2016-32, and all amendments thereto, adopted on the 22nd day of November, 2016, the same being in relevant part Title 18 of the Municipal Code of the City of Jasper, Indiana, are hereby repealed.

SECTION 2. The limitations on signs within the City of Jasper and its jurisdictional area, set out herein, shall be identified as Chapter 8 of the Unified Development Ordinance, and shall be adopted and referred to as set out below.

SECTION 3. (16.08.10)

8.1 PURPOSES

A. GENERALLY. The general purposes of this Chapter are to:

1. Recognize the function and importance of signs for the business sector and the residents of the City;
2. Preserve and enhance the character and visual appearance of the City;
3. Recognize the integral part played by signs in the overall appearance of the City;
4. Provide a reasonable set of controls that will permit and encourage creative and effective signs that adequately identify a business;
5. Provide standards, guidance, and direction for sign users and sign designers as to what constitutes appropriate signage within the jurisdiction; and
6. Uphold the free interchange of thought and opinion, and the right of every person to speak, write, or print freely, on any subject whatsoever, as guaranteed by federal and state law.

B. RIGHT TO INSTALL SIGNAGE DURING ELECTION SEASON. Pursuant to IC 36-1-3-11, any provision of this Ordinance relating to the number or size of signs (the surface area of which is not greater than 32 square feet) is unenforceable during the following period:

1. Beginning sixty (60) days before an election, as described in IC 3-5-1-2; and
2. Ending at the beginning of the sixth day after the election.

However, this Subsection does not prohibit the City from enforcing this Ordinance as it relates to the number or size of signs at any time if necessary to ensure public safety. Therefore, all signs installed during the above described period must not extend into a public way and must comply with the regulations of Section 7.2 Sight Visibility Triangle.

- C. RIGHT TO SUBSTITUTE NONCOMMERCIAL COPY.** The owner of any sign that is otherwise allowed by this Ordinance may substitute noncommercial copy in place of any other commercial or noncommercial copy. This substitution of copy may be made without the issuance of any additional permit by the Planning Department or other local government agency. Pursuant to IC 36-7-4-1109(h), the purpose of this Subsection is to prevent any inadvertent favoring of commercial speech over noncommercial speech, or the favoring of any particular noncommercial message over any other noncommercial message. This Subsection prevails over any more specific provision in this Ordinance to the contrary.

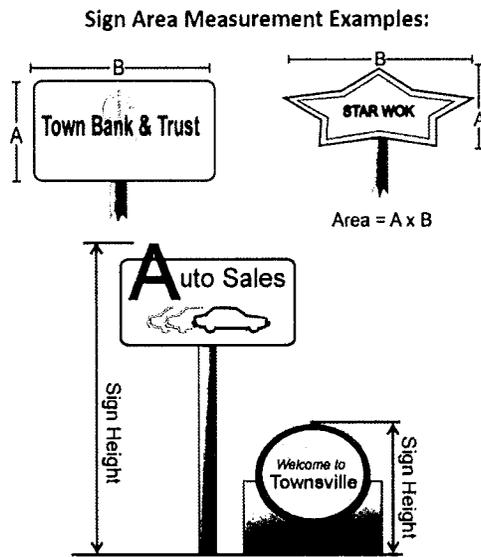
SECTION 4. (16.08.20)

8.2 APPLICABILITY AND GENERAL REQUIREMENTS

- A. REQUIREMENTS APPLICABLE TO ALL ZONING DISTRICTS.** Except as otherwise provided in this Ordinance, it shall be unlawful for any person to erect, construct, enlarge, or move or any sign, or cause the same to be done, without first obtaining a sign permit. No sign may be erected, constructed, enlarged, or moved into a location which would cause it to violate the regulations of Section 7.2 Sight Visibility Triangle.
- B. PERMISSION.** No sign shall be placed on private or public property without the written consent of the owner or agent thereof. Off-premise commercial signs are prohibited throughout the jurisdiction, except as provided in Subsection 8.7(H) Billboards.
- C. MEASUREMENT.** The area of all signs shall be calculated by multiplying the maximum vertical dimension by the maximum horizontal dimension, otherwise known as square footage. For monument signs the measurement also includes post and supports. The area shall be that area which is enclosed by the smallest rectangle that can be used to enclose the sign. The height of all signs shall be measured from average surface grade surrounding the base of a sign or average surface grade of the road bed nearest the base of the sign, whichever is higher, and include any poles or other supports unless otherwise specified in this Ordinance. In no case shall sign height be measured from the top of any berm or artificial grade.

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D. EXAMPLES OF SIGN AREA MEASUREMENT:



- E. DOUBLE-FACED SIGNS.** For all signs permitted by this Ordinance, a double-faced sign may be erected. For the purpose of calculating square footage of the sign, the face area of one of the two sides shall be considered the face area of the entire sign. However, the two faces shall be identical in face area, and shall be placed back-to-back, and the maximum distance between the two faces shall not exceed 2 feet at any point.
- F. ILLUMINATION.** Lights used to illuminate a sign shall be shielded from residential properties and shall not glare into any thoroughfare so as to be a hazard or distraction to vehicular traffic. In application of high intensity lighting sources, or spot lights, no lighting fixture shall be located or positioned so that an observer standing on adjacent properties, or in the thoroughfare right-of-way, can see either the lamp bulb or the reflector source behind the lamp.
- G. MAINTENANCE.** Every sign shall be maintained in a safe, presentable, and good structural condition at all times, which shall include the replacement of defective parts, painting, repainting, cleaning, and other acts required for ordinary maintenance of the sign. Compliance shall be required with all standards of this Ordinance. If the sign is not made to comply with adequate safety standards, and/or not kept in a presentable or good structural condition, the Administrator may issue a citation to the owner of the sign in accordance with Section 11.3 Citation for Civil Zoning Violations.
- H. ABANDONMENT.** A commercial sign shall be considered abandoned when the business with which it was associated is no longer being conducted on the premises or when the event to which it is related has been held. The owner or lessee of the premises upon which the sign is located shall remove an abandoned sign within one year after abandonment. If the owner or lessee fails to remove the sign, the Administrator may issue a citation to the owner of the sign in accordance with Section 11.3 Citation for Civil Zoning Violations.

SECTION 5. (16.08.30)

8.3 EXEMPTIONS

- A. EXEMPT SIGNS.** No permit shall be required for any of the following types of signs:
1. Integral Identification Features, including the names of buildings, their date of erection, monumental citations, commemorative tablets, and the like, when carved into stone, concrete, or similar construction, or similar material, or made of bronze, aluminum, or another permanent type of material and made an integral part of the structure.

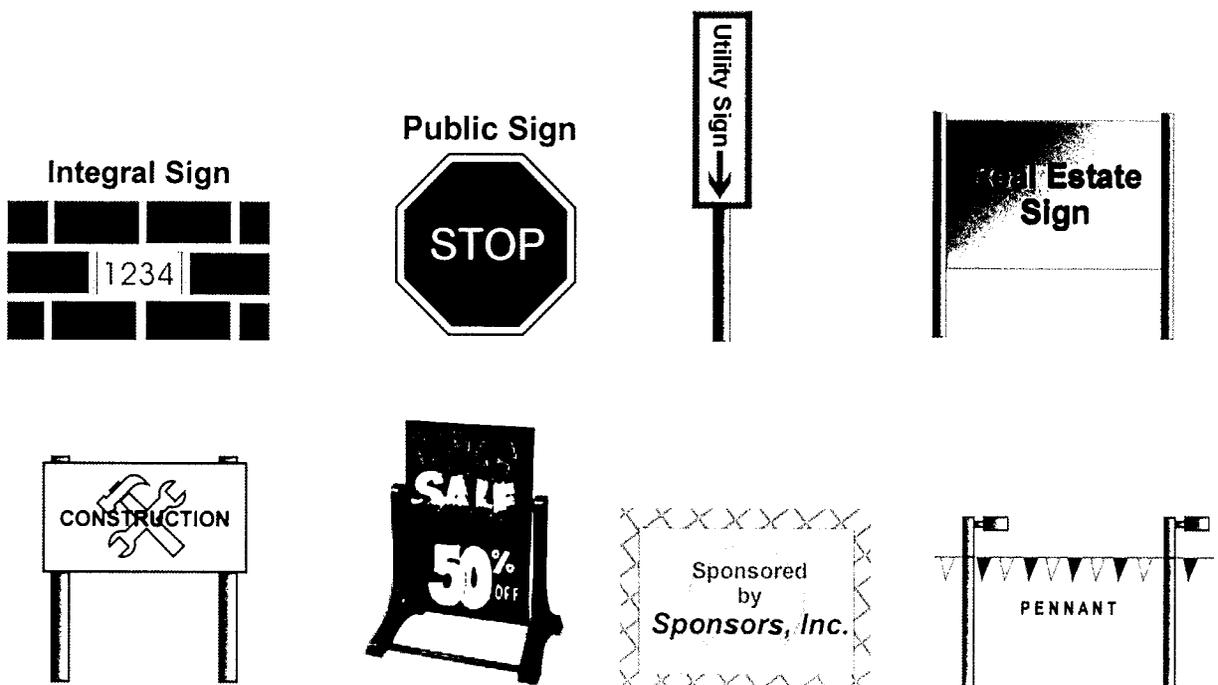
2. Public Signs, including those placed by or at the instruction of the Board of Public Works and Safety, a federal, state, or county agency, or a firefighter or law enforcement officer while performing official duties, such as signs to promote public safety, no trespassing signs, traffic control signs, memorial plaques, historical markers, and directional signs related to public or quasi-public facilities or events.
3. Utility Marker Signs, which include those used to mark cables and lines for public utilities, unless determined by the Administrator to be a hazard.
4. Real Estate Signs, which shall be limited to one sign displayed on any premises while the premises are available for sale, lease, or rental, so long as:
 - a. The face of the sign does not exceed 9 square feet in area (for premises located in residential districts) or 32 square feet in area (for premises located in other zoning districts); and
 - b. The sign is removed within 14 days after the premises are no longer available for sale, lease, or rental.
5. Real Estate Open House Signs, which shall be limited to directional type signage that does not exceed 4 square feet in area and 30 inches in height, and which shall not be installed more than 72 hours before the respective open house and shall be removed within 6 hours after the respective open house.
6. Sandwich Board Signs, which shall be limited to one sign displayed on any premises used for business purposes, so long as:
 - a. The sign does not exceed four (4) feet in height, two (2) feet in width or eight (8) square feet in area;
 - b. The sign is located within 10 feet of the main entrance of the business for which it is established; and
 - c. The sign is not illuminated.
7. Sponsorship Signs, which include those located inside a publicly owned recreational facility, so long as:
 - a. They are placed on areas that are part of the facility;
 - b. They are visible only to participants or spectators at the facility; and
 - c. They are approved by the Jasper Department of Parks and Recreation or other respective governing board of the facility before installation.
8. Pennants, so long as they do not extend into a public way and are used no more than 30 days during any 3 month period. However, pennants may not be used in conjunction with banners or other exempt signage.
9. Banners (when approved by the Administrator for installation at either or both of the following public locations):
 - a. Near the water tower on North Newton Street; and
 - b. Near the Maypole, at the corner of 6th Street and Newton Street.
10. Banners (for commercial uses only), so long as:
 - a. They do not extend into a public way;

- b. They do not exceed one per property, or one per business (where more than one business is located on a property);
 - c. They do not exceed 45 square feet in face area; and
 - d. They are used no more than 14 days during any 2 month period.
11. Construction Signs, which shall be limited to 2 signs displayed on any active construction site, so long as:
- a. The face of each sign does not exceed 6 square feet in area (for premises located in single-family residential districts) or 32 square feet in area (for premises located in other zoning districts);
 - b. The signs comply with the regulations of Section 7.2 Sight Visibility Triangle; and
 - c. The signs are removed within 14 days after completion of the respective construction activity.

However, the Commission, in its discretion, may approve, in conjunction with any plan approval, additional signage to be displayed on any active construction site for the duration of the construction period.

12. Directional Signs, which shall be limited to signs providing directional information for vehicular or pedestrian traffic on premises used for business purposes, so long as no sign exceeds 4 feet in height or 4 square feet in area.
13. Event Promotional Signs, which include noncommercial signs promoting garage or yard sales or community events, so long as:
- a. The face of the sign does not exceed 4 square feet in area;
 - b. The sign is installed not more than 7 days in advance of the sale or event; and
 - c. The sign is removed within 48 hours after the close of the sale or event.

B. EXAMPLES OF EXEMPT SIGNS:



EXEMPT SIGNS (CONT.)



C. EXEMPTION WHERE CERTAIN OUTDOOR ADVERTISING SIGNS ARE OBSTRUCTED. Pursuant to IC 8-23-20-25.6, if a conforming outdoor advertising sign (which sign is located along the interstate and primary system, or any other highway where control of outdoor advertising signs is required under 23 U.S.C. 131) is no longer visible or becomes obstructed, or must be moved or removed, due to a noise abatement or safety measure, grade changes, construction, directional signage, highway widening, or aesthetic improvement made by any agency of the state along the interstate and primary system or any other highway, the owner or operator of the outdoor advertising sign, to the extent allowed by federal or state law, may:

1. Elevate the outdoor advertising sign; or
2. Relocate the outdoor advertising sign to a point within 500 feet of its prior location, if the outdoor advertising sign complies with the applicable spacing requirements and is located in a business or industrial district.

The elevated outdoor advertising sign or outdoor advertising sign to be relocated shall be the same size as the previous outdoor advertising sign. The purpose of this Subsection is to permit the owner or operator of the described sign to modify the sign without obtaining a new or amended sign permit, either by elevating the sign so that the entire advertising content of the sign is again visible, or by reinstalling the sign at an angle that makes the entire advertising content of the sign again visible, or a combination of both.

SECTION 6. (16.08.40)

8.4 PROHIBITIONS

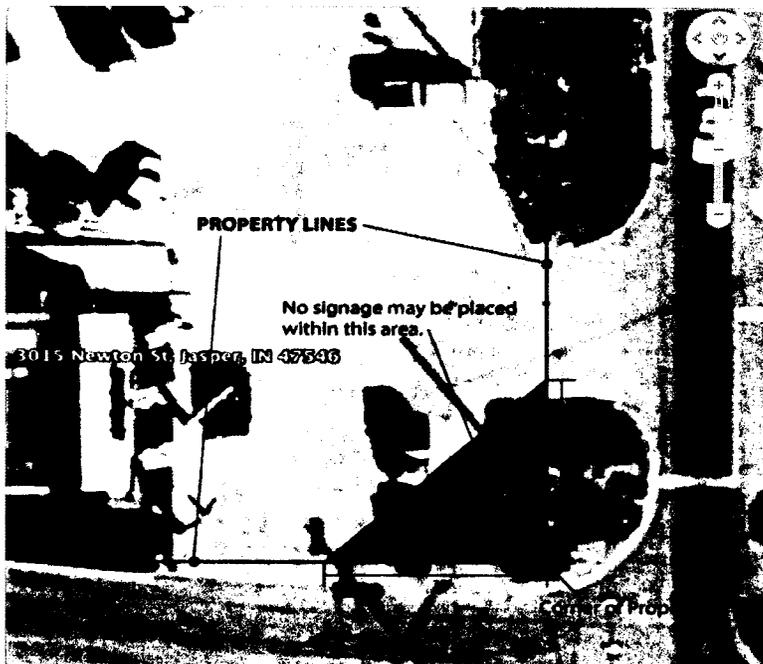
A. PROHIBITED SIGNS. The following types of signs are expressly prohibited in all zoning districts:

1. Emitting Signs, which include signs that emit audible sounds, odors, or visible matter.
2. Imitating Signs, including those that purport to be, are in imitation of, or resemble a Public Sign or signal, such as those bearing the words, STOP, SLOW, CAUTION, DANGER, WARNING, or any other word, phrase, symbol, or character in such a manner to suggest, interfere with, mislead, or confuse motorists.
3. Imitating Vehicles, including signs that may be construed as a light of an emergency or road equipment vehicle.
4. Visually Obstructing Signs, which include signs that hide any traffic or roadway sign, signal, or device from view, and signs that do not comply with the regulations of Section 7.2 Sight Visibility Triangle.
5. Obscene Signs, which shall be limited to those that contain statements, words, or pictures that are obscene within the meaning of IC 35-49-2-1.
6. Encroaching Signs, which include those located in a public way or posted on a utility pole or street sign, as well as signs that project into a public way, unless they are approved by the Board of Public Works and Safety. Encroaching signs

do not include publicly-owned signs, such as traffic control signs and directional signs. The right-of-way dimension shall be determined by the City of Jasper Engineering Department. Signs directing and guiding traffic and parking on private property but bearing no advertising matter shall be permitted on any property. For safety purposes, informational signs shall not exceed a total of 4 square feet in area and shall not exceed 4 feet in height.

7. Physically Obstructing Signs, which include those that obstruct any door, fire escape, stairway, or other opening intended to provide ingress or egress for any structure.
8. Poster Signs, which include posters, placards, and other similar types of signage that are attached to utility poles, trees, or other outdoor fixtures, except those that are permitted under Subsection 8.7(G) as Temporary Business Signs.
9. Portable Signs, except those that are exempt under Section 8.3 Exemptions or permitted under Subsection 8.7(G) as Temporary Business Signs.
10. Inflatable signs or inflatable characters, feather banners, and the like, including items that contain distinctive color, pattern or symbols, which refer to the offer for sale, or existence for sale of products, property, accommodations, services or attractions or activities or attract attention to a business or to products, property, accommodations, services, or activities that are offered or exist for hire.
11. Signs placed on vehicles or trailers parked on public or private property primarily for the purpose of displaying the sign. Prohibited signs do not include those displayed on vehicles parked for the purpose of lawfully making deliveries or random sales or service. Prohibited signs do not include vehicles which are customarily used for transporting persons or properties, and vehicles parked at a driver's place of residence during non-business hours or for incidental purposes.

B. EXAMPLES OF PROHIBITED SIGNS:



PROHIBITED SIGNS (CONT.)



C. ENFORCEMENT.

1. **SEIZURE OF MATERIALS.** Any sign, structure, landscaping or other material that constitutes a violation may be seized by the Administrator in a manner that results in the least amount of damage to the material or the property on which it is located under the circumstances.
2. Any violation under previous ordinances repealed by this Ordinance shall continue to be a violation under this Ordinance and be subject to penalties and enforcement in "Chapter 11: Enforcement," unless the use, development, construction, or other activity complies with the provisions of this Ordinance.
3. **DELEGATION OF RESPONSIBILITIES.** Enforcement of the provisions of this Chapter shall be the responsibility of the Administrator or designee, the Jasper Police Department and the City of Jasper Code Enforcement Officer.

SECTION 7. (16.08.50)

8.5 NONCONFORMING SIGNS

- A. **LEGAL NONCONFORMING STATUS OF SIGNS.** Pursuant to Subsection 3.1.B Legal Nonconforming Status, a legal nonconforming sign may continue in the manner and to the extent that it existed on January 1, 2017, or at the time this Chapter is enacted, so long as it does not, after that time, become more nonconforming.
- B. **STATUS OF SIGNS UNDER 2012 ORDINANCE.** In addition, if a sign was a legal nonconforming sign in existence on December 19, 2012 (or was being installed as of that date), but the sign was no longer permitted by City of Jasper Ordinance 2012-35, §16.035, adopted December 19, 2012, that sign may also be continued; however, if a legal nonconforming sign in existence on or being installed as of that date is removed for any reason (other than from a natural disaster), reconstruction or restoration of the sign shall be done in accordance with this Chapter.
- C. **ALTERATIONS.** Notwithstanding any provision of Chapter 3: Nonconforming Uses, Lots, and Structures, a legal nonconforming sign may not be altered, which includes any relocation, expansion, or increase in height or area, except as expressly provided in this Chapter.
- D. **RELOCATION IN CONNECTION WITH RIGHT-OF-WAY ACQUISITIONS.** A legal nonconforming sign may be relocated only where the sign cannot be left in its existing location as a result of a right-of-way acquisition and/or construction, widening, or other improvement to any public way by local or state government, subject to the following:
 1. For purposes of this Subsection, the Administrator shall determine that a sign

cannot be left in its existing location where it would be within the new public way, or would physically obstruct the public improvements, or where its location would pose a safety hazard, which shall include, but not be limited to, it being in violation of the regulations of Section 7.2 Sight Visibility Triangle.

2. A sign that is relocated under this Subsection shall be brought into compliance with all development standards of this Ordinance in its new location, to the extent practicable as determined by the Administrator.
3. In the case of a legally established sign that would become a legal nonconforming sign due to its setback from the new right-of-way line or its position within a redefined sight visibility triangle by virtue of the right-of-way acquisition, the sign shall be relocated to a position that would bring it into compliance with the regulations of Section 7.2 Sight Visibility Triangle. The property owner or lessee shall be responsible for accomplishing the relocation.
4. In the case of a legal nonconforming sign for which the nonconformity is increased due to its setback from the new right-of-way line or its position within a redefined sight visibility triangle by virtue of the right-of-way acquisition, the sign shall be relocated to a position that would bring it into compliance with this Ordinance. The cost of such relocation should be factored into the price paid for the additional right-of-way during the condemnation proceedings. The property owner or lessee shall be responsible for accomplishing the relocation within 90 days after being compensated for the taking.

E. MAINTENANCE. Ordinary maintenance of a legal nonconforming sign is permitted, and shall include replacement of supports with different materials or design from the previous supports, but shall not include any increase in the dimensions or numbers of supports.

F. ILLEGAL SIGNS. Pursuant to Subsection 3.1.C Illegal Status, the illegal status of a sign existing on January 1, 2017, or at the time this Chapter is enacted, shall not be validated by virtue of the enactment of this Chapter. The Administrator shall order the prompt removal of any illegal sign that is discovered in the jurisdiction; if the owner or lessee fails to remove it, the Administrator may issue a citation to the owner of the sign in accordance with Section 11.3 Citation for Civil Zoning Violations. If an illegal sign is discovered during a right-of-way acquisition by any government entity, the sign shall be removed immediately at the cost of the property owner or lessee.

SECTION 8. (16.08.60)

8.6 STANDARDS FOR AGRICULTURAL AND RESIDENTIAL DISTRICTS

A. APPLICABILITY. The standards in this Section apply only to real property located in Agricultural (A1 and A2) and Residential (RR, R1, R2, R3, R4, and MH) zoning districts.

B. GENERALLY. The owner of every developed lot is entitled to install one sign without obtaining a sign permit, so long as the sign meets the following standards:

1. The sign shall not exceed 4 square feet in area or 5 feet in height.
2. The sign shall not extend into a public way or be located closer than 10 feet to any other property line.

C. PROFESSIONAL SIGNS. A person who lawfully maintains a home occupation may also install a professional nameplate or sign, which shall not exceed 4 square feet in area and shall be attached to the building in which the home occupation is maintained.

D. INSTITUTIONAL SIGNS. A person who lawfully maintains an institutional or public use, including those that may be permitted by special exception (such as a

cemetery, park or recreational facility, religious institution, community center, government facility or office, hospital, library, museum, gallery, school, and the like), is also entitled to install institutional signs, so long as the signs meet the following standards:

1. Only one sign may be displayed per lot frontage.
2. The aggregate size of all signs located on the premises of the institutional or public use shall not exceed 24 square feet in area.
3. The height of any freestanding institutional sign shall not exceed 5 feet.

E. ADVERTISING SIGNS. Signs advertising commercial enterprises are not permitted, unless approved by variance granted by the JBZA.

SECTION 9. (16.08.70)

8.7 STANDARDS FOR BUSINESS (EXCEPT B2), INDUSTRIAL, AND CONSERVATION PARK DISTRICTS

A. APPLICABILITY. The standards in this Section apply only to real property located in Business (B1 and B3), Industrial (I1 and I2), and Conservation Park (CP) zoning districts.

B. GENERALLY. The owner of every developed lot that contains a legal business or industrial use is entitled to apply for and obtain a sign permit and to install signs on the premises of the business or industrial use, so long as the signs meet the following standards:

1. The aggregate square footage of sign area allowed for a use shall equal the linear footage of the front façade of the building that is occupied by the use. However, in no instance shall a use be limited to less than 40 square feet of sign area, regardless of its building frontage.
2. A use located on a corner lot is entitled to use the largest frontage for the purpose of determining the aggregate square footage of sign area. However, signs may be placed on any side of the building.

C. BUILDING SIGNS. Any combination of the following identified signs may be installed in connection with each use, so long as their total area does not exceed the aggregate square footage allowed under Subsection B:

1. Wall Signs. A wall sign must be located on the façade of the primary business or industrial structure. Wall signs are subject to the following:
 - a. A sign painted on or mounted flat against a structure shall not have an aggregate size greater than 1 square foot for each foot of linear width of the front façade of the structure, or 100 square feet, whichever is less.
 - b. If the primary business or industrial structure is located more than 50 feet from a public way and the front façade of the structure is used when measuring the distance, then a wall sign may have an aggregate size equal to 2 square feet for each foot of linear width of the front façade, or 200 square feet, whichever is less.
 - c. The aggregate area of a wall sign that consists of individual letters mounted on a display board shall equal the area of the display board.
2. Awning Signs. An awning sign shall be printed or sewn on an awning or awnings mounted on the façade of the primary business or industrial structure. If an awning sign consists of individual letters, numbers, and/or other characters, then the sum of the total area of an imaginary rectangle contiguous to and surrounding

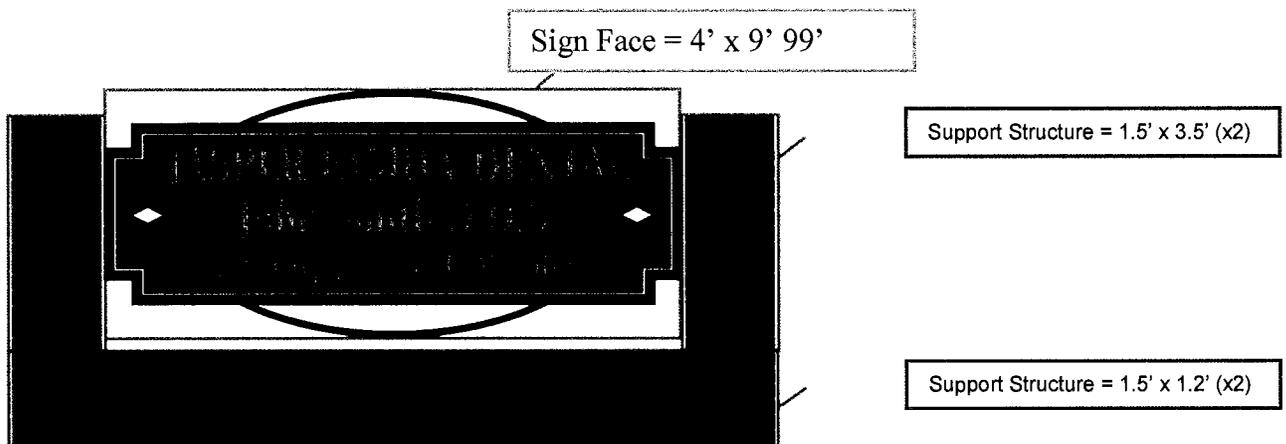
each character shall equal the aggregate area of the sign.

3. Window Signs. If window signs are used but the total area covered by the window signs is no more than 25% of the window area for the structure, the signs are allowed and may be installed without a sign permit. However, if the total area covered by window signs exceeds 25% of the window area for the structure, then the window signage area that exceeds 25% shall be counted toward the aggregate square footage allowed under Subsection B, and a sign permit must be obtained.

D. FREE-STANDING SIGNS. In addition to the signage allowed under Subsection B, the owner of every developed lot that contains a legal business or industrial use is entitled to apply for and obtain a sign permit to install either of the following types of signs, subject to the following:

1. Pole/Pylon Sign. The maximum surface area of a pole or pylon sign is 80 square feet. The minimum height of a pole or pylon sign is 14 feet (measured from the ground level to the bottom of the sign face or reader board, whichever is lower), and the maximum height is 30 feet. A static or electronic reader board, which shall be limited in size to 30 square feet of surface area, may be added to a pole or pylon sign.
2. Monument Sign. The maximum surface area of a monument sign, which includes one face of the sign plus the support structure, is 50 square feet; however, only half of the area of the support structure shall be counted toward this maximum. The maximum height of a monument sign is 7 feet (measured from the ground level to the top of the sign). Materials used on a monument sign must be generally consistent with the materials used on the primary business or industrial structure.

E. EXAMPLE OF A MONUMENT SIGN:



Actual square feet +2=14 sq. ft.	+	36 sq. ft.	=	50 sq. ft. of signage
Support Structure		Sign Face		Total Area of Monument Sign

F. MULTI-TENANT COMMERCIAL CENTERS. The owner or owners of a multi-tenant commercial center shall establish one free-standing sign, as described in Subsection D, for the entire center (including any out lots). Individual free-standing signs for each tenant of the center (including out lots) are not permitted, unless approved by variance granted by the JBZA. The maximum surface area of the sign for the center is 200 square feet; however, if a monument sign is selected, the area of the support structure shall not be counted toward this maximum. The maximum height of the sign for a center is 30 feet, regardless of whether a pole/pylon sign or monument sign is selected. For signage located on structures in a multi-tenant commercial center (whether wall, awning, and/or window signs), the following standards apply:

1. Submission of Plan. A signage plan for the center must be submitted to the Administrator for approval, before any sign is installed. The plan must include a layout that identifies the maximum number of tenants and proposed placement of

all signs to be located on any structure.

2. Minimum Area per Tenant. In no instance shall the signage plan limit any single tenant business use to less than 40 square feet of signage area, regardless of the tenant's frontage.
3. Maximum Area per Tenant. In the event the signage plan proposes an aggregate area of signage for the center in excess of 300 square feet, the signage plan shall not allot more than 40 square feet to any single tenant business use in the center.
4. Updates. Any updates to a signage plan must provide for the plan to come into conformity with the provisions of this Subsection F within 5 years.

G. TEMPORARY BUSINESS SIGNS. In lieu of the signage otherwise allowed under this Ordinance, the owner of a new, legal business or industrial use is entitled to apply for and obtain a temporary sign permit to promote the establishment of the new use, subject to the following:

1. The temporary business sign shall not exceed 32 square feet in area.
2. The temporary business sign shall not be illuminated, or have blinking lights or arrows.
3. The temporary sign permit shall expire 6 months after issuance, but it may be renewed for not more than 6 additional months at the discretion of the Administrator.

H. BILLBOARDS. This Subsection applies only to real property located in the Heavy Industrial (I2) zoning district. A billboard (described as an outdoor sign that directs attention to a business, commodity, service, or entertainment not exclusively related to the premises where the sign is located or to which it is affixed) may be permitted by the JBZA, in its discretion, as a special exception, subject to all of the following:

1. The billboard shall not exceed 300 square feet in area, nor 25 feet in length, nor 12 feet in height, and the total height from ground level shall not exceed 20 feet.
2. The billboard shall not be located closer than 250 feet from a road intersection, except for billboards that are less than 12 square feet in area.
3. In any event, the billboard must comply with the regulations of Section 7.2 Sight Visibility Triangle.
4. If the billboard exceeds 24 square feet in area, it shall not be located closer than 500 feet from any property used for residential (including playground), religious, school, or similar purposes.

SECTION 10. (16.08.80)

8.8 STANDARDS FOR THE CENTRAL BUSINESS (B2) DISTRICT

A. APPLICABILITY. The standards in this Section apply only to real property located in the Central Business (B2) zoning district.

B. GENERALLY. The owner of every developed lot that contains a legal business use on the ground floor of the premises (or a business use occupying multiple floors of the premises, including the ground floor) is entitled to apply for and obtain a sign permit and to install signs on the premises of the business use, so long as each sign meets the following standards:

1. The signage area shall not exceed 1 square foot for every linear foot on the façade of the ground floor of the structure that is occupied by the use. However, in no instance shall a use be limited to less than 40 square feet of signage area,

regardless of its lot frontage, or be allowed more than 200 square feet of signage area, regardless of its lot frontage.

2. Any combination of wall signs, awning signs, projecting signs, and window signs may be used for a use, so long as they are consistent with the aggregate area allowed for that use and they comply with the development standards in Subsection C.

C. DEVELOPMENT STANDARDS BY SIGN TYPE. The development standards for each type of sign are as follows:

1. Wall Signs. A wall sign must be located on the façade of the primary business structure.
2. Awning Signs. An awning sign shall be printed or sewn on an awning or awnings mounted on the façade of the primary business structure. If an awning sign consists of individual letters, numbers, and/or other characters, then the sum of the total area of an imaginary rectangle contiguous to and surrounding each character shall equal the aggregate area of the sign.
3. Blade or Projecting Signs. A blade or projecting sign must not be, at its lowest point, less than 8 ½ feet above grade level. A maximum of one projecting sign per business use is permitted.
4. Window Signs. If window signs are used but the total area covered by the window signs is no more than 25% of the window area for the structure, the signs are allowed and may be installed without a sign permit. However, if the total area covered by window signs exceeds 25% of the window area for the structure, then the window signage area that exceeds 25% shall be counted toward the aggregate square footage allowed under Subsection B, and a sign permit must be obtained.

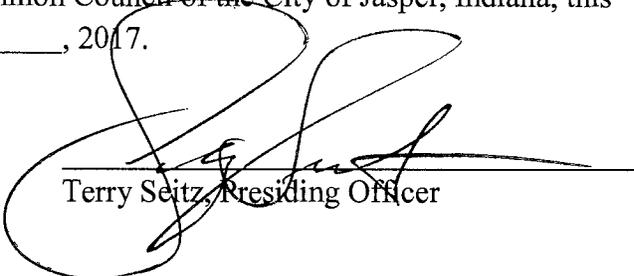
D. ELECTRONIC CHANGEABLE COPY SIGNS. Signs that flash, scroll, twirl, change color, fade in or out, display changeable copy, or imitate movement in any manner are prohibited.

SECTION 11. Prior Ordinances. All ordinances and/or parts of ordinances in conflict herewith, are hereby repealed.

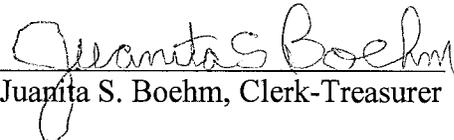
SECTION 12. Separability. If any section, sub-section, sentence, clause, phrase or portion of this Ordinance shall for any reason be held invalid or unconstitutional by any court of competent jurisdiction, such portion shall be deemed a separate, distinct and independent provision and such holding shall not affect the validity of the remaining portions hereunder.

SECTION 13. Effective Date. This Ordinance shall be in full force and effect from and after its passage by the Common Council, its approval by the Mayor, and completion of any other legal requirements, all in the manner as provided by law, but not before January 1, 2018.

PASSED AND ADOPTED by the Common Council of the City of Jasper, Indiana, this 16TH day of OCTOBER, 2017.


Terry Seitz, Residing Officer

ATTEST:


Juanita S. Boehm, Clerk-Treasurer

PRESENTED by me to the Mayor of the City of Jasper on this 3RD day of NOVEMBER, 2017, at the hour of 9:50 o'clock a.m./p.m.

Juanita S. Boehm
Juanita S. Boehm, Clerk-Treasurer

This Ordinance approved and signed by me as the Mayor of the City of Jasper, Indiana,
this 3rd day of NOVEMBER 2017, at the hour of 11:52 o'clock
a.m./p.m.

Terry Seitz
Terry Seitz, Mayor

ATTEST:

Juanita S. Boehm
Juanita S. Boehm, Clerk-Treasurer