

City of Sevierville

Sign Ordinance



Department of Code Enforcement

120 Gary Wade Blvd
Sevierville, TN 37862

409. Signs.

409.1. Purpose: It is the purpose of this section to establish reasonable and impartial regulations for the location of signs within the zoning districts of Sevierville so as to achieve a more desirable environment through the assurance that flexible and diversified standards bring about adequate light, air, and open spaces and a reduction in congestion and hazardous conditions within the city. Therefore, all signs erected, replaced, constructed, expanded, or relocated on any property within the city shall conform to the following:

409.2. General Provisions:

409.2.1. No part of any sign shall be placed within five (5) feet of any right-of-way.

409.2.2. No part of any sign shall be placed within five (5) feet of any means of ingress or egress, except for entrance signs not exceeding eight (8) square feet in area and five (5) feet in height. The placement of such signs shall be reviewed prior to installation by the Codes Enforcement Director, or his designee. In instances in which the Codes Enforcement Director, or his designee, finds that an exit sign is desirable to delineate and distinguish the point(s) of ingress and egress into and from a site, an exit sign may also be permitted, subject to the size and location restrictions applicable to entrance signs.

409.2.3. No sign, except entrance and exit signs as noted in 409.22., shall be erected over public or private ways where the distance from ground level to the announcement section is less than nine (9) feet.

409.2.4. Prior to construction of a sign, applicants shall supply the Building Inspector plans and specifications identifying the location, type, and design of any sign. Every applicant before being granted a sign permit, shall pay to the City of Sevierville, a permit fee for each sign advertising structure of twenty-five dollars (\$25) plus twenty-five (25) cents per square foot of sign face.

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409.2.5. The Building Inspector shall inspect, at any time he deems necessary, each sign regulated by this section to insure that such sign conforms to this section and all other ordinances of the city.

409.2.6. Limitations of signs per business to a maximum of two (2) signs, but not two (2) signs of the same type; except that on lots which extend between parallel streets, a minimum distance of 300 feet, businesses may have three signs and two (2) of these signs may be of the same type, provided they do not front on the same parallel street.

409.2.7. No sign which includes action, motion, or which has any moving parts; or contains flashing lights or bulbs; or is intermittently lighted shall be allowed with the exception of signs that display time and temperature and public service announcements without advertising matter, and certain signs permitted in C-4 and C-5 Commercial Districts.

409.2.8. Political signs are not permitted on streets or highway rights-of-way, nor on public property. Such political signs shall not be posted prior to thirty (30) days before an election and shall be removed by the owner of the property on which the sign is located within ten (10) days

after the election to which it refers. Except in the case of permanent sign structures under permit, political signs are limited to one (1) sign per candidate per premise.

409.2.9. Temporary non-commercial uses of signs celebrating holidays, special events, or events of infrequent occurrence displayed for periods of short duration are permitted to be displayed for thirty (30) days prior to the event and seven (7) days after the completion of the event. Such signs shall not exceed thirty-two (32) square feet in area and may be located away from the site of the event upon determination by the Building Inspector.

409.2.9.1. No signs shall be permitted which advertise an activity, business, product or service not conducted on the premises upon which the sign is actually located with the exception of those signs specifically allowed in Section 409.3.6. Section 409.3.7, and those signs specifically located within city parks that are associated with athletic fields.

409.2.9.2. No signs shall be permitted which are attached to, suspended from, or painted on any vehicle which is regularly parked on any street or private property to display, demonstrate, advertise with the intent to attract the attention of the public.

409.2.9.3. No signs shall be allowed which are not expressly permitted by this ordinance.

409.3. Location and Size: Signs shall be located and sized subject to the following::

409.3.1. Residential districts: Signs permitted shall be limited to the following:

409.3.1.1. Real estate signs.

409.3.1.2. Home occupation and professional announcement signs provided, that one sign of not more than two (2) square feet is permitted.

409.3.1.3. One sign for non-residential uses permitted in residential districts shall be permitted subject to the following:

409.3.1.3.1. The sign shall not exceed twenty-five (25) square feet.

409.3.1.3.2. The sign shall not exceed eight (8) feet in height.

409.3.1.3.3. The sign shall be located so as not to cause inconvenience to the general public or surrounding uses.

409.3.1.3.4. The sign, if lighted, shall have indirect lighting.

409.3.2. Commercial and Industrial districts: Business signs shall be permitted provided they meet the following:

409.3.2.1. Except for shopping centers and roof signs, the maximum sign size shall be determined by type of street and speed limit as follows:

MAXIMUM SIGN SIZE

<u>Type of Street</u>	<u>Speed Limit</u>	<u>Freestanding Pole & Monument Sign</u>	<u>Projecting Sign</u>
2 travel lanes	30 mph	20 sq. ft	20 sq.ft.
	35 mph	25 sq. ft.	25 sq.ft.
4 travel lanes	30 mph	60 sq. ft.	20 sq.ft.
	35 mph	80 sq. ft.	40 sq.ft.
	45 mph	100 sq. ft.	not permitted
4 travel lanes Median or turn lanes	30 mph	80 sq. ft.	25 sq.ft.
	35 mph	100 sq. ft.	40 sq.ft.
	45 mph	150 sq. ft.	not permitted

Wall signs- For any building with less than 25,000 square feet of floor area, the maximum wall sign area shall be based on the sign area permitted for a ground sign plus two times the setback of the principal structure from the front property line. However, the size of such a wall sign shall not exceed forty (40) percent of the front wall face of the building. For any building with 25,000 square feet of floor area or more, or any building classified as a shopping center, the maximum wall sign area shall be based on two (2) square feet of sign area for each linear foot of occupant storefront.

409.3.2.2. In the determination of maximum size of signs, the Building Inspector may consider a ten (10) percent alteration in signs of fifty (50) square feet or less and a five (5) percent alteration in signs of fifty (50) square feet or more, provided that it is necessitated by an unusual or exceptional situation.

409.3.3. Shopping Centers: A sign designating a shopping center or mall shall be permitted as follows:

409.3.3.1. Shopping centers or malls with less than 100,000 square feet of net floor area shall be permitted a ground sign of up to one-hundred fifty (150) square feet. All other signs pertaining to the center and its tenants shall be restricted to sign types other than ground signs.

409.3.3.2. Shopping centers or malls with 100,000 square feet or more of net floor area shall be permitted a sign of up to three-hundred (300) square feet. All other signs pertaining to the center and its tenants shall be restricted to sign types other than ground signs.

409.3.4. Roof Signs: A roof sign shall be permitted in commercial areas where the speed limit of the street is thirty-five (35) miles per hour or more. Roof signs shall not extend above the roof peak. Roof signs shall not exceed one hundred fifty (150) square feet or twenty-five (25) feet in height.

409.3.5. Maximum Height of Freestanding Pole Signs: All signs shall have a maximum height of twenty-five (25) feet; however, the Building Inspector may allow the maximum height to be extended to thirty (30) feet, provided there is an unusual circumstance involving topography or

congestion. Monument Signs in C-4 Commercial Districts shall have a maximum height of fifteen (15) feet.

409.3.6. Tourist Oriented Directional Signs:

409.3.6.1 Definitions:

1. Business means a public or private commercial activity providing an attraction, service, or activity to the traveling public and which meets the qualifications provided in these guidelines. The terms business, attraction, service, or activity may be used interchangeably in this document.
2. Crossroad means a public road intersecting state route.
3. Eligibility distance means the distance from the intersection of the state highway where the directional sign is located to the entrance driveway of the business.
4. City means the City of Sevierville, Tennessee.
5. MUTCD means Federal Highway Administration's Manuel on Uniform Traffic Control Devices.
6. Tourist Oriented Directional Signs (TODS) means a tourist information sign located on the right-of-way of a public road providing;
 - (a) the official name, or "doing business as" name, of eligible program participant; and,
 - (b) directional information and distances to the business.
7. Trailblazer Sign means a sign included in the TODS ordinance located on a non-state route that will indicate the need for a turn to direct the motorist to the attraction. The trailblazer sign shall be identical to the TODS sign located on the state route, giving the appropriate direction of turn and distance to the business.

409.3.6.2 General Provisions:

1. TODS structures are not permitted on the interstate highway system.
2. The city will control the erection and maintenance of TODS panels in accordance with the MUTCD and this ordinance.
3. TODS shall be rectangular in shape and shall have a white legend and border on a blue background. Each sign shall have not more than two lines of legend, a separate directional arrow, and the distance to the facility shown beneath the arrow. The content of the legend shall be limited to the identification of the business or activity, and the directional information. Legends shall not include promotional

advertising or logos.

4. There may be no more than two TODS structures in advance of a crossroad or other public road connecting with a state highway. The first structure shall contain those activities where a left turn is required to reach the facility. The second structure shall contain those activities requiring a right turn in order to reach the business.

5. No more than four activities may be installed on each sign structure. When the total number of signs for activities to the left and to the right is four or less, they may be placed on one sign structure.

6. The location of other traffic control devices shall at all times take precedence over the location of tourist oriented directional signs.

7. Sign structures should be spaced at least two hundred (200) feet apart and at least two hundred (200) feet from other traffic control devices. Adequate trailblazing within the city shall be provided where turns are necessary for a motorist to reach a business or attraction.

8. A permit must be obtained to install trailblazer signs in the city.

9. The city shall install trailblazer signs located inside the city limits.

10. Trailblazer panels, sign supports and installation shall be in accordance to the standards of the city, MUTCD, and if outside the city by the county road superintendent.

11. Trailblazer signs in areas annexed by city are required to conform to city trailblazer sign requirements within twelve (12) months from the effective date of annexation.

12. The business must verify the location of any underground utility lines with the local utility providers to avoid any interruption in service of the utility.

409.3.6.3 Business Eligibility, Criteria, And Restrictions:

1. To be eligible for participation on TODS, a business establishment shall be located off the state route, but within five (5) miles of the state highway. The establishment shall be a permanent business or attraction, and shall meet the following standards for a business or activity:

(a) be licensed and approved by the appropriate local agencies regulating the particular type of business or activity,

(b) be in continuous operation at least eight hours a day, five days a week, one of which must be Saturday, during the normal tourist season;

- (c) have a telephone and restroom facilities available for public use;
- (d) provide the public activities of interest in which visitors participate for purposes of recreation, enjoyment, enrichment, or amusement; and
- (e) provide notice of any admission costs on the outside of the main entrance to the facility.

2. Each business or attraction identified on a TODS shall provide assurance of its conformance with applicable laws concerning the provisions of public accommodations without regard to race, color, sex, culture, social origin or condition, religion, or disability.

3. If a business or attraction is in violation of any of these laws, it shall be considered ineligible for participation in this program and its signs will be removed, with no return of any fee.

409.3.6.4 Participation In The TODS Program:

1. Each approved sign structure shall have a maximum of four (4) activities displayed on the panels. The business with the shortest distance to the state highway where the sign structure is installed shall have the first priority for placement on the TODS sign structure and have its name panel placed on top of the sign structure. An eligible business having the next greater distance from the intersection will have its name panel placed below the first, and so on, until the maximum of four business panels are installed on the TODS structure.

2. Once the directional sign of a business is installed on the TODS panel, the business shall remain on the structure as long as the activity is in compliance with these provisions and pays for all fees required by this program.

3. A seasonal business may participate in the TODS program and remain on the TODS structure provided it advises the city of periods not to open for business or visitors. A fee will be charged for the placement of a CLOSED placard over the directional panel of the business.

409.3.6.5 Suspension or Revocation:

1. The city may suspend or revoke the privilege of an activity to participate in the TODS program if it finds:

- (a) The activity no longer meets the eligibility requirements set forth in this document.

- (b) The owner or responsible operator of the activity willfully makes a false, deceptive, or fraudulent statement in its application or in any other information submitted to the city.

(c) The owner or responsible operator of the activity or agent thereof revises or modifies a TODS panel erected by the city.

(d) The owner or responsible operator of the business or activity has engaged in a deceptive or fraudulent business practice.

2. The city reserves the right to remove immediately any TODS panel for which fees are delinquent.

3. Prior to revoking the privileges of a business to participate in the TODS program, the city will notify the activity in writing. The business will be granted a period of fifteen (15) days to make the necessary adjustments or corrections in accordance with these regulations.

4. Should the applicant not agree with the revocation, the decision may be appealed to the Board of Zoning Appeals. If there is no appeal within thirty (30) days after notification of the revocation the individual TODS panel(s) shall be removed from the sign structure.

409.3.6.6 Sign Composition:

1. TODS and trailblazers shall be 60"x 14" and shall have a white legend and border on a blue background.

2. Mainline sign panels shall be identical to the mainline sign, and shall be installed by the city.

3. Trailblazer signs shall be identical to the mainline sign, and shall be installed by the city.

4. The trailblazer sign shall show the mileage to the business and the direction of turn for the motorist to reach the business.

409.3.6.7 TODS Installation and Maintenance:

1. All TODS panels will be installed by the city.

2. If a panel must be permanently removed or covered for a seasonal closing for any reason, a fee will be charged by the city to cover costs.

3. Additional directional signs (trailblazers) required to guide the traveler to the business after leaving the state route shall also be installed by the city, or by the county highway department if outside city limits, concurrent with the installation of the mainline TODS panels.

4. The participating business shall be responsible for the cost of repair and/or replacement of directional signs damaged or destroyed by acts of vandalism, natural

causes, or vehicular accidents.

409.3.6.8 Fees for TODS:

1. Costs for providing the TODS are to be covered by the businesses participating in the program.
2. The permit issued by the city to a business is for the term of one (1) year beginning on the date the TODS panel is installed on the TODS structure.
3. Permits may be renewed on an annual basis.
4. Renewal fees are due thirty (30) days Prior to the expiration date of the contract.
5. Fees are not to be pro-rated for seasonal closings, and, in the event a business closes or its signs are removed due to a breach of contract, there is no reimbursement of fees.
6. Fees are as follows:

Application Fee \$ 100.00
Initial Permit Fee (each sign) \$ 1,000.00
Annual Permit Fee (each sign) \$ 500.00
Sign Change-out or Replacement \$ 1,000.00
Seasonal closure covering/uncovering \$ 50.00

409.3.6.9 Inspection And Liability:

1. The building official may inspect a business at any time after the business has made application for participation in the TODS program to assure that the business meets eligibility requirements.
2. The building official may inspect a business at any time during its permit period to assure the business is still in compliance with eligibility requirements.
3. The city shall have no liability for business lost due to TODS panels becoming temporarily out of service. The display of the business on the sign structures is not to be considered an endorsement or recommendation by the city on behalf of the business.

409.3.7. Off-Premise Directional Signs for non-profit service clubs and uses, charitable associations, religious groups, and similar groups shall be permitted to locate signs on private property adjacent to major streets designated on the Sevierville Zoning Map subject to the following:

- 409.3.7.1. Not more than two (2) signs for each activity group shall be permitted.

409.3.7.2. The signs shall not exceed eight (8) square feet, be less than six (6) feet above ground surface and shall not exceed nine (9) feet in height.

409.3.7.3. Plans and locations for these signs shall be approved by the Planning Commission prior to issuance of a sign permit.

409.3.8. Signs within the C-5 (Tourist Commercial District): signs within the C-5 district shall be subject to all applicable provisions of 409, except as may be provided below.

1. Major and minor project identification signs: One major free-standing project identification pole sign or major monument project identification sign up to twenty-five (25) feet in height and up to (500) square feet in size shall be permitted for the purposes of identifying a total, multi-use development in the C-5 district. Where a monument sign with an electrically activated message section is chosen as a major project identification sign, the location of that section shall be governed by 409.3.9, #1. Multi-use developments which have at least 1000' of frontage on the street on which the major identification sign is located, may have one (1) minor project identification sign not exceeding three hundred (300) square feet in size on that street. Where possible, such sign should be located at a point of access into the development. Developments which also have a secondary entrance on another street, classified as an arterial or collector street, or at least one thousand (1,000) feet of frontage on another street which is classified as an arterial or collector street, may have a minor identification sign of up to three hundred (300) square feet. Where a monument sign with an electrically activated message section is chosen as a minor project identification sign, the location of that section shall be governed by 409.3.9, #1. All major and minor project identification signs shall be set back fifteen (15) feet from the edge of the public right-of-way and all other property boundaries. The location of such signs shall be shown on the C-5 master plan (see 711.1.6).

2. Free-standing pole signs, monument signs, and projecting signs for individual parcels, other than a shopping center or mall: the sign face of such signs may contain up to one hundred-fifty (150) square feet. The location and height of such signs shall be governed by 409.3.2.1 and other applicable provisions of 409.

3. Free-standing pole signs for shopping centers or malls; the location, size of the sign face, and height of such signs shall be governed by 409.3.3 and other applicable provisions of 409.

4. Wall signs for individual occupants/tenants within a shopping center: the location and size of the sign face shall be governed as provided for 409.3.2.1.

5. Wall signs for free-standing buildings and uses: the total amount of square footage of wall signs allowed for a free-standing building shall be no more than twenty percent (20%) of the square footage of the exterior wall containing the main customer or user entrance. Wall signs may be placed upon any exterior wall, but in no instance shall any exterior building wall contain more than one-half (1/2) of the

total allowable square footage.

6. Roof signs: roof signs shall only be permitted in accordance with the provisions of 409.3.4.

7. Internal Project Directional Signs: due to the size and nature of developments within this district, it is anticipated that various individual uses may be grouped together, and located away from the primary access point into the development. To facilitate ease in movement of pedestrian and vehicular traffic within a large tourist related development, one (1) internal project directional sign containing only the name(s) of uses and directional arrows, but no advertising copy, may be placed at intersections of streets and accessways within such a development. The location of these signs shall be shown on the master plan (see 711.6) and shall be subject to the following requirements:

(a) Directional signs shall not exceed six (6) feet in height or thirty-two (32) square feet in area.

(b) Directional signs may be pole or monument signs, but monument signs shall not have an electrically activated message component.

(c) Directional signs shall be set back at least five (5) feet from the edge of a public right-of-way, all other property boundaries, and any point of ingress into or egress from an individual site.

8. Parking lot traffic assistance signs: small signs, not exceeding five (5) feet in height nor eight (8) square feet in area, are permitted within parking areas to direct traffic to appropriate places, such as areas for passenger vehicles, recreational vehicles, tour buses, and delivery trucks, and, to specific uses. Such signs shall not contain any advertising copy.

409.3.9. Signs within the C-4 (Arterial Commercial) District: signs within the C-4 district shall be subject to all applicable provisions of 409, except as may be provided for below:

1. Monument Signs; permitted uses may have, as one (1) of the two (2) types of permitted signs, a monument sign with an electrically activated changeable sign, having either a fixed interval changeable message electronic portion(s), or an active changeable electronic message portion(s), as defined in 330.4.2. a and b, provided:

(a) The sign height shall not exceed fifteen (15) feet from finished project site elevation;

(b) The electrically activated changeable message section shall be located on the lower one-half of the sign;

(c) The electrically activated changeable message section shall not exceed twenty (20) percent of the sign;

(d) The area surrounding the sign base shall be landscaped with appropriate planting materials;

(e) The informational content of the message section can be changed at intervals; however, the message shall not be flashed by varying the intensity of the illumination;

(f) The sign design and locations shall be approved by the Planning Commission prior to issuing a sign permit.

2. Price signs: for a permitted use business, it may have as one (1) of the two (2) types of permitted signs, a pole sign which includes a fixed interval changeable electronic message portion, first for displaying prices, in way and manner set forth below.

(a) Up to ten (10) percent of the allowable square footage for a free standing pole sign may be composed of a fixed interval changeable message electronic portion, as defined in 330.4.2., for the display of only.

(1) The portion of the freestanding pole sign used for the display of prices shall not extend more than four (4) feet in width, nor have any letter and/or number exceeding eighteen (18) inches in height.

(2) The prices shall only be displayed with four (4) numerals, exclusive tenths pricing, of which no numeral is greater than the number nine (9), which shall be separated by a decimal point to be located immediately to the right of the second numeral, counting from left to right, and which separates the second numeral from the remaining two (2) numerals.

(b) No portion of an interstate monopole sign located subject to the provisions of 714, II-1, Interstate Impact Overlay District, shall contain a fixed interval changeable electronic price sign.

409.3.10. Business Parks, Industrial Parks, and Residential Subdivisions: These uses may have one sign denoting the name of the development provided:

1. It is a monument sign

2. The sign structure height shall not exceed six (6) feet including any supporting structure.

3. The sign shall not be illuminated internally.

4. The maximum sign panel shall not exceed thirty-two (32) square feet.

5. The sign shall be professionally designed.

409.4. Governmental Displays: Following approval by the Sevierville Board of Mayor and Aldermen, by Resolution, the temporary use of displays which include, but are not limited to, banners, decorations, lighted displays and/or decorations and supporting structures and similar activities, by, or for governmental entities, shall be exempt from these regulations.

409.5. Signs within the II-1 Interstate Impact Overlay District shall be governed by the provisions of 714.

409.6. Signs providing directions to the locations of auctions held for the sale of land and/or buildings shall be allowed within the City of Sevierville in accordance with the following conditions:

1. Multiple auction signs shall be allowed to provide directions to the site of a single auction. One sign may have a maximum area of thirty-two (32) square feet, however each additional sign shall be limited to a maximum area of eight (8) square feet.
2. No sign shall be placed upon a public right of way of any kind, and no sign shall be closer than five (5) feet from any right of way.
3. One or more signs for a specific auction may be erected no more than twenty-one (21) days prior to the occurrence of the auction, and removed within three (3) days of the auction's conclusion.
4. A permit from the Sevierville Codes Enforcement Department shall be required for the display of any sign directing persons to the location of an auction, and the fee charged for the permit shall be fifty dollars \$50.00. Only one permit, and one permit fee, shall be required for the sign(s) providing directions to the site of a single auction. An application for a permit must include the proposed locations of signs, in addition to other necessary information required by the Codes Enforcement Department. Issuance of a permit shall be dependent upon the approval of the application by the Department, and the conformance of the proposed signage with all applicable municipal requirements.
5. Information displayed on any auction sign shall be limited to the site address or other location indicator, acreage and/or number of buildings, name, address, and phone number(s) of the auction firm or auctioneer, and arrows or other indicators of site direction.

409.7. Billboards shall be located in commercial zones and comply with the required setbacks from property lines for the commercial zone where it is located. No new billboard, digital billboard, or conversion of a billboard to a digital billboard shall be allowed or permitted, and no billboard (or sign of any type) that had been previously erected in violation of any City code shall become a legal nonconforming sign. Any remodeling, rebuilding, or addition to a billboard shall require a permit, and the permit fees will be based on the current building permit fee schedule. Signs allowed in Sections 409.3.7, 409.3.8, and 409.3.9 are not subject to billboard regulations.

1. No billboard shall exceed forty-four (44) feet in overall height measured from the supporting structure or from the average grade of the supporting structures when two or

more structures support the sign.

2. A billboard shall be located a minimum of twenty (20) feet from any other building or structure on the same parcel or lot.

3. No billboard shall be relocated to a new location on a different parcel or lot than its current location.