
TITLE 9 – SIGNAGE

SECTION 1.0 SIGNAGE: PURPOSE AND EFFECT

- A. These sign regulations are adopted under the zoning authority of Henry County, Indiana, for the purpose of:
1. Providing guidelines for the placing, number, size and general characteristics of all signs throughout the County Jurisdictional Area;
 2. Encouraging the effective use of signs as a means of communication within the County Jurisdictional Area;
 3. Maintaining and enhancing the aesthetic environment and the County's ability to attract sources of economic development and growth;
 4. Improving pedestrian and traffic safety;
 5. Minimizing the possible adverse effect of signs on nearby public and private property;
 6. Enabling and promoting the fair and consistent enforcement of these sign restrictions; and
 7. Promoting the general purposes set forth in the Development Code and the land use planning goals set forth in the Comprehensive Plan.
- B. The effect of this Ordinance as more specifically set forth herein is:
1. To establish a permit system to allow a variety of types of signs in commercial and industrial zones and a limited variety of signs in other zones, subject to the standards and the permit procedures of this Ordinance;
 2. To allow certain signs that are small, unobtrusive and incidental to the principal use of the respective lots on which they are located, subject to the standards and the permit procedures of this Ordinance;
 3. To prohibit all signs not expressly permitted by this Ordinance; and
 4. To provide for the enforcement of the provisions of this Ordinance.

SECTION 2.0 SIGNAGE: APPLICABILITY

A sign may be erected, placed, established, painted, created or maintained in the County Jurisdictional Area only in conformance with the standards, procedures, exemptions and other requirements of this Code and other Henry County codes and resolutions.

SECTION 3.0 SIGNAGE: PERMITS

After the effective date of the Ordinance codified in this Title, and except as otherwise provided, no person shall erect any sign as defined herein without first obtaining a permit from the Zoning Administrator.

- A. The Application for the permit shall be made in writing, in duplicate, upon forms prescribed and approved by the Zoning Administrator, to the Zoning Administrator and shall contain the following information:
 1. Name, address and telephone number of Applicant;
 2. Address or location, if no address, of building, structure or land on which the sign is to be erected;
 3. A scale drawing of the sign, showing the elevation of the sign, the face(s) composing the sign, the position of lighting or other extraneous devices and any other components of the sign;
 4. A Site Plan showing the position of the proposed sign, as well as any existing signage, on any building or land and its position in relation to nearby buildings or structures and to any private or public road, street or trafficway right-of-way;
 5. Written consent of the Owner of the building, structure or land on which the sign is to be erected, in the event the Applicant is not the Owner thereof; and
 6. The fee, as determined by the Planning Commission Rules of Procedure.
- B. The Zoning Administrator shall examine such plans, specifications and other data submitted with the Application and, if necessary, the building or premises upon which it is proposed to erect the sign. If the proposed sign is in compliance with all of the requirements of this Development Code, an Improvement Location Permit shall be issued.

SECTION 4.0 SIGNAGE: EXEMPTIONS

The following signs shall be exempted from the provisions of this Title:

- A. Publicly owned signs for traffic control and transit stops;
- B. Any sign of not more than one and one-half (1.5) square feet in area, provided that no more than one such sign shall be permitted per zone lot;
- C. Any sign required by law or code; and
- D. Political signs and signs offering the property on which they are situated for sale, lease or rent that comply with the provisions of Section 7.0 G.

SECTION 5.0 SIGNAGE: NON-CONFORMING SIGNS BY PERMIT

Non-conforming signs by permit may not be expanded, altered or relocated except as follows:

- A. Ordinary maintenance is permitted, and shall include replacement of supports with different materials or design than the previous supports. Replacement of supports shall be subject to the requirements of Section 3.0.
- B. A non-conforming sign by permit may be moved on the same zone lot so as to retain the same setback from a trafficway property line in the event of a trafficway widening or a change of use or move necessitated by new construction on the zoning lot on which it is

- located. Any other change in location of a sign shall be subject to the requirements of Section 3.0.
- C. Off-premises sign relocation shall be permitted when a non-conforming off-premises sign by permit is removed for relocation to another zoning lot or to another location on the same zoning lot provided:
1. The new location is within an LB, GB, LI or HI district if the new location is on a different zoning lot;
 2. The sign area at the new location shall not exceed the sign area at the previous location, nor shall the height of the sign at the new location exceed thirty-five (35) feet, measured from the crown of the trafficway directly in front of the sign to the top of the sign;
 3. The off-premises sign as relocated shall be at least three hundred (300) feet from the next nearest off-premises sign, except on limited-access highways, where the distance to the next nearest sign shall be five hundred (500) feet. Such spacing shall apply to signs on the same side of the trafficway, measured along the roadway between points on the roadway that are nearest to each sign. Spacing provisions shall not apply when signs are separated by obstructions in such manner that only one sign within the spacing distances is visible from the trafficway at any one time.
 4. The relocated off-premises sign shall be subject to the front, side and rear building setback requirements of the Zoning District in which it is being relocated; and
 5. An Application to relocate an off-premises sign shall be accompanied by a commitment to the removal of the sign from its existing location by both the Owner of the property and of the sign. Each such Commission Approved Use approval shall include, as a condition of approval, a stipulation that the previous non-conforming use by permit at the previous location shall be deemed abandoned immediately upon relocation.

SECTION 6.0 SIGNAGE: PLACEMENT PROHIBITIONS

The following prohibitions shall apply in all Zoning Districts:

- A. No sign shall be erected or maintained in any form or at any location where it may obstruct or in any way interfere with the view of or be confused with any approved traffic control device or where it may obstruct or in any way interfere with the minimum sight-distance necessary to promote public safety.
- B. On any corner lot, no sign that obstructs sight lines at elevations between two and one-half (2.5) feet and ten (10) feet above the crown of the adjacent roadway shall be placed or maintained within a triangular area of twenty-five (25) feet along each of the intersecting trafficways, to be measured from the property line.
- C. No sign shall be placed in any public right-of-way except publicly owned traffic control and transit signs.
- D. No sign (except marquee signs and marquees that conform with the following standards), either freestanding or mounted on a building, shall project into the public right-of-way:
 1. A marquee shall provide a minimum of ten (10) feet of clearance above the right-of-way over which it projects and shall not otherwise interfere with the reasonable use of the right-of-way;

2. A marquee may not be wider than the building from which it projects; and
 3. A marquee sign may not extend above or below the vertical face of the marquee.
- E. No sign shall be mounted on a roof or extend above the eave or parapet of a building wall.
- F. No signs shall be affixed to trees, fence posts or utility poles.

SECTION 7.0 SIGNAGE: GENERAL SIGN REGULATIONS

All signs shall conform to the following regulations:

A. Illumination

1. Illuminated signs are permitted; however, signs that direct attention through the use of flashing, intermittent or strobe effects are prohibited.
2. The source of light for any sign shall be directed toward the sign face and shall not be directed into any residential use or toward any oncoming traffic. The source of illumination by whatever means shall not reflect directly on residential uses.
3. Except for permanent Subdivision identification signs, in no instance shall any illuminated sign be located closer than one hundred (100) feet to any residential district.
4. The source of light for all illuminated off-premises signs (including non-conforming signs) shall be directed downward and toward the sign face and shall not be directed into any residential property or district or toward any oncoming traffic. The source of illumination shall not reflect directly on residential property. The total luminosity of light directed toward the sign shall not be increased. If lighting is installed with greater efficiency, smaller or fewer lights must be used to keep lighting at or below previous levels.
5. This provision shall take effect fifteen (15) years after the adoption of this Code, and this fifteen (15) year period shall constitute a grace period during which the Owners of off-premises signs are to come into compliance with this provision.

B. Prohibited Signs

1. Portable business or product-for-sale signs are prohibited.
2. All signs that move by mechanical means or by the movement of air are prohibited.
3. Temporary signs or devices consisting of a series of banners, streamers, pennants, balloons, propellers, strung light bulbs or similar devices are prohibited, except that new businesses, seasonal businesses, grand openings or special events may display such signs or devices for fifteen (15) days, after having applied for and received a permit. Each business shall be limited to one (1) such permit per twelve (12) month period.

C. Maintenance

All signs must be kept clean, neatly painted and free from all hazards, such as, but not limited to, faulty wiring and loose fastenings, and must be maintained at all times in such safe condition so as not to be detrimental to the public health or safety.

D. Total Sign Allocations Based Upon Building Mass and Trafficway Frontage in Business or Industrial Districts

1. Location, size and variety of all signs existing upon a zoning lot are included in the total sign allocations.
2. Total sign area permitted for any business or industrial premises shall be two (2) square feet of sign area for each one (1) linear foot of building fronting on a public trafficway or one (1) square foot of sign for each one (1) linear foot of property fronting a publicly maintained right-of-way, whichever is greater.
3. One (1) pole or ground sign with a maximum permitted sign surface area of sixty (60) square feet shall be permitted for each trafficway frontage;
4. Notwithstanding other provisions of these regulations, no premises within any commercial or industrial Zoning District may be restricted to less than seventy-five (75) square feet of sign area nor shall any premises be permitted to display more than six hundred (600) square feet of sign area, except as provided below in Subsection H.
5. Computation of Area of Individual Signs (Except Advertising Structures)
 - (a) The area of a sign face (which is also the area of a wall sign or other sign with only one (1) face) shall be computed by means of the smallest square, circle, rectangle, triangle, ellipse 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 the regulations of this Code and is clearly incidental to the display itself.
 - (b) The sign area for a sign with more than one (1) face shall be computed by adding together the areas of all sign faces visible from any one (1) point. When two (2) identical sign faces are placed back to back, so that both faces cannot be viewed from any point at the same time, and when such sign faces are part of the same sign structure and are not more than forty-two (42) inches apart, the sign area shall be computed by the measurement of one (1) of the faces.

E. Sign Allocations in Nonbusiness or Nonindustrial Districts

No sign shall be erected except for the following:

1. Residential complex or Subdivision signs, limited to thirty-two (32) square feet or less, are permitted at the entrance to such areas.
2. Home occupation signs shall be limited to one sign of a maximum size of four (4) square feet per zone lot.
3. Noncommercial message signs shall be limited to thirty-two (32) square feet in total sign area per zone lot.

F. Height and Setback of Signs

1. No sign shall exceed twenty-five (25) feet in height (except advertising structures), measured from the base of the sign or from the crown of the trafficway directly in front of the sign, whichever is higher.
2. All signs shall conform to the side and rear yard setback requirements for buildings as set forth in Title 1, Section 11.5 of this Code.
3. Signs shall have a minimum setback of ten (10) feet from the trafficway right-of-way. However, signs may be placed within less than ten (10) feet, but no less than five (5) feet, of the trafficway right-of-way, provided that the bottom edge of the sign face support shall be at least nine (9) feet above the ground; vision beneath the sign must be clear except for the supporting structure; and the maximum permitted area of the sign shall be reduced by fifty (50) percent. Setbacks shall be measured horizontally from the vertical plane of the edge of the sign nearest to the right-of-way.

G. Special Regulations in All Zoning Districts

1. Signs offering the property on which they are situated for sale, lease or rent shall not exceed four (4) square feet and shall be removed within seven (7) days of the sale, lease or rental of the property.
2. Signs for garage and rummage sales and the like are limited to one sign on the premises where the event is to take place, not larger than four (4) square feet and shall be removed within two (2) days after the event.
3. Signs for the promotion of commercial properties or real estate Subdivisions are permissible, but shall not exceed sixty-four (64) square feet of sign surface area and shall be removed within seven (7) days of the lease or sale of the property or, in the case of a Subdivision, of the initial sale of the final lot sold.
4. Construction signs are not to exceed thirty-two (32) square feet of sign surface area. These signs are permissible only for the duration of construction.
5. Directional signs may not exceed four (4) square feet per sign; in addition, one sign defining conditions of use not exceeding twelve (12) square feet in size is permitted.
6. Political signs may not exceed thirty-two (32) square feet per zone lot.

H. Shopping Centers

Regardless of the Zoning District in which it is located, the following regulations shall apply to property that is developed as a shopping center:

1. Signs for individual stores or business establishments within a shopping center must be located on the front exterior wall of the tenant's space and are limited to one and six-tenths (1.6) square feet of sign area for each one (1) linear foot of front exterior wall length.
2. Independently placed buildings or buildings with corner locations are limited on each side or rear wall to one-half (0.5) the amount of sign area permitted on the front wall, or to one and two-tenths (1.2) square feet of sign for each one (1) linear foot of building on the side or rear of the building, whichever is less.

3. In addition to signs permitted for individual establishments within a shopping center, general shopping center signs bearing the name of the planned commercial Development will be permitted on the basis of one (1) sign per fifty thousand (50,000) square feet of gross building floor area within the Development, with a total limit of four (4) such signs. These signs must be limited to the name of the Development, except that signs not exceeding thirty-six (36) square feet may be allowed for individual commercial enterprises as part of the main sign. The total area of each such sign shall not exceed two hundred forty (240) square feet in area or one hundred twenty (120) square feet per side of a double-sided sign.
- I. Advertising Structures or Billboards
1. It is the intent of this Section to establish reasonable and uniform limitations, safeguards and controls for the operation and use of advertising structures or billboards. Advertising requirements are deemed necessary in the public interest to protect the use and value of adjoining properties, as well as the best interests of the community.
 2. For purposes of this Section, an advertising structure shall be constructed in accordance with the definition and subject to the provisions of this Section.
 3. One (1) advertising structure may be permitted on any lot of at least three hundred (300) feet on a trafficway designated as a major or minor arterial in the Zoning Districts in which advertising signs are permitted. One additional advertising structure shall be permitted for each three hundred (300) feet of additional frontage, provided that such advertising structures shall be separated a distance of at least five hundred (500) feet, even if located on opposite sides of a street frontage.
 4. Minimum setback lines shall be provided in accordance with the requirements of the applicable Zoning District or fifty (50) feet, whichever is greater.
 5. No advertising structure shall be permitted within one hundred (100) feet of a residential Zoning District.
 6. The number of traffic access points shall not exceed one (1) for each advertising structure frontage required.
 7. The face of an advertising sign shall not be greater than eighteen (18) feet in vertical dimension nor greater than fifty-five (55) feet in horizontal dimension, except as provided in 9 below, and shall not contain more than two (2) advertising signs per face.
 8. The full face of the sign shall be viewed along the line of travel to which it is exposed for a distance of at least two hundred fifty (250) feet along the center line of the frontage trafficway measured from a point opposite the center of the sign and perpendicular to the trafficway's center line. However:
 - (a) In the case of a sign parallel (or within twenty (20) degrees of parallel) to a one-way trafficway, the required viewing distance shall be at least four hundred (400) feet;
 - (b) In the case of a sign that is from three (3) to twenty (20) degrees of parallel to a two-way trafficway, the required viewing distance shall be at least four hundred (400) feet;
 - (c) In the case of a sign parallel (or within three (3) degrees of parallel) to a two-way trafficway, the required viewing distance shall be at least two hundred fifty (250) feet in each direction.

- (d) In the case of a sign so placed that it can be viewed from more than one (1) trafficway, the required viewing distance shall be applicable to only one trafficway.
- 9. The vertical dimension of the sign face may be increased to twenty-two (22) feet, provided the required viewing distance in 8 above is increased to five hundred (500) feet and the face contains only one (1) sign and the sign is perpendicular or within fifteen (15) degrees of being perpendicular to the frontage trafficway.
- 10. The maximum height of advertising signs erected on the ground shall not exceed forty (40) feet above the trafficway elevation to which the sign is oriented.