

TOWN OF PRINCESS ANNE, MARYLAND
LEGISLATIVE SESSION
ORDINANCE NO. 2013-01

AN ORDINANCE to amend Chapter 163, entitled AZONING@ of the Code of the Town of Princess Anne, Article XIV entitled "Sign Regulations" to add language defining electronic or digital sign and providing for an electronic or digital sign in a C-1 Community Commercial District by public or quasi-public entities for public service announcements.

WHEREAS, the Town Manager has recommended to the Town Commissioners that the health and safety of the residents of the Town of Princess Anne will be enhanced by changes to Chapter 163 entitled "Zoning" and Article XIV entitled "Sign Regulations" by adopting amendments providing for public service announcements on an electronic or digital sign by public and quasi-public entities in the C-1 Community Commercial District.

SECTION I. NOW, THEREFORE, BE IT ENACTED AND ORDAINED BY THE TOWN COMMISSIONERS OF THE TOWN OF PRINCESS ANNE, MARYLAND, IN LEGISLATIVE SESSION, that Chapter 163 entitled AZONING @ of the Code of the Town of Princess Anne, shall be amended to read as follows:

CHAPTER 163
ZONING

ARTICLE XIV – SIGN REGULATIONS

Section 163-78. Definitions.

As used in this article, the following terms shall have the meanings indicated:

A. General definitions.

SIGN

Any structure, display or device that is arranged, intended, designed or used as an advertisement, announcement, identification, description, instruction or direction to attract the attention of persons not on the premises on which the sign is located, including interior signs legible from the exterior of a building constituting an element of the exterior appearance of a building.

SIGN AREA MEASURE

The area of a sign shall be computed as including the area within a regular geometric form or forms comprising all of the display area of the sign face. The structural elements of the sign shall not be included unless they are an integral part of the message.

SIGN FACE

The surface of a sign upon, against or through which the message is displayed or illustrated on the sign.

SIGN SETBACK MEASUREMENT

Setback for signs measured from the prevailing edge of any part of a sign, structural or otherwise.

STREET FRONTAGE

For the purpose of determining total sign area permitted on a lot, "street frontage" shall mean the length of a building measured at grade that faces on a public thoroughfare. In the case of a building that has more than one frontage, each frontage shall be addressed independently.

B. Location definitions.

GROUND SIGN

A detached sign, which shall include any sign supported by uprights, pylons or braces, placed upon or in the ground, supported by the ground and not attached to any building.

MARQUEE OR SOFFIT SIGN

A sign affixed to, hung from or in a marquee or soffit which may or may not have movable letters. A sign on or attached to any awning or canopy shall be considered a marquee sign.

PROJECTING SIGN

Any sign attached to and supported by a building and extending more than 15 inches beyond the prevailing edge of any component of a building, structural or nonstructural.

ROOF SIGN

(1) Any sign erected and constructed wholly on or over the roof of a building, supported by the roof structure, and extending vertically above the highest portion of the roof.

(2) Any sign erected or constructed as an integral part of a roof structure of any design, whether projecting above the highest portion of the roof or not.

(3) Any sign which is erected, constructed or maintained above the lowest prevailing edge of any roof.

WALL SIGN

Any sign attached parallel to, painted upon, erected against or incorporated in the outside wall of any building supported by such wall and displaying only one sign surface.

C. Type definitions.

BULLETIN BOARD SIGN

A sign of permanent character with movable letters, words, numbers or figures indicating persons, events, services or products associated with, conducted on or offered on the premises on which the sign is maintained.

BUSINESS SIGN

A sign attracting attention to a business, commodity, service or entertainment conducted, sold or offered on the same premises where the sign is located.

DIRECTIONAL SIGN

A sign not used for advertising but giving directions only for accommodations, services, traffic routing, industries, schools, churches, parks, historic buildings or features.

ELECTRONIC OR DIGITAL SIGN

Any sign, display or device that changes its message or copy by programmable electronic or digital processes and displays text by illumination elements in the sign face.

FLASHING SIGN

- (1) Any sign on which artificial or reflected light is not maintained stationary and constant in intensity and color.
- (2) Any sign which revolves or moves.

IDENTIFICATION SIGN

A sign identifying a permanent development or subdivision limited to two faces.

ILLUMINATED SIGN

Any sign designed to give forth artificial light from within the sign, including signs with exposed bulbs or fluorescent or neon tubes.

INDIRECTLY ILLUMINATED SIGN

A sign that is illuminated from an external source, which source is so arranged that no direct rays of light are projected into an adjoining property or a public way and the source of the indirect lighting is not visible.

INSTRUCTIONAL SIGN

A sign conveying instructions with respect to the premises on which the sign is located, such as entrance, exit, no trespassing, danger and similar signs.

OUTDOOR ADVERTISING STRUCTURE SIGN

Any structure which contains a sign, poster, panel, billboard, painted bulletin or any other surface, device or display which advertises a business, profession, commodity, service, entertainment or event conducted, sold or offered elsewhere than the premises where the advertising structure is located.

POLITICAL SIGN

A sign which is designed to influence voters to promote candidates for office.

SUSPENDED SIGN

A sign that is suspended from the underside of a horizontal plane and is supported by that plane.

TEMPORARY SIGN

Any sign not permanently mounted, intended to be portable, erected for a specific period of time and not structurally attached to the ground or a building.

WINDOW SIGN

Any sign, pictures, symbols, graphics or combination thereof placed, painted or etched inside a window or upon the window panes or glass and which is legible from the exterior of the building.

Section 163-82. Signs Permitted in Specific Districts.

A. Signs permitted in the R-1 Zoning District shall be as follows:

(1) One bulletin board not exceeding 24 square feet in area for churches, schools or other public institutions. It may be indirectly illuminated or illuminated, a maximum of five feet above grade and set back 15 feet from the curbline.

(2) Two temporary real estate signs, not more than eight square feet in area each, advertising for sale or rent the premises on which the signs are located.

(3) One nonilluminated or indirectly illuminated sign identifying a home occupation as specified in the definition of "home occupation."

[Amended 2-13-2006 by Ord. No. 2006-1]

(4) One identification sign for a development or subdivision at each entrance to the development, a maximum of five feet above grade, not exceeding 20 square feet in area per face, limited to two faces and set back 15 feet from the curb. It may be nonilluminated or indirectly illuminated.

B. Signs permitted in the R-2 Zoning District shall be as follows: all signs listed for the R-1 District.

C. Signs permitted in the MH Zoning District shall be as follows: all signs listed for the R-1 District.

D. Signs permitted in the Central Business District shall be as follows:

(1) Any sign permitted in the R-1 District, which shall be included in the total area measure for business signs.

(2) Business signs with a total maximum area of one square foot for every two linear feet of street frontage. Permitted locations are ground, wall and marquee as follows:

(a) One ground sign, nonilluminated, illuminated or indirectly illuminated, not exceeding 20 feet in height, 20 square feet in total sign surface area and set back 10 feet from the curbline.

(b) One wall sign per building entrance, nonilluminated, illuminated or indirectly illuminated, not exceeding 15 square feet in area per building face for each business on the premises.

[Amended 8-1-2003 by Ord. No. 2003-3]

(c) One marquee sign per building face, nonilluminated or indirectly illuminated, not to exceed six square feet in surface area, not projecting beyond the prevailing edge of any part of the building, awning or canopy.

E. Signs permitted in the C-1 District shall be as follows:

(1) All signs permitted in the R-1 District, which shall be included in the total area measure for business signs.

(2) Business signs per Subsection D permitted in the Central Business District, with the exception that total area shall not exceed one square foot for each linear foot of street frontage.

(3) Electronic or digital signs are permitted for public service announcements by public or quasi-public entities, subject to the following limitations, standards and requirements:

(a) The sign shall be set back at least fourteen feet (14') from the curbline of a street.

(b) The top of the sign face shall be located at a maximum height of nine feet (9'). A sign frame may extend to a maximum height of ten feet six inches (10'6").

(c) The sign face shall have a height no greater than four feet (4') and a width of no greater than eight feet (8').

(d) The sign shall be programmed so that a message or image on the sign changes no more than once every ten (10) seconds.

(e) The sign image shall not show movement, blinking, animation, scrolling, flashing, or similar effects.

(f) Changes of image shall occur within one (1) second and shall not use blinking, fading, rolling, shading or similar affects as part of the change.

(g) Animation and sound shall be prohibited.

(h) The signs shall use automatic light level controls at night and under cloudy and other darkened conditions, in accordance with the following:

(i) All electronic or digital displays shall have installed ambient light monitors and shall at all times allow such monitors to automatically adjust the brightness level of the sign based on ambient light conditions.

(ii) Maximum brightness levels for electronic or digital signs shall not exceed 5,000 nits when measured from the sign face at its maximum brightness during daylight hours.

(iii) Maximum brightness levels for electronic or digital sign shall not exceed 500 nits when measured from the sign face at its maximum brightness between sunset and sunrise.

(iv) Electronic or digital signs shall contain a default design which will freeze the message in one position with no more than a maximum illumination of 500 nits if a malfunction occurs.

(v) Electronic or digital signs shall be separated by a minimum of One Thousand feet (1,000’).

F. Signs permitted in the C-2 District shall be as follows:

- (1) All signs listed for the R-1 District.
- (2) Business signs per Subsection D permitted in the Central Business District, with the exception that total area not exceed one square foot for each linear foot of street frontage.

G. Signs permitted in the I-1 District shall be as follows: all signs listed as permitted in the R-2 and C-2 Districts.

SECTION II. SEVERABILITY. Should any provision, section, paragraph or subparagraph of this Article, including any code or text adopted hereby, be declared null and void, illegal, unconstitutional, or otherwise determined to be unenforceable by a court having competent jurisdiction, the same shall not affect the validity, legality, or enforceability of any other provision, sections, paragraph or subparagraph hereof, including any code or text adopted hereby. Each such provision, section, paragraph or subparagraph is expressly declared to be and is deemed severable.

SECTION III. ADDITION TO CODE. It is the intention of the Commissioners, and it is hereby ordained, that the provisions of this ordinance shall become and be made a part of the Code of Ordinances, and the Sections of this ordinance may be renumbered to accomplish such intention.

SECTION IV. EFFECTIVE DATE. This Ordinance shall take effect at the expiration of twenty (20) calendar days from its final passage.

THIS ORDINANCE was introduced and read at a meeting of the Town Commissioners of the Town of Princess Anne, Maryland, held on the 20th day of August, 2012, and, passed for Second Reading. Thereafter, the Ordinance was finally passed by the Town Commissioners on the 10th day of September, 2012. In accordance with Section 410 of the Charter of Princess Anne, Maryland, a

statement of the substance of the Ordinance has been published at least twice in a newspaper or newspapers having general circulation in the Town of Princess Anne and posted as required by law.

TOWN OF PRINCESS ANNE, MARYLAND

By: Garland R. Hayward
Garland R. Hayward, President

By: Winslow H. Parker
Winslow H. Parker, Vice-President

By: Joseph Gardner
Joseph Gardner, Commissioner

By: Michael N. Hall
Michael N. Hall, Commissioner

By: Absent
Mark A. Thomas, Commissioner

Brenda S. Benton
Brenda S. Benton, Town Manager