

ORDINANCE NO. 2017-15

**AN ORDINANCE OF THE CITY OF FAYETTEVILLE, TENNESSEE
AMENDING THE FAYETTEVILLE MUNICIPAL CODE TITLE 12,
CHAPTER 5 KNOWN AS THE SIGN ORDINANCE.**

WHEREAS, the Board of Mayor and Alderman adopted Ordinance No. 2016-04 on January 12, 2016, which instituted a set of standards for signs, billboards and other advertising structures known as the "Sign Ordinance;" and

WHEREAS, it is in the best interest of the citizens of the City of Fayetteville to make certain amendments to the Sign Ordinance; and

NOW, THEREFORE, BE IT ORDAINED by the City of Fayetteville Board of Mayor and Alderman that the Municipal Code shall be amended to read as follows:

14-508.4(1)(e) Political signs. One (1) non-illuminated sign per candidate per lot, parcel, or tract, not to exceed sixteen (16) square feet in size and six (6) feet in height. Lots, parcels or trace that front on more than one street may have one (1) sign per candidate for each street frontage. No such signs are permitted on any public rights-of-way for other public property. Such political signs shall not be posted prior to sixty (60) days before an election and shall be removed by the owner of the property on which the sign is located within five (5) days after any election to which it refers. Per state law winners of primary elections may display political signs until the general election.

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14-508.5 – Nonconforming and Noncomplying Sign Provisions:

Any sign lawfully existing at the time of the enactment of this ordinance but which is not permitted either by type of sign, location, or district or which fails to meet the standards on regulations shall be declared legal nonconforming signs.

1. The zoning administrator shall have authority to determine if a sign is legally nonconforming based on its current condition, time of construction and continuance at the location. Appeals to the decision shall be made to the Fayetteville Board of Zoning Appeals.
2. Any legal nonconforming sign may be continued in operation and maintenance after the effective date of this chapter, provided:
 - a. The sign is not relocated or replaced, unless the interest of public safety necessitates the relocation or replacement of the sign. Approval of the City of Fayetteville Planning Commission shall be obtained to permit the relocation or

replacement of any sign based on public safety concerns.

- b. The structure or size of the sign is not altered in any way except toward compliance with this chapter. The does not refer to the change of text of changeable copy signs or normal maintenance.
 - c. No new or additional signs are added to the premises, except as allowed under paragraph (a) above; and
 - d. Other than changing the test of changeable copy signs, no other existing signs are charged or replaced on the premises , except as allowed under paragraph (a) above.
3. A legal nonconforming sign is subject to all requirements of this Code regarding safety, maintenance, and repair. However, if the sign suffers more than fifty (50) percent damage or deterioration, as based on appraisal, it must be brought into conformance with this code or removed.

BE IT FURTHER ORDAINED that this amendment shall take effect from and after its, passage, the public welfare requiring it.

Adopted this 12th day of December, 2017.



Jonathan D. Law, Mayor

Attest:



Scott Collins, City Clerk