

**Ordinance #2018-11**  
 AN ORDINANCE TO AMEND SECTION 6.12, SIGNS, OF THE  
 FOXFIRE VILLAGE ZONING ORDINANCE

THE FOXFIRE VILLAGE COUNCIL ORDAINS:

**SECTION 1**

**Section 6.12. Signs is deleted in its entirety and replaced as follows:**

**Sec. 6.12. Signs.**

Signs shall be erected, altered, removed, and maintained per the following provisions and only those signs as specified and regulated herein shall be erected.

Signs are either permanent or temporary. Permanent signs must be made of permanent materials and specific placement is regulated. Permanent signs shall be designed and constructed according to generally accepted engineering practices to withstand wind pressures and load distribution as specified in the latest edition of the North Carolina Building Code. Illuminated signs and signs with electrical wiring and connections shall be constructed in accordance with the latest edition of the North Carolina Building and Electrical Code. Permanent signs may or may not require a permit.

Temporary signs are those that pertain to a specific event or function and/or signs that are made of temporary materials, such as paper, cardboard, corrugated cardboard, thin plastic, cloth or synthetic material, or other similar materials. Temporary signs are limited in duration no matter what the subject matter. Temporary signs may or may not require a permit.

Temporary signs may be placed in approved locations during the pendency of an event that has no definite time or date (e.g., a “for sale” sign may be placed on property during the time the property is for sale, legal notices as required by law, construction signs during construction operations); or for a maximum of 35 days for events and functions with a definite time or date (a maximum of 30 days prior to the event or function and five days after the event) and a maximum of 35 days for temporary signs not associated with an event or function. All temporary signs must be removed within 5 days after the event or function to which they pertain has ended.

Prohibited signs are those that are found to have adverse effect on health, safety, or the aesthetic values of the Village. Even signs that are not prohibited must be removed when in disrepair, torn or ripped, rusted, streaked or otherwise deteriorated, or pose health or safety risks.

**Sec. 6.12.1.** Table 1 below delineates signs that are allowed and prohibited for each Zoning District within the Village, whether or not they are permanent signs or temporary signs and whether or not a permit is required to erect the sign.

<b>Table 1</b>												
<b>Signs Allowed by District Subject to Time and Manner Regulations</b>												
<b>A denotes "Allowed" and X denotes "Prohibited"</b>												
<b>Sign Type/Zoning District</b>	<b>RS-20</b>	<b>RS-30</b>	<b>RS-40</b>	<b>RM</b>	<b>RA</b>	<b>RA-C</b>	<b>RF-200</b>	<b>EU</b>	<b>RE</b>	<b>VBD</b>	<b>Category</b>	<b>Requires Permit</b>
A-Frame/Sandwich Board	X	X	X	X	X	X	X	X	X	A	Temporary	No
Banner	X	X	X	X	X	X	X	X	X	A	Temporary	Yes
Blade/Bracket	X	X	X	X	X	X	X	X	X	A	Permanent	Yes
Bulletin Board	X	X	X	X	X	X	X	X	X	A	Permanent	Yes
Canopy	X	X	X	X	X	X	X	X	X	A	Permanent	Yes
Construction Sign	A	A	A	A	A	A	A	A	A	A	Temporary	No
Directional Sign (On Premise)	X	X	X	X	X	X	X	X	X	A	Permanent	Yes
Directory Sign	X	X	X	X	X	X	X	X	X	A	Permanent	Yes

Electronic Message Sign	X	X	X	X	X	X	X	X	X	A	Permanent	Yes
Estate or Farm Sign	X	X	X	A	A	X	A	A	A	X	Permanent	Yes
Freestanding Sign	A	A	A	A	A	A	A	A	A	A	Permanent	Yes
Government Sign	X	X	X	X	X	X	X	X	X	A	Permanent	No
Illuminated Sign	X	X	X	X	X	X	X	X	X	A	Permanent	Yes
Monument Sign	X	X	X	X	X	X	X	X	X	A	Permanent	Yes
Political Sign	A	A	A	A	A	A	A	A	A	A	Temporary	No
Real Estate Sign	A	A	A	A	A	A	A	A	A	A	Temporary	No
Residential Sign	A	A	A	A	A	A	A	A	A	X	Permanent	No
Residential Development Sign	A	A	A	A	A	A	A	A	A	A	Permanent	Yes
Yard Signs	A	A	A	A	A	A	A	A	A	A	Temporary	No
Wall Signs	X	X	X	X	X	X	X	X	X	A	Permanent	Yes
Window Signs	A	A	A	A	A	A	A	A	A	A	Temporary or Permanent	No

**Sec. 6.12.2. Signs Not Requiring a Permit.**

The following signs not requiring a permit must be a maximum of four square feet in size, must be maintained in good and attractive condition, must be placed on private property and may not be placed within any Village road, right-of-way or easement. Temporary signs not requiring a permit must be freestanding and may not be affixed to any existing pole, sign post, tree, or fence and may not be illuminated.

- a. Signs bearing only property numbers, post office box numbers, names of occupants or premises, or other identification of premises not having commercial connotations.
- b. Legal notices, identification, information, or directional signs erected or required by governmental bodies.
- c. A single announcement sign of a profession or business, fixed flat against the building where such profession or business is conducted.
- d. "No solicitation" signs per section 8.27 of this Code.
- e. "For Sale" or "For Rent" signs pertaining to residential or commercial realty on the premises offered for sale or rent.
- f. Political signs (those that advocate for political action)
- g. Yard, Garage, Estate Sale, or Party signs and off-premise directional signs announcing such events or giving directions to them.
- h. A construction sign located on the premises under construction.

**Sec. 6.12.3. Signs Requiring a Permit.**

No sign shall be erected, placed, attached, suspended, altered, remodeled, relocated, or otherwise put into use except pursuant to the approval of the Zoning Administrator except for those signs listed in Sec. 6.12.2 above which shall not require a permit. Each application for a sign permit shall include the graphics, dimensions, mounting method, and placement, and such other information as the Zoning Administrator deems necessary in order to determine compliance with the provisions of this section. Signs may not exceed 32 square feet and may not be higher than six feet off the ground nor placed on a raised pedestal or mound. Signs must be placed in locations and designed in a manner so as not to obstruct traffic sight lines and enhance the Village's open space concept. The following signs require a permit.

- a. Bulletin Boards or identification signs for church, non-profit, community or public buildings, lighted or unlighted.

- b. Signs identifying a residential subdivision planned housing development, recreational facility, or manufactured home park.
- c. Signs directing and guiding traffic and parking on private commercial property.
- d. Signs advertising the name, time, and place of a fair, carnival, festival, bazaar, horse show, or similar event when conducted by a public agency or for the benefit of a civic, fraternal, religious, or charitable cause. Not permitted in residential zoning districts.
- e. Estate or Farm signs on properties of five (5) acres or more in the RA, RF200, EU, and RE zoning districts.
- f. Business signs identifying/advertising a business or profession on the premises within the Village Business District (VBD) zoning district.

**Sec. 6.12.4. Prohibited Signs.**

- a. Air activated, balloon, marquee, and billboard signs are prohibited.
- b. Signs that obscure state or local traffic signs or other signs erected by a state or local governmental agency.
- c. Signs that obscure the vision of drivers on state or local roadways or that use “Stop” or “Danger” or otherwise imply the need or requirement to slow, stop, or exercise caution, or for any reason could be confused with any sign displayed by state or local government.
- d. Signs that obstruct any window, door, fire escape, stairway, ladder, or opening intended to provide light, air, or access to any building.
- e. Signs that violate state or federal law.
- f. Signs with flashing, intermittent or animated illumination. However, electronically or electrically controlled signs where alphabetic or numerical messages change are not prohibited.
- g. Signs attached to trees, street posts, electrical or light poles, or fences.
- h. Any sign erected or constructed wholly or in part on, over, or as part of any roof of a building.
- i. Signs set in motion by wind, water, motor drive, or otherwise.
- j. Signs, banners, streamers, or pennants that are consecutively strung together, but not including holiday decorations.
- k. Signs erected in or over a public road, right-of-way, or easement except for public information or regulatory signs.
- l. Signs that constitute the sole and or principal use of any lot, plot, parcel, or tract of land. This provision is intended to prohibit any sign that when viewed within the context of its design, orientation, location on the property, relationship to the surrounding property, streets, and uses of land would appear to constitute a principal use of land as regulated by this ordinance.

**Sec. 6.12.5. Removal of Signs.**

All signs that fail to comply with the requirements of this section shall be removed. All signs requiring a permit that are erected without a permit shall be removed until a permit is obtained. Whenever the use of a building or premises by a specified business or other establishment is discontinued by the owner or occupant or by force of law, all signs pertaining to that business or establishment shall be removed.

**Sec. 6.12.6. Amortization of Non-Conforming Signs.**

Any sign erected, placed, attached, suspended, or otherwise put into use prior to the adoption of this ordinance shall within five (5) years of the adoption date of this ordinance, comply in every respect with the provisions of Section 6.12. After that time any sign which does not comply with this ordinance shall be removed by the responsible party.

**SECTION 2**

All provisions of any Village ordinance in conflict with this ordinance are repealed.

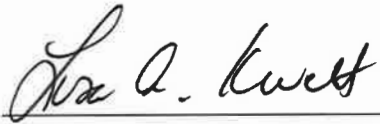
**SECTION 3**

The amendments are consistent with applicable elements of the Foxfire Village Land Use Plan, Long Range Plan and existing Zoning, and are reasonable and in the public interest to establish clear guidelines for use of signs within the Village.

**SECTION 4**

This ordinance shall become effective upon adoption.

Adopted this 11<sup>th</sup> day of December 2018.



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Lisa A. Kivett, CMC, NCCMC, CZO  
Village Clerk



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E.M. McCue, III  
Mayor