

ORDINANCE NO. 2017-xxx

**AN ORDINANCE OF THE LONG BEACH TOWN COUNCIL
AMENDING CHAPTERS 152 OF THE LONG BEACH TOWN CODE**

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WHEREAS, the Long Beach Town Council approves the Amendment of Chapter 152 Outdoor Advertising,

Now, therefore be it and it is hereby ordained chapter 152 Outdoor Advertising shall read as follows:

Chapter 152 Outdoor Signs

Section

152.00 Definitions

152.01 Permitted Sign Types

152.02 Residential Name Plate

152.03. Long Beach Town Bulletin Boards

152.04 Business Signs

152.05 Temporary Signs

152.06 Sign Placement

152.40 Exceptions

152.50 Designation Of The Enforcement Responsibility

152.99 Penalty

152.00 Definitions

Right-of-Way. The easement granted or reserved and platted to the Town of Long Beach, over the land for transportation or recreational purposes, this can be for a roadway, alley, public footpath, beach stop access, public garden area as well as well as all public utility electrical transmission lines, oil and gas pipelines. The Right-of-Way is typically wider than the paved area of a street or alleyway.

CORNER SIGN. A sign placed near the intersection of the two street frontages and designed to be visible from both streets.

SIGN. Any board, device, or structure or part thereof used for advertising, display, or publicity purposes. SIGNS are categorized as on-premise, off-premise, outdoor and portable. The total size of a sign under terms of this chapter shall consider only one surface. SIGNS placed or erected by a governmental agency for the purposes of showing street names or traffic directions or regulations or for other governmental purposes shall be exempted from regulations.

(A) **SIGN, OUTDOOR** A structural poster panel or painted sign, either freestanding or attached to a building, for the purpose of conveying information, knowledge, or ideas to the public about a subject related to the

activities on the premises upon which it is located. A freestanding sign is not to be supported by straps, wires or the like.

(B) **SIGN, PORTABLE.** A free standing, on premise or off premise advertising device which is designed to be moved from one location to another and is not permanently affixed to the ground or building structure for the duration of its use.

(C) **SIGN, TEMPORARY** A temporary sign is intended to temporarily promote, advertise, announce or identify a business or event for a limited period of time. Temporary signs are removed after the time period for which it is allowed elapses.

TOWN PROPERTY. Town Right-of-Way and all other property deeded and platted to the Town of Long Beach including Public Parks, buildings and structures.

ZONING LOT is a single lot meeting the minimum residential zoning lot size requirement of the zoning district in which the zoning lot resides, or two or more lots being the historic combination of two, or more lots under single ownership, when used in any way, as a single integrated home site for a single-family home including surrounding yards and preserved natural area(s).

152.01 Permitted Sign Types

- (A) There will be only two types of signs permitted in Residential Zones, (152.02 and 152.05).
- (B) Business signs 152.04 and Bulletin Boards 152.03 shall be permitted subject to the approval of the Building Commission.
- (C) A non-commercial temporary banner must be approved by the Long Beach Town Council. If approved a temporary banner shall be installed not more than 14 days prior to the date of the event and shall be removed not later than 2 days after the event.
- (D) No other types of signs or other forms of advertising structures of any type of configuration shall be permitted. Signs shall be designed, erected, altered, reconstructed, moved or maintained in whole or part, in accordance with the provisions set forth in this chapter.
- (E) Penalty. See 152.99

152.02 Residential Name Plate

A single Name Plate for residential use shall be permitted subject to the following conditions:

(A) Name plates shall not exceed one square foot in area, and letter or numeral height shall be a minimum of 3 inches. Only one face of a double-faced sign shall be included in the computation of permissible area. A double-faced sign is one where each of the two sides face in opposite direction.

(B) Sign face may be either internally illuminated or by floodlight. No blinking, flashing, rotating, or animated sign shall be permitted that are visible from the exterior of a building or other structure.

(C). Name Plate shall be either flat or wall type and secured in place, or supported on a post located in the front yard area. If the latter type, it shall:

- (1). Project a maximum of 16 inches from the face of the building.
- (2) Not extend over public property, nor be erected so as to obstruct street sight lines or traffic control lights, a sign at street intersections, or signals at railroad crossings,
- (3) A sign visible from the sight lines along a street shall not contain such words as stop, slow, or in any way resemble a street or traffic sign and so on, or in any other manner resemble a highway traffic sign.

(D) Name Plate shall display only the following:

- (1) Name of the premises upon which it is displayed;
- (2) Name of the owner or lessee of the premises;
- (3) Address of the premises;
- (4) No indication shall be included relating to any possible home occupation engaged in on the premises, nor to the names of other principal occupants.
- (5) No name plate shall be permitted above the first floor.

(E) Penalty. See 152.99

152.03. Town of Long Beach Bulletin Boards

Bulletin boards for Town of Long Beach Administrative Buildings including parks, Long Beach Community Center, Long Beach Country Club, and similar uses shall be permitted subject to the following regulations:

(A) One free-standing sign for each main use per frontage:

- (1) The sign shall contain only the name and address of the building, its occupants, and the services rendered.

(2) The sign shall not exceed 32 square feet in area, exclusive of architectural features. The sign structure shall not exceed eight feet in height.

(3) The sign face shall not be internally illuminated but may be flood lighted. No blinking, flashing, rotating, or animated sign shall be permitted that are visible from the exterior of a building or other structure.

(4) A Bulletin Board shall be set back 15 feet from edge of the pavement of the Right-of-way; however, this setback may be reduced to ten feet subject to approval of a special exception of the Town Council.

(B) One sign attached to the outside face of the main building:

(1) The same shall contain only the name of the building and its occupants.

(2) Letter or numeral heights shall not exceed one foot.

(3) The sign shall not exceed ten square feet in area.

(4) The sign face shall not be internally illuminated but may be floodlighted. No blinking, flashing, rotating, or animated sign shall be permitted that are visible from the exterior of the building.

(5) No sign shall be allowed to appear above the first floor level.

(C) Penalty. See 152.99

152.04. Business Signs

(A) Types permitted shall be limited to wall mounted on-premise flat signs indicating name and nature of the principal occupant only or the name and address of the building, or the name and address of the owner. These signs shall be attached to the building in which the occupant is located. Projecting signs shall not be permitted.

(B) The following regulations shall apply to signs for each occupancy:

(1) The total area of all business signs on any one street frontage of the premises shall not exceed four-tenths of a square foot per linear foot of such street frontage or 38 square feet, whichever is smaller. A Corner sign shall not be allowed.

(2) Building frontage to be used in calculating the permitted sign area shall include frontage whereon a public entrance to the occupancy is located. Separate calculations may be made for front and rear entrances and a separate sign may be erected on each of these building frontages.

(3) A sign shall not extend over a public sidewalk or right-of-way, nor obstruct street sight lines or traffic-control lights, a sign at street intersections, or signals at railroad crossings. A sign visible from the sight lines along a street shall not contain such words as stop, go, slow or otherwise resemble a highway traffic sign. All sign faces shall be mounted on or attached to the building.

(4) No blinking, flashing, rotating, or animated sign shall be permitted on the exterior of any building in this district. A sign shall be harmonizing in design and color with the surrounding and shall not be attached to any tree or shrub

(5) In cases where the store has a rear parking lot, a sign may be located on the rear of the building and shall be developed to the same standards as are required in the front of the store, provided, however, that the sign shall not be lighted.

(6) Lights used to illuminate a sign shall be so installed as to concentrate the illumination on the sign or advertising structure and to minimize glare upon a public street or adjacent property.

(7) No sign shall be installed above the first floor level.

(8) No sign shall be erected which are freestanding, projecting, on poles, the ground, above marquees, on top of buildings, or in any other form or manner, except as specified elsewhere in this chapter.

(9) Portable Signs and wheeled signs are prohibited.

(C) Penalty. See 152.99

152.05. Temporary Signs Residential Zone

One Temporary sign per residence shall be permitted per Zoning Lot subject to the following conditions:

(A) One non-illuminated Temporary sign pertaining to the long term lease or sale of the Zoning Lot upon which it is placed and not exceeding four square feet in gross surface area is permitted, provided that the sign shall be removed within 2 days after the consummation of the sale, lease or the

termination of the agents authority. Two (24"X 6") "Ride-along-signs" and one small information box will be permitted (on the same support post only) to include agents name, property description, or open house. **OR**

(B) One non-illuminated Temporary event sign, not exceeding 4 square feet in gross surface, erected not more 14 days before the event and taken down within 2 days of it's conclusion. A non-commercial temporary sign including garage sale advertisement, announcement for a neighborhood gathering, school event and the like, provided that the total sign area does not exceed 4 square feet . A temporary sign shall be installed not more than two days prior to the date of the event and shall be removed not later than two days after the event A non-commercial temporary banner with size approved by the Long Beach Town council shall also be permitted.

OR

(C) During election period **from 14 days** prior to an election or primary the maximum number of temporary signs shall be 6 and no sign shall exceed 4 square feet in gross surface area and must be removed within 48 hours of the event , **AND**

(D) No sign is permitted in the Town Right-of-Way unless specifically exempted elsewhere in this Chapter or by approval of the Town Council. No Temporary Sign may be affixed to a utility pole, tree, shrub, vehicle or the like. **AND**

(E) If a sign is on a post the following must be adhered to:

- (1) Height of the top of a sign or its support post must not be more than 4 feet above ground.
- (2) Not to extend or be placed on or over Right-of-Way, nor be erected so as to obstruct street sight lines of traffic control lights, a sign at street intersections, neighboring property or traffic control signs and signals.
- (3) A Sign visible from the sight lines along any street shall not contain such words as stop, go, slow, and so on, or in any other manner resemble highway traffic signs.

(F) The maximum number of Temporary signs on a Zoning Lot shall be one.

(G) Penalty. See 152.99

152.06 Sign Placement

(A) Where permitted a sign shall be placed on the Zoning Lot at least 8 feet from the nearest pavement or sidewalk boundary of the Town Right-of-Way or Town owned property.

- (B) Where a residence is within eight feet of the Town Right-of-Way a freestanding sign meeting all other requirements may be placed one foot in front of the residence.
- (C) A Temporary sign not to exceed 4 square feet may be erected in the Town Right-of-Way (but not on any paved portion of a roadway) for a period not to exceed 24 hours to direct individuals to a specific event or celebration such as yard/estate sale/open house.
- (D) No Residential or Business sign may be placed on any street pavement, parking lot, sidewalk, public utility easement or alleyway in the Town of Long Beach.
- (E) No outdoor sign may be placed on Long Beach Town Property without the express and written permission of the Town of Long Beach or a designated agency or commission of the Town.
- (F) No permanent commercial business advertising sign including outdoor advertising, on-premise advertising or other business sign is permitted in the residential district, except for up to six Town of Long Beach Bulletin Boards at six separate locations chosen by the Long Beach Town Council and designed to give direction to and announce the names of a local business and Town buildings
- (G) Penalty. See 152.99

152.40 Exceptions to sign placement

- (A) A sign indicating Temporary hazards
- (B) Building permit and Variance Notice
- (C) Regulatory and Informational signs posted by Town Marshal including parking, speed, traffic control and any special event authorized by the Long Beach Town Council.
- (D) A sign posted on Town Property by an Agency or Commission of the Town
- (E) Penalty. See 152.99

152.50 Designation Of The Enforcement Responsibility.

The Long Beach Town Council hereby designates the Office of the Town Marshal in the responsibility for enforcement of this chapter.

152.99 Penalty

Any person violating any of the provisions of this chapter shall be fined \$100 for the first violation and \$250 for each additional violation. Each day that a violation is permitted to exist shall be construed a separate offense. Nothing herein shall be construed to limit any other remedies at law or equity.

SIGN ORDINANCE REVISION 3-8-2017.DOCX

Effective Date

This Building Ordinance shall be in full force and effect from and after _____

ALL OF WHICH IS PASSED AND ADOPTED by the Town Council of the Town of Long Beach, LaPorte County, Indiana, this ____ day of _____, 201__.

LONG BEACH TOWN COUNCIL

By:

Peter Byvoets, President

Jane Neulieb

Robert LeMay

Joy Schmitt

Nick Meyer

ATTEST: _____, Date _____
William deFuniak, Clerk-Treas.

APPROVED this ____ day of _____, 20 ____, by the Fire Prevention and Building Safety Commission of the State of Indiana.

SIGN ORDINANCE REVISION 3-8-2017.DOCX

ORDINANCE NO. 2017-xxx

**AN ORDINANCE OF THE LONG BEACH TOWN COUNCIL
AMENDING SOME ORDINANCES OF CHAPTER 154 OF
THE LONG BEACH TOWN CODE**

WHEREAS, Section 150.06 (Ord. 75, passed 3-9-70) of the Long Beach Town Code has been followed as the Town Council has received a favorable recommendation by a majority of its Advisory Plan Commission and public notice has been given at least ten (10) days prior to the meeting of the Long Beach Advisory Plan Commission in a newspaper of general circulation in LaPorte County, Indiana of this ordinance; and

WHEREAS, the Long Beach Town Council concurs in the recommendation made by its Advisory Plan Commission;

NOW, THEREFORE BE IT AND IT IS HEREBY ORDAINED AS FOLLOWS:

Chapter 154.075 shall be deleted

Chapter 154.051 (G) shall be deleted.

Chapter 154.054 shall be deleted.

Chapter 154.056 (D) shall be amended as follows:

(D) All personal property exhibited for sale outside any structure during such garage or yard sale shall be removed from the outside and placed within a structure immediately following the last day of such sale. All signs erected for such event shall be erected and removed as provided for in 152.05.

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ALL OF WHICH IS PASSED AND ADOPTED by the Town Council of the Town of Long Beach, LaPorte County, Indiana, this ____ day of _____, 201__.

LONG BEACH TOWN COUNCIL

By:

Peter Byvoets, President

Jane Neulieb

Robert LeMay

Joy Schmitt

Nick Meyer

ATTEST: _____, Date _____
William deFuniak, Clerk-Treasurer

APPROVED this ____ day of _____, 20 ____, by the Fire Prevention and Building Safety Commission of the State of Indiana.
