

FST READING
2ND READING
INDEX NO.

7-28-09
8-4-09

ORDINANCE NO. 12270

AN ORDINANCE TO AMEND CHATTANOOGA CITY CODE,
PART II, CHAPTER 3, SECTION 3-7, RELATIVE TO SIGN
PERMITS, LOCATION RESTRICTIONS, AND PROJECTIVE
SIGNS.

BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF CHATTANOOGA,
TENNESSEE:

SECTION 1. That Chattanooga City Code, Part II, Chapter 3, Section 3-7, be and the same is hereby amended by deleting same in its entirety and substituting in lieu thereof the following:

Sec. 3-7. Application for sign permit; notification to building official; expiration; renewal of permits; and construction methods and structural requirements.

(a) Application for the sign permit required by the preceding Section shall be made to the Building Official or designee concurrently with an application for a Building Permit if required and shall be accompanied by such drawings, plans, specifications and engineering designs in compliance with the provisions of the International Building Code most recently adopted by the City of Chattanooga for the proposed sign as may be necessary to fully advise and acquaint the Building Official or designee and the Traffic Engineer with the proposed construction thereof. The application shall also include the owner and address of the premises where such sign is to be located, together with the size of the proposed sign, and a description of any other signs located on such premises or for which a permit has been issued and remains outstanding. Before processing of the application for sign permit, the applicant shall pay to the City of Chattanooga the following fees:

i.	Plans Review Fee:	\$25.00
ii.	Technology Fee:	10.00
iii.	Administrative Fee:	<u>5.00</u>
	Total	\$40.00

The application will not be processed until these fees are received. The payment of the fees outlined in Section 3-8 shall be paid after, and only after, the application and accompanying documentation have been approved. Any application for a sign permit or temporary sign permit shall be approved or denied

by the Building Official or designee within fifteen (15) business days, excluding holidays recognized by the City of Chattanooga, after the filing of the application for such permit, and in the event the Building Official or designee does not approve or deny an application within said period, such application shall be deemed approved. Notwithstanding the provisions of the foregoing sentence, the Building Official or designee may grant contingent approval subject to on-site inspection in cases where an applicant for a temporary sign permit requires immediate attention on the application.

(b) An applicant for an off-premise sign shall submit with the application for a sign permit a most recent certified survey showing property lines, easements and distance from the nearest intersection as defined in the chapter. The certified survey must have been completed within no less than five (5) years of the date the application for a sign permit is submitted as required by this chapter. An applicant for a sign permit shall additionally submit elevation drawings and engineering plans and design with the application for an off-premise sign. The drawings and designs required by this Section must be in compliance with provisions of the City's building codes, as amended.

(c) The owner, sign contractor or other person installing any sign for which a new sign permit is required shall notify or cause to be notified the Building Official or designee of the date the erection or material alteration of the sign will begin not less than forty-eight (48) hours prior to the beginning of such work. Such person shall also notify or cause to be notified the Building Official or designee of the completion of such work within forty-eight (48) hours after completion of such work. In the case of any sign to which electricity is provided for any reason, the sign contractor or other person installing such sign shall be responsible for the notifications required by this paragraph. The failure to give or cause to be given either of the notices set forth in this paragraph shall constitute a violation of this Chapter and shall subject any sign erected without both of the above notices having been given to abatement as a nuisance.

(d) Any sign for which any permit has been issued but for which no substantial expenditures have been made as of the effective date of this ordinance shall only be erected in accordance with the provisions of this Chapter except that no additional initial permit charge will be required for any permit which has already been issued and for which a permit fee has been paid.

(e) Any sign permit issued pursuant to this Chapter for the erection of a sign shall expire one hundred eighty (180) days from the date of its issuance in the event such sign has not been fully erected within said one hundred eighty (180) days, provided, that upon good cause shown to the Building Official such permit may be renewed one time for a period not to exceed ninety (90) days. If a permit is requested for a location on which a valid permit is already outstanding but has not expired, and upon which no sign has been erected, and if such subsequent

permit is requested by a person other than the holder of the outstanding permit, the Building Official or designee shall file, without fee, such application for the subsequent permit. In the event the outstanding permit expires without a sign being erected, as set forth above, the next valid permit application on file with the Building Official or designee shall be processed upon payment of the required fee.

(f) For any sign requiring a state permit, such permit shall be included when making application.

(g) A notarized letter of intent or permission from the property owner shall be submitted with the permit application.

(h) **Structural requirements and design required.** Before a permit shall be granted, the erector of every outdoor advertising sign, with the exception of shingle signs and light cloth temporary signs, shall submit to the building official or designee a design and stress diagram or plan, containing the necessary information to enable the building official to determine that such sign complies with all the regulations of Chapter 16 of the International Building Code. In the design and erection of all outdoor advertising display signs, the effect of wind and working stresses shall be carefully considered. All signs shall be structurally constructed to withstand the wind loads and working stresses specified in Chapter 16 of the International Building Code.

Exceptions:

1. The allowable working stresses for steel and wood shall be in accordance with the provisions of Chapter 22 and Chapter 23 of the International Building Code.
2. The working strength of chains, cables, guys, or steel rods shall not exceed one-fifth of the ultimate strength of such chains, cables, guys, or steel.

(i) **Electrical service and illumination.** All signs requiring illumination or having electrical service devices or wiring shall be constructed in accordance with the requirements of the National Electric Code.

(j) **Wall signs**

1. Wall signs attached to exterior walls of solid masonry, concrete or stone, shall be safely and securely attached by means of metal anchors, bolts or expansion screws of not less than 3/8-inch (9.5 mm) diameter and shall be embedded at least five inches (127 mm). Wood blocks shall not be used for anchorage, except in the

case of wall signs attached to buildings with walls of wood. A wall sign shall not be supported by anchorages secured to an unbraced parapet wall.

2. Temporary cloth signs with wood frames may be kept in place for a period not exceeding 30 days.

(k) **Projecting signs**

1. All projecting signs shall be constructed entirely of metal or other noncombustible material and securely attached to a building or structure by metal supports such as bolts, anchors, supports, chains, guys, or steel rods. Staples or nails shall not be used to secure any projecting sign to any building or structure.
2. The dead load of projecting signs not parallel to the building or structure and the load due to wind pressure shall be supported with chains, guys or steel rods having 3/8-inch (9.5 mm) diameter. Such supports shall be erected or maintained at an angle of at least 45° (0.78 rad) or more with the face of the sign to resist the specified wind pressure. If such projecting sign exceeds 30 sq ft (2.8 m²) in one facial area, there shall be provided at least two such supports on each side not more than 8 ft (2438 mm) apart to resist the wind pressure.
3. All supports shall be secured to a bolt or expansion screw that will develop the strength of the supporting chains, guys or steel rods, with a minimum 5/8-inch (15.9 mm) bolt or lag screw, by an expansion shield. Turn buckles shall be placed in all chains, guys, or steel rods supporting projecting signs.
4. Chains, cables, guys, or steel rods used to support the live or dead load of projecting signs may be fastened to solid masonry walls with expansion bolts or by machine screws in iron supports, but such supports shall not be attached to an unbraced parapet wall. Where the supports must be fastened to walls made of wood, the supporting anchor bolts must go through the wall and be plated or fastened on the inside in a secure manner.
5. A projecting sign shall not be erected on the wall of any building so as to project above the roof or cornice wall; except that a sign erected at a right angle to the building, the horizontal width of which sign is perpendicular to such a wall and does not exceed 18 inches (457 mm), may be erected to a height not exceeding 2 ft (610 mm) above the roof or cornice wall or above the roof level

where there is no cornice wall. A sign attached to a corner of a building and parallel to the vertical line of such corner shall be deemed to be erected at a right angle to the building wall.

(l) **Marquee signs.** Marquee signs shall be constructed entirely of metal or noncombustible material and may be attached to, or hung from a marquee. Such signs when hung from a marquee shall be at least 8 ft (2438 mm) at its lowest level above the sidewalk or ground level, and further, such signs shall not extend outside the line of such marquee. Marquee signs may be attached to the sides and front of a marquee, and such signs may extend the entire length and width of said marquee, provided such signs do not extend more than 6 ft (1829 mm) above, nor 1 ft (305 mm) below such marquee, but under no circumstances, shall the sign or signs have a vertical dimension greater than 8 ft (2438 mm).

(m) **Use of plastic materials**

1. Notwithstanding any other provisions of this code, plastic materials which burn at a rate no faster than 2 ½ inches per minute (1.06 mm/s) when tested in accordance with ASTM D 635 shall be deemed approved plastics and may be used as the display surface material and for the letters, decorations and facings on signs and outdoor display structures.
2. Individual plastic facings of electric signs shall not exceed 200 sq. ft (18.6m²) in area.
3. If the area of a display surface exceeds 200 sq ft (18.6m²), the area occupied or covered by approved plastics shall be limited to 200 sq ft (18.6m²) plus 50% of the difference between 200 sq ft (18.6m²) and the area of display surface. The area of plastic on a display surface shall not in any case exceed 1,100 sq ft (102m²).
4. Letters and decorations mounted upon an approved plastic facing or display surface may be made of approved plastics.

SECTION 2. That Chattanooga City Code, Part II; Chapter 3, Section 3-8, be and the same is hereby amended by adding a new subsection (d) as follows:

(d) **Location restrictions.** An outdoor advertising display sign shall not be erected, constructed or maintained so as to obstruct any fire escape or any window or door or opening used as a means of egress or as to prevent free passage from one party of a roof to any other part thereof. A sign shall not be attached in any form, shape or manner to a fire escape, nor be placed in such manner as to interfere with any opening required for legal ventilation.

SECTION 3. That Chattanooga City Code, Part II, Chapter 3, Section 3-61, be and the same is hereby amended by deleting the definition for *Projecting Sign* in its entirety and substituting in lieu thereof the following:

Projecting Sign. Projecting sign shall mean an on-premise sign attached to a building, canopy, awning or marquee and projecting outward therefrom in any direction a distance of more than eighteen (18) inches, provided, however, that no projecting sign shall extend horizontally from the building more than eight (8) feet at the greatest distance. Signs projecting from a building or extending over public property shall maintain a clear height of 9 ft (2743 mm) above the sidewalk and all such signs shall extend not more than within 18 inches (457 mm) of the curblin.

SECTION 4. BE IT FURTHER ORDAINED, That this Ordinance shall take effect two (2) weeks from and after its passage.

PASSED on Second and Final Reading

August 4, 2009.


CHAIRPERSON

APPROVED: DISAPPROVED:

DATE: Aug 10, 2009.


MAYOR

PAN/kac