

# Ordinance No. 1056

**AN ORDINANCE to amend and reordain Article I and Article II, Chapter 25 of The Code of the City of Alexandria, Virginia, 1953, as amended, which Chapter 25 relates to SIGNS, MARQUEES AND AWNINGS, and imposes penalties for violations, which Article I relates to SIGNS IN GENERAL, which amended Article I relates to DEFINITIONS FOR SIGNS, which Article II relates to SIGNS GENERALLY, and which amended Article II relates to GENERAL PROVISIONS FOR SIGNS.**

THE CITY COUNCIL OF ALEXANDRIA HEREBY ORDAINS:

Section 1. That Article I and Article II, Chapter 25 of the Code of the City of Alexandria, Virginia, 1953, as amended, be and the same hereby are amended and reordained to read as follows:

## CHAPTER 25 SIGNS, MARQUEES AND AWNINGS

### Article I DEFINITIONS

SEC. 25-1. DEFINITIONS. As used in this chapter, unless the context otherwise indicates:

- (1) **ANIMATED SIGN** shall mean and include any sign, the character or appearance of any element or part of which changes, by any device, mechanical, electrical, or otherwise.
- (2) **AREA** of a sign means and includes the sum of the areas within rectangular lines inscribed around each separate word, symbol, or pictorial element on the face of a sign; provided that:
  - (a) The area of a sign or any portion thereof having a distinctive or ornamental border shall include the area enclosed by such border, and the area enclosed therein.
  - (b) The area of a sign or any portion thereof having a distinctive or ornamental background, which sets such background apart from a larger surface so that it forms an integral part or element of the sign, as distinguished from a functional part of the building exclusive of such sign, shall include the area of such background.
  - (c) The area of a free standing sign or any portion thereof having a background which extends beyond the words, symbols, or pictorial elements thereof shall include the area of such background.
  - (d) If any portion of the words, symbols, or pictorial elements of a sign extend beyond a border or background, the area of such portion of the sign shall be the area of a rectangle inscribed around it.
  - (e) The area of a double face sign, as herein defined, shall be considered to be the area of one face only.
- (3) **BANNERS** shall mean any sign or advertising device appended on or from any staff, pole, wire, framing or similar support, extending across any street, highway, alley, sidewalk or other

public right-of-way and intended to be displayed for a short period of time only.

- (4) **BILLBOARD** shall mean any sign used as an outdoor display for the purpose of making anything known, the product, business, or thing so advertised or displayed being remote from the site or property upon which such sign is erected or displayed.
- (5) **DIRECTIONAL SIGN** shall mean any sign, the purpose of which is to indicate the location of or the direction to a place, object, project, product, or business remote from the site or property on which such sign is erected or displayed.
- (6) **DOUBLE FACE SIGN** shall mean any sign having but two parallel planes or surfaces upon which advertising is displayed.
- (7) **PARAPET WALL** shall mean the extension of the exterior inclosing walls of a building above the roof.
- (8) **REAL ESTATE SIGN** shall mean any sign advertising the sale, lease, or future use of real estate, placed upon the property so advertised.
- (9) **ROOF SIGN** shall mean any sign or portion of a sign so erected or affixed to a building as to extend above the roof level or parapet wall and which is visible to the public.
- (10) **SIGN** shall mean any words, letters, parts of letters, figures, numerals, phrases, sentences, emblems, devices, designs, trade names or trademarks, or posters, by which anything is made known; such as are used to designate an individual, firm, association, corporation, profession, or business, or a commodity, or land, or product, which are visible outdoor and used to attract attention but excluding supporting standards for the same provided that no words, letters, parts of letters, figures, numerals, phrases, sentences, emblems, devices, designs, trade names, trademarks, or posters are affixed thereon.
- (11) **SPECIAL ADVERTISING** shall mean any part of a sign advertising a product or business which does not constitute more than fifty per cent of the gross business conducted on the premises.

**Article II.****SIGNS****SEC. 25-2 PERMITS**

A. No sign shall be erected, displayed, painted, repainted, placed, replaced, hung, rehung, rebuilt or altered without a current and valid permit therefor having first been issued by the Building Inspector; provided, however, that no such permit shall be required for:

- (1) Changing the bill of acts or features on established frames at movie theatres and theatres.
- (2) Changing the matter advertised on billboards.
- (3) Erecting or displaying the following types of signs when such signs are unilluminated and are erected or displayed

in conformance with the other requirements of this chapter and of Chapter 35 of this Code:

- (a) Home occupation signs in residence zones.
- (b) Identification signs for professional offices only in the RA, RB, and RC residence zones.
- (c) Real estate signs not exceeding four square feet in area.
- (d) Contractors signs not exceeding twenty-four square feet in area, and subcontractors signs not exceeding eight square feet in area when erected or displayed for the duration of the work only.

B. Application for a permit shall be made to the Building Inspector on forms furnished by him.

C. The permit number shall be indicated on each sign for which a permit is required by these regulations.

**SEC. 25-3. FINANCIAL RESPONSIBILITY**

No permit shall be granted pursuant to this chapter and no permit shall be valid unless and until the permit holder shall have signed an agreement to indemnify and save harmless the City of Alexandria, Virginia, from any and all loss or damage to property, or injury to or death of any and all persons, and suits, claims, liabilities, or demands of any kind whatsoever, resulting directly or indirectly from the erection, use, maintenance, or alteration of any sign or other device authorized by such permit.

**SEC. 25-4. CONTEXT OF SIGN FOR BUSINESS CONDUCTED ON PREMISES**

No sign as defined in these regulations, except a real estate sign, contractors sign, directional sign, or billboard, shall be erected upon any structure or as a free standing sign unless such sign advertises a bona fide business conducted on the premises. Special advertising may be permitted, but such special advertising shall not exceed thirty-three and one-third per cent of the total area of the sign of which it is a part.

**SEC. 25-5. ANIMATED SIGNS.** Animated or flashing signs are prohibited in the City of Alexandria.

**SEC. 25-6. SIGNS CONSTITUTING HAZARDS TO TRAFFIC**

No sign or other device which simulates any traffic control sign, light, or device, or which simulates a warning light or device, of any color whatsoever, or which embodies as a part thereof a spotlight or other device which projects a beam of light in the direction of any street, highway, alley, public right-of-way, or parking area, so that it may be seen by the operator of any motor vehicle thereon, shall be erected or displayed so as to be visible from any street, highway, alley, other public right-of-way, or parking area. No sign or other device shall be erected at any location in such a manner

as to obstruct free and clear vision of any public right-of-way or interfere with, mislead, or confuse traffic on any public right-of-way.

**SEC. 25-7. DIRECTIONAL SIGN**

Directional signs shall not exceed six square feet in area except as provided in Section 35-58 of this Code, and may be erected or displayed within five feet of the front property line except where the highway setback established in Section 35-22 of this Code require greater setbacks. No permit shall be issued by the Building Inspector for the erection or display of a directional sign until the location thereof shall have been approved by the City Manager or his authorized representative, and written permission of the owner of the property on which the sign is to be erected or displayed shall be submitted with the sign application.

**SEC. 25-8. SIGNS ON PUBLIC RIGHT-OF-WAY**

No person shall erect or display any sign upon or so that it projects over any street, highway, alley, sidewalk, or other public right-of-way, except as provided in Subsections (7), (8), or (9) of Section 35-58, Chapter 35 of this Code, unless permission therefor has been granted by the City Council. Any sign erected or displayed in violation of this section shall be immediately removed and impounded by the City Manager or his authorized representative.

**SEC. 25-8.1. LIGHTED SIGNS**

No permit shall be issued for the erection or display of a sign on or in which lights of any description are to be used, or which will be illuminated by artificial means, until the application for such permit shall have been approved by the Electrical and Plumbing Inspections Department.

**SEC. 25-8.2. LIGHTED SIGNS FACING RESIDENTIAL ZONES**

Illuminated signs, which face and are in close proximity to land zoned for residence use shall not be illuminated between 10:30 p.m. and 6:30 a.m. Such signs shall be so constructed that the lighting elements shall be shielded from view of such residence zone by non-transparent or translucent material or other means designed to eliminate objectionable glare.

**SEC. 25-8.3. ZONING REQUIREMENTS FOR SIGNS**

No sign shall be erected or displayed in the City of Alexandria unless and until it is also in accordance with the provisions of Article IX, Chapter 35 of this Code.

**SEC. 25-8.4. BANNERS**

No persons shall erect or display any banner across any street, high-

way, alley, sidewalk, or other public right-of-way without a permit issued by the City Manager or his authorized representative. Any banner stretched across a street, highway, alley, sidewalk, or other public right-of-way shall be at least twenty feet above the grade and shall be erected or displayed in compliance with the building code, Section 32A-14 of this Code and Article IX, Chapter 35 of this Code.

**SEC. 25-8.5. SIGN RIGHTS AND PRIVILEGES REVOCABLE**

All rights and privileges acquired under the provisions of this chapter or any amendment thereto are revocable at any time by the City Manager for cause or when there is a violation and all sign permits shall so state.

**SEC. 25-8.6. ENFORCEMENT**

This chapter shall be enforced by the City Manager or his authorized representative, who shall enforce the provisions of this chapter for all signs erected or displayed on private property or upon streets, highways, alleys, sidewalks, and other public rights-of-way.

**SEC. 25-8.7. NONCONFORMING SIGNS**

A sign which does not conform to the provisions of this chapter, but which is lawfully in existence at the time this chapter is adopted, shall not be altered, rebuilt, or moved unless it be made to comply with the provisions of this chapter; provided, however, that such sign may be repainted or repaired; and provided further that if such sign shall deteriorate or be damaged to the extent of fifty per cent of its replacement cost it shall then be made to comply with the provisions of this chapter or be removed.

**SEC. 25-8.8. REMOVAL OF SIGNS**

A. Whenever the use of a building or premises by a specified business or occupation is discontinued for that business or occupation, signs pertaining to that business or occupation which were previously erected or displayed on that building, or as free standing signs, shall be removed within a period of ninety days following the vacation of the premises by such business or occupation. It shall be the responsibility of the owner of the building or premises to accomplish such removal. If after written notice from the City Manager such signs are not removed within ten days, the City Manager shall cause such removal and charge the cost to the owner of the premises.

B. The City Manager or his authorized representative shall give written notice to the beneficial owner of a sign to remove such sign within five days when it is in violation of any provision of this chapter, and it shall be the duty of the beneficial owner to remove it within that time.

C. The City Manager or his authorized representative shall remove any sign erected in a public right-of-way in violation of

any provision of this chapter, impound the sign, and give written notice to the owner of the sign if ownership is readily determinable from the sign. The owner may secure release of the sign upon payment of two dollars impounding fee, plus fifty cents per day for each day of storage. Signs not redeemed within a period of thirty days after the placing of such notice in the mail shall become the property of the City of Alexandria.

**SEC. 25-8.9 PENALTY**

Any and all persons who shall violate any of the provisions of this chapter, or fail to comply therewith, shall for each and every such violation or non-compliance, upon conviction thereof, be punished by a fine not to exceed ten dollars. The imposition of one penalty for any violation of this chapter shall not excuse the violation or permit it to continue and each day that a violation exists shall constitute a separate offense. Violations of the provisions of this chapter may also be restrained, prohibited, and enjoined in any court of equity jurisdiction in the City.

**SEC. 25-8.10 EXCEPTIONS**

Signs erected by the City, State, or Federal Government in furtherance of their governmental responsibility or signs required by separate City ordinance are exempt from the provisions of this chapter.

**SEC. 25-8.11 TRAFFIC CONTROL SIGNS**

The provisions of Chapter 19 of this Code shall apply to traffic control signs and devices.

Section 2. That this ordinance shall be published in a newspaper of general circulation in the City not later than five days following its introduction together with a notice containing the time and place for a public hearing. The Clerk of the Council shall note the date of introduction and first reading, the date of publication, the date of the public hearing, and the date of the second reading and final passage in the minutes of the meeting. This ordinance shall become effective the date of its final passage.

**LEROY S. BENDHEIM**

Mayor

Final Passage: Nov. 11, 1959