

ORIGIN ID: TLHA (850) 577-9090 ASHLEY LUKIS GRAYROBINSON, P.A. 301 S BRONOUGH ST., SUITE 600 TALLAHASSEE, FL 32301 UNITED STATES US		SHIP DATE: 02OCT25 ACTWGT: 0.50 LB CAD: 253850526MSX13600
TO <b>JEFF SHRUM</b> <b>CITY OF OCALA</b> <b>201 SE 3RD ST</b> <b>OCALA FL 34471</b> (850) 577-5462 INV: REF: 1997936014 P.O. DEPT:		BILL SENDER

  




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October 2, 2025

**VIA FEDEX AND EMAIL**

Aubrey Hale  
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201 S.E. 3rd Street  
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ahale@ocalafl.gov

William Sexton  
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Jeff Shrum  
Growth Management Director  
City of Ocala  
201 S.E. 3rd Street, 2nd Floor  
Ocala, Florida 34471  
jshrum@ocalafl.gov

**Re: View Florida, LLC  
Permit Fee Under Section 110-191(e)(2) of the City Code  
Application #SGN25-0009**

Dear Mr. Shrum, Mr. Hale, and Mr. Sexton:

Enclosed please find the following:

- i. A check for \$300,000 for issuance of a permit associated with the above-referenced permit application from View Florida, LLC;
- ii. A Notice of Appeal on behalf of View Florida, LLC; and
- iii. Correspondence from the City of Ocala related to the enclosed permit application and payment, which is attached as an exhibit to the Notice of Appeal.

**Please note that View Florida submits the \$300,000 permitting fee under protest, as explained in the enclosed Notice of Appeal.**

Thank you for your time, and please feel free to call or e-mail me at any time.

Sincerely,

*/s/ Ashley H. Lukis*

Ashley H. Lukis

Enclosures

Ashley H. Lukis | ashley.lukis@gray-robinson.com | D 850-577-6951  
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October 2, 2025

**VIA FEDEX AND EMAIL**

Jeff Shrum  
Growth Management Director  
City of Ocala  
201 S.E. 3rd Street, 2nd Floor  
Ocala, Florida 34471  
jshrum@ocalafl.gov

William Sexton  
City Attorney  
City of Ocala  
110 S.E. Watula Avenue  
Ocala, Florida 34471  
wsexton@ocalafl.org

**Re: View Florida, LLC Notice of Appeal  
Permit Fee Under Section 110-191(e)(2) of the City Code  
Application #SGN25-0009**

Dear Mr. Shrum and Mr. Sexton:

This firm represents View Florida, LLC. View Florida operates outdoor advertising signs throughout the state and has applied for a City of Ocala permit to operate a monopole v-shaped, or v-back, billboard sign. **Pursuant to section 122-111 of the City Code, please accept this Notice of Appeal regarding the City's interpretation of the payment required under section 110-191(e)(2) of the City Code.**

As stated in the enclosed email correspondence from the City dated September 17, 2025, the City made a final decision that View Florida must pay \$150,000 per sign face—for a total of \$300,000—as a condition of obtaining a building permit for its proposed offsite sign. *See* Ex. A (“City Decision”). Contemporaneous with the filing of this appeal, View Florida has submitted payment of \$300,000 **under protest**, as required by the City’s Decision, in order to obtain its permit and move forward with construction and avoid further economic loss during the pendency of this appeal.

**I. SUMMARY**

The plain text of section 110-191(e)(2) of the City Code requires permit applicants to pay \$150,000 per sign, regardless of whether the sign has one or two faces.<sup>1</sup> However, the City advised

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<sup>1</sup> This provision requires payment of a \$150,000 fee in lieu of removing existing signage, *see* City Code § 110-191(b),(e). The City and View Florida agree that View Florida is entitled to

View Florida that it must pay \$300,000—or \$150,000 per face—in order to obtain a permit. View Florida respectfully submits that the City has misinterpreted the Code, because the Code imposes a \$150,000 fee per sign, and not per sign face.

Section 110-3 of the City Code defines a “sign” as “any letters, numbers, symbols, graphics, pictures or figures, or combination thereof, which are erected, constructed, placed, attached or painted on a structure or the ground, which identify, advertise or direct attention to a product, business, institution, place, person or event, which can be seen from the public right-of-way. When not modified by the term ‘structure’ or ‘face,’ the term ‘sign’ shall include all parts of the sign and its supporting structure. Unless context requires a different interpretation, sign refers to a digital, static or tri-vision sign.” (emphases added).

Section 110-3 separately defines a “sign face” as “the plane area which is defined as sign area, except that, for off-site advertising signs, sign face shall not include trim, embellishments or the owner's nameplate.”

The fee provision at issue is section 110-191(e)(2), which states that “[u]pon the applicant paying city the amount of \$150,000.00, an applicant shall be entitled to place a tri-vision or digital off-site advertising sign in a location where off-site advertising signs are permitted as set forth in this chapter.” (emphases added) Thus, the \$150,000 permit fee is imposed on a per sign, rather than per sign face, basis.<sup>2</sup>

## **II. THE CITY CODE REQUIRES A \$150,000 FEE PER SIGN—NOT PER SIGN FACE.**

The City interprets section 110-191(e)(2) to require applicants to pay \$150,000 per sign face, rather than per sign.<sup>3</sup> In other words, the City maintains that each face, or side, of the sign is counted as a separate sign, constituting two total signs. The plain language of the Code refutes this interpretation.

As explained above, section 110-191(e)(2) provides that “[u]pon the applicant paying city the amount of \$150,000.00, an applicant shall be entitled to place a tri-vision or digital off-site advertising sign in a location where off-site advertising signs are permitted as set forth in this chapter.” (emphases added). Critically, section 110-191(e)(2) uses the term “sign”—not “sign

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proceed under this provision to obtain a permit. The only matter in dispute in this appeal is whether the Code requires View Florida to pay \$150,000 or \$300,000.

<sup>2</sup> Sections 110-3 and 110-191 are enclosed as Exhibit B, with relevant language highlighted for ease of reference.

<sup>3</sup> This understanding is based on the enclosed City Decision as well as View Florida’s multiple telephone, videoconference, and email communications with City staff prior to the issuance of the City’s Decision.

face,” which is separately defined. An applicant who pays \$150,000 is therefore entitled to place a “sign”—inclusive of “all parts of the sign and its supporting structure”—regardless of whether the sign will have one or two faces. *See* City Code. § 110-191(e)(2).

Standing alone, the term “sign” includes *both* faces of a dual-faced sign. Section 110-3 of the City Code explicitly states that when, as here, the term “sign” is “not modified by the term ‘structure’ or ‘face,’ the term ‘sign’ shall include all parts of the sign and its supporting structure.” (emphasis added). This definition makes plain that (i) the terms “sign” and “sign face” are intended to mean two separate things (indeed, “sign face” is the next defined term in the ordinance), and (ii) a “sign” is inclusive of *all* parts—not just the faces, supports, etc.—without regard to the orientation of the faces, the number of faces, or the structural supports.

Even without the distinct definitions in section 110-3, general principles of statutory construction would also require that the terms “sign” and “sign face”—as different terms used in different ways—to have separate, distinct meanings absent some evidence they are meant to be interchangeable. *Maddox v. State*, 923 So. 2d 442, 446–47 (Fla. 2006) (explaining that the use of different terms in different sections of the same statute is strong evidence that different meanings were intended, and courts will not supply missing terms or modifiers that do not appear in the text of the statute). The term “sign face” appears almost fifty times throughout section 110, signifying that the City has intentionally differentiated between the term “sign” and “sign face” when desired. Yet, section 110-191(e) expressly says “sign,” with no modifier for the number of faces.

View Florida therefore submits that the permitting fee language in section 110-191(e)(2) applies to an *entire sign*—“*all parts of the sign and its supporting structure*”—because the fee provision does not include any modifying terms (like “face”).

### **III. VIEW FLORIDA’S PROPOSED MONOPOLE SIGN IS A SINGLE “SIGN” UNDER THE CODE.**

View Florida’s proposed sign is a double-faced sign on a monopole (single-pole) support, which fits squarely within the definition of a “sign” under the City Code. The City cites to the definition of a “double-faced sign” in code section 110-3, suggesting that this somehow supports imposition of a \$150,000 fee per face rather than per sign. *See* Ex. A (“City Decision”). This position—which appears to be a recent development—does not change the analysis.

First, by its terms, the definition still classifies a double-faced structure as a single sign: a “double-faced sign” is “a sign with two faces which are no more than three feet apart at their closest point, and which describe an internal angle between the face planes extended of no more than 60 degrees.” City Code § 110-3 (emphasis added). Even if View Florida’s sign is a “double-faced sign,” it is still a single sign, and section 110-191(e)(2) requires payment of \$150,000 for that sign.

During previous conversations with the City, View Florida understood the City's position to be that View Florida's proposed sign faces exceeded three feet at the closest point and therefore did *not* qualify as a "double-faced sign." Now, the City seems to take the opposite position. But the result does not change either way. Whether View Florida does or does not propose a "double-faced sign" is irrelevant because section 110-191(e)(2) uses the term "sign"—not "double-faced sign." The City's reliance on the "double-faced sign" definition as a justification for doubling the fee that View Florida must pay is frankly puzzling.

Second, the term "double-faced sign" does not appear *anywhere else in the City Code* outside of the definitions. It is absent from section 110-191 and every other provision in the Code, save for a repeated definition in section 122-2.<sup>4</sup> It simply serves no practical purpose. Had the City wanted to refer to double-faced signs in section 110-191, it could have done so. Instead, it used the defined term "sign" only. A stray definition used nowhere else in the City Code does not change the clear definition of the term "sign" or the City's imposition of a \$150,000 fee on a per-sign basis. *See* City Code § 110-191(e)(2).

View Florida also understands that the City relied in part on the configuration of the proposed structure—a v-back sign on a monopole—to justify charging a \$300,000 fee for two separate "signs" under section 110-191(e)(2). It is difficult to conceptualize how a monopole structure could be counted as two signs under the plain text of the definition of "sign." Moreover, the code draws no distinctions based on the shape or configuration of the proposed sign. It does not state that v-back structures shall be counted as two separate signs. This makes sense, as v-back structures have two faces just like back-to-back structures.

Critically, the City's interpretation of section 110-191(e)(2) also conflicts with the City's spacing requirements for signs. Under section 110-186 of the code, signs on "the same side of the right-of-way" must be at least 1,000 feet apart from one another. If View Florida's proposed v-back sign is counted as two separate signs, then almost every current and future v-back sign or back-to-back sign—with each face placed only a few feet apart—would necessarily violate the spacing requirement.

#### IV. CONCLUSION

In sum, section 110-191(e)(2) provides that an applicant who pays a \$150,000 fee "shall be entitled to place a tri-vision or digital off-site advertising sign"—not a sign face—"in a location where off-site advertising signs are permitted as set forth in this chapter." Based on this text, our understanding is that section 110-191(e)(2) imposes a fee *per sign*, and not *per sign face*, and

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<sup>4</sup> "*Sign, double-faced* means a sign with two faces which are no more than three feet apart at their closest point, and which describe an internal angle between face planes extended no more than 60 degrees." Like the definition in section 110-3, the term defined in section 122-2 does not appear anywhere else.

contains no suggestion that monopole v-back signs should be treated as two signs as opposed to a single sign with two faces. Accordingly, View Florida is legally entitled to erect a monopole v-back sign upon payment of a \$150,000 fee.

Thank you for your consideration. Please direct all communications regarding this matter to my attention.

Dated: October 2, 2025

Respectfully submitted,

/s/ Ashley H. Lukis

Ashley H. Lukis

Florida Bar No. 106391

GRAYROBINSON, P.A.

301 S. Bronough St., Ste. 600

Tallahassee, Florida 32301

(850) 577-9090

Ashley.lukis@gray-robinson.com

### **CERTIFICATE OF SERVICE**

The undersigned certifies that the foregoing Notice of Appeal was furnished to the City of Ocala via FedEx with a copy via electronic mail to jshrum@ocalafl.gov and wsexton@ocalafl.org on October 2, 2025.

/s/ Ashley H. Lukis

Ashley H. Lukis

Florida Bar No. 106391

# **Exhibit A**



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**From:** Jeff Shrum <JShrum@ocalafl.gov>  
**Sent:** Wednesday, September 17, 2025 4:38 PM  
**To:** Ashley Hoffman Lukis  
**Cc:** William E. Sexton; Aubrey Hale  
**Subject:** Response regarding offsite advertising building permit #SGN25-0009

**This message originated outside of GrayRobinson.**

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Ms. Lukis,

The City of Ocala is in receipt of a building permit application dated 1/30/2025 for a scope of work: "Construction a new off premise billboard with electric. 10.5 x 36 digital face on both sides @ 48ft overall height". As this sign application and associated plans indicate that the billboard has a sign face on both sides supported by a shared structure, it would be classified as an offsite double faced sign per our sign code definitions and subject to the requirements for such signs. Double face signs are defined by [Code Section 110-3](#). As your application is for a double faced digital sign, it is subject to the standards of [Section 110-191](#) which provide for options to achieve the placement of such signs. It has been indicated that you intend to utilize Section 110-191(e) which would require a payment of \$150,000 per sign face, a total of \$300,000 for the proposed sign permit.

Appeals to the decision of the building official (Growth Management Director) shall be in accordance with [Section 122-111](#).

**Jeff Shrum, AICP**  
Growth Management Director  
City of Ocala  
201 SE 3<sup>rd</sup> St – 2<sup>nd</sup> Floor  
Ocala, FL 34471  
Phone # (352)-629-8494  
[Jshrum@ocalafl.gov](mailto:Jshrum@ocalafl.gov)



# **Exhibit B**

**Sec. 110-191. - Tri-vision and digital off-site advertising signs.**

- (a) *Prohibition.* No tri-vision or digital off-site advertising signs shall be allowed in the city except as provided in this chapter.
- (b) *Tri-vision and digital off-site advertising signs.* The city will issue permits for new tri- vision and digital off-site advertising signs subject to the removal of existing off-site advertising signs, as follows:
  - (1) An owner of off-site advertising signs shall be eligible to receive a building permit for one tri-vision or digital off-site advertising sign outside of the target removal area as provided in this chapter after the removal of existing off-site advertising signs with an amount of square footage equal to or greater than a 4:1 ratio of the proposed new sign.
  - (2) An owner of off-site advertising signs shall be eligible to receive a building permit for one tri-vision or digital off-site advertising sign within the target removal area as provided in this chapter after the removal of existing off-site advertising signs with an amount of square footage equal to or greater than an 8:1 ratio of the proposed new sign.
  - (3) For the purposes of satisfying the requirements of this section, square footage of removed signage shall be calculated as follows:
    - a. Square footage of existing off-site advertising signs removed within the target removal area shall be credited at a 2:1 ratio.
    - b. Square footage of existing off-site advertising signs removed outside of the target removal area shall be credited at a 1:1 ratio.
  - (4) A permit for a tri-vision or digital off-site advertising sign may be issued only in conjunction with demolition permits for the removal of signs, together with all supporting structures, or a building permit for the installation of reduced size sign face on an existing structure as required by this chapter. City shall confirm by site inspection the removal of an existing off-site advertising sign and structure, or the installation of a reduced size sign face. The square footage of the sign removed shall be on file in the building department prior to final inspections for the tri-vision or digital sign. Upon confirmation of the removal of an off-site advertising sign with all supporting structures, or the installation of a reduced size sign face, a certificate shall be issued by the building official for each off-site advertising sign and shall identify the square footage of the sign removed. The owner of the certificate may hold the certificate, redeem it for a permit in accordance with this chapter or transfer the certificate to a third party. If there is a credit balance remaining after a certificate is redeemed, a certificate for the credit balance shall be issued. No transfer shall be effective until written notification signed by both parties has been provided to the building department confirming the transfer to the transferee.

(c)

*Relocation of existing tri-vision or digital signs.* An existing tri-vision or digital off-site advertising sign may be relocated and reconstructed on another site as a like kind of sign without the requirement to remove other existing off-site advertising signs as required by subparagraph (b) above, subject to meeting all other criteria of this chapter.

- (d) *Eligible existing signs.* For purposes of subsection (b), an "existing off-site advertising sign" eligible for credit of square footage removed must be a conforming or lawful non-conforming sign.

(e) *Payment in lieu of removal.*

- (1) If an owner (or any person substantially related to owner by ownership control) has insufficient off-site advertising sign square footage to satisfy the provisions of subsection (b), the city will permit tri-vision or digital off-site advertising signs pursuant to the following:
  - (2) Upon the applicant paying city the amount of \$150,000.00, an applicant shall be entitled to place a tri-vision or digital off-site advertising sign in a location where off-site advertising signs are permitted as set forth in this chapter, as follows:
    - a) The amount to be paid by the applicant is the city's estimated costs of requiring a sign owner to remove a typical non-conforming off-site advertising sign, including all compensation required by law.
    - b) The amount paid by the applicant shall be held by the city in a fund, and used only by the city to compensate sign owners for the removal of non-conforming off-site advertising signs pursuant to law, including condemnation thereof, if necessary.
- (f) The building official shall delete any off-site advertising signs removed under this section from the city's inventory of off-site advertising signs.
- (g) In addition to the requirements provided in this chapter for off-site advertising signs, any tri-vision off-site advertising sign erected shall meet the following criteria:
  - (1) The static display time for each message is a minimum of six seconds;
  - (2) The time to completely change from one message to the next is a maximum of two seconds;
  - (3) The change of message shall occur simultaneously for the entire sign face;
  - (4) Messages must be fully displayed on a single rotation and not continued as sequential interval messages;
  - (5) No emission of sound or odor intended to attract attention shall be permitted;
  - (6) The sign shall contain a default design that will hold the face of the sign in one position if a malfunction occurs; and
  - (7) The sign shall meet all other requirements of this chapter.
- (h) In addition to the requirements provided in this chapter for off-site advertising signs, any digital off-site advertising sign erected shall meet the following criteria:
  - (1) No message may be displayed for less than six seconds;

- (2) No flashing lights, traveling messages, animation, or other movement are permitted;
- (3) The time to completely change from one message to the next is a maximum of two seconds;
- (4) The change of message shall occur simultaneously for the entire sign face;
- (5) Messages must be fully displayed on a single rotation and not continued as sequential interval messages;
- (6) Interactive displays, including recognition based on electronic key codes, phone calls or texting, facial recognition or automated license plate recognition shall not be permitted;
- (7) No emission of sound or odor intended to attract attention shall be permitted;
- (8) Digital off-site advertising signs shall not operate at brightness levels of more than 0.3 foot candles above ambient light, as measured using a foot candle meter at a pre-set distance. Pre-set distances to measure the foot candles impact vary with the expected viewing distances of each size sign as follows:

Face Size	Measurement distance
Up to 300 sq. ft.	150 feet
Over 300 sq. ft.	200 feet

Automatic sensors shall be incorporated to ensure that illumination of a digital off-site advertising sign shall be adjusted as ambient light conditions change. Upon request of city, sign owner shall provide city with acceptable evidence that the sign complies with these illumination standards. Such evidence shall consist of testing by an independent third party by using a foot candle meter or similar testing device.

- (9) The sign shall contain a default design that will hold the face of the sign in one position if a malfunction occurs; and
- (10) The sign shall meet all requirements of this chapter, except as may be otherwise approved by city council pursuant to section 110-87(b).
  - (i) In the event of a conflict between the requirements of subsection (g) or (h) of this section, and other requirements of this chapter, the more restrictive provision shall apply.

(Ord. No. 2012-13, § 9, 11-17-11; Ord. No. 2012-57, § 5, 10-16-12)

**Sec. 110-3. - Definitions.**

The following words, terms and phrases, when used in this chapter, shall have the meanings ascribed to them in this section, except where the context clearly indicates a different meaning:

*Abandoned sign* means any sign face which advertises a bona fide business no longer conducted or product no longer sold, or any previously permitted portable or temporary sign for which the permitted time has expired. In making the determination that a sign advertises a bona fide business no longer being conducted, the building official shall consider the existence or absence of a current business tax certificate or utility service deposit or account, use of the premises, and relocation of the business; or any sign structure which has not been used for bona fide business purposes for over six months, that is nonconforming as to existing codes regarding area of sign, height, setback or maintenance.

*Animated sign* means an on-site sign depicting or involving action, motion, light, or color changes through electrical or mechanical means. This type of signage is not only recognized by type but also may be recognized by its display, which may be regulated by city code, zoning regulations, or other agreements. Animated signs may contain lists of specific products and auxiliary services. Animated signs are not identified as illuminated signs. An animated sign's display shall be limited to four differing levels of regulation which are defined as such:

- (1) Level 1 static display only, i.e., the messages are changed with no transitions.
- (2) Level 2 static display with "fade" or "dissolve" transitions, or similar subtle transitions and frame effects that do not have the appearance of moving text.
- (3) Level 3 static display with "fade," "dissolve," "travel," or "scrolling" transitions, or similar transitions and frame effects that have text or animated images that appear to move or change in size, or be revealed sequentially rather than all at once.
- (4) Level 4 full animation, flashing and video.

*Area of sign* means the total surface of a sign, including the background and frame but not structural supporting elements outside of its frame. Where a sign is of skeleton letters, characters or symbols applied to a frame or to a background which is not a structural part of the sign, the area of the sign shall be the smallest rectangle, triangle or circle which will include the display. Where a sign is built with two faces back to back, the area of the sign shall be the larger of the areas of the two faces computed as specified in this subsection.

*Balloon* means an airtight bag filled with hot air, helium, hydrogen or any other gas lighter than air which is tethered to the ground or any other stationary object for the primary purpose of attracting attention to its site, whether or not the bag displays characters, ornamentation or letters.

*Banner* means any sign with characters, letters, illustrations or other ornamentation applied to or integrated in any cloth, paper, fabric, plastic or similar material that is not permanently attached to a solid backing wood, metal or masonry.

*Blank panel* means a sign or portion of a sign having no identifiable copy, letters, numbers, symbols, graphics, pictures or figures, or combination thereof; the blank panel of the sign must be constructed of or consist of the same, similar or like materials as being removed or replaced.

*Building, front foot* means each foot, or major portion thereof, measured along the main entry of a building. Where buildings form an "L" or "U," all main entry sides are measured.

*Business identity flag* means a flag that advertises only the name or logo of a business located on the premises where the flag is flown.

*Change in occupancy* means, for the purpose of this chapter only, a site where the use changes (e.g., professional office to retail use) or where a site plan is required, will result in the loss of the permitted status of a nonconforming sign or sign structure per subsection 110-82(3). A site where there is a change in the name, owner or proprietor of the same use (e.g. professional office to professional office) will not result in the loss of the permitted status of a nonconforming sign or sign structure per subsection 110-82(3).

*Changeable copy* means a sign or portion thereof on which the copy or symbols change either manually, or through mechanical means, changing the placement of letters or symbols on a panel mounted in or on a track system. Changeable copy signs may contain lists of specific products and auxiliary services.

*Commercial flag* means any flag that advertises grand openings, special sales or other events (both profit and nonprofit events) on the premises where the flag is flown or on other premises.

*Construction sign* means a sign announcing and identifying the construction project scheduled or underway on the site where the sign is located.

*Digital sign* means a sign that displays electronic, static or animated images, static or animated graphics or static or animated pictures, with or without information, defined by a small number of matrix elements using different combinations of light emitting diodes, fiber optics, light bulbs or other illumination devices within the display area where the message change sequence is accomplished immediately or by means of fade, repixelization or dissolve modes. These include computer programmable, microprocessor controlled electronic or digital displays. This also includes any rotating, revolving, moving, flashing, blinking, or animated display and any display that incorporates rotating panels, LED lights manipulated through digital input, or any other method or technology that allows the sign face to present a series of images or displays.

*Directional sign* means any sign used to indicate the direction to entrances, exits, parking areas, restrooms or other non-business-related facilities on the site.

*Directory sign* means a sign which gives the names of the businesses or individuals located in the building or complex where the sign is located. A directory sign shall be of a unified design and common material, and shall allow for a uniform size sign for each business or unit of space in the development. Directory signs shall be limited to the name and type of business and its location within the building or complex.

*Double-faced sign* means a sign with two faces which are no more than three feet apart at their closest point, and which describe an internal angle between the face planes extended of no more than 60 degrees.

*Embellishments* means extensions of the major graphic area of an off-site sign face to include integral copy or design, the area of which extension does not exceed ten percent of the area of the sign face. Additional panels for supplementary copy are not embellishments.

*Fascia sign* means a sign located on the fascia of a roof or canopy, including signs that extend the plane of the structural fascia such that the vertical dimension of the sign is no more than one-third the distance from the ground to the bottom of the fascia, and where no lateral supports are used.

*Flag* means any cloth, paper, fabric, plastic or similar material, usually rectangular in shape, whether or not the material displays characters, ornamentation or letters, attached to any staff, cord, building or other structure, that hangs loosely or blows in the wind.

*Freestanding sign* means any sign with vertical supports placed upon or in the ground and architecturally and aesthetically integrated with the overall development. A freestanding sign shall include a ground or pole sign as defined in this section.

*Ground sign* means the total square footage of a sign where the bottom of the sign face either: 1) rests upon the ground; 2) extends above the ground with vertical supports a maximum of four feet; or 3) rests upon a base that is embellished to conceal all structural vertical supports. A monument sign is considered a ground sign.

*Height of sign* means, for on-site signs, the distance between the top of a sign and the average grade elevation below it. For off-site signs, height of sign means the distance between the top of the sign, excluding embellishments, and the roadway centerline grade perpendicular to that point of the sign closest to the road right-of-way.

*Identification sign* means a sign that indicates the name and business type or service or the name of the development located on the site where the sign is located. Identification signs shall be limited to the name of the business or service, street address, phone number, and graphic of business logo.

*Illuminated sign* means a sign that uses artificial light, either internal or external to the sign faces, to draw attention to the sign or otherwise increase its visibility.

*Instructional sign* means a sign conveying nonadvertising information relating to the use of the premises, including such signs as no parking, no trespassing, and warning signs.



*Internally illuminated sign* means a sign that uses artificial light from behind the sign face to increase its visibility.

*Logo* means a distinctive trademark or symbol of a company, publication, etc.

*Membership sign* means a sign identifying affiliation with a travel club, business association, credit card company or professional association.

*Multiple-frontage property* means a plot or parcel that is contiguous to more than one public right-of-way, being either a corner plot or parcel or a through plot or parcel.

*Multiuse complex* means any development of two or more business or industrial uses that are under common land ownership or that share common property frontage.

*Noncommercial flag* means any flag other than a business identity flag or commercial flag including, without limitation, a flag of any governmental, religious, charitable, fraternal or political organization or cause.

*Nonconforming sign* means any sign or sign structure that does not conform to the requirements of this chapter.

*Off-site advertising sign* means any sign which directs attention to a business, commodity, service, product or activity not conducted, sold, offered or available on the premises where such sign is located or to which it is affixed.

*On-site sign* means a sign that identifies or advertises only goods, services, facilities, events or attractions available on the premises where the sign is located.

*Parasite sign* means any sign not exempted by this chapter, for which no permit has been issued, and which is attached to another sign.

*Pennant* means any long, narrow, usually triangular, flag-like piece of cloth, plastic, paper or other similar material, whether or not the material displays characters, ornamentation or letters, attached to any staff, cord, building or other structure, that hangs loosely for the primary purpose of attracting attention to its site.

*Permitted signs.* All signs permitted under this chapter, except those specifically designated as off-site signs, shall be located on the lot or parcel of the business, service or facility identified or advertised on the permitted sign.

*Pole sign* means a sign that is supported by a pole (sometimes more than one).

*Premises* means the lot or lots, plots, portions or parcels of land considered as a unit for a single development or activity.

*Projecting sign* means a sign supported by a wall of a building, projecting away from that wall 12 inches or more, designed with a face reading at an angle to that wall.

*Property front foot* means each foot, or major portion thereof, measured along the public right-of-way where the subject property abuts the right-of-way.

*Real estate sign* means a sign erected by the owner or his agent advertising the real property where the sign is located for sale, lease or rent.

*Roof sign* means a sign located on the roof of a building and primarily supported by that roof structure, which extends above the top of the parapet or ridge line in the area where the sign is located, except fascia signs.

*Sequential interval message* means a message that is not complete in one interval of a changing sign face, such as questions, riddles or story boards. A business advertising on more than one interval of a changing sign face is not considered to have sequential interval messages unless any one message is reliant on another in the rotation to complete the message.

*Setback.* The setbacks for signs specified in this chapter shall be measured horizontally from the vertical plane of the property line to the closest point of the sign.

*Sign* means any letters, numbers, symbols, graphics, pictures or figures, or combination thereof, which are erected, constructed, placed, attached or painted on a structure or the ground, which identify, advertise or direct attention to a product, business, institution, place, person or event, which can be seen from the public right-of-way. When not modified by the term "structure" or "face," the term "sign" shall include all parts of the sign and its supporting structure. Unless context requires a different interpretation, sign refers to a digital, static or tri-vision sign.

*Sign face* means the plane area which is defined as sign area, except that, for off-site advertising signs, sign face shall not include trim, embellishments or the owner's nameplate.

*Sign structure* means any structure, which is designed specifically for the purpose of supporting a sign, has supported or is capable of supporting a sign. This definition shall include any decorative covers, braces, wires, supports, or components attached to or placed around the sign structure.

*Sponsor sign* means a business, organization or person that uses its logo on a freestanding sign located at a park, public or private school, college or university. The logo shall be limited to a percentage of the total sign face of a freestanding sign.

*Static sign* means a sign that displays a message without electronic or mechanical means; i.e., a static sign is a sign other than a digital or tri-vision sign.

*Streamer* means any strip of cloth, paper, fabric, plastic or similar material hanging loose at one or more ends, whether or not the material displays characters, ornamentation or letters, which is attached to any staff, cord, building or other structure for the primary purpose of attracting attention to its site.

*Target removal area* means the city's community redevelopment areas in existence as of January 1, 2011, together with an area encompassed by a 1,000 foot radius around the external boundaries of such community redevelopment areas.

*Temporary sign* means a sign used to advertise or identify transitory events of two weeks' or less duration, unless specifically permitted for a longer period by this chapter.

*Tri-vision sign* means a sign composed of mechanically operated triangular louvers or slats containing three separate advertising messages, each of which becomes visible when the louvers are synchronically rotated to one of three positions.

*Wall sign* means a sign painted on or affixed to the structural wall of a building, with a sign face approximately parallel to the wall, perpendicular to the ground, and projecting no more than 12 inches from the wall. The term "wall sign" shall also include window signs and fascia signs.

*Wayfinding signage* means noncommercial signs, landmarks or other visual graphic communication that are part of a city-sponsored and coordinated program for the purpose of directing pedestrian and vehicular traffic to local destinations open to the public. Typical wayfinding signs include: gateways, vehicular directional, destinations (parks, downtown and neighborhoods), murals, parking lot identification, parking trailblazer, pedestrian directional, vehicular directional and pedestrian kiosk.

*Window sign* means a permanent sign affixed to, suspended behind or painted on either face of a window or glass door that reads to the exterior of the building.

(Code 1961, § 16B-3; Code 1985, § 7-413; Ord. No. 1828, § 1, 3-4-86; Ord. No. 2207, §§ 1, 2, 3-5-91; Ord. No. 2270, §§ 1, 2, 4-21-92; Ord. No. 2422, § 1, 11-2-93; Ord. No. 2751, § 1, 8-19-97; Ord. No. 5745, §§ 1, 2, 11-6-07; Ord. No. 5746, §§ 1, 2, 11-6-07; Ord. No. 5823, § 1, 2-19-08; Ord. No. 2012-13, §§ 1, 2, 11-17-11; Ord. No. 2012-58, §§ 1, 2, 9-18-12; Ord. No. 2013-16, § 1, 1-22-13; Ord. No. 2014-30, § 1, 4-1-14; Ord. No. 2015-3, §§ 1, 2, 11-4-14; Ord. No. 2017-25, § 1, 1-17-17)

**Cross reference—** Definitions generally, § 1-2.