

# ORDINANCE NO. 72 SIGN ORDINANCE

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**AN ORDINANCE REPLACING ORDINANCE NO. 72 OF THE CODE OF ORDINANCES OF THE TOWN OF SLAUGHTERVILLE, CLEVELAND COUNTY, OKLAHOMA.**

**BE IT ORDAINED BY THE BOARD OF TRUSTEES OF THE TOWN OF SLAUGHTERVILLE, OKLAHOMA;**

**THE BOARD OF TRUSTEES OF THE TOWN OF SLAUGHTERVILLE, OKLAHOMA HEREBY DELETES ALL OF ORDINANCE NO. 72 "SIGN ORDINANCE" OF THE CODE OF ORDINANCES OF THE TOWN OF SLAUGHTERVILLE, OKLAHOMA AND REPLACES SAME IN ITS ENTIRETY BY ENACTING AND ADOPTING THE FOLLOWING ORDINANCE, TO WIT:**

**AN ORDINANCE OF THE TOWN OF SLAUGHTERVILLE, OKLAHOMA, ADOPTING SIGN REGULATIONS CONCERNING THE USE OF LAND FOR THE ERECTION, PLACEMENT, DISPLAY AND MAINTENANCE OF SIGNS AND OUTDOOR ADVERTISING MEDIA; TO INCREASE SAFETY AND ENCOURAGE SOUND SIGN PRACTICES; TO DECREASE THE OBJECTIONAL EFFECTS OF COMPETITIVE SIGNAGE; TO CONSERVE BUILDING VALUES AND RESIDENTIAL VALUES; AND TO ENCOURAGE THE MOST APPROPRIATE USE OF LAND.**

**WHEREAS**, the Town of Slaughterville, Oklahoma, desires to adopt provisions regulating signage in said Town;

**NOW, THEREFORE, BE IT ORDAINED** by the Town Board of Trustees of Slaughterville, Oklahoma:

The following regulations are hereby adopted by the Town of Slaughterville, Oklahoma:

**SECTION 1. Purpose.**

These sign regulations are adopted for the following purposes: to extend regulations concerning the use of land for the erection, placement, display and maintenance of signs and outdoor advertising media; to increase safety; to encourage sound sign practices and decrease the objectionable effects of competitive signage; to conserve the value of buildings; to preserve residential values and to encourage the most appropriate use of land.

**SECTION 2. Definitions.**

Abandoned sign: A temporary or permanent sign that meets any of the following criteria:

1. A sign that identifies an establishment, goods or services that are no longer provided on the premises where the sign is located; or
2. A sign that identifies a time, event or purpose that has passed or no longer applies; or
3. A billboard that is vacant of copy or that advertises an establishment, goods or services that no longer exist; or
4. A sign that is partially deteriorated or in need of repair.

**Billboard:** A sign upon which advertising or other message may be posted, painted, pasted or affixed; and which directs attention to a business, organization, event, person, place, commodity, service or entertainment conducted, sold, located, manufactured, used or offered at a location other than the premises on which the sign is located.

**Commercial temporary sign:** A temporary sign that is not a noncommercial temporary sign and that identifies, advertises or directs attention to a business or is intended to induce purchase of a good, property or service including, without limitation, any sign naming a brand of good or service.

**Construction sign:** A sign identifying a construction project erected on the premises where construction is taking place, during the period of such construction, and containing information pertinent to the construction project such as the names of the architects, engineers, landscape architects, contractors or similar artisans, and the owners, lending institutions and other parties having a role or interest in the structure or project.

**Directional sign:** A sign that directs the movement or placement of vehicular traffic to a particular location.

**Display surface:** The surface of a sign upon, against or through which the message is displayed or illustrated.

**Display surface area:** The net geometric area enclosed by the display surface of the sign including the outer extremities of all letters, figures, characters and delineations; provided, however, display surface area shall not include the structural supports for free standing signs if the structural supports are so arranged so as not to become a part of the attention-attracting aspect of the sign; provided, further, that only one (1) face of a double-faced sign as defined herein shall be considered in determining the display surface area.

**Double-faced sign:** Any sign that has two display surfaces on opposite sides.

**Erect:** To build, attach, hang, place, suspend, affix, construct or allow to be constructed, including the painting of wall signs.

**Flashing sign:** An illuminated sign, other than an automatic, changing sign, on which artificial or reflected light is not maintained stationary and constant in light intensity and color at all times when in use.

**Free-standing sign:** Any permanent sign that is attached to or a part of a completely self-supporting structure that is not attached to any building or any other structure and is anchored firmly to or below the ground surface.

**Frontage:** The area between the boundary lines of a lot or parcel of land and the street right-of-way.

**Home based business:** Any occupation carried on by the inhabitants of a residence, which is secondary to the residence itself, wherein non-residential consumers or customers are entering and departing the premises on a regular basis.

Identification nameplate: A wall sign giving any combination of the name, address, and recognized symbol or logo of a building, business or establishment that is attached to and flat against the wall of a building.

Illegal sign: Any sign that in any manner does not conform to all of the requirements of this Ordinance.

Illuminated sign: Any sign that has characters, letters, figures, designs or outlines illuminated by electric lights or luminous tubes whether such sources of illumination are a part of the sign or not.

Illumination: Lighting from a source concealed or contained within a sign which becomes visible through a translucent surface or lighting performed by spotlights or other lighting devices that are not a part of the sign display surface including those lighting devices that are extended from the sign by means of a rod or rods from which the illumination is directed toward the display surface area of the sign.

Memorial sign: A sign, tablet or plaque commemorating a person, event, structure or site.

Noncommercial temporary sign: A temporary sign that in no way identifies, advertises or directs attention to a business, good, property or commercial service, or is intended to induce purchase of a good, property or service, or portrays or symbolizes a good, property or service especially but, without limitation, a brand or trade name, an identifiable container shape or a trademark.

Nonconforming sign: A sign that was lawfully erected, altered, moved or maintained under previous ordinances of the city but does not conform to the provisions of this Ordinance.

Off-premise sign: A sign that is located in a different location than the property or business named on the sign.

On-premise sign: A sign that is located at the location being advertised, commercialized or announced.

Owner: The fee owner of a sign, the lessee of the sign, the fee holder of the property upon which the sign is located, the leaseholder of such property or the individual, person or business who has purchased the copy on a sign, or the agent of any of the listed entities.

Parcel: A contiguous area of land described in a single description in a deed or as one of a number of lots on a plat; separately owned, either publicly or privately; and capable of being separately conveyed.

Permanent sign: A sign that, by its construction and materials, is intended to remain erected and in use for an extended period of time.

Political sign: A sign announcing or supporting one or more political candidates or issues in connection with any national, state, county or local election.

Portable sign: A sign, whether or not mounted on a chassis with tires or wheels for transport from one place to another, which is designed to be movable from one location to another and not permanently attached to the ground or to any immobile structure, the primary function of which is to

provide advertisement of products or services in connection with a business or activity located on the same site as the portable sign or elsewhere.

**Projecting sign:** A sign, other than a banner, that is attached to, and is wholly or partially dependent upon a building for support and that extends beyond the line of the building or beyond the surface of that portion of the building to which it is attached.

**Public use or public service sign:** A sign of a governmental or noncommercial nature including public transit and public utility information signs, traffic control signs and any other sign erected by a public officer in the performance of a public duty.

**Real estate sign:** A temporary sign pertaining to the sale or lease of a parcel or tract of land or to the sale or lease of one (1) or more structures.

**Sight triangle:** As defined by Article 1, Section 19 of the Zoning Ordinance #55.

**Sign:** Any object, announcement, declaration, demonstration, display, illustration, insignia, device, display or structure or part thereof situated outdoors in view of the general public that is used to advertise, identify, promote, display, direct or attract attention to or promote the interest of an object, person, institution, corporation, organization, business, product, service, event or location by any means including words, letters, figures, designs, symbols, fixtures, colors, motion, illumination or projected images, whether illuminated or not, including, but not limited to, every billboard, wall sign, roof sign, projecting sign, ground sign, pole sign, window sign, changeable copy sign, temporary sign, portable sign or any other attention-getting device or other display whether affixed to a building or separate from a building.

**Structure:** Anything built or constructed whether or not permanently attached to the ground.

**Subdivision construction sign:** An on-premise sign containing information about a particular subdivision as a whole, which information may include, but may not be limited to, the location, price range and/or amenities of the subdivision.

**Temporary sign:** Any sign, either commercial or noncommercial, that is not a permanent sign.

**Zoning Districts:** Those that are fully set forth and defined in Article 1, Section 5 of the Zoning Ordinance #55.

### **SECTION 3. Regulations.**

These regulations are intended to regulate all signage within the Town of Slaughterville regarding size, location, safety issues, maintenance, upkeep and removal. Requirements of this Ordinance as well as any State and Federal laws and regulations shall apply to all signs. However if any requirement of this Ordinance is in conflict with the requirements of any other law, regulation, or ordinance, the more restrictive requirement shall be controlling.

1. Permits are required prior to placement of the sign under the following circumstances:
  - a. All signs that exceed thirty-two (32) square feet in size on one display surface area, whether or not listed as an exception to this Ordinance; or

- b. All signs that exceed eight (8) lineal feet on any one side, whether or not listed as an exception to this Ordinance; or
  - c. Regardless of size, off-premise directional signs; or
  - d. Regardless of size, any illuminated sign or one that uses electricity.
2. Permits are not required for the following:
- a. All signs that are thirty-two (32) square feet in size, or smaller on one display surface area; although these signs must meet all other requirements of this Ordinance.
  - b. All signs that are eight (8) feet on any one side, or smaller; although these signs must meet all other requirements of this Ordinance.
  - c. Public use or public service signs which are erected by a public officer in the performance of a public duty, including traffic control and street name signs, community service information signs, public transit service signs, public utility information signs, safety signs, and danger signs.
  - d. Memorial signs, names of buildings and/or dates of erection when cut into the masonry surface, or constructed of bronze or other noncombustible material, and embedded into the building exterior and when such signs do not exceed six (6) square feet in display surface area.
  - e. Scoreboards in athletic facilities.
  - f. On-premise directional signs not exceeding four (4) square feet in display surface area, displayed for the convenience of the public, including signs identifying entrance and exit drives, parking areas, one-way drives, restrooms, freight entrances and parking spaces reserved for the handicapped, and other similar directional signs.
  - g. On-premise prohibitory signs or other such signs regulating the use of property, such as "No Trespassing," "No Hunting," and "No Fishing" signs, that are not more than four (4) square feet in display surface area, or longer than two (2) feet on any one side.
  - h. One real estate sign per frontage, advertising the sale, lease or rental of the property on which the sign is located, so long as the sign's display surface area is no more than eight (8) square feet in display surface area on Residentially-zoned parcels and thirty-two (32) square feet in display surface area in other zoning districts.
  - i. Temporary construction signs for traffic safety.
  - j. Temporary home-improvement or home building construction signs may be displayed during the project and for one month following its completion when the homeowner will remove the signs; PROVIDED HOWEVER, that in no event shall such signs interfere with traffic safety.

- k. One temporary construction sign per frontage of a subdivision or other major construction project so long as the sign advertises the entire subdivision or other construction project and its display surface area is no more than fifty (50) square feet and no more than ten (10) feet on any one side.
- l. On-premise noncommercial temporary signs, not larger than thirty-two (32) square feet in display surface area and no more than eight (8) feet on any one side, including but not limited to special event signs, political signs, garage sale, and estate sale signs. Such signs shall be removed immediately after the event to which they pertain. Off-premise directional signs for garage sales and estate sales shall include the date/s of the event and the address at which it will take place; such signs, no larger than six (6) square feet in display surface area, are allowed three (3) days before the event and will be removed immediately following the advertised event.
- m. On-premise, temporary signs intended to advertise the availability of seasonal products at residences, such as vegetables, fireworks and income tax services. Such signs will not exceed four (4) square feet in total display area or two (2) feet on any one side. Only one (1) sign per product is allowed.

**SECTION 4. Permits and Applications.**

- 1. It shall be unlawful to display, erect, rebuild, expand or relocate any sign that requires a permit without first filing with the Town an application in writing and obtaining a sign permit in accordance with the provisions of this Ordinance. Each sign shall have a separate permit. Once the Town has issued a sign permit, it shall be unlawful to change, modify, alter or otherwise deviate from the terms or conditions of that permit without prior approval of the Town.
- 2. The application for a sign permit must be made by the owner(s) of the land and the owner(s) of the sign and shall be signed by all applicants as being true and correct and shall include all of the following:
  - a. Name, address and telephone number of the owner(s) of the sign and the owner(s) of the land.
  - b. The purpose or intent of the sign.
  - c. The plans to scale showing the sign and any support(s) for the sign, including whether the application pertains to one sign, one sign with advertising space on one face, one sign with advertising space on both faces, or multiple levels of advertisement signs. The plans will indicate the sign's height when emplaced, individual and overall dimensions of the sign and support(s), design, colors, materials to be used for the sign and support(s), illumination and wiring specifications, method(s) and material(s) to be used for its support(s), and a map showing the proposed location, including nearby public and/or private roadways by name and the distance from the sign to buildings, roadways, rights of way, utilities and easements.
  - d. Copy of stress sheets and calculations showing the structure is designed for dead load and wind pressure in any direction for sufficient safety.

- e. Such other information as the Town may require showing full compliance with this Ordinance and all other laws and ordinances.
- f. The appropriate fee for a permit for the sign as set by resolution. The fee must be paid prior to permit application being considered by the Town.

**SECTION 5. Requirements for All Signage.**

All signs, whether or not requiring a permit shall comply with the requirements provided herein. Any sign that is deemed by the Town to be unsafe, dangerous or defective, or that creates an immediate hazard, or that does not meet these requirements, shall be removed pursuant to the provisions of Section 8 of this Ordinance.

- 1. No sign shall be placed at any location, including the sight-triangle of street intersections, where, by reason of its position, size, shape or color, or lighting effects, it may interfere with the view of, or be confused with, any traffic control signs or signals, or where it may mislead, block, confuse, or otherwise distract traffic.
- 2. Setback requirements for permanent and portable signs shall be off of the street right-of-way. Setback requirements for temporary signs shall be determined based on safety concerns.
- 3. No sign may be attached to a tree or utility pole or placed on public property.
- 4. All signs must be safe, securely built and non-obtrusive.
- 5. Signs may not be stacked, meaning one on top of the other, with the exception of directional signs, as provided in this Ordinance.
- 6. No sign shall be illuminated so that it interferes with the effectiveness of, or obstructs an official traffic sign, device, or signal; neither shall it be permitted to have beams or rays directed at any portion of the traveled ways and be of such intensity or brilliance to cause glare or impair the vision of the driver of any motor vehicle, or which otherwise interferes with any driver's operation of a motor vehicle.
- 7. Every sign shall be maintained in a safe, presentable and good structural condition at all times. Owners of the signs and of the real estate where the sign is located are responsible for sign maintenance, including the replacement of defective parts, painting, repainting, cleaning and any other requirements. All signs and the premises surrounding them shall be maintained in a clean and inoffensive condition, free and clear of all obnoxious substances, rubbish and overgrowth of weeds and brush.

**SECTION 6. Requirements for Special Signage.**

Any sign that is deemed by the Town to be unsafe, dangerous or defective, or that creates an immediate hazard, or that does not meet these requirements, shall be removed pursuant to the provisions of Section 8 of this Ordinance. The following requirements shall be met regarding each particular category of signage:

- 1. No political sign shall exceed thirty-two (32) square feet in display surface area. Political signs are allowed only on private property; those placed on public property are subject to immediate removal without notice. Political signs are by their nature temporary signs, and shall be removed following the event to which they refer.

2. No permanent sign shall be allowed, installed, erected or maintained on property zoned Residential except for subdivision identification and home based businesses allowed under this Ordinance and compliant with all other Ordinances of the Town.
3. Because of the difference in the size of tracts of land in the different zoning areas, permanent signs advertising home-based businesses shall meet the following requirements:
  - a. Such signs shall not exceed six (6) square feet in display surface area, or three (3) lineal feet on any one side, in areas zoned Residential. Homeowners Association covenants that prohibit or restrict signage take precedence over this authorization. Applicants in a Homeowners Association will include a Homeowners Association approval letter for the sign with their application to the Town.
  - b. Such signs shall not exceed sixteen (16) square feet in display surface area, or four (4) lineal feet on any one side, in areas zoned Agricultural, Industrial or Commercial.
4. Off-premise directional signs must be no larger than four (4) square feet in display surface area per advertized establishment and not exceed nine (9) feet in overall height. To reduce clutter, one sign containing more than one establishment's directional information will generally be allowed on private property at intersections. Such signs will not interfere with the intersection's sight triangle nor exceed eight (8) feet on one side and thirty-two (32) square feet in display surface area nor twelve (12) feet in overall height. The number of establishments served by the directional sign will determine its overall size. Off-premise directional signs shall contain only the following information:
  - a. the name, address and telephone number of the establishment;
  - b. an arrow indicating the direction of travel; and
  - c. the distance involved.
5. In all zoning districts portable signs, that are designed to be moved from place to place without significantly altering the sign's construction whether or not the sign's content is altered, shall not exceed thirty-two (32) square feet or eight (8) feet on any one side nor be emplaced so that the overall height is greater than six (6) feet from the ground.
6. No on-premise free-standing sign shall exceed ninety-six (96) square feet in display surface area or be located in a manner in which its maximum height is greater than twenty (20) feet above ground level measured from the ground to the top of the sign
7. No more than one (1) free-standing and one (1) portable sign per frontage shall be allowed on-premise.
8. Off-premise free-standing signs are not allowed, except directional signs.

**SECTION 7. Structural Requirements and Wind Loads.**

Signs and sign structures shall be designed and constructed to resist wind forces. All bracing systems shall be designed and constructed to transfer lateral forces to the foundations. For signs on buildings

the dead and lateral loads shall be transmitted through the structural frame of the building to the ground in such a manner as not to overstress any of the elements thereof.

Anchoring and supporting members supporting unbraced signs shall be so proportioned that the bearing loads imposed on the soil in either direction, vertical or horizontal, shall not exceed safe values. Braced ground signs shall be anchored to resist specified wind loads acting in any direction. Anchors and supports shall be designed for safe bearing loads on the soil for effective resistance to a depth of not less than three (3) feet. Anchors and supports shall be guarded and protected when near drive-ways, parking lots or similar locations where they could be damaged by moving vehicles.

**SECTION 8. Illegal, Non-conforming and Abandoned Signs.**

In order to achieve the general purpose of this Ordinance, it is necessary to provide for the removal or conformance of signs that are designated as illegal, nonconforming or abandoned (unused). The following subsections identify circumstances under which such designations occur and the method of correction and/or disposition required.

1. Any permanent sign erected or altered after the effective date of this Ordinance that does not comply with the provisions of this Ordinance shall be removed from the premises upon which it is located within thirty (30) days from the notice of violation and shall not be erected anywhere in the Town until the sign is compliant with Town Ordinances and a permit is obtained, if applicable.
2. It is the declared intent of the Town to have nonconforming signs brought into conformity. The right to operate and maintain nonconforming signs existing at the time this Ordinance is adopted shall terminate in accordance with the following schedule:
  - a. All signs that are unsafe shall be immediately removed.
  - b. Any pre-existing temporary sign that does not comply with the provisions of this Ordinance is subject to seizure and removal by the Town, after thirty (30) days notice to the owner(s).
  - c. All other nonconforming signs shall be maintained in good condition and shall not be structurally altered or expanded in any manner that increases the degree of nonconformity.
3. Any sign, other than a real estate "For Sale" sign, that pertains to a building or parcel that has been unoccupied for a period of six (6) consecutive months or any sign that pertains to a business, product, service, event or purpose which has been inapplicable for thirty (30) consecutive days shall be deemed to be an abandoned sign and may be removed in accordance with Section 8.

**SECTION 9. Review and Appeal.**

The Town shall issue sign permits only after the Town has completed appropriate reviews and determined compliance with this Ordinance. Any person aggrieved by an administrative decision pertaining to a sign may appeal to the Town Board of Adjustment within ten (10) days of the date of the administrative decision, provided the fee for the appeal has been paid in full. The appeal shall be in writing and presented to the Town Clerk for consideration by the Board of Adjustment.

**SECTION 10. Nuisance and Removal by Town.**

The Town is hereby authorized to direct removal of signs under the following conditions:

1. Any sign that is unsafe or constitutes an immediate danger to the public is subject to immediate removal, without notice to the owner(s) of the land or to the owner(s) of the sign.
2. Any sign placed within the public right-of-way or on a tree or utility pole is subject to immediate removal by the Town. If an owner cannot be found, then the sign shall be deemed unclaimed property and disposed of accordingly.
3. Any nonconforming sign that must be removed or brought into conformance with the requirements of this Ordinance is subject to removal by the Town upon the owner's failure to bring the sign into conformance or the owner's failure to remove the sign after thirty (30) days notice.
4. Any sign that falls into disrepair and/or apparent disuse which the owner of the land fails to remedy or remove after thirty (30) days notice, is subject to removal by the Town.
5. Storage and removal charges shall be borne by the owner(s) of the sign and/or the owner(s) of the land where the sign is located. In the event an attorney is hired by the Town to collect the obligation, then all court costs and attorney fees shall be assessed against either, or both, the owner(s) of the sign and/or the owner(s) of the land where the sign is located. Any sign that is removed by the Town shall be stored for a period of ninety (90) days at which time the sign shall be deemed abandoned and shall be disposed of as provided for in Title 11 O.S. Section 34-104.

**SECTION 11. Severability.**

If any section, sentence, clause or portion of this Ordinance is for any reason held to be invalid, such decision shall not affect the validity of the remaining portions of the Ordinance.

marsha blair 8/30/11 2:07 PM  
**Deleted:** PASSED AND APPROVED this 20th day of April, 2010.

marsha blair 8/30/11 2:06 PM  
**Deleted:** TOWN OF SLAUGHTERVILLE, OKLAHOMA  
BY: \_\_\_\_\_  
Mayor  
ATTEST: \_\_\_\_\_  
TOWN CLERK