

THE TOWN OF SYKESVILLE

ORDINANCE NO. 2022-06

AN ORDINANCE OF THE MAYOR AND COUNCIL OF THE TOWN OF SYKESVILLE AMENDING THE CODE OF THE TOWN OF SYKESVILLE, CHAPTER 180 – ZONING, ARTICLE XIV – SPECIAL PROVISIONS, §180-89. SIGNS.

WHEREAS, The Town of Sykesville (the "Town") is a municipal corporation of the State of Maryland, organized and existing under the Charter adopted in 1965 contained in the Public Local Laws of Carroll County, 1976 Edition, as amended; and

WHEREAS, pursuant to §4-102 of the Land Use Article of the Annotated Code of Maryland, the Mayor and Council of the Town of Sykesville may regulate the location and use of buildings, signs, structures and land to promote the health, safety and general welfare of the community; and

WHEREAS, pursuant to §C-20 of the Town Charter, the Town is empowered to adopt by ordinance and enforce within the Town reasonable regulations regarding signs to be erected in the Town, to license, regulate, restrain or prohibit billboards within the Town, the placing of signs, bills and posters of every kind and description on any building, fence, post, billboard, pole or other place within the Town, and to regulate or prevent the use of public ways, sidewalks and public places for signs and posting of handbills and advertisements.

Section 1. NOW, THEREFORE, BE IT ENACTED AND ORDAINED BY THE MAYOR AND COUNCIL OF THE TOWN OF SYKESVILLE THAT CHAPTER 180 – ZONING, ARTICLE XIV – SPECIAL PROVISIONS, SUBSECTION §180-89. SIGNS SHALL BE AND HEREBY IS AMENDED TO READ AS FOLLOWS:

§ 180-89. Signs.

A. Purpose. The purposes of these sign regulations are to encourage the effective use of signs as a means of communication in the Town without creating visual clutter or becoming a public nuisance, creating blight or posing a hazard through unregulated placement; to maintain and enhance the unique character of the Town by maintaining aesthetic, built and natural environments; to create an attractive business climate that fosters economic vitality and sustainability; to promote pedestrian and vehicular safety; to minimize the possible adverse effects of signs on nearby public and private property; and to enable the fair and consistent enforcement of these regulations.

B. In order to regulate signs in an orderly and comprehensive manner, it is hereby provided that signs are subject to the following regulations:

1. Signs permitted without zoning certificate. The following signs are permitted without a zoning certificate provided that the following conditions are adhered to:
 - a) Permanent Signs located in any R district, not exceeding one square foot in area.
 - b) Temporary Signs, not exceeding 9 square feet when located in the Downtown Historic District and 32 square feet when located outside of the Downtown Historic District. No sign shall be located in a manner such that it impairs

motorists' visibility. Should temporary signage be placed on a public sidewalk or pathway, the signage must leave a minimum of three (3) feet of clearance for continuous passage.

- c) A Banner may be displayed across the roadway at the intersection of Oklahoma/Sandosky Road and Main Street. No other locations within the Town are approved for placement of across the roadway banners.

- 2. Signs requiring zoning certificate. The following signs are permitted in accordance with zoning district regulations under the following conditions and require a zoning certificate:

- a) Permanent Signs located in any commercial, industrial or mixed-use district.
- b) Permanent Signs located in any R district that exceed one square foot.

C. Approval of location and maintenance of signs requiring zoning certificates. The following general regulations shall be observed with respect to the approval of location and maintenance of signs enumerated in Subsection B (2) of this section:

- 1. No sign shall be permitted that is an imitation of or which resembles an official traffic control device, railroad sign or signal, or that hides from view or interferes with the effectiveness of an official traffic control device or any railroad sign, signal or traffic sight lines. Illuminated signs shall be so constructed as to avoid glare or reflection on any portion of an adjacent highway or residential buildings; however, no flashing or rotating flashing illumination shall be permitted.
- 2. No sign shall project over or into any street right-of-way or be located more than 12 inches above a parapet wall or roofline.
- 3. Any sign that is attached to the ground shall be located in such a manner that it does not impair motorists' visibility.
- 4. The total area for all signs shall not exceed four times each linear foot of the building wall most nearly parallel to or fronting on the street on which the building has its address. In the case of a corner lot an additional 25% of sign area allowed may be authorized. In no case shall the area of any one sign exceed 200 square feet. Size computations for signs shall include all sides (where applicable) including the entire face of the sign and any wall work incidental to its decoration and shall include the space between letter figures and designs or the space within letter figures and designs.
- 5. No sign shall be permitted that implies an imminent public health, safety, or welfare emergency exists or that might cause unwarranted panic to the general public.
- 6. No sign shall be placed closer than 300 feet to an intersection on a dual or proposed dual highway or within 100 feet of any other intersection; provided, however, that such signs may be affixed to or located adjacent to a building at such intersections in such a manner that does not cause any materially greater obstruction of vision than caused by the building itself. No sign shall be so located to obstruct the vision of motorists using entranceways, driveways, or any public road intersection.

7. No permitted sign shall be less than 35 feet from any public highway right of way, if the distance between such sign and the nearest lot line on which a building is located is 100 feet or less.
8. No sign shall be permitted that contains statements, words, or pictures of an obscene nature. For the purposes of this section "obscene" means any material that a reasonable person would find lacks serious literary, artistic, political, or scientific value including depictions or descriptions of sexual content in a patently offensive ways.
9. No sign shall be placed on any infrastructure maintained by public utilities.
10. No sign shall be permitted that is unsafe or endangers the safety of a building, premises or person. Signs shall be maintained in a good general condition and in a reasonable state of repair or the Zoning Administrator shall order such sign to be made safe or repaired and such order shall be complied with within five days of the receipt of such order.
11. All signs shall be spaced in such a manner that in the B-G and I Districts, there shall be a minimum of 300 feet between signs. In the case of existing dual-lane highways, each side of the dual highway shall be considered separately in determining such spacing requirements. In the case of non-dual-lane highways, spacing shall be determined and measured between signs regardless of the side of the highway in which they are located or proposed.
12. Where a sign structure does not contain a sign for a period of 120 days, such sign structure shall be removed.
13. Signs that do not have fixed locations, including mobile-type signs so constructed as to be mounted on a preassembled vehicle or other device and designed to be movable by means of attached wheels or similar devices, shall not be permitted in any district. This prohibition does not apply to commercial vehicles with permanently affixed (painted directly on the body of the vehicle or applied as a decal) messaging.
14. No pennant, pinwheels or similar circus or carnival-type attractors shall be permitted in any district other than at a Town-approved special event.

D. Overhanging signs. In addition to any conditions imposed in this § 180-89, the following general regulations shall be observed with respect to overhanging signs on buildings or structures located in the Downtown Historic District: **[Added 9-24-1990 by Ord. No. 179]**

1. The applicant shall submit an application for a zoning certificate authorizing such overhanging sign. The application shall be on a form approved by the Town Zoning Administrator and shall include:
 - a) Two copies of a drawing which illustrates the building elevation and the exact location of the sign;

- b) Two copies of a drawing (to scale) which illustrates sign dimensions, design, contents and other pertinent information as determined by the Town Zoning Administrator; and
 - c) A nonrefundable application fee of \$10.
2. The following size and height restrictions shall apply to each overhanging sign:
 - a) The sign's maximum projection from the building wall shall be 42 inches, provided that the sign shall be at least 12 inches from or inside the curblineline or sidewalk edge.
 - b) The sign must have an eight-foot minimum height from grade.
 - c) The sign is subject to a maximum height of 42 inches.
 - d) The sign is subject to a maximum thickness of six inches.
3. The sign shall not impair the historic atmosphere of Main Street or the goals, objectives or policies of the Main Street Master Plan.
4. The sign shall be designed, manufactured, assembled and installed with professional workmanship and use high quality materials designed for use in the sign industry.
5. The contents of the sign shall be limited to the legal or trade name of the business or the actual business product or service sold at the location. No telephone numbers, addresses or other information shall be permitted on the sign.
6. The applicant shall keep the sign in a good state of repair and ensure that it remains properly secured to the building. Any failure of the applicant to keep such sign in a good state of repair shall constitute a zoning violation hereunder. The Town Zoning Administrator, or his or her designee, shall give 15 days' written notice to the applicant in the event that any such sign shall constitute a detriment to the health, welfare or safety of the public for any reason, including, but not limited to, the failure of the applicant to keep the sign in a good state of repair. In the event that the status of the sign has not been corrected within 15 days of the date of such notice, the Town may repair the sign and ensure that it remains properly secured to the building, at the sole cost and expense of the applicant. In the case of any emergency with respect to any such sign, the Town may correct or repair the sign immediately, without notice to the applicant, and at the sole cost and expense of the applicant.
7. Any person aggrieved by the decision of the Town Zoning Administrator may appeal such decision in accordance with Article XVII.
8. In the event there is any inconsistency between § 180-89F and the remaining provisions of § 180-89, the more restrictive provisions shall control.

E. Severability. The provisions of this section are declared to be separate and severable. The invalidity of any clause, sentence, paragraph, subdivision, section or portion of this ordinance, or the invalidity of the application thereof to any person or circumstances shall not affect the validity of the remainder of this section, or the validity of its application to other persons or circumstances.

Section 2. BE IT FURTHER ENACTED AND ORDAINED BY THE MAYOR AND COUNCIL OF THE TOWN OF SYKESVILLE THAT CHAPTER 180 – ZONING, ARTICLE XX – DEFINITIONS, SIGNS SHALL BE AND HEREBY IS AMENDED TO READ AS FOLLOWS:

SIGNS

A name, identification, description, display, logo, illustration or device (including wigway, twiller, pinwheel, pennant, and other similar devices) which is affixed, stationed, or represented directly or indirectly upon a building, structure or land and which directs attention to a product, place, activity, person, institution, or business.

A. Banner (Over the Road)

Any sign of lightweight fabric or similar material that is attached to a building or other structure which projects out over a public right-of-way. Signs in this category cannot exceed 4' by 22' in height and width.

B. Permanent

Any legal sign designed or used in excess of six (6) months

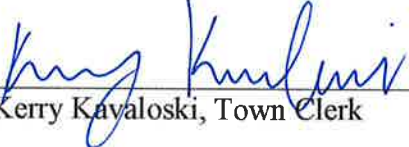
C. Temporary


A sign that is not permanently attached to the ground, a structure, or another sign, designed or constructed in such a manner that it can be moved or relocated without involving any structural support changes, and is typically constructed of cloth, canvas, plastic sheet, cardboard, or other like materials. Signs in this category shall not be displayed for a period longer than six (6) months.

Section 3. BE IT FURTHER ENACTED AND ORDAINED BY THE MAYOR AND COUNCIL OF THE TOWN OF SYKESVILLE that it is hereby declared to be the intention of the Mayor and City Council that the words, phrases, clauses, sentences, paragraphs and sections of this Ordinance are severable, and if any word, phrase, clause, sentence, paragraph or section of this Ordinance shall be declared unconstitutional by the valid judgment or decree of any court of competent jurisdiction, such unconstitutionality shall not affect any of the remaining words, phrases, clauses, sentences, paragraphs and sections of this Ordinance, since the same would have been enacted by the Mayor and City Council without the incorporation of any such unconstitutional word, phrase, clause, sentence, paragraph or section.

THIS ORDINANCE IS ADOPTED BY THE MAYOR AND COUNCIL OF THE TOWN OF SYKESVILLE THIS 12TH DAY OF DECEMBER, 2022


ATTEST:


Kerry Kavaloski, Town Clerk



Stacy Link, Mayor



Anna Carter, Council President


Mark Dyer, Council Member


Al Grasley, Council Member


Elizabeth Guroff, Council Member


Leo Keenan, Council Member


Jeremiah Schofield, Council Member