

**Article**

**00**

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*City of Birmingham  
Sign Ordinance*

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## Article

# 01

## Sign and Broadcast Media Device Standards

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









*City of Birmingham  
Sign Ordinance*

# Purpose and Legend

## 1.01 Purpose

The intent of this ordinance is to regulate signage in all zoning districts so the City may: (a) reduce visual clutter that is unsightly, confusing and distracting; (b) preserve architectural character of buildings and streetscapes, so they are not overwhelmed or obscured by signage; (c) promote the use of creative and appropriate signage which will enhance the economic viability of the City; and (d) ensure the health, safety and welfare of the residents of the City by prohibiting signage that creates a traffic hazard or otherwise adversely impacts public safety.

## 1.02 Icon Legend

-  - PP, Public Property District
-  - R1A, Single-Family Residential District
-  - R1, Single-Family Residential District
-  - R2, Single-Family Residential District
-  - R3, Single-Family Residential District
-  - R4, Two-Family Residential District
-  - R5, Multiple-Family Residential District
-  - R6, Multiple-Family Residential District
-  - R7, Multiple-Family Residential District
-  - R8, Attached Single-Family Residential District
-  - O1, Office District
-  - O2, Office/Commercial District
-  - P, Parking District
-  - B1, Neighborhood Business District
-  - B2, General Business District
-  - B2B, General Business District
-  - B2C, General Business District
-  - B3, Office-Residential District
-  - B4, Business-Residential District
-  - MX, Mixed Use District

## 1.03 Sign Requirements

This Sign Requirements section applies to the following districts:



The following sign requirements apply:

- A. Illumination. Reflectors, lights or other forms of illumination on signs shall be permitted except:
  - 1. No sign shall be illuminated in such a manner as to interfere with, mislead or confuse traffic.
  - 2. All illumination shall be a steady, continuous burning of bulbs or lights. The flashing, blinking, oscillating, rotating or intermittent turning on and off of any illuminating device is prohibited.
  - 3. The use of string electric light bulbs, which illuminate products out-of-doors is prohibited.
  - 4. Exposed neon or gaseous light tubing, including that which is covered with a transparent surface, is prohibited except for an Indoor Neon “Open” sign as permitted in Section 1.05: Indoor Neon “Open” Sign.
  - 5. In the neighborhood business district (B1), an illuminated sign shall be extinguished at 10:00 p.m., or one-half hour after the close of business, whichever occurs later.
  - 6. In no case shall any sign exceed a level of illumination of 0.08 footcandles and a luminaire brightness of 2,400-foot lamberts, when measured at the property line at any height.
- B. Obscene Matter. It shall be unlawful for any person to display upon any sign any obscene matter.
- C. Obstruction. No sign shall be erected, relocated or maintained so as to prevent free ingress to or egress from any door, window or fire escape. No sign of any kind shall be attached to a standpipe or fire escape.
- D. Painted Signs. No sign may be painted directly onto any building surface.
- E. Prohibited Sign Types. Billboards, light box signs, pole signs, roof signs, parked vehicle signs and trailer signs are not permitted.
- F. Premises. No sign which advertises a business transacted or goods sold or produced, shall be constructed or maintained that does not advertise a business transacted or goods sold or produced on the premises on which the sign is located, other than signs in residential districts.
- G. Public Right-of-Way. No sign shall be erected or placed in the public right-of-way, or be allowed to project further than 30 inches into the public right-of-way except as permitted in Section 1.06: New Business Sign and 1.06: Portable Sign.
- H. Safety Regulations. All components of the sign shall be safely and securely attached to the sign structure. No nails, tacks or wires shall be permitted to protrude from the face of any sign.
- I. Traffic Hazard. No sign shall be erected as follows:
  - 1. No sign shall obstruct free and clear vision at any location.
  - 2. At street intersections, no signs, other than municipal traffic control signs, shall be located in the triangle formed by the property lines paralleling the streets and extending for a distance of 25 feet each way from the intersection of the right-of-way lines at the corner lot.
  - 3. No sign shall be erected adjacent to any public right-of-way so as to create a traffic hazard.
  - 4. No sign by reason of the position, shape or color may interfere with, obstruct the view of or be confused with any authorized traffic sign, signal or device or which makes use of the words “Stop,” “Look,” “Danger” or any word, phrase, symbol or character in such manner as to interfere with, mislead or confuse traffic.
- J. Building Requirements. All signs shall be designed and constructed as required in Chapter 22 (Community Development Regulations) and elsewhere in the Birmingham City Code.
- K. Decorative Displays. Nothing contained in this Chapter shall be deemed to prohibit the placement or construction of any decorative display by the City or other civic organization upon approval by the City Commission. Such displays shall be only in commemoration of a national holiday or some other civic purpose of general public interest.

## 1.04 General Sign Standards

These General Sign Standards apply to the following districts:

PP 01 02 B1 B2 B2B B2C B3 B4 MX

The following general sign standards apply:

- A. Building Sign Design Plan. For all newly constructed or exterior renovated buildings, an overall building sign design plan shall be approved by the appropriate reviewing body, in accordance with Section 2.02: Sign Review.
- B. Combined Sign Area. For all buildings, including multi-tenant office or retail buildings, the combined area of all types of signs shall not exceed 1 square foot (1.5 square feet for addresses on Woodward Avenue) for each linear foot of principal building frontage.

These General Sign Standards apply to the following districts:

PP R1A R1 R2 R3 R4 R5 R6 R7 R8 01 02 P B1 B2 B2B B2C B3 B4 MX

- A. Address Numerals/Letters.
  - 1. Permit: See Table A for specific permitting requirements.
- B. Construction Signs.
  - 1. Permit: See Table A for specific permitting requirements.
  - 2. Duration: From the issuance of the building permit until the certificate of occupancy is issued or the building permit expires or is revoked.
- C. Professional Nameplate Signs.
  - 1. Permit: See Table A for specific permitting requirements.

## 1.05 Permanent Business Sign and Broadcast Media Device Standards

This Permanent Business Sign and Broadcast Media Standards section applies to the following districts:

PP 01 02 B1 B2 B2B B2C B3 B4

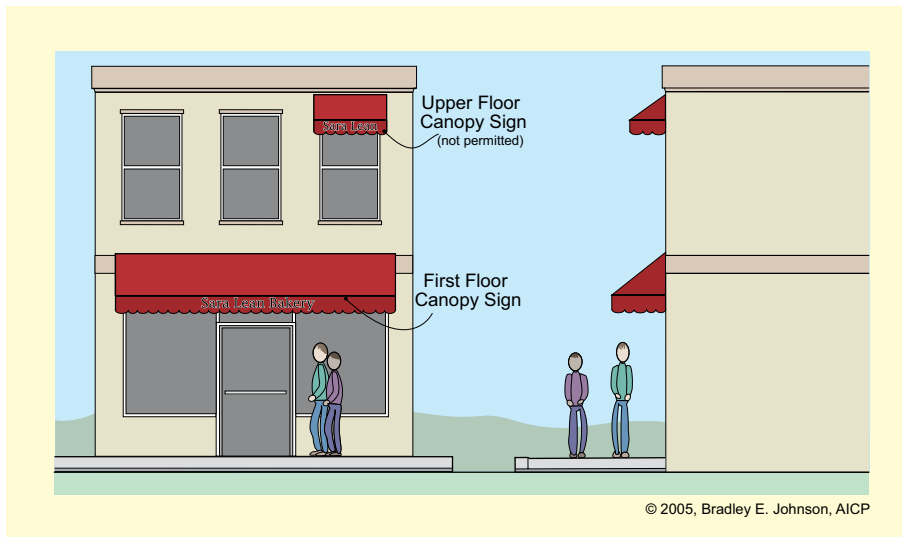
The following permanent business sign and broadcast media device standards apply:

### A. Broadcast Media Devices.

1. See Table B for specific requirements.

### B. Canopy Signs.

1. See Table B for specific requirements.
2. Materials: The canopy shall be constructed of durable material, maintained to continue its original appearance and provide proper safety to the persons and property it may affect.
3. Design: Canopies shall be compatible with the architectural integrity of the building to which it is attached.
4. Location: Canopy signs are not permitted above the first floor.
5. Height: Canopies may not extend from the wall at a height of less than 8 feet above a public right-of-way.

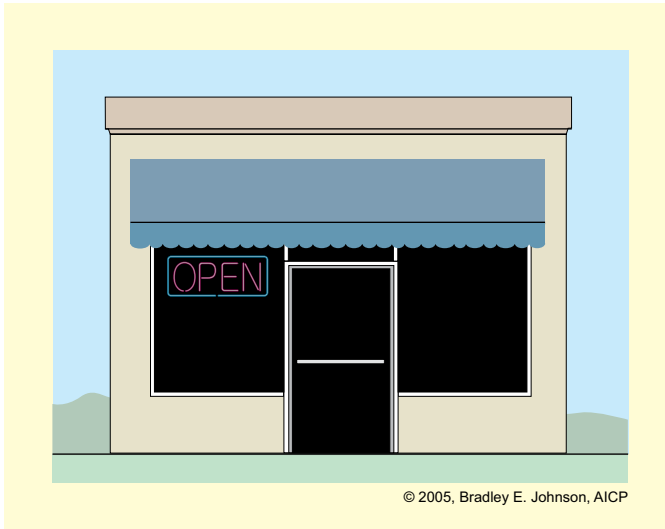


### C. Ground Signs.

1. See Table B for specific requirements.

## D. Indoor Neon “Open” Signs.

1. See Table B for specific requirements.
  - a. No permit required provided the sign meets the following regulations:
    - i. Sign shall be UL listed, and
    - ii. Sign shall have a 110-volt maximum input.
2. Design: Indoor neon “open” signs shall only read “OPEN”.
3. Location: Indoor neon “open” signs shall be located in the window of the business.
4. Illumination:
  - a. Only illuminated while the business is open to the public and shall be non-illuminated within one-half hour after the close of business.
  - b. The signs may not flash, blink, oscillate, rotate or intermittently turn on and off.

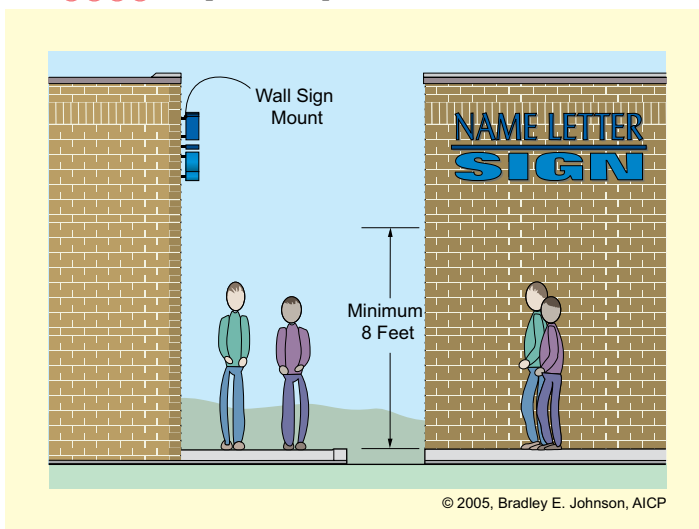


## E. Menu Signs.

1. See Table B for specific requirements.

## F. Name Letter Signs.

1. See Table B for specific requirements.



## G. Portable Valet Signs.

1. See Table B for specific requirements.

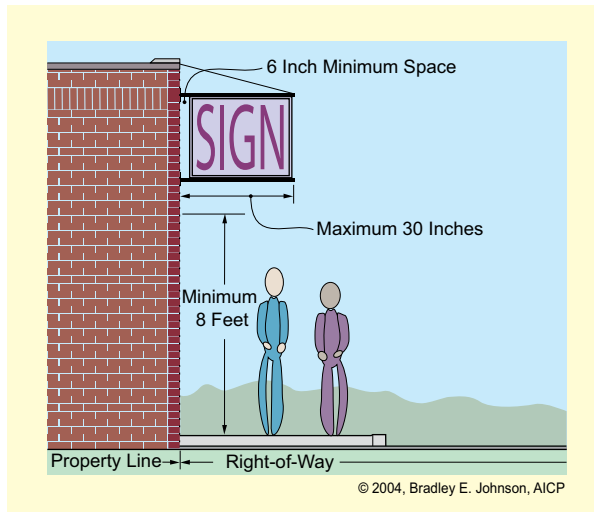


## H. Projecting Signs (Post-Mounted).

1. See Table B for specific requirements.

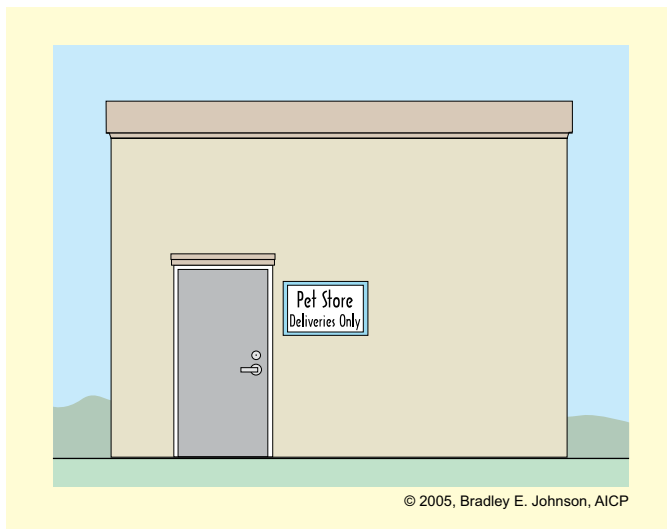
## I. Projecting Signs (Wall-Mounted).

1. See Table B for specific requirements.
2. Design:
  - a. Minimum 6-inch separation between the sign and the wall face.
  - b. No more than a 12-inch space between the two abutting sign faces.
  - c. A sign may not project greater than 30 inches beyond the property line. In measuring the sign projection, the measurement shall be taken from the building from which it protrudes, including any open area between the wall face and the sign face.



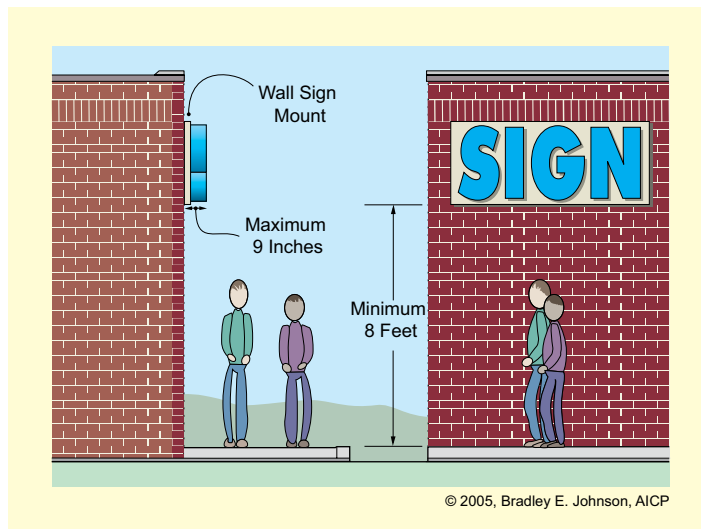
## J. Rear Entry Signs.

1. See Table B for specific requirements.



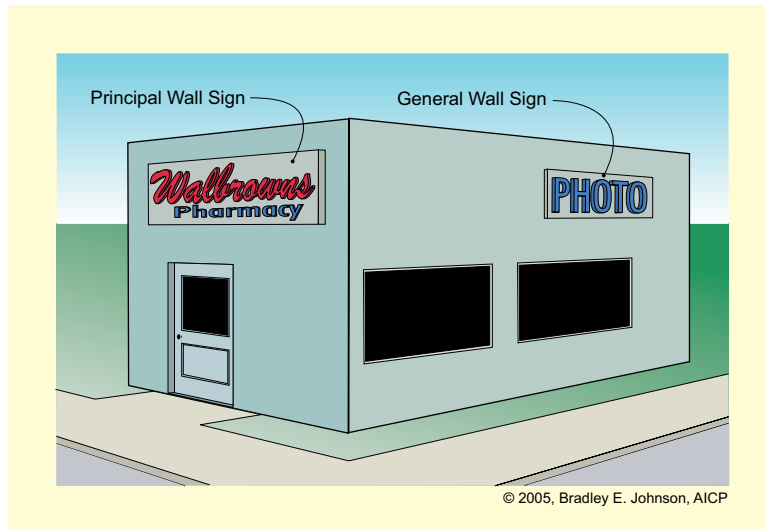
## K. Wall Signs (General).

1. See Table B for specific requirements.
2. Building Identification: Nonilluminated signs identifying the entire structure by a building name may be permitted above the first floor in accordance with Section 2.02C: Requirements.
3. Design: Logos or other design elements may be greater than 36 inches in height in accordance with Section 2.02C Requirements.
4. Multi-tenant buildings:
  - a. Wall signs shall only be permitted on a designated first floor sign band. Tenants on the second floor or above shall be identified on either a directory sign located at or below the first floor sign band, a projecting sign on the first floor sign band, or as a wall sign on the first floor sign band (Refer to Section 1.04B: Combined Sign Area).
  - b. Building identification signs may be permitted on multi-tenant retail buildings with frontage on 2 or more streets, provided that the total signage for the building does not exceed the amount provided for in Section 1.04B: Combined Sign Area by more than 25%.
5. Sign Band: Where the Historic District Commission, Design Review Board or Planning Board has determined that a horizontal sign band is not architecturally available based on building design, a vertically oriented sign may be allowed. The sign shall fit within the total sign area allowed for the business and comply with all provisions of this Chapter.
6. Projection:
  - a. No wall signs shall cover wholly or partially any wall opening or architectural feature, project beyond the ends or top of the wall to which it is attached, or project above the roof surface.
  - b. No wall signs shall project more than 9 inches measured from the wall to which it is attached to the outer surface.
  - c. No electrical raceway shall have a thickness greater than 4 inches.



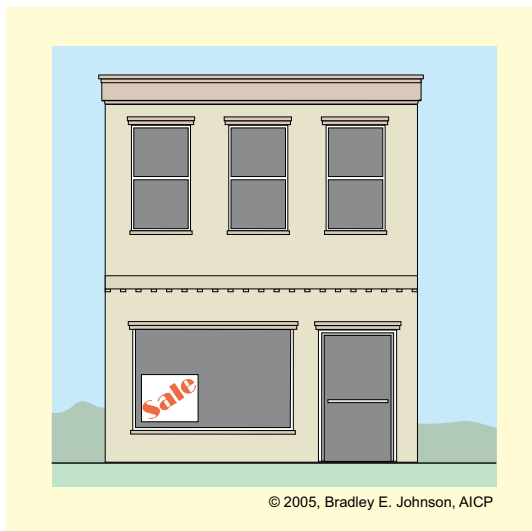
L. Wall Signs (Principal).

1. See Table B for specific requirements.
2. Location: Principal wall signs shall only be located on the principal building frontage.



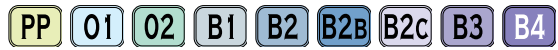
M. Window Signs (Business).

1. See Table B for specific requirements.



## 1.06 Temporary Business Sign Standards

This Temporary Business Sign Standards section applies to the following districts:



The following temporary business sign standards apply:

### A. Advertising Rental, Sale or Lease Signs.

1. Permit: See Table B for specific permitting requirements.
2. Duration: Advertising rental, sale or lease signs and any rider shall be permanently removed within 14 days of the property's being rented, sold or leased.
3. Support Posts:
  - a. Any portion of any face of a support post of the sign which exceeds 2 inches in thickness shall be computed as part of the total surface area of such sign.
  - b. A support post of the sign shall not bear any language or graphic or pictorial representation, nor shall anything be affixed to, mounted upon, suspended from or otherwise attached to the sign faces or support posts, except as specifically provided in Section 1.06: Sold Rider, below.
4. Sold Rider:
  - a. One "sold rider" indicating that the property offered has been sold, rented or leased may be attached to each face of any such sign.
  - b. The rider shall be attached to the sign face so as to cover exactly the area of the phrase "For Sale," "For Rent" or "For Lease," respectively with the phrase, "Sold," "Rented" or "Leased."

### B. New Business Signs. The City may make temporary signs available to new businesses for display and shall meet the following requirements:

1. Permit: See Table B for specific permitting requirements.
2. Duration: The signs may be displayed for a period of 30 days within one year of the opening of a new business.
3. Copy: The signs shall be an A-Frame sign which states, "The City of Birmingham welcomes [Business Name]."
4. Location: There shall be at least 4 contiguous feet of sidewalk between the signs and the curb.

### C. Portable Signs. Portable signs located on sidewalks within the public right-of-way in all pedestrian-oriented commercial areas except the MX, Mixed-Use District, may be permitted and shall meet the following requirements:

1. Permit: See Table B for specific permitting requirements.
2. Duration: No time limit but the portable signs shall be removed each day at the close of business.
3. Construction and Placement:
  - a. The sign shall be placed in such a manner that it maintains an unobstructed path for pedestrians.
  - b. The signs shall be constructed and secured so as to ensure the safety of pedestrians.
  - c. The signs shall be maintained in good condition.
  - d. The signs shall be constructed of durable materials that complement the materials of the building near which the proposed signs are located.
  - e. The primary colors of the signs shall be compatible with the colors of the building near which the proposed signs are located, as well as with colors of adjacent buildings.

### D. Other Temporary Signs.

1. Permit: See Table B for specific permitting requirements.
2. Duration: Not to exceed 2 weeks in any 6-month period.

# Parking Sign Standards

## E. Window covering for Vacant Storefronts.

1. Permit: See Table B for specific permitting requirements.
2. Duration: Window covering may be in place while the storefront space is vacant and during tenant build out.
3. Copy: Text and/or letters contained in window covering may not exceed the permitted window signage allotment, See Table B, Window Signage for specific requirements.
4. Design: Window covering is permitted to contain images related to a future tenant, decorative displays, or civic activities. Such images may not contain text in excess of the allowable window signage and may not contain images deemed to be garish or offensive as determined by the City Planner.
5. Application and Maintenance: Window covering must be applied to the windows in a well-ordered and consistent manner. Torn or dirty covering must be replaced as necessary.

### 1.07 Parking Sign Standards

This Parking Sign Standards section applies to the following district:



The following parking sign standards apply:

#### A. Parking District Signs.

1. Permit: See Table C for specific permitting requirements.

## 1.08 Permanent Residential Sign Standards

This Permanent Residential Sign Standards section applies to the following districts:



The following permanent residential sign standards apply:

- A. Prohibited Signs. No cloth pennants, banners or advertising devices of a similar nature may be erected.
- B. Bulletin Board Signs.
  - 1. Permit: See Table D for specific permitting requirements.
  - 2. Additional Signs: Additional bulletin board signs for public charitable or religious institutions, including community centers, may be permitted by the City Commission through a special land use permit, and shall meet the following requirements:
    - a. More than 1 public, charitable or religious institution, or community center, is located on the same site.
    - b. The bulletin board signs do not exceed 20 square feet in total surface area and shall be located on the premises of the institutions.
    - c. The City Commission finds that the public convenience will be served by the bulletin board signs.
    - d. The bulletin board signs will not create a traffic hazard.
- C. Churches, Private Schools, Community Centers, Health Care Facilities and Government Signs.
  - 1. Permit: See Table D for specific permitting requirements.
- D. Multiple-Family Residential Signs.
  - 1. Permit: See Table D for specific permitting requirements.
- E. Security System Signs.
  - 1. Permit: See Table D for specific permitting requirements.
- F. Traffic/Directional Signs on Grounds of Public, Charitable or Religious Institutions.
  - 1. Permit: See Table D for specific permitting requirements.
- G. Window Signs (Residential).
  - 1. Permit: See Table D for specific permitting requirements.

# Temporary Residential Sign Standards

## 1.09 Temporary Residential Sign Standards

This Temporary Residential Sign Standards section applies to the following districts:



The following temporary residential sign standards apply:

- A. Advertising Lots and/or Buildings in One Subdivision Signs.
  1. Permit: See Table D for specific permitting requirements.
- B. Advertising Residential Property Signs. Signs advertising the rental, sale or lease of residential property on which they are located shall meet the following requirements:
  1. Permit: See Table D for specific permitting requirements.
  2. Duration: Advertising residential property signs and any rider shall be permanently removed within 14 days of the property being rented, sold or leased.
  3. Support Posts:
    - a. Any portion of any face of a support post of the sign which exceeds 2 inches in thickness shall be computed as part of the total surface area of such sign.
    - b. A support post of the sign shall not bear any language or graphic or pictorial representation, nor shall anything be affixed to, mounted upon, suspended from or otherwise attached to the sign faces or support posts, except at specifically provided in Section 1.09(B)(4): Sold Rider below.
  4. Sold Rider:
    - a. One (1) “sold rider” indicating that the property offered has been sold, rented or leased may be attached to each face of any such sign.
    - b. The rider shall be attached to the sign face so as to cover exactly the area of the phrase “For Sale,” “For Rent,” or “For Lease,” respectively with the phrase, “Sold,” “Rented,” or “Leased.”
  5. Open House:
    - a. For “Open House” signs, 1 such sign may be placed on a property at or near one end of the block upon which the property is located, and 1 such sign may be placed on one property at or near a main road or collector street near the property offered.
    - b. Such signs may only be posted when the property is open for inspection, and with property owner approval, where applicable.
- C. Church and Private School Signs.
  1. Permit: See Table D for specific permitting requirements.
  2. Duration: May be displayed 1 week prior to and for the duration of the event, maximum of 3 weeks.
- D. Home Improvement Signs.
  1. Permit: See Table D for specific permitting requirements.
  2. Duration: One (1) sign displayed in any 30 day period.
- E. Private Residence Signs.
  1. Permit: See Table D for specific permitting requirements.
  2. Duration: 1 sign displayed for a single 90-day period per calendar year.
- F. Special Event Signs.
  1. Permit: See Table D for specific permitting requirements.
  2. Duration: 7 days.

## 1.10 Overlay District Sign Standards

Applicants who elect to develop under the Downtown Birmingham Overlay Zoning District may utilize the following standards.

### A. General Standards.

1. The design of the buildings and sites shall be regulated by the provisions of Article 3: Overlay District in the City of Birmingham Zoning Ordinance.
2. Article 3: Overlay District in the City of Birmingham Zoning Ordinance shall govern the design of all privately owned land within the downtown Birmingham Overlay Zoning District.
3. The provisions of Section 1.10: Overlay District Sign Standards shall take precedence when in conflict with other provisions of the Sign Ordinance.

### B. Sign Standards. Signs, when provided shall be as follows:

1. Building Sign Design Plan: For all newly constructed or exterior renovated buildings, an overall building sign design plan shall be approved by the appropriate reviewing body.
2. Design: Signs shall be integrally designed with the storefront.
3. Address Numbers: Address numbers shall be a maximum of 8 inches in vertical dimension.
4. Sign Band:
  - a. General: A single external sign band or zone may be applied to the facade of a building between the first and second floors, provided that it shall be a maximum of 1.5 feet in vertical dimension by any horizontal dimension.
  - b. Woodward Avenue Address: The external sign band or zone shall be a maximum of 2 feet in vertical dimension by any horizontal dimension. The sign band or zone may contain multiple individual signs, but all must refer to a tenant of the building whose principal square footage is on the first floor.
  - c. Lowercase letters with ascenders and descenders that extend beyond the limits of the sign height by a maximum of 50% will not be calculated into total sign area.
  - d. Each business whose principal square footage is on the first story, may have one sign per entry.
  - e. Where the Historic District Commission, Design Review Board or Planning Board has determined that a horizontal sign band is not architecturally feasible based on building design, an alternative design will be considered, provided the following conditions are met:
    - i. The sign must fit within the total sign area allowed for the business;
    - ii. The sign shall be compatible with the building's street design and will enhance the streetscape;
    - iii. The sign adheres to the goals of the 2016 Plan.
5. Building Identification:
  - a. Signs identifying the entire structure by a building name may be permitted on the sign band.
  - b. One sign will be allowed on the principal building frontage.
  - c. Two identical signs will be allowed on each elevation of a corner building.
  - d. Non-illuminated signs identifying the entire structure by a building name may be permitted above the first floor provided the following conditions apply:
    - i. The building shall be located on Woodward;
    - ii. A tenant name shall have legal naming rights to the building;
    - iii. The sign shall located on the top floor; and
    - iv. Only one Building Identification sign may be located on the principal building frontage.
6. Tenant Directory Sign: A directory sign may be comprised of individual nameplates no larger than one square foot each, or a changeable copy board for characters not exceeding one inch in height.
7. Additional Signs: Additional pedestrian signs for first floor tenants shall meet the following requirements:
  - a. These signs shall be attached to a building perpendicular to the facade, and extend up to 4 feet from the facade.
  - b. These signs shall be a maximum of 1.5 feet in vertical dimension and 4 feet in horizontal dimension.



Table A

- c. There may be 1 individual pedestrian sign for each business located on the first floor, provided that such signs are spaced no less than 20 feet apart horizontally; this shall not deny any first floor place of business at least one projecting sign.
- 8. Glass: The storefront glass may be stenciled with signs not to exceed 1.5 feet in vertical dimension and 4 feet in horizontal dimension.
- 9. First Floor Awning: The valance shall not be more than 9 inches in height. The valance of an awning may be stenciled with signage totaling no more than 33% of the valance area.
- 10. Lighting:
  - a. General: External signs shall not be internally illuminated but may be back lit or externally lit.
  - b. Woodward Avenue Address: External signs may be internally illuminated.

Table A applies to the following districts:

PP
 R1A
 R1
 R2
 R3
 R4
 R5
 R6
 R7
 R8
 O1
 O2
 P
 B1
 B2
 B2B
 B2C
 B3
 B4
 MX

TABLE A: GENERAL SIGN STANDARDS					
Type of Sign	Permit Required	Maximum Area	Maximum Height	Illumination (see also Section 1.03)	Maximum Number
Address Signs	No	None.	Letters shall not exceed 8 inches in height.	Permitted.	N/A
<u>Construction Signs</u>	Yes	20 square feet.	8 ft above grade.	Not permitted.	1 sign.
Professional Nameplate Signs	No	1 square foot.	N/A	Not permitted.	1 sign.

# Table B

Table B applies to the following districts:

PP 01 02 B1 B2 B2B B2C B3 B4 MX

TABLE B: PERMANENT BUSINESS SIGN STANDARDS					
Type of Sign	Permit Required	Maximum Area	Maximum Height	Illumination (see also Section 1.03)	Maximum Number
Approved MX District Directory Sign in the Right-of-Way	Yes	18 square feet per side, 36 square feet total.  (Not counted toward total sign area)	Ground Sign 6 feet above grade.  If an approved MX District Directory ground sign is not possible, the Approved MX District Directory Wall sign may be used.  An approved wall sign that projects more than 3 inches from the building facade shall not be attached to the outer wall at a height of less than 8 feet above a public sidewalk and at a height of less than 15 feet above public driveways, alleys, and thoroughfares.	Internally Illuminated is Permitted.	1 sign per every 6 tenants.
Canopy Signs	Yes	No more than 33% of canopy valance area.	The canopy valance shall not be more than 9 inches in height.  Canopies may not extend from the wall at a height of less than 8 feet above a public right-of-way.	Not permitted.	N/A
Ground Signs	Yes	30 square feet per side, 60 square feet total.	No more than 8 feet above street level or above the adjoining ground, if such ground level is above the street level.	Permitted.	1 sign for a single building or structure that abuts 2 or fewer streets.  2 signs if such structure abuts 3 or more streets.
Indoor Neon "Open" Signs	No (See Section 1.05C[1].)	4 square feet (not counted toward total sign area.)	Installed no less than 5 feet and no greater than 7 feet above finished floor.	Permitted.	1 sign for 1 principal street frontage.  2 signs if 2 or more principal streets with multiple access to business.
Menu Signs	No	3 square feet (not counted toward total sign area.)	N/A	Not permitted.	1 sign.
Name Letter Signs	Yes	1 square foot for each linear foot of principal building frontage; for buildings with more than 100 linear feet of building frontage, the total area of all signs placed on walls other than the principal frontage shall not exceed 100 square feet.  For businesses with addresses on Woodward Avenue, the total shall not exceed 1.5 square feet of sign area for each linear foot of principal building frontage	24 inches; 36 inches for businesses with addresses on Woodward Avenue.  Name letter signs that project more than 3 inches from the building facade shall not be attached to the outer wall at a height of less than 8 feet above a public sidewalk or at a height of less than 15 feet above public driveways, alleys, and thoroughfares.	Non-historic District: Permitted.  Historic District: Only halo type backlighting or architecturally compatible exterior light fixtures.  Adjacent to Residential: No illuminated wall signs on side or rear of building.	Limited by area per frontage.
Portable Valet Signs	Yes	4 square feet per side, 8 square feet total.	N/A	Not permitted.	1 sign per establishment.

Table B continues on the following page.

# Table B (continued)

TABLE B: PERMANENT BUSINESS SIGN STANDARDS					
Type of Sign	Permit Required	Maximum Area	Maximum Height	Illumination (see also Section 1.03)	Maximum Number
Projecting Signs (Post Mounted)	Yes	15 square feet per side, 30 square feet total.	No more than 8 feet above street level or above the adjoining ground, if such ground level is above the street level.	Permitted.	1 sign.
Projecting Signs (Wall Mounted)	Yes	7.5 square feet per side, 15 square feet total.	At the sign band and no less than 8 feet above grade.	Permitted.	Not within 20 feet of any other projecting sign; this shall not deny any place of business at least one projecting sign.
Rear Entry Signs	Yes	6 square feet (not counted toward total sign area).	N/A	Permitted.	1 sign.
Vacant Window Covering	No	Covering may fill entire window but text and/or letters contained in window covering may not exceed the permitted window signage allotment, See Table B, Window Signs (Business) for specific requirements.	N/A	Not Permitted	None
Wall Signs (General)	Yes	1 square foot for each linear foot of principal building frontage; for buildings with more than 100 linear feet of building frontage, the total area of all signs placed on walls other than the principal frontage shall not exceed 100 square feet.  For businesses with addresses on Woodward Avenue, the total shall not exceed 1.5 square feet of sign area for each linear foot of principal building frontage	3 feet; 4 feet for businesses with addresses on Woodward Avenue.  Sign shall not extend beyond first floor sign band.  Wall signs shall not be attached to the outer wall at a height of less than 8 feet above a public sidewalk and at a height of less than 15 feet above public driveways, alleys and thoroughfares.  Wall signs that project more than 3 inches from the building facade shall not be attached to the outer wall at a height of less than 8 feet above a public sidewalk or at a height of less than 15 feet above public driveways, alleys, and thoroughfares.	Non-historic District: Permitted.  Historic District: Only halo type backlighting or architecturally compatible exterior light fixtures.  Adjacent to Residential: No illuminated wall signs on side or rear of building	Limited by area per frontage.
Wall Signs (Principal)	Yes	1 square foot for each linear foot of principal building frontage.  For businesses with addresses on Woodward Avenue, the total shall not exceed 1.5 square feet of sign area for each linear foot of principal building frontage.	3 feet; 4 feet for businesses with addresses on Woodward Avenue.  Sign shall not extend beyond first floor sign band.  Wall signs shall not be attached to the outer wall at a height of less than 8 feet above a public sidewalk and at a height of less than 15 feet above public driveways, alleys and thoroughfares.  Wall signs that project more than 3 inches from the building facade shall not be attached to the outer wall at a height of less than 8 feet above a public sidewalk or at a height of less than 15 feet above public driveways, alleys, and thoroughfares.	Non-historic District: Permitted.  Historic District: Only halo type backlighting or architecturally compatible exterior light fixtures.  Adjacent to Residential: No illuminated wall signs on side or rear of building.	1 sign if a business fronts 1 street.  2 identical principal wall signs (provided the total of all signage does not exceed Section 1.04B: Combined Sign Area) if business fronts 2 streets.  Identical principal wall signs may be permitted on each building frontage (provided the total of all signage does not exceed Section 1.04B: Combined Sign Area) if business fronts 3 or more streets.
Window Signs (Business)	No	12 square feet per side, 18 per frontage for businesses with addresses on Woodward Avenue.	N/A	Not permitted.	Limited by area per frontage.

# Table B (continued) and Table C

**TABLE B: TEMPORARY BUSINESS SIGN STANDARDS**

Type of Sign	Permit Required	Maximum Area	Maximum Height	Illumination (see also Section 1.03)	Maximum Number
Advertising Rental, Sale or Lease Signs	Yes	8 square feet per side, 16 square feet total.	8 feet above grade for ground signs; No higher than height of sign band for wall signs.	Not permitted.	1 sign per street frontage, maximum of 2 signs.
New Business Signs	Yes	4 square feet per side, 8 square feet total.	4 feet.	Not permitted.	1 sign.
Portable Signs (Except the MX District-No Portable Signs Allowed)	Yes	4 square feet per side, 8 square feet total.	4 feet; Letters may not exceed 10 inches.	Not permitted.	1 sign.
Other Temporary Signs	Yes, if over 3 square feet.	10 square feet per side, 20 square feet total, or 30 square feet total per building if a multi-tenant building.	8 feet above grade for ground signs; No higher than height of sign band for wall signs.	Not permitted.	1 sign/tenant space; Maximum time period not to exceed 2 weeks in any 6 month period.

Table C applies to the following districts:

P

**TABLE C: PARKING SIGN STANDARDS**

Type of Sign	Permit Required	Maximum Area	Maximum Height	Illumination (see also Section 1.03)	Maximum Number
Parking District Signs	Yes	9 square feet per side, 18 square feet total.	8 feet.	Permitted.	No signs other than those designating entrance, exit and conditions of use.

# Table D

Table D applies to the following districts:

R1A R1 R2 R3 R4 R5 R6 R7 R8

**TABLE D: PERMANENT RESIDENTIAL SIGN STANDARDS**

Type of Sign	Permit Required	Maximum Area	Maximum Height	Illumination (see also Section 1.03)	Maximum Number
Bulletin Board Signs	Yes	20 square feet.	8 feet above grade.	Permitted.	1 sign (See Section 1.08B[2].)
Churches, Private Schools, Community Centers, Health Care Facilities and Government Signs	Yes	20 square feet if less than 500 feet from occupied residential dwellings. 40 square feet if more than 500 feet from occupied residential dwellings.	8 feet above grade.	Signs of health care facilities may not be illuminated; other uses permitted.	1 sign.
Multiple-Family Residential Signs	Yes	10 square feet.	4 feet above grade.	Permitted during hours of darkness.	1 sign per unit.
Security System Signs	No	2 square feet for the total of all such signs.	N/A	Not permitted.	2 signs.
Traffic/Directional Signs on Grounds of Public, Charitable or Religious Institutions	Yes	5 square feet per side, 10 square feet total.	8 feet above grade.	Not permitted.	N/A
Window Signs (Residential)	No	1 square foot.	N/A	Not permitted.	N/A

**TABLE D: TEMPORARY RESIDENTIAL SIGN STANDARDS**

Type of Sign	Permit Required	Maximum Area	Maximum Height	Illumination (see also Section 1.03)	Maximum Number
Advertising Lots and/or Buildings in One Subdivision Signs	No	32 square feet	6 feet above grade	Not permitted.	1 sign
Advertising Residential Property Signs	No	4 square feet per side, 8 square feet total.	4 feet above grade.	Not permitted.	1 sign if property abuts 1 street, 2 signs if property abuts 2 or more streets.
Church and Private School Signs	Yes	15 square feet per side, 30 square feet total.	10 feet above grade.	Not permitted.	1 sign at a time; maximum of 6 per calendar year.
Home Improvement Signs	No	4 square feet per side, 8 square feet total.	4 feet above grade.	Not permitted.	1 sign
Private Residence Signs	No	4 square feet per side, 8 square feet total.	4 feet above grade.	Not permitted.	1 sign; a second sign is permitted for one (1) 90 day period per year
Special Event Signs	No	N/A	10 feet above grade.	Not permitted.	1 sign



## Article

# 02

## Processes, Permits and Fees

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### *City of Birmingham Sign Ordinance*

## 2.01 Permits

The City Planner will review all sign or broadcast media device permit applications to verify compliance with this Chapter and to determine the necessity of review.

- A. Permit Required. Aside from those signs listed below, it shall be unlawful for any person to construct, erect or alter any sign or broadcast media device, as defined in this Chapter, without first obtaining a sign or broadcast media device permit from the City Planner. The signs that do not require a permit include:
  1. Memorial signs or tablets, names of buildings and date of construction when cut into any masonry surface or when constructed of metal.
  2. Self-service gasoline station signs as regulated in Chapter 54 of this Birmingham City Code, which include safety or warning signs.
  3. Traffic or other municipal signs, legal notices, railroad crossing signs, danger and such temporary emergency or nonadvertising signs as may be approved by the City Planner.
  4. Address numeral/letters.
  5. Professional nameplate signs.
  6. Menu signs.
  7. Window signs.
  8. Temporary home improvement signs.
  9. Security system signs.
  10. Special event signs for residential (e.g. birth announcements, birthdays).
  11. Temporary signs for private residence.
  12. Temporary signs advertising residential property.
  13. Temporary signs advertising lots and/or buildings in one subdivision.
- B. Maintenance. The maintenance and/or repair of a properly licensed sign shall not require a sign permit, unless changing the advertising material and/or copy.
- C. Application. Applications for sign or broadcast media device permits shall be made upon forms provided by the Community Development Department.
- D. Procedure. When the applicant applies for a sign or broadcast media device permit, such plans, specifications, and other data relating to the proposed sign, or broadcast media device or other supporting structure, shall be reviewed by the City Planner, and, if necessary, shall be forwarded to the Historic District Commission, Design Review Board or Planning Board for review, see Section 2.02 Sign Review. All plans shall address the removal of all previously installed signage, or broadcast media device as well as repairs to mounting surfaces impacted by previous mountings. If it appears that the proposed sign and/or broadcast media device is in compliance with all plans approved by the appropriate body, and all requirements of this Chapter, then a sign or broadcast media device permit shall be issued by the City Planner.
- E. Fees. Every applicant shall pay to the Treasurer of the City a fee for each sign or broadcast media device permit according to Appendix A of the Birmingham City Code before being granted a permit. In the event a sign or broadcast media device is erected prior to receiving the permit, the sign permit fee shall be double that indicated in the schedule.
- F. Duration. All rights and privileges acquired under the provisions of this Chapter or any amendments thereto, are mere licenses and may be revoked upon the violation of any of the conditions contained herein. If the work authorized under a sign or broadcast media device permit has not been completed within 6 months after date of issuance, the permit shall become null and void.



## 2.02 Sign Review

### A. Approval Required.

1. The Historic District Commission, Design Review Board, or Planning Board shall review all plans for the construction or alteration of a sign that the City Planner determines will substantially alter the exterior appearance of a structure. Signs that do not require a permit, do not require review.
2. The City Commission shall hear and deny, approve, or approve with conditions, those signs for special land uses, after receiving the recommendation of the Planning Board.

### B. Restrictions.

1. The Historic District Commission, Design Review Board or Planning Board may impose restrictions on the size, placement and appearance of signs in addition to those requirements set forth by this ordinance.
2. The Historic District Commission, Design Review Board or Planning Board shall not allow the alteration or construction of any sign which would violate the requirements of this ordinance.

### C. Requirements. Sign review approval shall be granted only upon determining the following:

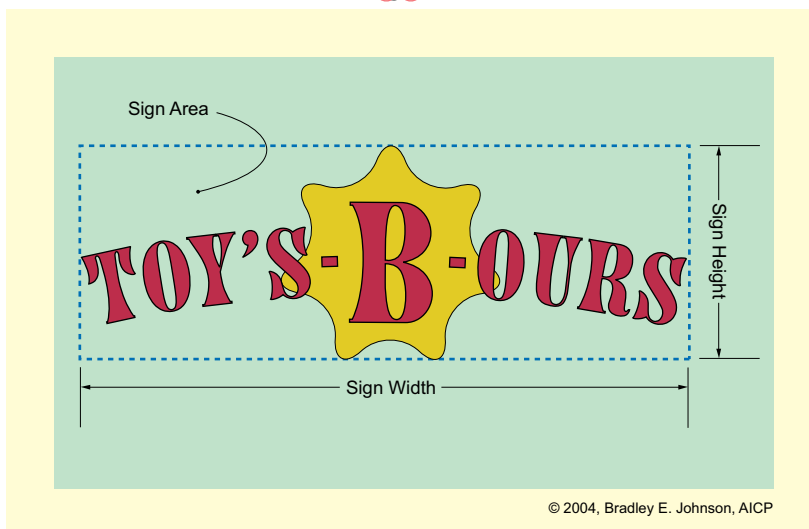
1. The scale, color, texture and materials of the sign being used will identify the business succinctly, and will enhance the building on which it is located, as well as the immediate neighborhood.
2. The scale, color, texture and materials of the sign will be compatible with the style, color, texture and materials of the building on which it is located, as well as neighboring buildings.
3. The appearance of the building exterior with the signage will preserve or enhance, and not adversely impact, the property values in the immediate neighborhood.
4. The sign is neither confusing nor distracting, nor will it create a traffic hazard or otherwise adversely impact public safety.
5. The sign is consistent with the intent of the Master Plan, Urban Design Plan(s), and/or Downtown Birmingham 2016 Report, as applicable.
6. The sign otherwise meets all requirements of this Chapter.

## 2.03 Computation

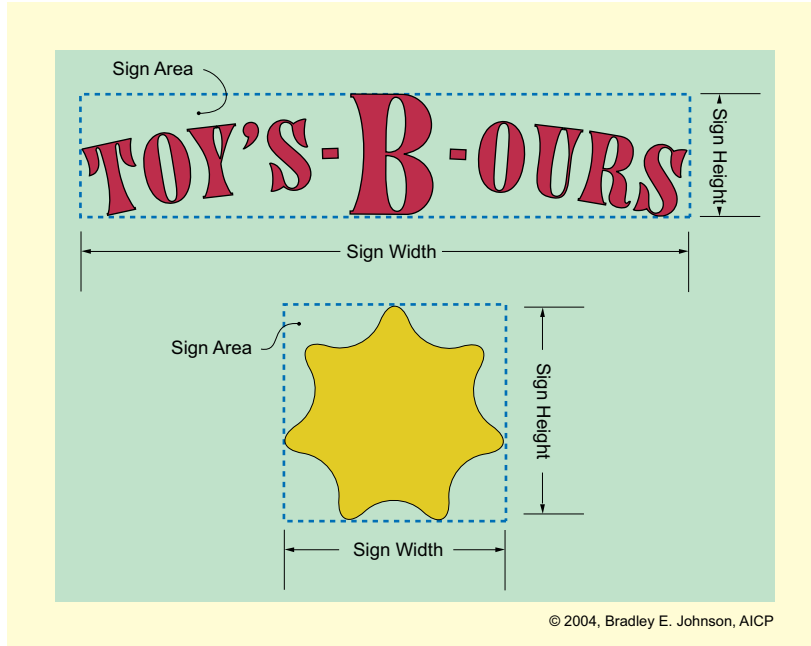
The following principles shall control the computation of the sign area and sign height:

### A. Individual Signs.

1. The area of a sign face (one face) shall be computed by means of the smallest square or rectangle that will encompass the extreme limits of the writing, representation, emblem or other display, together with any material or color forming an integral part of the background of the display or used to differentiate the sign from the backdrop or structure against which it is placed, except that lowercase letters with ascenders and descenders that extend beyond the limits of the sign height by a maximum of 12 inches, will not be calculated into the total sign area.



2. The area of the sign face shall not include any supporting framework, bracing or decorative fence or wall when such fence or wall is clearly incidental to the display itself.
3. The Historic District Commission, Design Review Board or Planning Board may, upon sign review, allow a logo or other design element to be calculated separately from the rest of the sign, provided that the Historic District Commission, Design Review Board or Planning Board finds the logo or emblem to be an integral part of the sign, and the sign complies with the intent of this Chapter.



- B. Multifaced Signs. The sign area for a sign with more than one face shall be computed by adding together the area of all sign faces.
- C. Height. The height of a sign shall be computed at the distance from the base of the sign at grade to the top of the highest attached component of the sign. Grade shall be considered to be a reference plane representing the average of finished ground levels adjoining the building at all exterior walls. When a finished ground level slopes away from the exterior walls, the reference plane shall be established by the lowest points within the area between the building and the lot line or, when the lot line is more than 5 feet from the building, between the building and a point 5 feet from the building.

## 2.04 Licenses

### A. Licenses Required.

1. Every person, firm or corporation engaged in the business of erecting or installing signs for which permits are required by this ordinance shall obtain a sign erector's license from the building official to conduct such operations.
2. Sign erector's licenses are not required for the installation of sign with a total surface area of less than 10 square feet.
3. The sign erector's license shall expire annually.
4. All persons erecting an electrical sign shall be required to obtain an electrical specialty license under Chapter 22 (Community Development Regulations) in addition these requirements.

### B. Revoking of Licenses. The building official shall revoke the license of any sign erector who does not comply with the requirements of this ordinance.

### C. Fees. Every applicant before being granted a sign erector's license shall pay to the City Treasurer's Department the fees as specified in Appendix A of the Birmingham City Code.

## 2.05 Violations and Removal of Signs and Broadcast Media Devices

### A. Public Right-of-Way. The owner of any sign that has been removed from the right-of-way in violation of this Chapter shall pay to the City the sum of \$25.00 before recovering such sign. If any sign is not claimed within 30 days, it may be destroyed.

### B. Safety Regulations. Any sign or broadcast media device found by the Community Development Department to be in an unsafe condition must be repaired or removed by the owner within 24 hours after receipt of notice to do so from the Community Development Department.

### C. Removal of Signs and Broadcast Media Devices. Any sign or broadcast media device now or hereafter existing, which at the time of construction advertised a business being conducted or a product being sold or produced on the premises on which the sign or broadcast media device is located, but no longer does so shall be taken down and removed by the owner, agent or person having the beneficial use of the building or structure or premises upon which such sign or broadcast media device shall be found within 30 days of conclusion of occupancy or use. All supporting structures shall also be removed and mounting surfaces shall be repaired and restored.

## 2.06 Variances

### A. Procedure. Any person who feels aggrieved by a decision of the City Planner may have the sign reviewed by the Board of Zoning Appeals. A variance may be granted by the Board of Zoning Appeals only in cases involving practical difficulties when the evidence in the official record of the appeal supports all the following affirmative findings:

1. That the alleged practical difficulties are peculiar to the property of the person requesting the variance by reasons of the physical and/or dimensional constraints of the building and/or site, and result from conditions which do not exist generally throughout the City;
2. That the granting of the requested variance would not be materially detrimental to the property owners in the immediate vicinity;
3. That the granting of the variance would not be contrary to the general objectives of this Chapter and is in keeping with the spirit and intent of this ordinance; and
4. That granting the variance will result in substantial justice being done, considering the public benefits intended to be secured by this Chapter, the individual hardships that will be suffered by a failure of the Board of Zoning Appeals to grant a variance, and the rights of others whose property would be affected by the allowance of the variance.

### B. Fees. Fees for sign variances are specified in Appendix A of the Birmingham City Code.

## 2.07 Nonconforming Signs and Signs on Nonconforming Uses

### A. Nonconforming Signs.

1. Subject to the provisions of this section, nonconforming signs that were otherwise lawful on the effective date of this Chapter may be continued.
2. A nonconforming sign shall not be moved, replaced, enlarged or altered, except to bring the sign into complete conformity with this Chapter. The message of a nonconforming sign may be changed only by the person who operated the business being advertised on the signage on the premises on February 1, 2005, or related person, provided that the business being advertised on the signage on February 1, 2005, continues in operation, so long as this does not create any new nonconformities and sign review approval is received.
3. No illumination shall be added to a nonconforming sign.
4. A nonconforming sign shall not be reestablished after the activity, business or usage to which it relates has been discontinued. A nonconforming sign shall not be maintained or displayed by anyone other than the person who operated the business being advertised on the signage on February 1, 2005, or related person, and provided that the business being advertised on the signage on February 1, 2005, continues in operation.
5. A nonconforming sign shall not be maintained or displayed by anyone other than the person or related person who owned the premises on the date of adoption of this section.
6. If a nonconforming sign is destroyed, it shall not thereafter be repaired, reconstructed or replaced, except in conformity with all the provisions of this chapter, and the remnants of the former sign structure shall be removed from the property. For purposes of this section, a nonconforming sign is “destroyed” if damaged to an extent that the cost of repairing the sign to its former condition or replacing it with an equivalent sign equals or exceeds 50% of the replacement value of the sign so damaged, including labor. Subject to the other provisions of this section, nonconforming signs may be repaired so long as the cost of such work does not exceed 50% of the replacement cost of the sign within any 12-month period.
7. Effective January 1, 2013, portable signs will no longer be allowed in the MX, Mixed-Use District.

### B. Signs on Nonconforming Uses.

1. Subject to the provisions of this section, existing signs on legally nonconforming uses, as defined in the Zoning Ordinance, that were otherwise lawful on the effective date of this Chapter may be continued, subject to the provisions of this section. Such existing signs shall be considered nonconforming signs and shall meet the requirements of Section 2.07(A): Nonconforming Signs.
2. New signs for legally nonconforming uses must meet the requirements for the zoning district in which the legally nonconforming use is located.

## Article

# 03

## Definitions

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### *City of Birmingham Sign Ordinance*

## 3.01 General

The definitions contained in this Article shall be observed and applied in the interpretation of all Articles in this Sign Ordinance, except where the context clearly indicates otherwise. Words used in the present tense shall include the future; words used in the singular number shall include the plural and the plural the singular; words used in the masculine gender shall include the feminine.

## 3.02 Definitions

**Ascenders**: The portion of a lowercase letter that rises above the main body of the letter as found in the letters b, d, f, h, k, l, and t.

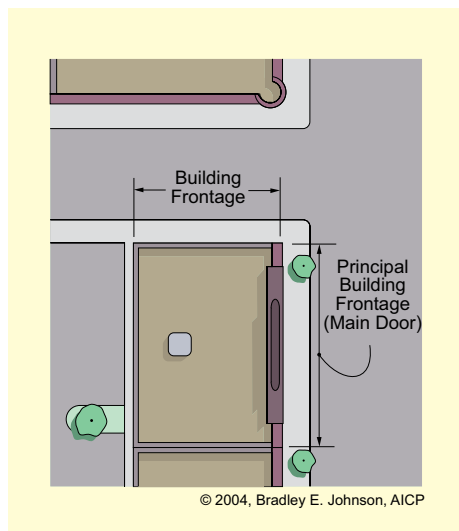
**Awning Sign**: See Canopy Sign.

**Billboard**: Any sign which contains a message unrelated to or not advertising a business transaction or goods sold or produced on the premises on which the sign is located.

**Broadcast Media Device**: An electronic display unit with a screen no larger than 1.5 square feet in size (such as a TV), that broadcasts audio and video designed for viewing by individual customers while purchasing goods and services.

**Building Frontage**: The horizontal width of the building or tenant space on the side parallel to the street, or streets, if contiguous.

**Building Frontage, Principal (PBF)**: The width of the building on the side where the primary entrance to the business is located, which may or may not front a street. The Historic District Commission, Design Review Board or Planning Board may designate an alternate horizontal building width as the principal building frontage for signage purposes.



**Bulletin Board Sign**: A sign that utilizes movable letters or parts for the purpose of announcing schedules, special events and general information to the public, excluding advertising.

**Canopy Sign**: A sign attached to or hung from a marquee, mansard, canopy or other structure projecting from and supported by the building and extending beyond the building wall, building line or street lot line. See Canopy Valance.

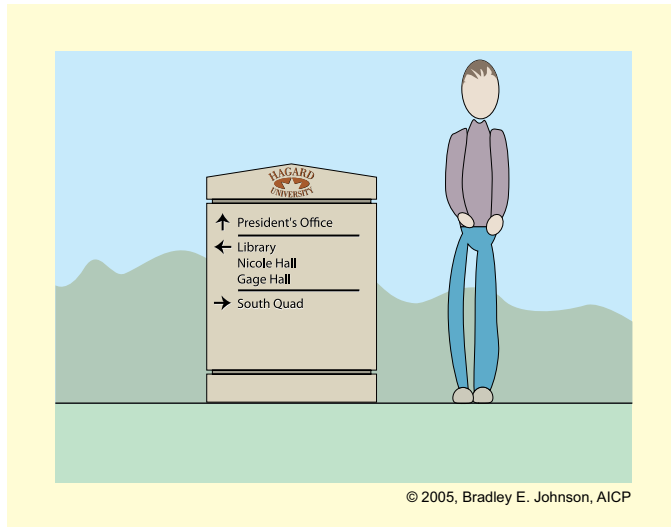
**Canopy Valance**: That portion of a canopy consisting of short strips or bands of material hung at the lower edge of the canopy.

**Construction Sign**: A ground sign or wall sign erected on a site designated on a building permit issued by the City as the site for construction which advises the public of pertinent facts regarding the construction, management, and leasing of the building, and which advertises only the architect, contractor, subcontractors, building material and/or equipment used.

**Decorative Display**: A temporary display designated for the entertainment or cultural enrichment of the public and having no direct sales or advertising content.

**Descenders**: The portion of a lowercase letter that falls below the baseline as found in the letters g, j, p, q, and y.

**Directory Sign**: A sign that may be comprised of individual nameplates no larger than one square foot each, or a changeable copy board for characters not exceeding one inch in height.



**Electrical Raceway**: A utilitarian metal or nonmetallic channel used for the electrical components of an illuminated sign; and not designed as an architectural feature.

**Ground Sign**: A sign attached to a permanent foundation or decorative base and not attached or dependent for support from any building, pole, posts or similar uprights.

**Illuminated Sign**: Any sign lighted by or exposed to artificial lighting either by light on or in the sign or directed toward the sign.

**Indoor Neon “Open” Sign**: A neon sign on the interior of the building indicating a commercial/office use is open for business.

**Legal Nonconforming Sign**: A preexisting legal sign, or portion thereof, which previously complied with the sign regulations in effect at the time the sign permit was issued, which was designed, erected, or structurally altered such that it does not conform to the current regulations of the district in which it is located

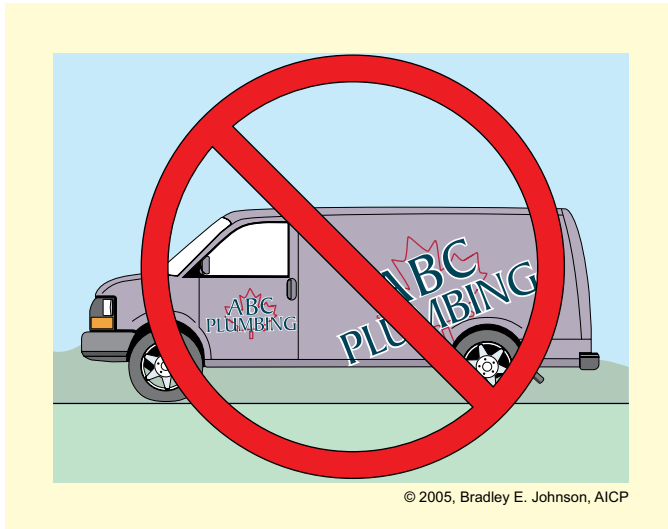
**Light Box Sign**: A permanent wall mounted sign with an exposed frame, a translucent face, and internal illumination.

**Monument Sign**: See Ground Sign.

**Name Letter Sign**: A sign composed of individually constructed and applied letters, numbers, or characters, which may or may not include an electrical raceway.

**Obscene Matter**: Matter that the average person, applying contemporary community standards, would find appeals to prurient interests, depicts sexually explicit conduct, specifically defined by law, in a patently offensive manner, and the matter, taken as a whole, lacks serious literary, artistic, political or scientific value.

**Parked Vehicle Sign:** Any sign attached to or upon any vehicle where said vehicle is allowed to remain parked in the same location, or in the same vicinity, for frequent or extended periods of time, where the intent is apparent to be one of using the vehicle and signs for purposes of advertising an establishment, service, or product.



**Pole Sign:** A permanent sign that is mounted on a freestanding pole or other support that is placed on, or anchored in, the ground and that is independent from any building or other structure.

**Portable Sign:** Any sign, which by its construction is intended to be moved from one location to another.

**Portable Valet Sign:** A sign, in place for a period not to exceed 12 hours a day, that designates a parking service is available, but does not advertise any establishment or business.

**Post-mounted Projecting Sign:** A projecting sign affixed to the side of a post or similar upright.

**Principal Building Frontage:** See Building Frontage, Principal.

**Principal Wall Sign:** A wall sign which is the main identification sign for a tenant.

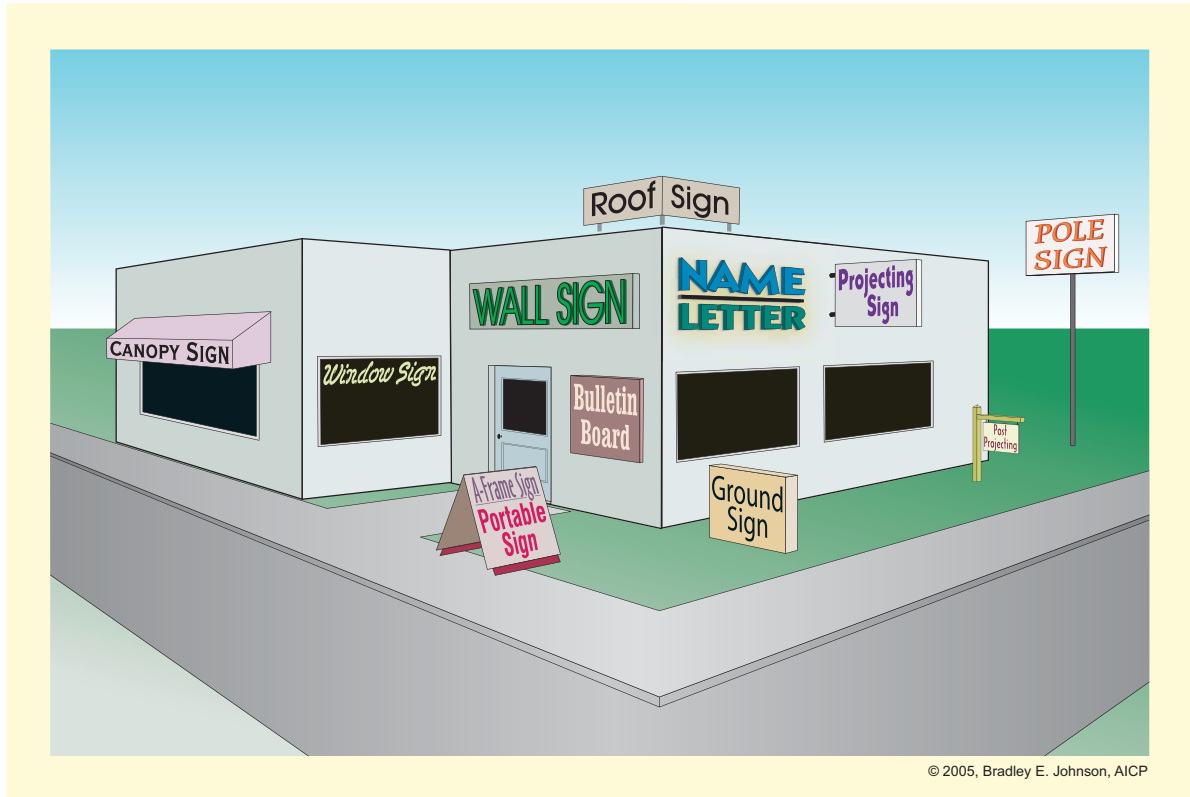
**Projecting Sign:** A sign which extends beyond the building wall, where the horizontal sign surface is not parallel to the building wall.

**Rear Entry Sign:** A wall sign which is located near the rear entry door on a building.

**Roof Sign:** A sign which is erected, constructed and maintained above any portion of the roof.



**Sign:** Any object, device, logo, display or structure, or part thereof, which is intended to advertise, identify, display, or direct or attract attention to an object, person, institution, organization, business, product, service, event or location by any means. Sign shall be deemed to be a single sign whenever the proximity, design, context or continuity reasonably suggests a single unit, notwithstanding any physical separation between parts. Sign shall include any banner, bulbs or other lighting devices, streamer, pennant, balloon, propeller, flag and any similar device of any type or kind whether bearing lettering or not (the official flag of any nation, state or nonprofit organization or a flag with no commercial advertising on its face, is not considered to be a sign, provided it is not used to attract attention to an object, person, institution, organization, business, product, service, event or location).



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**Sign Band:** A horizontal band extending the full width of the building facade and located between the highest first floor windows and the cornice, or if there is more than one story, the highest first floor windows and the bottom of the second floor windows.

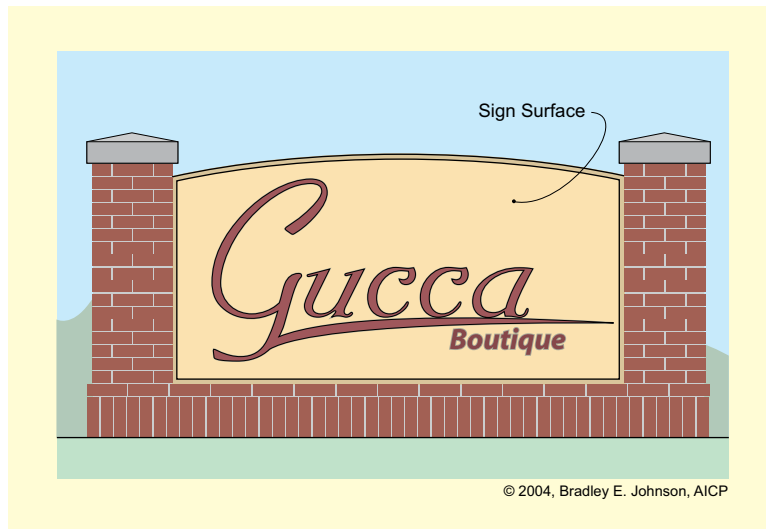
**Sign Face:** The surface intended for the display of information on the sign.

**Sign Height:** The vertical measurement from the ground to the top of the sign. The height of all signs shall be measured from the established grade line to the highest point of the sign or its frame support.

**Special Event Sign:** A sign announcing an occasion such as a birth, graduation, birthday, anniversary or holiday greeting.

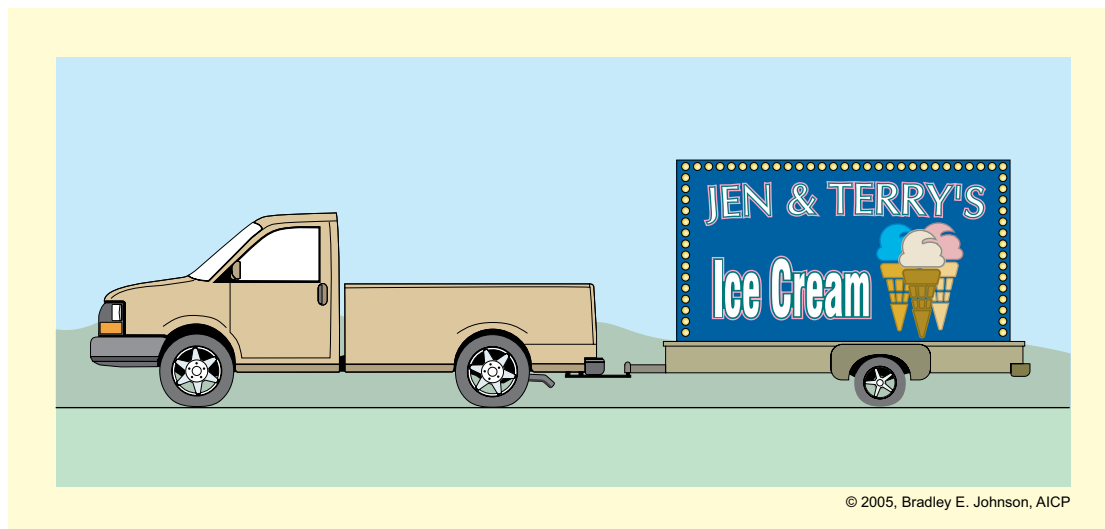
**Structural Trim:** The molding, battens, cappings, nailing strips, latticing and platforms that are attached to the sign structure.

**Surface:** That part of the sign upon, against or through which the message is displayed or illustrated.



**Temporary Sign:** A sign constructed of cloth, canvas, fabric, plastic or other light temporary material, with or without a structural frame, or any other sign, intended for a limited period of display.

**Trailer Sign:** A sign which is attached to or sitting upon a trailer, either stationary or mobile.



**Wall-mounted Projecting Sign:** A projecting sign affixed to the side of a building.

**Wall Sign:** A sign that is attached directly to a building wall, where the horizontal sign surface is parallel to the building wall.

**Window Sign (Business):** An interior sign, other than product or decorative display, affixed to business windows and/or doors, or within three feet of the windows and/or doors, including vinyl letters eight or more inches in height.

**Window Sign (Residential):** An interior sign, other than product or decorative display, affixed to residential windows and/or doors, or within three feet of the windows and/or doors, including vinyl letters eight or more inches in height.