

**ORDINANCE NO 47**

AN ORDINANCE repealing Ordinance NO. 24 and enacting in its stead an Ordinance providing for an annual license fee for certain types of advertising signs within the Town, which are permanently fixed in the ground or to another structure: and for signs which are mobile and providing for limitation of placement of same, and exempting said signs and providing penalties for violation of this Ordinance as Municipal Infractions.

WHEREAS, APPROVAL HAS BE GRANTED FOR THE ERECTION AND MAINTENANCE OF VARIOUS TYPES OF HIGHWAY SIGNS BOTH MOBILE AND THOSE PERMANENTLY AFFIXED IN AREAS WHERE SUCH SIGNS ARE PERMITTED BY THE ZONING ORDINANCE; AND

NOW, THEREFORE, BE IT ENACTED AND ORDAINED BY THE TOWN of MARDELA SPRINGS, MARDELA SPRINGS, MARYLAND, that this ordinance to be known as the **SIGN ORDINANCE**, shall read as follows:

**SECTION 100: EXEMPT SIGNS**

**Section 100: Signs in Residential Areas**

This exemption shall apply to any sign advertising a political candidate or issue, which sign shall be placed on property by the owner (s) there of. Such signs shall be removed promptly within 7 days after the date of the election. Failure to comply with this will result in a fine per day till sign is removed.

**Section 101: Signs for Non Profit Establishments**

Any sign which belongs to and advertises solely the name, location, project or services of a non profit organization shall be exempt from licensing whether it is lighted or unlighted. A sign leased by a non-profit organization from another shall be subject to licensing regardless of the length of time for which leased.

## **SECTION 102: PAINTED WALL SIGNS AND ATTACHED LETTERS**

Any sign which is painted on the wall or a building or consists solely of letters attached to a building and which advertises the name of the owner or tenant of the building and/or a principal product or service provided by same shall also be licensed.

### **Section 200: Non-Exempt Signs**

#### **Advertising Signs Located on the Property of an Owner or Tenant**

Any advertising sign located on the property of the owner or tenant thereof which is not exempt from licensing under the preceding Sections of this Ordinance shall require a license. The owner or tenant shall apply for such license on the effective date of this Ordinance for any sign already erected or constructed and shall renew such license on July 1<sup>st</sup> of each year thereafter. For a newly constructed sign the owner shall apply for a license at the time he obtains a building permit. Mobile signs (signs on wheels) are not permitted within the Town Limits.

### **Section 202: Portable Signs**

- A. Portable signs, unless otherwise exempted here from, shall be used only for the purposes of public service announcements, messages and similar communications.
- B. A portable sign, consisting of two or less sign faces, shall be required to obtain an annual license, which license shall be renewable. Any such license shall be for the term contemporaneous with the Town's fiscal year. There shall be no rebate or prorating for a time less than one fiscal year.
- C. A bona fide nonprofit organization must obtain a license for each portable sign in use, but shall be exempt from paying license fee.
- D. Portable signs used for the purpose of advertising/campaigning for a candidate, referendum, or other election issue must obtain a permit but shall be exempt from the license fee set forth above. Such signs shall not be erected more than Thirty (30) days in advance of the election/primary and must be removed within one (1) week following the election, provided however that in the case of an election involving a primary and a general election the said sign may be erected no more that thirty (30) days prior to the primary election and may remain in place until no more than one (1) week following the general election. Time will

be extended through and including on (1) week following any special run off election made necessary by the outcome of the general election.

- E. Portable signs shall be placed so as not to obstruct the view or passage of motorists traveling upon, entering onto, or exiting from any town street or public parking lot. The term public parking lot as herein used shall also include the lot of a privately owned establishment selling goods and/or services to the public.
- F. Portable signs must be anchored sufficiently to withstand high winds so as to prevent them from becoming safety hazards. Portable signs have to be set back from the curb line at least eight (8) feet, and the height not over thirty-two (32) inches.

### **Section 203: Billboards and other Permanent Signs**

- A. Billboards shall be permitted only along Route 50, west of Spring Grove Road.
- B. No billboard may be erected, enlarged or maintained within the Town of Mardela Springs that contains more than (500 square feet of display area per face. Maximum of two (2) sides.
- C. No billboard shall be located within five hundred (500) feet of another billboard.
- D. All billboards shall be setback as required in the Zoning Ordinance
- E. No billboards shall be erected, maintained or enlarged with in Town of Mardela Springs unless there is a minimum <sup>twenty</sup> ~~ten~~ (20) feet between the bottom of the billboard display area, including and walkway or other structure, and the ground below, in order to allow a viewing area below the face of the billboard.
- F. No billboard shall be erected, maintained or enlarged within the Town of Mardela Springs for which the highest point exceeds the height of thirty-five (35) from the ground as measured directly below. In the event the ground directly below the said billboard is built up into a mound, the maximum height

shall be measured from the highest point of the billboard to the level of the ground surrounding the billboard area not including said mound.

- G. There shall be an annual license fee imposed on all billboards and permanent signs located within the Town of Mardela Springs.
- H. In the event the said billboard is damaged fifty-five percent (55%) it will have to be completely rebuilt or removed.
- I. All billboards shall be solar powered
- J. Signs at the two existing service stations (one at each station) not to exceed 70 foot.

### **Section 300: Licenses**

The application for license shall be made on forms supplied by the office of the Town Clerk, and shall designate the owner of the land, the owner of the billboard, any lessee, the location and dimensions of the billboard and shall be accompanied by the license fee, set forth per schedule of fees under Resolution #6-2009-1

### **Section 400: Inspection**

#### **Duties of the Code Enforcer**

The Code Enforcer shall be responsible for the annual inspection of all signs within the Town. He shall be responsible for the verification of the sizes and lighting condition set forth in the application, for the presence of the proper licensing the sign. He shall also inspect the condition of the sign and make a report for the Town Clerk and Council President on any sign needing repair.

#### **Section 402: Notice to Repair**

The Town Clerk shall send the Owner of each sign needing repair a copy of Code Enforcer's report requesting the repairs be made within sixty (60) days there of. A Copy of the letter shall be sent to the Code Enforcer who shall check the condition of the sign at the expiration of the time specified. If the repairs have not be made the Town Clerk shall notify the Owner that the license will not be renewed until the repairs are made, and that the sign shall be removed with thirty (30) days after the expiration of the license year.

### **Section 500: Penalties**

Failure to renew a License

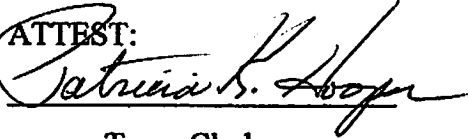
In the event the Owner of a sign fails to renew a license by July 1<sup>st</sup> of each year, he shall be charged a late charge of **TEN dollars (\$10.00)** per day for each day thereafter which shall be collected in full before a new license shall be issued. If no license is obtained within thirty (30) days the sign shall be removed.

**Section 600: Multiple Signs**

Multiple faced signs shall be defined as a single sign and shall be licensed as such\

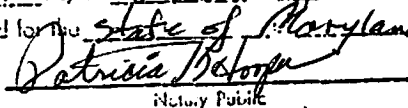
BE IT FURTHER ENACTED AND ORDAINED BY THE TOWN of MARDELA SPRINGS, MARYLAND, that this Ordinance shall take effect January 1, 2010

The Above Ordinance was introduced and read to the Town Council of the Town of Mardela Springs at a meeting held on the 21<sup>st</sup> day of Oct, 2009 and finally passed at its meeting held 17 Nov 2009, having been published as required by law and a public hearing having been held in the meantime

ATTEST:  


Town Clerk

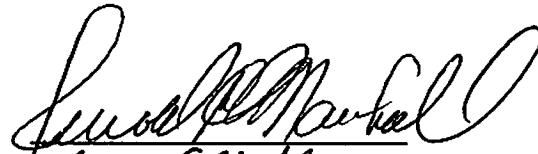
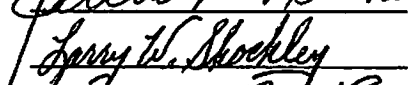

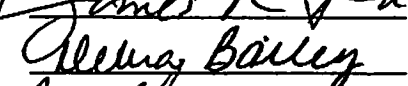
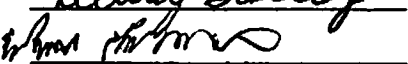
Subscribed and sworn to before me, in my presence, this 21<sup>st</sup> day of October, 2009, a Notary Public in and for the state of Maryland.

  
Notary Public

My commission expires 3/24/2013

Pres.

V. Pres.

Council Members