

§ 154.139 SIGNS; PERMITS REQUIRED.

(A) *Signs.* In order to preserve the scenic and aesthetic beauty that now exists in the Town of Beverly Shores and to preserve property values and because of the desirability of eliminating factors which may tend to detract and degrade the community and to promote the public health, welfare, and safety, sign regulations, in addition to those provided in §§ [154.088](#) and [154.110](#) are herein provided to govern signs in the Town of Beverly Shores.

(B) *Permits required.*

(1) It shall be unlawful for any person to erect, alter, relocate or maintain any sign without first obtaining a sign permit from the Building Committee and making payment of the required fee to the Clerk-Treasurer of the Town of Beverly Shores as provided in § [154.065](#).

(2) All illuminated signs shall, in addition, be subject to the provisions of the Town of Beverly Shores Building Code and the State of Indiana Administrative Building Code.

(C) *Application for a sign permit.*

(1) Application for a sign permit shall be made upon forms provided by the Plan Commission.

(2) The application shall contain information as the Plan Commission shall deem necessary to show full compliance with this and all other appropriate ordinances of the Town of Beverly Shores and where necessary with the Administrative Building Code of the State of Indiana.

(3) The Building Committee shall, upon the filing of an application for a permanent sign, examine the plans, specifications and other data, and the premises upon which it is proposed for the sign to be constructed and, if it shall appear that the proposed sign is in compliance with all the requirements of this chapter, the Building Code and all other applicable ordinances and laws of the Town of Beverly Shores, and the State of Indiana, and, after the appropriate fee has been paid, a permit for erection shall be issued. If the work authorized under the sign permit has not been completed within 60 days after the date of issuance of the permit, the permit shall become null and void.

(4) Temporary sign permits shall be issued by the Clerk-Treasurer. A temporary sign other than a For Sale or For Rent sign described in § [154.088](#)(D) shall not be posted for more than 15 days.

(D) *Removal of signs.*

(1) (a) If the Building Commissioner shall find that a sign is unsafe or insecure, or is a menace to the public, or has, subsequent to the effective date of this chapter been constructed or erected in violation of the provisions of this chapter, the Building Commissioner shall give written notice to permit holder and the owner of the property on which the sign is located.

(b) If the permit holder or the owner of the property on which the sign is located fails to remove, repair or alter the sign so as to comply with the standards required by this chapter within 30 days, the Building Commissioner shall cause the removal of the sign and any expense incidental thereto shall be paid by the person, firm or corporation having the ownership or right to possession of the building or structure, or premises where the sign is located.

(2) Any sign which advertises a business no longer being conducted, or a product no longer being sold, shall be taken down and removed by the firm, corporation or person having ownership or right to possession of the building, structure or premises upon which the sign may be found within 20 days after written notification from the Building Commissioner and upon failure to comply with the notice, the Building Commissioner shall cause removal of the sign and any expense incident thereto shall be paid by the person, firm or corporation having the ownership or right to possession of the building, structure or premises where the sign is located.

(E) *Prohibitions.*

(1) No sign shall be attached to any tree, utility pole or other unapproved structure.

(2) No sign shall be constructed so as to interfere with or imitate any standard traffic sign or signal nor shall any sign interfere with or obstruct the view of traffic or traffic signs or signals and no sign shall be located on the public right-of-way.

(F) *Exemptions.* Traffic or municipally authorized signs, legal notices, railroad crossing signs, danger and temporary or non-advertising signs as may be approved by the Town Council of Beverly Shores shall be permitted under this chapter.

(G) *Standards.*

(1) All signs shall be maintained in a safe and attractive condition.

(2) Any and all signs erected prior to the adoption of this chapter which are not in conformity with the provision of this chapter shall be allowed to continue and exist for a period of 1 year from the date of the adoption of this chapter, after which they shall be governed by this chapter.

(Ord. 208, passed 12-19-1983) Penalty, see § [154.999](#)

§ 154.110 SIGN REGULATIONS.

(A) No flashing, animated or moving business or identification signs shall be permitted in the General Commercial District.

(B) No pennants, streamers and other moving or fluttering eye-catching devices shall be permitted in the General Commercial District.

(C) No sign shall be permitted in the General Commercial District which projects into the public way or over any property line.

(D) Roof signs shall be permitted.

(E) No billboards shall be permitted in the General Commercial District except for the following area: The South Shore Railroad right-of-way to the north; State Park Road to the west; Highway 12 to the south and 375 East to the east. Those signs shall not exceed 32 square feet and shall not be closer than 600 feet of each other.

(F) Business signs which may include advertising and accessory signs, shall be permitted in the General Commercial District provided that their total area does not exceed 32 square feet per sign face.

(G) The design of all signs shall be approved by the Building Committee. Signs shall be subdued in appearance, harmonizing in design and color with the surroundings and shall not be attached to any tree or shrub.

(H) All illuminated signs shall be located a minimum of 200 feet from any residential property line or any lot of record.

(I) Existing signs in the General Commercial District shall be permitted to continue for 5 years provided however, that in case of replacement the provisions of this chapter shall apply.

(J) All permanent signs in the General Commercial District shall be located on the premises to which they refer.

(K) No wall signs shall be permitted.

(Ord. 208, passed 12-19-1983) Penalty, see § [154.999](#)