

**STATE OF SOUTH CAROLINA
COUNTY OF JASPER**

ORDINANCE # ___ - ___

**AN ORDINANCE
OF JASPER COUNTY COUNCIL**

To revise requirements for signs in Jasper County; for add definitions to terms to Article 4 of the Jasper County Zoning Ordinance; to repeal certain definitions of the terms from Article 4 of the Jasper County Zoning Ordinance; to repeal Article 15 of the Jasper County Zoning Ordinance to adopt a new Article 15 for the Jasper County Zoning Ordinance; to repeal Chapter 22 of the Jasper County Code of Ordinances; to repeal Section 8:5.7 of the Jasper County Zoning Ordinance; to repeal Section 17:2.2 of the Jasper County Zoning Ordinance; and to provide an effective date for this ordinance.

NOW THEREFORE BE IT ORDAINED by the Jasper County Council in council duly assembled and by the authority of the same:

1. Article 4 of the Zoning Ordinance of Jasper County, as amended, is further amended to add or revise definitions of the following terms to be inserted alphabetically within the definitions set forth in the said Article 4;

Nudity or a State of Nudity: A state of dress which fails to opaquely and fully cover a human buttocks, anus, male or female genitals, pubic region or areola or nipple of the female breast.

Semi-Nudity or State of Semi-Nudity: A state of dress in which in which clothing covers no more than the genitals, pubic regions, and areola of the female breast, as well as portions of the body covered by supporting straps or devices.

Sign: Any object, device, display or structure, or part thereof, situated outdoors or indoors, which is used to advertise, identify, display, promote direct or attract attention to an object, person, institution, organization, business, product, service, event or location by any means, including words, letters, figures, design, symbols, fixtures, colors, insignias, illumination or projected images (See "Structure) when the same is placed in view of the general public, traveling along a public street right-of-way.

Sign, Animated: Any sign or part of a sign that uses movement or change of lighting to depict action, gives the visual impression of movement or creates a special effect or sign (See “Sign”). Means a sign or display that uses movement or the appearance of movement through the use of patterns of lights, changes in color or light intensity, computerized special effects, video displays, or through any other method.

Sign, Audible: Any sign or part of a sign which emits any sound capable of being detected on a public road or adjoining property.

Sign, Changeable Copy: A sign or portion thereof with characters, letters or illustrations that is manually changed or rearranged in the field through the utilization of attachable letters, numbers, symbols and other similar characters without altering the face or the surface of the sign for the purpose of identifying products sold or services provided by the related business tenant on the same premises.

These include marquees, electric/ electronic/ mechanical signs, service station signs, with individual letters and numbers that can be removed and replaced by hand or mechanically.

Sign, Digital: include: Sign, Animated; Sign, Light Emitting Diode (LED); Sign, Static Electronic Message Display; Sign, Video Display. See definitions for each type.

Sign, Directory: A sign listing only the names and/or use, or location of more than one business, activity or professional office conducted within a building, group of buildings or commercial center. This sign is located on the interior of the lot.

Sign, Electronic Changeable Copy: A sign or portion thereof with characters, letters or illustrations that is electronically changed or rearranged through the utilization of attachable letters, numbers, symbols and other similar characters for the electronic or mechanical indication of time, gasoline prices, temperature or “open or closed” status in a non-animated, non-flashing mode without altering the face or the surface of the sign.

A sign or portion thereof that displays electronic, nonpictorial, text information in which each alphanumeric character, graphic, or symbol is defined by a small number of matrix elements using different combinations of light emitting diodes (LED’s), fiber optics, light bulbs or other illumination devices within the display area. Electronic changeable copy signs include computer programmable, microprocessor controlled electronic displays.

Means an electronically activated sign whose message content or display, either whole or in part, may be changed by means of electrical, electronic or computerized programming. A sign or portion of a sign on which the message or display is an electronic indication of fuel price shall be considered an electronic changeable message sign.

Sign, Flashing: Any electrical, directly or indirectly illuminated sign that exhibits changing natural or artificial light or color effects by any means whatsoever.

Sign, Freestanding: Any non-movable sign supported by structures or supports that are placed on, or anchored in, the ground and that are independent from any building or other structure.

Sign, Illuminated: Any sign which is directly or indirectly lighted by an external source.

Sign, Internally Illuminated: Any sign which transmits light through its face or any part thereof (neon, digital lighting, internal lamps, etc).

Sign, Image Changing: Any sign that automatically changes images and text through the use of moving elements or automated methods.

Sign, Light Emitting Diode (LED): sign utilizing technology of diodes arranged in pixels to create messages changeable by electronic means. Said signs are sometimes referred to as electronic message centers and shall include other similar signs such as liquid crystal display signs, fiber optic signs, plasma display screen signs, incandescent signs, time-temperature-date signs or any other such sign using similar technologies.

Sign, Moving: Any sign involving any form of physical movement, including rotation.

Sign, Project: Any sign erected and maintained on the premises temporarily while undergoing construction by an architect, contractor, developer, finance organization, subcontractor or materials vendor upon which property such individual is furnishing labor, services or material.

Sign, Residential/Commercial/Industrial Subdivision and Residential Development: Permanent signs displaying no information other than the name of a subdivision or development.

Sign, Sandwich Board: A portable sign shaped like an A-frame with a sign panel on one or both sides where the sign panel is integral to the structure of the sign.

Sign, Snipe: A sign which is tacked, nailed, posted, pasted, glued or otherwise attached to trees, poles, stakes or fences, or to other objects.

Sign, Static Electronic Message Display. A sign capable of displaying words, symbols, figures or images that can be electronically or mechanically changed by remote or automatic means. Displays can change through dissolve or fade transitions, or with the use of other subtle transitions and frame effects that do not have the appearance of moving text or images, but which may otherwise not have movement, or the appearance or optical illusion of movement, of any part of the sign structure, design or pictorial segment of the sign, including movement of any illumination or the flashing, scintillating or varying of light intensity.

A sign or portion thereof that displays electronic, static images, static graphics or static pictures, with or without information, defined by a small number of matrix elements using different combinations of light emitting diodes (LED's), fiber optics, light bulbs or other illumination devices within the display area where the message change sequence is accomplished immediately or by means of fade, repixelization or dissolve modes. Electronic graphic display signs include computer programmable, microprocessor controlled electronic or digital displays. Electronic graphic display signs include projected images or messages with these characteristics onto buildings or other objects.

Sign, Temporary: A sign that is used only for a limited period of time and is not permanently mounted (See "Sign").

Sign, Temporary Window: A window sign of a temporary nature used to direct attention to the sale of merchandise, or a change in the status of the business, including, but not limited to, sign for sales, specials, going out of business, and grand openings.

Sign, Vehicle: A permanent or temporary sign affixed, painted on or placed in or upon any parked vehicle, parked trailer or other parked device capable of being towed, which is displayed in public view under such circumstances as to location on the premise, time of day, duration, availability of other parking space on the premises where it is loaded, unloaded or otherwise carries out its principal function, which circumstances indicate that the primary purpose of the display is to attract the attention of the public rather than to serve the business of the owner thereof in the manner which is customary for the vehicle.

Sign, Video Display: A sign that changes its message or background in a manner or method of display characterized by motion or pictorial imagery, which may or may not include text and depicts action or a special effect to imitate movement, the presentation of pictorials or graphics displayed in a progression of frames which give the illusion of

motion, including but not limited to the illusion of moving objects, moving patterns or bands of light, or expanding or contracting shapes, not including electronic changeable copy signs. Video display signs include projected images or messages with these characteristics onto buildings or other objects.

Sign, Window: Any sign which is painted on, applied to, attached to or projected upon or within the exterior or interior of a building glass area, including doors, or located within 15 feet of the identification, message, symbol, insignia, visual representation, logotype, or any other form which communicates information, can be read from off-premises contiguous property or public right-of-way.

Sign Face: The part of the sign that is or can be used to identify, advertise or communicate information or for visual representation which attracts the attention of the public for any purpose. Sign face includes any background material, panel, trim, color and direct or self-illumination used that differentiates the sign from the building, structure, backdrop surface or object upon which or against which it is placed. The sign structure shall not be included as a portion of the sign face provided that no message, symbol or any of the aforementioned sign face criteria are displayed on or designed as part of the sign structure

Specified Sexual Activities: Specified sexual activities means and includes any of the following:

- (1) The fondling or other erotic touching of human genitals, pubic region, buttocks, anus, or female breasts;
- (2) Sex acts, normal or perverted, actual or simulated, including intercourse, oral copulation, or sodomy;
- (3) Masturbation, actual or simulated;
- (4) Human genitals in a state of sexual stimulation, arousal, or tumescence; or
- (5) Excretory functions as part of or in connection with any of the activities set forth above.

Specified Anatomical areas: Specified anatomical areas as used in this ordinance means and includes any of the following:

- (1) Less than completely and opaquely covered human genitals, pubic region, buttocks, anus, or female breasts below a point immediately above the top of the areola; or
- (2) Human male genitals in a discernable turgid state, even if completely and opaquely covered.

2. Article 4 of the Zoning Ordinance of Jasper County, as amended, is further amended to repeal definitions of the following terms contained therein: home occupation specialty; home occupational specialty sign; and roof integral.

3. Article 15 of the Zoning Ordinance of Jasper County, South Carolina as amended, is repealed.

4. Section 8:5.7 of the Zoning Ordinance of Jasper County, South Carolina, as amended, is repealed.

5. Section 17:2.2 of the Zoning Ordinance of Jasper County, South Carolina, as amended, is repealed.

Chapter 22, Signs, of the Jasper County Code of Ordinances, is repealed.

6. The Zoning Ordinance of Jasper County, as amended, is further amended to adopt Article 15 to read as follows:

ARTICLE 15: SIGN STANDARDS

- 15:1 Purpose and Effect
- 15:2 General Provisions
- 15:3 Exempt Signs
- 15:4 Prohibited Signs
- 15:5 Temporary Signs
- 15:6 Sign Standards
- 15:7 Illumination
- 15:8 Off-Premise Signs and Billboards
- 15:9 Non-conforming Signs and Billboards

15:1 Purpose and Effect

15:1.1 Purpose. The purpose of this Article is to allow signs to be erected, placed, established, painted, created, or maintained in the unincorporated areas of the County only in conformance with the standards, procedures, exemptions, and other requirements of this Article so the County may:

1. Encourage the effective use of signs as a means of communication in the unincorporated areas of Jasper County;
2. Maintain and enhance the aesthetic environment and the County's ability to attract sources of economic development and growth;
3. Ensure pedestrian and traffic safety;
4. Minimize the possible adverse effect of signs, such as distraction or nuisance, on nearby public and private property; and
5. Enable the fair and consistent enforcement of these sign restrictions.

15:1.2 Effect. The effect of this Article as more specifically set forth herein, is to:

1. Establish a permit system to allow a variety of types of signs in commercial and industrial zones, and a limited variety of signs in other zones, subject to the standards and the permit procedures of this Article;
2. Allow certain signs that are small, unobtrusive, and incidental to the principal use of the respective lots on which they are located, subject to the substantive requirements of this Article, but without a requirement for permits;
3. Provide for temporary signs without commercial messages in limited circumstances;
4. Prohibit all signs not expressly permitted in this Article; and
5. Provide for the enforcement of the provisions of this Article.

15:1.3 Jurisdiction. This article regulates signs, as defined in Article 4 and described more thoroughly in this Article, which are located on private property or on public property owned or controlled by public entities over which Jasper County has land use regulatory authority.

The regulations in this Article are supplemented by the requirements administered by the State of South Carolina Department of Transportation which regulates billboard signs on interstate and federal aid road systems. A permit from the State of South Carolina may contain some restrictions which are in addition to the requirements of this Article.

The regulations in this Article are minimum requirements. Whenever the requirements of these regulations differ from the requirements of any other lawfully adopted rules, regulations, or ordinances, the more restrictive, or that imposing the higher standards shall govern.

15:1.4 Administration Authority. The DSR is authorized and assigned the duty of enforcing all provisions of this Article.

15:1.5 Compliance and Permits.

1. No person shall construct, erect, place, display or maintain any sign in violation of this Article. To ensure compliance with this Article, a sign permit shall be required for all signs, except as provided herein. A sign permit application must be filled out at the time of application for a new structure, subdivision, or PDD. All billboard sign permits must be renewed yearly. All sign permit fees, including billboard sign permit renewal fees will be included in the County's fee schedule ordinance.
2. A Sign Permit shall expire after six (6) months from the date of its issuance unless the sign, and all items required by the permit, have been completed in compliance with the permit.
3. Any permitted sign, which complies with the provisions of this Section, and any subsequent amendment hereto, is hereby deemed to be a legal sign. Any proposed alteration to or relocation of such sign shall require a new permit

pursuant to this Section, unless the proposed alteration is specifically exempt in Section 15:3.

4. Any legal sign which does not comply with the provisions of this Section solely due to the enactment of an amendment shall, upon the effective date of such amendment, become a non-conforming sign and subject to the provisions of Section 15:9.
5. Fees and tags for billboards are required annually:
 - a. All billboard fees are due by January 1 of each year. Any fees not paid by February 1 will be subject to a late fee of 1 1/2 percent per month. Any sign fees not paid within 90 days will result in all permits being revoked and the owner will be given 60 days to remove the sign or the County will remove the sign at the owners' expense.
 - b. All billboard will be considered business property and will be subject to property taxes of the sign company.
 - c. All signs must have an approved County sign number tag applied in such manner as to be readily viewable from the adjacent roadway.

15:1.6 Submission Requirements. The following information shall be submitted with an application for a Sign Permit:

1. An application form as published by the DSR and appropriate fee.
2. Scaled drawings of the proposed sign showing front and side elevations, materials and colors to be used;
3. For freestanding signs, a survey showing property lines, proposed sign location, a Landscaping and Lighting Plan, or a written statement stating there will be none, and any existing site improvements; and
4. For wall signs, a scaled drawing showing the entire wall or tenant space façade, the proposed sign location, and any existing wall signs.
5. Twelve (12) copies of the complete application form and all attachments when the Sign Permit goes before the Planning Commission (for digital signs only);

15:1.7 Action by DSR. The DSR may approve, approve with conditions, or deny a permit for a proposed sign if it meets the requirements of this Article.

15:1.8 Approval by the Planning Commission. The Planning Commission must approve, approve with conditions, or deny all digital billboards and alterations before a permit is issued. Section 15:7.2 deals with digital billboards. The Planning Commission may disapprove the billboard or billboard alteration for aesthetic or placement reasons even if it complies with all the requirements of Section 15:7.2 if the sign or alteration falls into the below criteria. The Planning Commission may require adjustments to the design and site location of proposed signs and reasonable conditions may be attached to an approval.

1. Does not fit the architecture or character of the surrounding area;

2. Are not at least stylistically compatible palette of scale, forms, colors, materials, and textures of primary structures; and
3. Are obtrusive and are not of a design, material, and color that blend harmoniously with the natural surroundings and the form and scale of neighboring structures and land uses.

15:1.9 Definitions. Except as specifically defined in Article 4, all other words and phrases in this Article shall be given their common, ordinary meaning, unless the context clearly requires otherwise. Section headings or captions are for reference purposes only and shall not be used in the interpretation of this Article.

15:2 General Provisions- Signs and Billboards

15:2.1 Construction Standards. All Signs shall comply with the appropriate provisions of the County's Building Code, and shall maintain clearances from all overhead electrical conductors in accordance with the National Electric Code, provided that no sign shall be installed closer than ten (10) feet horizontally or vertically from any conductor.

15:2.2 Sign and Billboard Maintenance. To insure that all signs are maintained in a safe and aesthetic manner, the following maintenance requirements shall apply:

1. No sign shall be allowed to have more than 20% of its Sign Face, reverse side, or structure covered with disfigured, chipped, cracked, ripped, or peeling paint or poster paper for a period of more than 30 successive days;
2. No sign shall be allowed to remain with a bent or broken Sign Face, broken supports, loose appendages or struts, or stand more than 15 degrees away from the perpendicular for a period or more than 30 successive days;
3. No sign shall be allowed to have weeds, trees, vines, or other wild vegetation growing upon it for a period of more than 30 successive days;
4. No indirect or internally illuminated sign shall be allowed to have only partial illumination for a period of more than 30 successive days; and
5. Reverse sides of signs shall be properly finished with no exposed electrical wires or protrusions and shall be of one color.
6. No sign may remain vacant for 180 days. Should such occur, all permits will be revoked and the sign owner will have 60 days to remove the sign, or the County will remove the sign at the owner's expense.

15:2.3 To insure that all billboards are maintained in a safe and aesthetic manner, the following maintenance requirements shall apply:

If the DSR determines that a sign does not meet the previous maintenance requirements or the sign was constructed or erected in violation of the regulations in this Article, notice shall be given to the property owner and the business proprietor. If the violation is not corrected within fifteen (15) days after such written notice, such sign may be

removed by the County at the expense of the owner. The DSR may cause any sign which is an immediate peril to persons or property to be removed summarily and without any advance notice thereof to said Applicant and at the expense of said owner.

15:2.3 Public Right-of-Way. No portion of any sign shall overhang or encroach upon any public right-of-way.

15:2.4 Setbacks from Right-of-Way. All freestanding signs shall be set back at least ten (10) feet from the public right-of-way. Signs shall not be located within the vision clearance triangle at street intersections. The vision clearance triangle shall be determined by measuring back fifteen (15) feet from the intersecting rights-of-way and connecting the two (2) points.

15:2.5 Sexually Oriented Business Signs. Each sexually oriented business must display at least one (1) sign, easily discernible prior to the entering of the establishment, which identifies it as such by using the word "Adult" (for example, Adult Bookstore, Adult Cabaret, Adult Entertainment, etc.). All signs must be in compliance with Article 15 as previously laid out.

15:3 Exempt Signs

The following are allowed without permits under the following conditions.

1. Signs not exceeding one square foot in area and bearing only property numbers, post office box numbers, or names of occupants on premises not having commercial connotations;
2. Government Flags- The single flag or insignia of the United States or any other governmental or corporate entity, except when displayed in connection with a commercial promotion;
3. Legal notices or identification, informational, and directional signs erected as required by governmental bodies;
4. Integral decorations or architectural features of buildings or grounds, except letters, trademarks, moving parts, or moving lights;
5. Signs not exceeding four (4) square feet in area directing and guiding traffic on private property;
6. Wall identification signs and commemorative plaques not more than four (4) square feet in area, memorial cornerstones or tablets providing information on building erection or commemorating a person or event;
7. Trademarks or product names which are displayed as part of vending machines, dispensing machines, automatic teller machines, and gasoline pumps;
8. Political Signs- Signs identifying and urging voter support for a particular election issue, political party, or candidate for public office, subject to the following conditions:

- a. Signs shall not exceed six (6) square feet per sign face, and shall not exceed a height of four (4) feet;
 - b. Signs shall not be erected earlier than sixty (60) days prior to the election or referendum to which they apply;
 - c. Signs shall be removed within five (5) days after the election or referendum to which they apply. Signs for candidates in a runoff election may be maintained until five (5) days after the final election to which the signs apply;
 - d. Such signs shall not be located on public property or in public rights-of-way;
 - e. Signs must be confined wholly to placement on private property, with permission of the property owner; and
 - f. Signs shall not be illuminated.
9. Real Estate and Project Signs: shall be allowed without a permit provided the following restrictions for the type of sign used are met:
- a. For single-family residential lots or units, one (1) real estate sign, not exceeding five (5) square feet in sign area per face and ten (10) square feet in total sign area, and if freestanding, not exceeding four (4) feet in height, shall be permitted. Property with two (2) or more street frontages shall be permitted one (1) additional sign per frontage.
 - b. For single-family subdivisions, multi-family, commercial, and industrial developments, one (1) real estate or project sign not exceeding forty-eight (48) square feet in sign area per face and ninety-six (96) square feet in total sign area, and if freestanding, not exceeding eight (8) feet in height, shall be permitted. Property with two (2) or more street frontages shall be permitted one (1) additional sign per frontage;
 - c. Project signs shall not be erected prior to the issuance of a development permit and shall be removed prior to issuance of the final Certificate of Occupancy; and
 - d. Real estate signs shall be removed within fifteen (15) days of the rent, sale, or lease of a property.
 - e. Signs shall not be illuminated.

15:4 Prohibited Signs

The following signs are prohibited in unincorporated Jasper County.

1. Signs Imitating Traffic or Emergency Signals- No sign shall be permitted which imitates an official traffic sign or signal, or contains words or symbols displayed in a manner which might mislead or confuse drivers of vehicles, or which displays intermittent lights resembling the color, size, shape, or order of lights customarily used in traffic signal, on emergency vehicles, or on law enforcement vehicles, except as part of a permitted private or public traffic control sign;
2. Audible Signs;
3. Flashing Signs;

4. Moving Signs;
5. Signs Attached to or Painted on Selected Features- No sign shall be permitted which is attached to a utility pole or street sign, or is attached to or painted on tree trunks, rocks, or other natural objects;
6. Portable Signs;
7. Discontinued Use Signs- Signs which advertise a discontinued product, place person, institution, or business shall be removed within 30 days form the date of termination;
8. Sandwich Board Signs;
9. Contains no banners, pennants, spinners or other moveable parts, streamers, balloons or beacons; except if allowed as a temporary sign by the DSR in accordance with Section 15:5.2.
10. Emit no sound, odors, or visible matter such as smoke or vapor;
11. No signs shall be erected, painted, posted, or affixed in any manner on benches, bus shelters, waste receptacles, unregistered/abandoned vehicles, utility poles, fences, or natural features such as trees.
12. Any sign which exhibits statements, words, or pictures of an obscene or pornographic nature including but not limited to photographs, silhouettes, drawings, titles, graphic or pictorial representations in any manner of “nudity or state of nudity,” “semi-nudity or state of semi-nudity,” “specified sexual activities,” or “specified anatomical areas”;
13. Signs which obstructs free ingress/egress from a required door, window, fire escape, or other required exit way;
14. Signs and or sign structure which obstructs the view of, may be confused with, or purports to be a governmental or traffic direction/safety sign;
15. Except as otherwise provided, no sign whether temporary or permanent, except by a public agency or with the approval of the County and upon issuance of an Encroachment Permit, is permitted within any street right-of-way;
16. Signs of any kind shall be erected or displayed in any salt marsh areas or on any land subject to periodic inundation by tidal salt water; and
17. Snipe Signs.
18. Digital signs and billboards, except billboards allowed by 15:7.2 and approved by Planning Commission (15:1.8).

15:5 Temporary Signs

The following signs shall require the issuance of a Temporary Sign Permit by the DSR prior to their erection. The permit shall cite the length of time any such sign may be displayed.

15:5.1 Location. All Temporary Signs must maintain at least a ten (10) foot setback from all property or right of way lines and the existing road right-of-way, unless otherwise specifically stated in this Ordinance. However, no sign shall be allowed to violate any of the requirements of sight triangle clearance and sight visibility at intersections as provided in this Ordinance and the Land Development Regulations.

15:5.2 Types of Temporary Signs

1. Special Event Signs- One (1) portable sign or windblown sign shall be permitted in conjunction with special events in accordance with the following provisions: For the opening or closing of a business, special event or sale, promotional event, change of ownership or management events, such signs are permitted for a period not to exceed the timeframe and size limitation approved by the DSR. Unless otherwise approved by the DSR, such signs shall not be erected more than fourteen (14) days prior to the event and shall be removed within (5) days after the event.
2. Temporary Signs announcing a Civic, Philanthropic, Educational, or Religious Event- such signs are permitted for a period not to exceed the timeframe and size limitation approved by the DSR. Unless otherwise approved by the DSR, such signs shall not be erected more than fourteen (14) days prior to the event and shall be removed within (5) days after the event.

15:6 Standards

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

1. Computation of Area of Individual Signs: The area of a sign face (which is also the sign area of a wall sign or other sign with only one (1) face) shall be computed by means of the smallest square, circle, rectangle, triangle, or combination thereof 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, but not including any supporting framework, bracing, or decorative fence or wall when such fence or wall otherwise meets the Jasper County Zoning Ordinance regulations and is clearly incidental to the display itself;
2. Computation of Area of Multi-faced Signs: The sign area for a sign with more than one (1) face shall be computed by adding together the area of all sign faces visible from any one (1) point. When two (2) identical sign faces are placed back to back, so that both faces cannot be viewed from any point at the same time, and when such sign faces are part of the same sign structure and are not more than

forty-two (42) inches apart, the sign area shall be computed by the measurement of one (1) of the faces; and

3. Computation of Height: The height of a sign shall be computed as the distance from the base of the sign at normal grade to the top of the highest attached component of the sign. Normal grade shall be construed to be the lower of the following;
 - a. Existing grade prior to construction; or
 - b. The newly established grade after construction, exclusive of any filing, berming, mounding, or excavating solely for the purpose of locating the sign. In cases in which the normal grade cannot reasonably be determined, sign height shall be computed on the assumption that the elevation of the normal grade at the base of the sign is equal to the elevation of the nearest point of the crown of a public street or the grade of the land at the principal entrance to the principal structure on the zone lot, whichever is lower.

15:6.2 Location. In all districts, any portion of an Identification Sign must maintain at least a ten (10) foot setback from all property lines and the existing road right-of-way, unless otherwise specifically stated in this Ordinance. Signs shall not be located within the vision clearance triangle at street intersections. The vision clearance triangle shall be determined by measuring back fifteen (15) feet from the intersecting rights-of-way and connecting the two (2) points.

15:6.3 Freestanding Signs. These types of signs are permitted in the PDD, General Commercial, and Community Commercial Zoning Districts. The area and quantity of any freestanding sign for which a permit is required should conform to the following requirements.

Zoning District	Square footage per sign face	Faces Allowed	Maximum Height	Maximum Width
RC, R, RP, RE	25	2	5	10
CC	40	2	6	12
GC, ID, PDD	50	2	8	16

Freestanding signs shall be separated by a distance of no less than two hundred (500) foot intervals along each street frontage of the premises. In the event that a street frontage of less than two hundred (500) feet exists for any premises, only one (1) sign shall be permitted along that frontage, notwithstanding that a greater number of signs may appear to be permitted by this Section.

In lieu of a freestanding sign, a development may use signs on entrance structures such as fences or walls. The number of sign faces is limited to two (2) per entrance, on either side of the entrance, and confined to the entrance area. The distance between sign faces shall not exceed one hundred (100) feet. Such signs are subject to the size limitations of this Section.

15:6.4 Wall Signs. These types of signs are permitted in the PDD, General Commercial, and Community Commercial Zoning Districts. Wall signs are allowed where permitted under the following standards:

1. The total area of wall signs shall not occupy more than ten (10) percent of the area of the wall upon which they are placed.
2. One (1) sign per tenant per side as long total square footage does not exceed ten (10) percent of the area of the wall upon which they are placed.
3. Wall signs must be contained within any single wall panel, window, door, or other architectural component upon which they are placed; and
4. Tenant façade signs must be located on the façade of the tenant space being identified.

15:6.5 Directory Signs. These types of signs are permitted within non-residential subdivisions for directory purposes. Signs structures are limited to 25 square feet per face with four faces total. One sign is allowed per primary access point.

15:6.5 Automotive Service Station/Convenience Market Signs. The following sign standards apply to automotive service station and convenience markets:

1. Freestanding and Wall Signs: One (1) freestanding sign and one (1) wall sign shall be permitted. Such signs shall meet total height and area requirements as set forth in Section 15:6.3, Freestanding Signs, and Section 15:6.4, Wall Signs;
2. Gasoline Pump Signs: Signs on gasoline pumps must be an integral part of the pump structure;
3. Product or Service Advertising
 - a. No more than four (4) product/service advertisements shall be allowed;
 - b. Signs must be grouped on one (1) sign structure per street frontage;
 - c. Individual product/service advertisements shall not exceed four (4) square feet in size;
 - d. None of the allowable signs on the same structure shall be duplicates.
 - e. Fuel Price Signs: One (1) double-face sign per street frontage, not to exceed twelve (12) square feet total area;
 - f. Rack or Cabinet Signs: Includes those signs, which are an integral part of a rack or cabinet, such as display of oil, wiper blades, etc;
 - g. Attention-getting Advertising Media: Banners, streamers, whirligigs, flashing, intermittent electrical or iridescent devices, and similar attention-getting advertising media are prohibited;
 - h. Signs Located on Buffer Wall: No sign for an automotive service station shall be placed, painted, or otherwise erected on any buffer wall; and
 - i. Signs Interfering with Site Distance: No sign or sign structure shall be positioned in such a manner that it interferes with any recognized vehicular sign, distance needs, or requirements.

15:7 Illumination

15:7.1. General Lighting. Sign lighting shall be of low intensity with effective provisions made to minimize spillover of light beyond the actual sign face. Examples of permissible illumination methods would include, but not limited to, the use of appropriate cut-off style light fixtures, the use of down-light fixtures adjusted so as to avoid spillover and interference with the vision of motorists, and the use of muted internal illumination in accordance with 15:7.4. Prohibited forms of light spillover include, but are not limited to, spillover into adjoining properties, roadways and airspace. Signs shall not have light-reflecting backgrounds but may use light reflective lettering. Colored lamps are not permitted except for electronic changeable copy signs as allowed under section 15:7.3.

15:7.2. Digital billboards. Digital billboards are only permitted within the General Commercial Zoning District north of US 278 on SC 170 and in Point South. Digital billboards are subject to the cap and replace regulation, section 15:8.2. Where permitted, digital signs shall be subject to the following regulations:

1. Distance: The digital structure may be located no closer than one-thousand (1,000) feet to the Residential, Resource Conservation or Rural Preservation Zoning Districts. Measurement shall be from the residential zoning district to the outermost portion of each sign.
2. Spacing: No digital sign may be closer than two (2) miles to an existing digital billboard/off-premise advertising sign. Measurement shall be to the outermost portion of each sign.
3. Message Display Intervals – Each message appearing on a digital billboard face shall remain fixed for a minimum of eight seconds, and message changes shall be instantaneous and shall not contain such visual effects as fading or dissolving.
 - a. Dissolve. A mode of message transition on an electronic message display accomplished by varying the light intensity or pattern, where the first message gradually appears to dissipate and lose legibility simultaneously with the gradual appearance and legibility of the second message.
 - b. Fade. A mode of message transition on an electronic message display accomplished by varying the light intensity, where the first message gradually reduces intensity to the point of not being legible and the subsequent message gradually increases intensity to the point of legibility.

In no event shall revolving, flashing or intermittent illumination be allowed. Where allowed, a message shall be displayed a minimum of eight seconds. Transition from one message to the next shall be instantaneous and shall not contain such visual effects as fading dissolves, flashing, etc.

4. Illumination – Display brightness shall be adjusted as ambient light levels change and shall be subject to review and regulation as determined by the DSR.
5. Malfunction Display Lock – Digital billboards shall contain a default design that will freeze the sign in one position if a malfunction occurs or in the alternative shut down.

6. Emergency Information – The operator of a digital billboard shall at the request of the Jasper County Government make every effort to display emergency messages, such as Amber Alerts, road closures and evacuation information, as a public service and at no cost to requesting authority. Such messages shall be displayed in appropriate locations and with appropriate frequency until the emergency no longer exists or the authority requests termination.

15:7.3 Electronic Changeable Copy Sign. Electronic Changeable Copy Signs are permitted within the General Commercial and Industrial Development Zoning District. Where permitted, digital signs shall be subject to the following regulations:

1. Display Area- Changeable Copy Signs area must be limited to 20% of the total allowed sign area;
2. Display- No "Scrolling displays," or the vertical movement of a static message or display on an electronic changeable message sign. No "Traveling displays" or the horizontal movement of a static message or display on an electronic changeable message sign;
3. Message Display Interval- These signs are only allowed to change when the information changes meaning the sign must be set in a non-flashing and non-animated mode. The electronic message shall not change in increments of less than eight seconds and shall not use flashing or blinking characters; and
4. Content- Signs shall only provide public information such as gas price signs, time and temperature signs, and "open or closed" status.

15:7.4 Internal Illumination. Internal Illuminated signs are permitted within the Community Commercial, General Commercial and Industrial Development Zoning Districts. Where permitted, Internally Illuminated signs shall be subject to the following regulations:

1. Display Area- Internally Illuminated area of signs must be limited to 50% of the total allowed sign area.
2. Muted Lighting- Lamps within internally illuminated signs shall be muted so that individual lamps cannot be distinguished behind the sign face.

15:8 Off-Premise Signs and Billboards

15:8.1 Location. Off-premise signs are identified as principal activities in this article and are therefore subject to all other provisions of this Ordinance. They shall be permitted in the zoning districts in which they are allowed, provided they meet the street access requirements of this Ordinance, except for the following:

Off site signs are prohibited in all areas except as permitted by Section 15:8.2, and on interstate highways, expressways, and frontage roads where their right-of-way is contiguous to an interstate highway or expressway; these signs, however, must be located within 200 feet of the right of way of the interstate or frontage road, if applicable.

All portions of off-premise signs must maintain at least a ten-foot setback from all

property lines and the existing road right-of-way. In some locations, the required minimum setbacks may be greater than this. Such signs shall also comply with all requirements of sight triangle, clearance and sight visibility at intersections as provided in this Ordinance and the Land Development Regulations.

No off-premise sign located along an interstate may be erected within 500 feet of an interchange or rest area. The interchange or rest area is considered to begin or end at the point where the pavement widens for an entrance or exit ramp.

15:8.2 Cap and replace. No new billboards are allowed outside of areas noted in 15:8.1 except through the cap and replace regulations. One new non-digital billboard can be placed in the GC or ID district if the advertising company removes three billboards from any other Zoning District. One digital billboard can be placed in the GC or ID District if the advertising company removes four billboards from other Zoning Districts. Any new billboard must adhere to all the requirements of Article 15. Any new digital billboard must adhere to all requirement of Article 15 including 15:7.2. All new billboards allowed through this regulation must be approved by the Planning Commission.

Sizes of digital billboards is limited to 75% of non-digital billboard size requirements.

15:8.3 Maximum Sign Face. The maximum Sign Face for any off-premise sign located along an interstate shall be 672 square feet plus a 10% allowance for copy extensions. A copy extension is the part of the copy which extends beyond the edge or border of the sign, sometimes called a “cut-out” or “drop-out.”

The Sign Face of off-premise signs on any other highway shall be 378 square feet plus 10% allowance for copy extensions.

15:8.3 Minimum Spacing. No off-premise sign located along an interstate shall be permitted to locate within 500 feet of another sign on the same side of the roadway. For non-interstate highways no off premise signs shall be permitted to locate within a 1,000 foot radius of another off premise sign.

15:8.4 Maximum Height. Off-premise signs along interstate highways shall be permitted to a height of 150 feet above the elevation of the highest travel lane at the location of the sign. The maximum height of off-premise signs along other roadways shall not exceed 35 feet above the elevation of the roadway.

15:8.5 Minimum Height. The minimum height of the display surface for off-premise signs located along interstate highways shall be 15 feet above the elevation of the highest travel lane at the location of the sign. The minimum height of the display surface of other off-premise signs shall be 15 feet above the elevation of the roadway, unless the Sign Face does not exceed 200 square feet and placement of the sign does not block visibility of an existing Identification Sign.

15:8.6 South Carolina Code Laws. The sign regulations contained in this Ordinance are supplemented by the requirements of The State of South Carolina Department of Transportation which regulates off-premise signs on interstate and federal aid road systems. A permit form the State of South Carolina may contain some restrictions which are in addition to the requirements of this Ordinance. Issuance of a Jasper County Zoning Permit does not imply approval of, or constitute a privilege to violate, any other

applicable state or local ordinances, codes, laws, or private restricted covenants. Applicants are specifically reminded of the Jasper County Code of Ordinances as it relates to initial and recurring annual fee for off-premise signs.

15.9 Non-conforming Signs and Billboards

Non-conforming signs may continue in operation and maintenance, provided that non-conforming signs shall not be:

1. Changed to or replaced with another non-conforming sign. However, this provision shall not prohibit a change in copy or graphics on the sign face of the sign;
2. Replaced with a digital, LED, etc sign, except as allowed by 15:8.2.
3. Structurally altered so as to extend their useful life;
4. Expanded;
5. Relocated, except in compliance with this Section; and
6. Reestablished after damage or destruction of more than fifty (50) percent of the replacement value of the same type sign at the time of such damage or destruction.

15:9.2 With the exception of Section 15.9.D.1.e, this Section shall not prevent repairing or restoring to a safe condition any part of a sign or sign structure, or normal maintenance operations performed on a sign or sign structure. The sign structure, or any of its members, may be replaced with only like or similar materials. Replacement may be made only on a pole for pole or member for member basis, and the original structure design may not be altered in any form. Lighting cannot be added to a non-illuminated sign.

15:9.3 When a sign is located on property which is condemned for right-of-way acquisition, one (1) of the following standards shall apply:

1. A sign which is not located in, and does not overhang the new right-of-way, may remain in place.
 2. When a sign located on a state or federal aid highway must be relocated off the new right-of-way, it shall, at a minimum, comply with state standards for such relocation; and
 3. When a sign located on a County road must be relocated off the new right-of-way, it shall comply, as near as possible, with the setbacks established in this Article.
6. This Ordinance shall take effect upon approval by Council.

**Dr. George M. Hood
Chairman**

ATTEST:

**Judith M. Frank
Clerk to Council**

ORDINANCE: # ___ - ___

First Reading: _____

Second Reading: _____

Public Hearings: _____ & _____

Adopted: _____

Considered by the Jasper County Planning Commission at it's meeting on

_____, 2008 and recommended for approval.

It is required that the following Exhibit be attached before the second reading:

.....

Reviewed for form and draftsmanship by the Jasper County Attorney.

Marvin C. Jones

Date